



# AGENDA

For the Council Meeting to be Held  
At the Saanich Municipal Hall,  
770 Vernon Avenue  
**MONDAY, JULY 24, 2017**

## **REVISED AGENDA**

- I. In Camera Meeting to start at 6:00 p.m.**
- II. Item F: Public comment invited on Items G & H on the Council Agenda**

Revised

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

That the meeting be closed to the public in accordance with the *Community Charter*, Part 4, Division 3, 90 (2) (b) as the matter being considered relates to the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both.

II. **7:30 P.M., COUNCIL CHAMBERS**

A. **PUBLIC HEARING**

1. **“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2017, NO. 9449**

**PROPOSED REZONING FOR A TWO-LOT RESIDENTIAL SUBDIVISION ON KILLARNEY ROAD**

To rezone Lot B (DD 327049-I), Section 44, Victoria District, Plan 1592 (**2558 KILLARNEY ROAD** from Zone RS-10 (Single Family Dwelling – Minimum Lot Size 780 m<sup>2</sup>) to Zone RS-6 (Single Family Dwelling – Minimum Lot Size 560 m<sup>2</sup>) for the purpose of subdivision in order to create one additional lot for a total of two lots for single family dwelling use. A **DEVELOPMENT VARIANCE PERMIT** will be considered to allow for variances to lot width for both proposed lots. A **COVENANT** will also be considered to further regulate the use of the lands and buildings.

B. **DELEGATION**

- 1. Friends of Cuthbert Holmes Park - Presentation relating to the McKenzie Interchange and its effects on Cuthbert Holmes Park.

C. **ADOPTION OF MINUTES**

- 1. Council meeting held July 17, 2017

D. **BYLAWS FOR FINAL READING**

1. **FIREARM AND BOW DISCHARGE REGULATION BYLAW**

Final Reading of “Firearm and Bow Discharge Regulation Bylaw, 2017, No. 9414”. To update the provisions of the bylaw to align with the *Right to Farm Act*.

E. **BYLAWS FOR FIRST READING (SUBJECT TO A PUBLIC HEARING)**

1. **1654 FELTHAM ROAD – REZONING TO RS-6**

First Reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9450”. To rezone from RS-10 (Single Family Dwelling) zone to RS-6 (Single Family Dwelling) zone for the purpose of subdivision to create one additional lot.

2. **574 WALTER AVENUE – REZONING TO P-4N**

First Reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9451”. To rezone from RS-6 (Single Family Dwelling) zone to P-4N (Natural Park) zone in order to establish and operate the land as a natural park.

3. **4623 CORDOVA BAY ROAD – REZONING TO RS-12**  
First Reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9452”. To rezone from RS-18 (Single Family Dwelling) zone to RS-12 (Single Family Dwelling) zone for the purpose of subdivision to create one additional lot for single family dwelling use.
4. **2474 ARBUTUS ROAD – NEW ZONE P-30/R**  
First Reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9453”. To create a new Personal Care, Office and Research Zone – P-30/R.
5. **2474 ARBUTUS ROAD – REZONING TO P-30/R**  
First Reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9454”. To rezone part of the site from P-3 (Personal Care) zone to P-30/R (Personal Care, Office and Research) zone in order to allow a former care facility building on the site to be repurposed to accommodate office and research uses of ocean and climate scientists.

Revised

F. PUBLIC INPUT (ON BUSINESS ITEMS G & H)

G. REPORTS FROM COUNCIL

1. **AFFORDABLE HOUSING OPTION ADMINISTERED BY CAPITAL REGIONAL DISTRICT (CRD) HOUSING**  
Further to the Notice of Motion from the July 17, 2017 Council meeting, verbal report by Councillor Brice recommending that Council contact Capital Regional District (CRD) Housing and request that they provide a clear process that will allow Saanich staff to suggest the dedication of affordable units as a viable alternative to developers.

H. REPORTS FROM DIRECTORS

1. **INDEPENDENT REVIEW OF THE ENVIRONMENTAL DEVELOPMENT PERMIT AREA (EDPA) DRAFT REPORT FROM DIAMOND HEAD CONSULTING LTD.**  
Report of the Director of Planning dated July 12, 2017 recommending Council receive the draft report from Diamond Head Consulting Ltd. for information, and provide direction to staff as to how it wishes to proceed with the draft report and the Environmental Development Permit Area.

## **AGENDA**

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

1. **1649 & 1653 ALDERWOOD STREET – SUBDIVISION, REZONING AND DEVELOPMENT VARIANCE PERMIT APPLICATION**

Report of the Director of Planning dated July 11, 2017 recommending that Council support the application to rezone from RS-6 (Single Family Dwelling) zone to RS-4 (Single Family Dwelling) zone for a proposed subdivision to create one additional lot, for a total of three parcels and that Final Reading of the Zoning Amendment Bylaw be withheld pending registration of a covenant for the items outlined in the report. Variances are requested for lot width.

\* \* \* Adjournment \* \* \*

“IN CAMERA” COUNCIL MEETING IMMEDIATELY FOLLOWS



# AGENDA

For the Council Meeting to be Held at the  
Council Chambers, Saanich Municipal Hall,  
770 Vernon Avenue

**MONDAY, JULY 24, 2017 AT 7:30 PM**

## NOTICE OF PUBLIC HEARING JULY 24, 2017

### A. PROPOSED REZONING FOR A TWO-LOT RESIDENTIAL SUBDIVISION (2558 KILLARNEY ROAD)

1.	Reports: <ul style="list-style-type: none"><li>▪ Supplemental Report from the Director of Planning dated July 5, 2017</li><li>▪ Report from the Director of Planning dated May 29, 2017</li></ul>	Pg. 6 Pg. 8
2.	Engineering Servicing Requirements	Pg. 23
3.	Bylaw No. 9449	Pg. 25
4.	Excerpt from the Committee of the Whole meeting held June 19, 2017	Pg. 26
5.	Other Reports: <ul style="list-style-type: none"><li>▪ Sustainability Statement</li><li>▪ Tree Preservation Plan</li><li>▪ Arborist Report</li></ul>	Pg. 28 Pg. 29 Pg. 37
6.	Correspondence: <ul style="list-style-type: none"><li>▪ Email from the Cadboro Bay Residents Association</li><li>▪ 4 Letters from Residents</li></ul>	Pg. 43 Pg. 45

COUNCIL MEETING IMMEDIATELY FOLLOWS

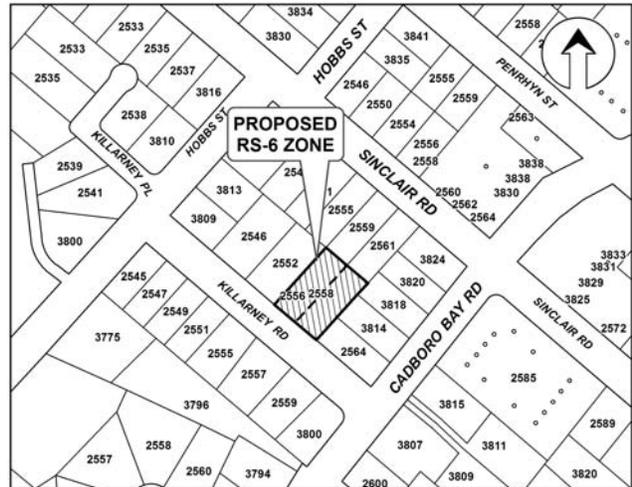
**CM**  
**A.1**

THE DISTRICT OF SAANICH  
**NOTICE OF PUBLIC HEARING ON A ZONING BYLAW**

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 **MONDAY, JULY 24, 2017 at 7:30 P.M.**, to allow the public to make verbal or written representation to Council with respect to the following proposed bylaw and permit.

A. ZONING BYLAW, 2003, AMENDMENT BYLAW, 2017, NO. 9449”  
**PROPOSED REZONING FOR A RESIDENTIAL SUBDIVISION ON KILLARNEY ROAD**

The intent of this proposed bylaw is to rezone Lot B (DD 327049-I), Section 44, Victoria District, Plan 1592 **(2558 KILLARNEY ROAD** from Zone RS-10 (Single Family Dwelling – Minimum Lot Size 780 m<sup>2</sup>) to Zone RS-6 (Single Family Dwelling – Minimum Lot Size 560 m<sup>2</sup>) for the purpose of subdivision in order to create one additional lot for a total of two lots for single family dwelling use. A **DEVELOPMENT VARIANCE PERMIT** will be considered to allow for variances to lot width for both proposed lots. A **COVENANT** will also be considered to further regulate the use of the lands and buildings.



The proposed bylaw, permit and relevant reports may be inspected or obtained from the Legislative Division between 8:30 a.m. and 4:30 p.m., from July 12, 2017 to July 24, 2017 inclusive, except for weekends and statutory holidays. The reports from the Director of Planning regarding the above application are available on the Saanich website at [www.saanich.ca](http://www.saanich.ca) under Local Government/Development Applications/Active Development Applications/Cadboro Bay

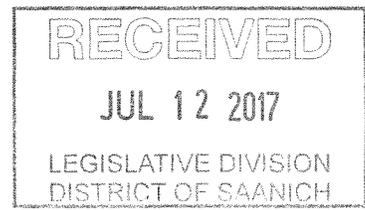
Correspondence may be submitted by mail or by e-mail and must be received no later than 4:00 p.m. on the day of the meeting. All correspondence submitted will form part of the public record and may be published in a meeting agenda.

Legislative Division by e-mail: [clerksec@saanich.ca](mailto:clerksec@saanich.ca) By Phone: 250-475-1775 Web: [Saanich.ca](http://Saanich.ca)

The Corporation of the District of Saanich

# Supplemental Report

**To:** Mayor and Council  
**From:** Sharon Hvozdzanski, Director of Planning  
**Date:** July 5, 2017  
**Subject:** Subdivision Rezoning and Development Variance Permit Application  
**File:** SUB00759; REZ00575; DVP00375 • 2558 Killarney Road



## RECOMMENDATION

1. That Council approve the application to rezone from the RS-10 (Single Family Dwelling) Zone to the RS-6 (Single Family Dwelling) Zone;
2. That Council approve Development Variance Permit DVP00375;
3. That Council withhold Final Reading of the Zoning Amendment Bylaw pending registration of a covenant requiring that new dwellings on proposed Lots 1 and 2:
  - Conform to a minimum BUILT GREEN® Gold, Energuide 82, or an equivalent level of energy efficient building design and construction standard and are designed to be solar ready; and
  - That the side yard setbacks be increased from the 1.5 m minimum required by the Zoning Bylaw to 2.0 m on the west side of proposed Lot 1 and 2.5 m on the east side of proposed Lot 2.

## PURPOSE

The purpose of this report is to provide Council with additional information requested at the Committee of the Whole meeting held June 19, 2017, regarding a covenant to protect two hedges on the subject property.

## DISCUSSION

### Background

At the Committee of the Whole meeting held June 19, 2017, Council moved "That a Public Hearing be called to further consider the rezoning application on Lot B (DD 327049-I), Section 44, Victoria District, Plan 1592 (2558 Killarney Road)."

At the Committee of the Whole meeting, the applicant noted that privacy and separation would be maintained in part through the retention of a Laurel hedge between the properties.

As noted in the preceding report, the applicant had indicated a willingness to commit to a covenant to secure protection and future maintenance of the hedge. This covenant would be referred to the Approving Officer as a condition of subdivision approval.

At the Committee of the Whole meeting, Council requested further information in relation to the covenant for the hedge.

**New Information**

Subsequent to the June 19, 2017 Committee of the Whole meeting, the applicant noted that he has talked with his neighbours on both sides of his property about the hedge and the covenant, and indicated that "none of the neighbours are asking for a covenant, and they don't think it is necessary."

The request for the hedge covenant was as a result of neighbour's expressing concerns regarding privacy early in the application process.

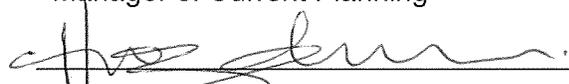
The applicant was informed by Planning that if he was able to obtain written confirmation from the neighbours abutting the two hedges in question stating that they support not having the hedges protected via covenant, the Approving Officer would take that into consideration at the subdivision phase. The applicant has subsequently provided written confirmation from the owners of 2552 and 2564 Killarney Road and 3814 Cadboro Bay Road stating that an agreement has been made between all properties to maintain the hedges without a need for a covenant.

It should be noted, without the covenant, there is no legal tool that requires future owners of the new lots to protect these hedges in perpetuity.

Prepared by   
\_\_\_\_\_  
Chuck Bell

Planner

Reviewed by   
\_\_\_\_\_  
For Jarret Matanowitsch  
Manager of Current Planning

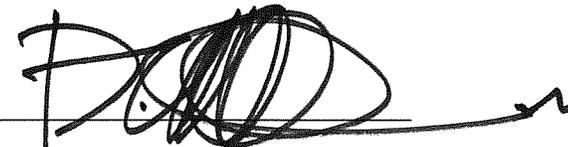
Approved by   
\_\_\_\_\_  
Sharon Hvozdański  
Director of Planning

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

**ADMINISTRATOR'S COMMENTS:**

I endorse the recommendation from the Director of Planning.

  
\_\_\_\_\_  
Paul Thorkelsson, Administrator



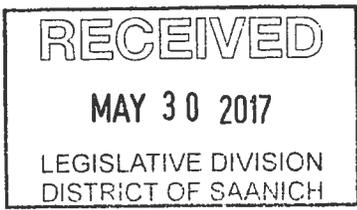
The Corporation of the District of Saanich

Mayor  
Councillors  
Administrator  
Com. Assoc.  
Applicant

Council  
Administrator  
Media

# Report

To: Mayor and Council  
From: Sharon Hvozanski, Director of Planning  
Date: May 29, 2017



Subject: Subdivision Rezoning and Development Variance Permit Application  
File: SUB00759; REZ00575; DVP00375 • 2558 Killarney Road

## RECOMMENDATION

1. That Council approve the application to rezone from the RS-10 (Single Family Dwelling) Zone to the RS-6 (Single Family Dwelling) Zone;
2. That Council approve Development Variance Permit DVP00375;
3. That Council withhold Final Reading of the Zoning Amendment Bylaw pending registration of a covenant requiring that new dwellings on proposed Lots 1 and 2:
  - Conform to a minimum BUILT GREEN® Gold, Energuide 82, or an equivalent level of energy efficient building design and construction standard and are designed to be solar ready; and
  - That the sideyard setbacks be increased from the 1.5 m minimum required by the Zoning Bylaw to 2.0 m on the west side of proposed Lot 1 and 2.5 m on the east side of proposed Lot 2.

## PURPOSE

The purpose of this report is to seek direction from Council on the subject application. The subject application is for a Rezoning and Development Variance Permit to accommodate a subdivision at 2558 Killarney Road resulting in one new lot (two lots total). The applicant is Allan Chapman.

## DISCUSSION

### Neighbourhood Context

The subject property is located in the Cadboro Bay Local Area. This rectangular, RS-10 (Single Family Dwelling) zoned property measures 1294 m<sup>2</sup> in area and is located on Killarney Road northwest of Cadboro Bay Road. The block is also bounded by Hobbs Street and Sinclair Road, and is very close (150 m) to services and amenities in the Cadboro Bay Village "Centre". The area is a predominantly single family dwelling neighbourhood. Surrounding properties are

all zoned RS-10 (Single Family Dwelling) with the exception of the adjacent parcel at 2561 Sinclair, which is zoned RS-10VC (Single Family Dwelling) and accommodates a veterinary clinic.

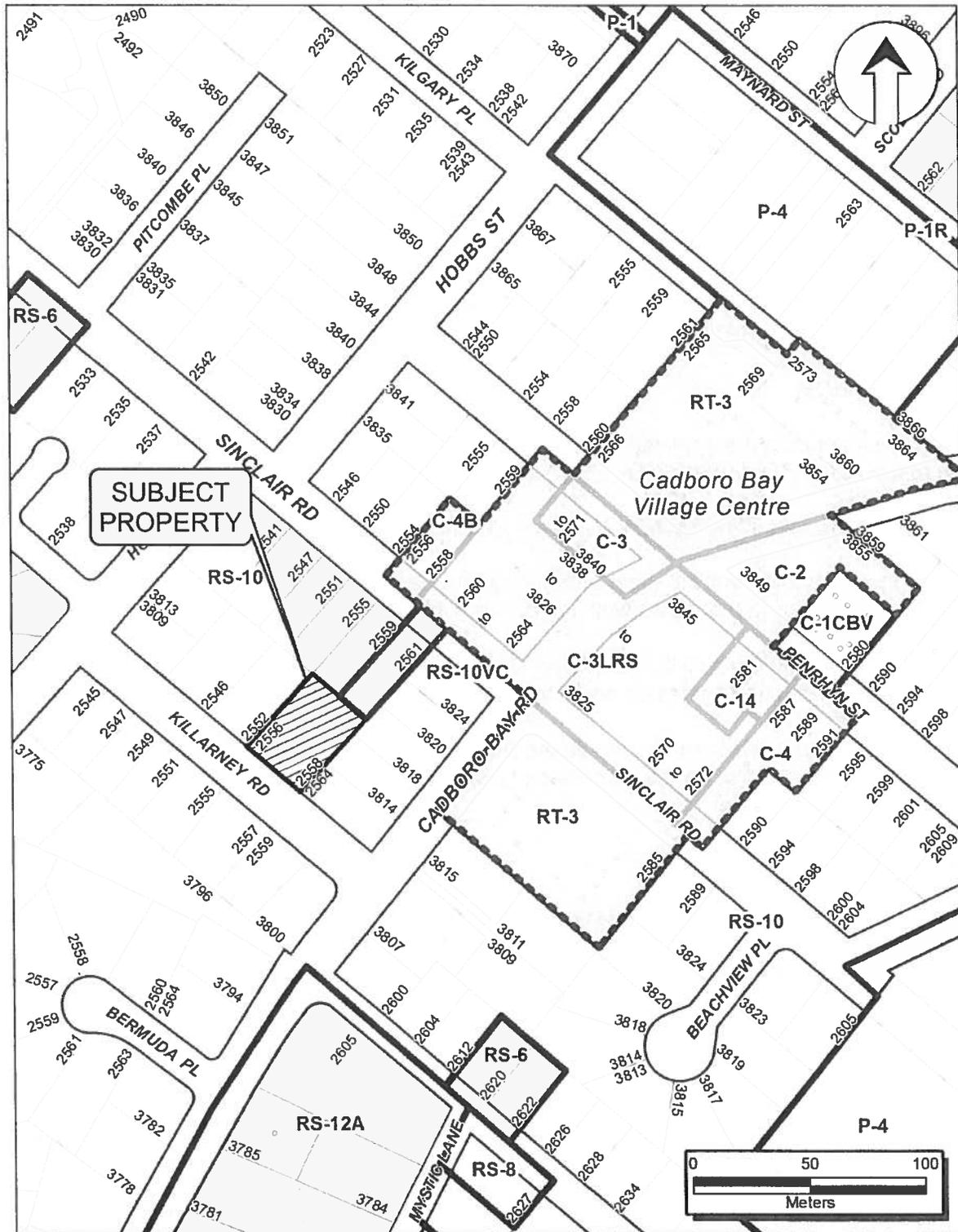


Figure 1: Neighbourhood Context

Nearby parks include Cadboro-Gyro Park (less than 300 m away) and Maynard Park (360 m away). The closest school is Frank Hobbs Elementary School, located 585 m walking distance to the north.

### **Proposed Land Use**

The subject development proposal is to rezone from the RS-10 (Single Family Dwelling) Zone to the RS-6 (Single Family Dwelling) Zone Land Use in order to create one additional single family lot (two lots in total). Variances are required for lot width, for both lots.

### **Site and Building Design**

The subject site slopes gently down from the southwest corner in the front to the northeast corner at the rear of the lot. The existing dwelling would be removed and a new dwelling constructed on each of the two proposed lots. Each dwelling would have an individual driveway access.

The applicant has provided a conceptual streetscape elevation along Killarney Road (see Figure 3). The elevations are provided for illustrative purposes to give an understanding of how the general massing of new houses on these lots would appear.

The proposal includes a variance request for lot width on both proposed lots. The Zoning Bylaw specifies a minimum width of 16 m for RS-6 zoned lots. Plans submitted show a width of 15.18 m for both proposed Lots 1 and 2, a deficiency of 0.82 m.

### **Consultation**

The applicant states that a copy of their application package was sent to the Cadboro Bay Residents' Association (CBRA). In addition, the applicant has had discussions with all immediate and adjacent neighbours, including those on Killarney Road, Cadboro Bay Road, and Sinclair Road.

A referral was sent from the Planning Department to the CBRA. A response was received indicating no objection.

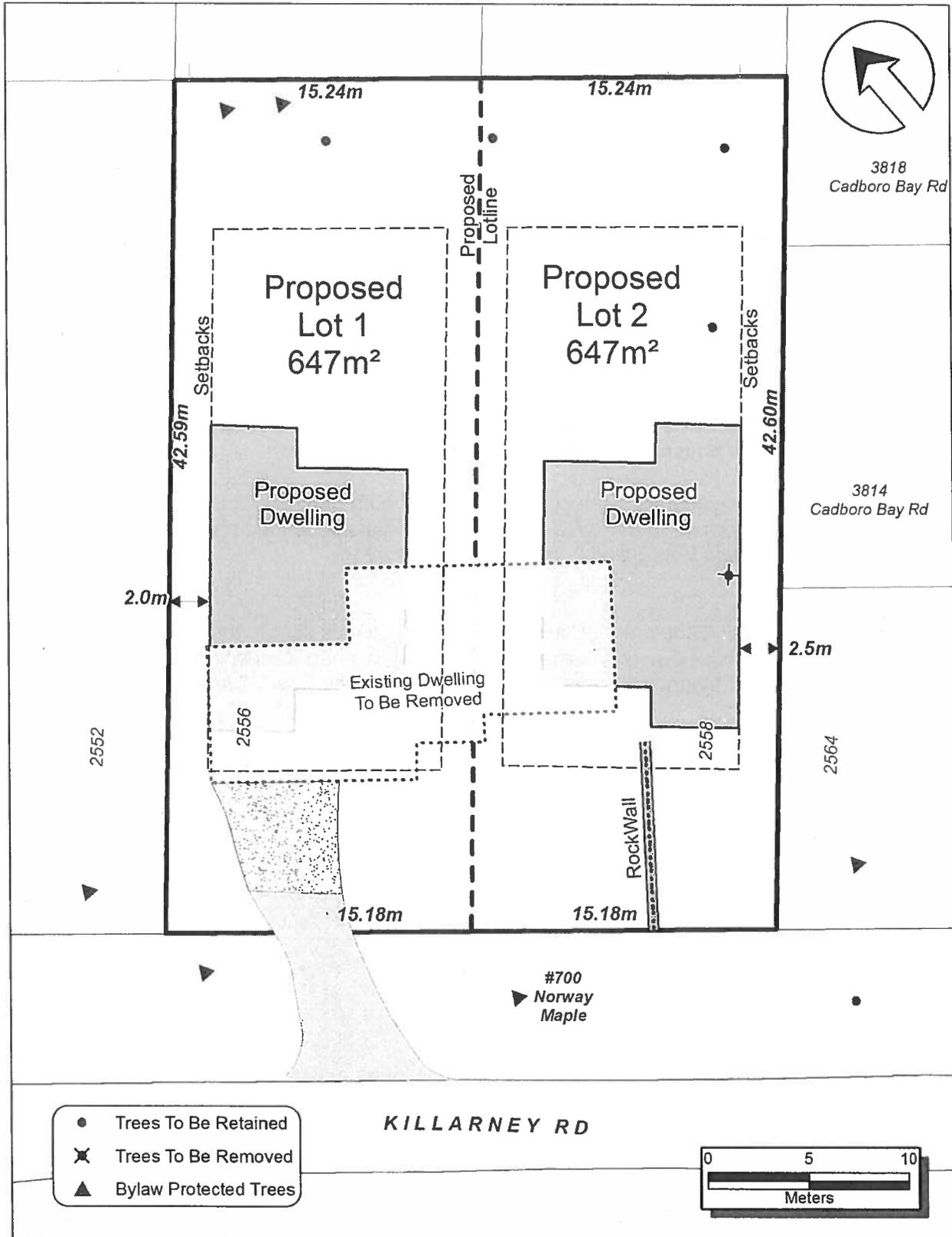
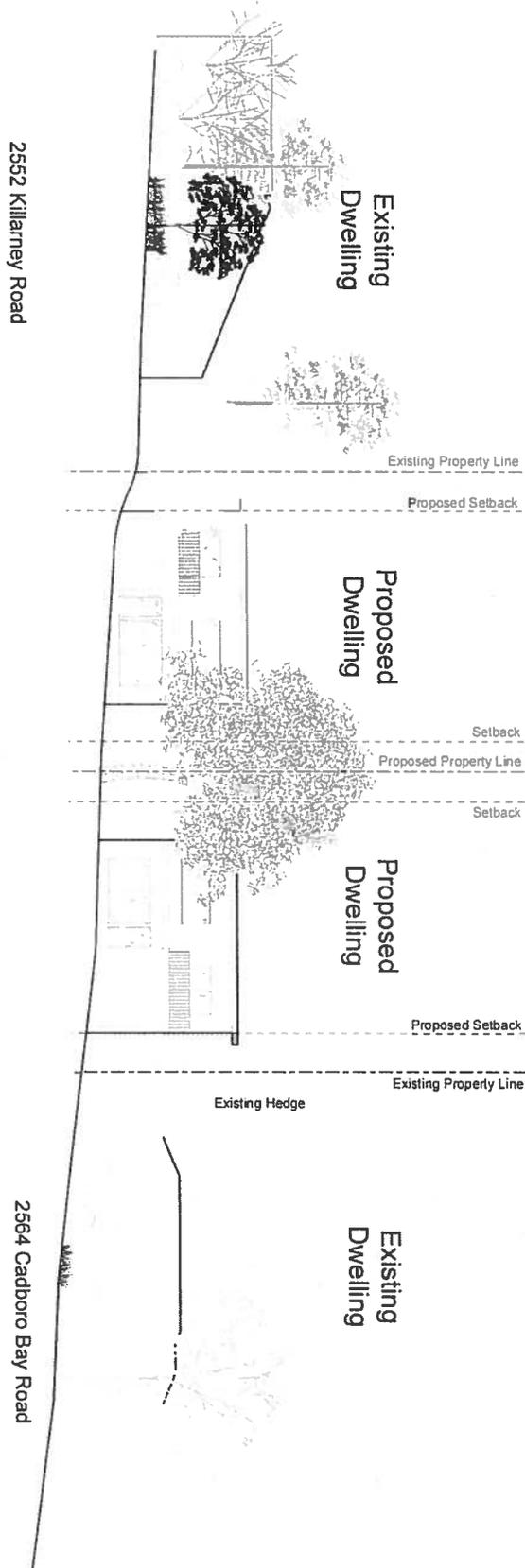


Figure 2: Proposed Subdivision

**Figure 3: Conceptual Streetscape Elevation (from plans by Sparks Drafting & Design)**



## ALTERNATIVES

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

The implications of this alternative are outlined within the body of this report.

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

Should Council decide to reject the recommendations contained in this report, the implications are that the proposed rezoning and subdivision would not proceed. The subject property would retain its current RS-10 (Single Family Dwelling) zoning and the one existing single family dwelling would remain on the lot.

3. That Council provide alternate direction to Staff.

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

## FINANCIAL IMPLICATIONS

The proposal has no immediate implications related to the District of Saanich Financial Plan.

## STRATEGIC PLAN IMPLICATIONS

The proposal has no implications related to the District of Saanich 2014-2018 Strategic Plan.

## PLANNING IMPLICATIONS

### Policy

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

#### Official Community Plan (2008)

- 4.2.1.1 "Support and implement the eight strategic initiatives of the Regional Growth Strategy, namely: Keep urban settlement compact; Protect the integrity of rural communities; Protect regional green and blue space; Manage natural resources and the environment sustainably; Build complete communities; Improve housing affordability; Increase transportation choice; and Strengthen the regional economy."
- 4.2.1.2 "Maintain the Urban Containment Boundary as the principal tool for growth management in Saanich, and encourage all new development to locate within the Urban Containment Boundary."
- 4.2.1.14 "Encourage the use of 'green technologies' in the design of all new buildings."

- 4.2.1.18 "Encourage new development to achieve higher energy and environmental performance through programmes such as 'Built Green', LEED or similar accreditation systems."
- 4.2.2.3 "Consider the use of variances to development control bylaws where they would achieve a more appropriate development in terms of streetscape, pedestrian environment, view protection, overall site design, and compatibility with neighbourhood character and adjoining properties."
- 4.2.3.9 "Support the following building types and uses in 'Villages':
- Small lot single family houses (up to 2 storeys)
  - Carriage/coach houses (up to 2 storeys)
  - Townhouses (up to 3 storeys)
  - Low-rise residential (3-4 storeys)
  - Mixed-use (commercial/residential) (3-4 storeys)
  - Civic and institutional (generally up to 3 storeys)."

Cadboro Bay Local Area Plan (2002)

- 7.1 "Maintain single-family housing as the predominant land use and promote appropriately located and designed multi-family housing."
- 7.2 "Do not support rezoning to permit single family minimum lot sizes less than those identified on Map 7.1, unless located in the 780 m<sup>2</sup> designation and in accordance with Policy 7.3."
- 7.3 "Consider rezoning for single-family infill subdivision to a minimum parcel size of 460 m<sup>2</sup> lot area and 14 m lot width in the Village neighbourhood provided that:
- a) It is compatible with the scale and massing of the neighbourhood;
  - b) It preserves the privacy of adjacent dwellings; and,
  - c) It requires no variance to lot width or depth.
  - d) Consideration of setback variance, if applicable, is undertaken on a site by site basis."

**Policy Analysis**

The proposed rezoning and subdivision is consistent with Cadboro Bay Local Area Plan Policies 7.2 and 7.3 with respect to lot size. Map 7.1 of the Cadboro Bay Local Area Plan shows the subject parcel to be in an area designated for a Minimum Parcel Size of 780 m<sup>2</sup>, however, the parcel is also located within the Village Neighbourhood boundary, and LAP Policy 7.3 allows consideration of single family infill lots as small as 460 m<sup>2</sup> (equivalent to the RS-4 [Single Family Dwelling] Zone) under certain conditions. The lots being proposed are larger than this minimum, being 647 m<sup>2</sup>, which is just slightly smaller than the RS-8 (Single Family Dwelling) Zone minimum lot size of 665 m<sup>2</sup>.

The proposal is also consistent with the Official Community Plan which contemplates limited infill in neighbourhoods inside the Urban Containment Boundary. The proposed lot sizes and configurations are compatible with the pattern of residential development in the surrounding neighbourhood. In the original subdivision in 1912 that created this block, this parcel was originally two parcels, equivalent in width to the adjoining parcels to the north. These original parcels were 15.24 m x 42.67 m (50 ft x 140 ft) in size. At some point these two lots were

consolidated into one lot. Should the proposed rezoning and subdivision be approved, the two lots created would revert to the size of the original lots. Similarly, three parcels to the west of the subject parcels were later consolidated then resubdivided into the two parcels that are now 2552 and 2546 Killarney Road. A variance is requested for lot width for the proposed lots. Proposed lot configurations comply with the RS-6 (Single Family Dwelling) Zone requirements except for the requested lot width variance. The requested variance of 0.82 m is relatively minor and would have negligible impact on the street appearance or character of the neighbourhood.

The Official Community Plan notes the importance of neighbourhood character and the role building style, exterior finish, massing, and height have on the effective integration of new housing stock. The applicant has provided a conceptual streetscape elevation along Killarney Road (see Figure 3). The elevations are provided for illustrative purposes only, in order to give an understanding of how the massing of the two new houses would appear in context with the existing neighbouring houses. The proposed RS-6 (Single Family Dwelling) Zone regulations would allow for new dwellings on proposed Lots 1 and 2 that would have a maximum of 248 m<sup>2</sup> non-basement gross floor area. Homes of this size and design would be in keeping with the general size of other new homes in the neighbourhood.

In response to concerns from a neighbour about privacy, the applicant is proposing to increase the side yard setbacks facing neighbours from the 1.5 m minimum to 2.0 m on the west side of Lot 1 and 2.5 m on the east side of Lot 2. In addition to increasing the distance between new dwellings constructed on proposed Lots 1 and 2 from existing neighbouring dwellings, the larger side yards would allow for sufficient space to maintain the mature laurel hedges on the property. The applicant is willing to register a covenant on title to require that house siting on proposed Lots 1 and 2 conform to these increased side yard setbacks. The applicant has also consulted the neighbours in regards to further protection of the hedges and is willing to commit to a covenant to secure their protection and future maintenance. This covenant would be referred to the Approving Officer as a condition of subdivision approval.

The applicant has stated that they are willing to commit to a BUILT GREEN® Gold, Energuide 82, or an equivalent level of energy efficiency for the houses on proposed Lots 1 and 2. These commitments would also be secured by covenant.

The applicant is reluctant to register a building scheme for the two lots, and notes that a scheme intended to reinforce a street or neighbourhood consistency would be of little or no value in this case, where there is no consistency of dwelling type or style along Killarney Road. Staff visited the neighbourhood and concur with this observation. Houses in the neighbourhood range from one to two storeys in height, and styles range from hipped roof bungalows to modern flat roof designs. Finishes on neighbouring houses include stucco, painted and natural wood siding in both horizontal and vertical orientations, and even brick accents. Pitched roofs are consistently clad in asphalt shingles. All the houses are consistent with house sizes allowable for lots this size under existing RS-10 (Single Family Dwelling) zoning, as would the houses constructed on the proposed new lots under the requested RS-6 (Single Family Dwelling) zoning. For lots of this size (647 m<sup>2</sup>) the allowable house size is almost identical under either zoning: 323.5 m<sup>2</sup> under RS-10 (Single Family Dwelling), or 310 m<sup>2</sup> under RS-6 (Single Family Dwelling). For these reasons a Building Scheme would be of less value than in another context where there is a more consistent house design pattern.

The Zoning Bylaw specifies a minimum width of 16 m for RS-6 (Single Family Dwelling) zoned lots. Plans submitted show a width at the front of the lots of 15.18 m, for proposed Lots 1 and 2, a deficiency of 0.82 m. The width of the lots at the rear property line is 15.24 m. Despite being narrower than the required width, the requested variance is minimal. In addition, the subject property was originally two lots, each the same size (15.24 m x 42.67 m, or 50 ft x 140 ft) as other lots on this block prior to later consolidation. The proposed subdivision would see the parcel of land that was originally two lots prior to their consolidation, return to their original state and size. The adjacent lots to the north facing Sinclair Road still retain their original width, and the proposed subdivision would be consistent with these.

Cadboro Bay Local Area Plan Policy 7.3 says—in part—to, “Consider rezoning for single family infill subdivision to a minimum parcel size of 460 m<sup>2</sup> lot area and 14 m lot width in the Village neighbourhood provided that: ... c) It requires no variance to lot width or depth.” While this application does seek a variance for lot width, the width of the lot is greater than the 14 m width minimum specified in the policy, and as noted is consistent with historical lot layouts for this block. For these reasons, the requested variance is supportable.

### **Servicing**

Servicing requirements call for Killarney Road fronting this subdivision to be widened to 6.0 m complete with asphalt water control and a catch basin.

Stormwater management must be provided in accordance with the requirements of Schedule H “Engineering Specifications” of the Subdivision Bylaw. This subdivision is within a Type II watershed area which requires stormwater storage, oil/grit separator or grass swale and sediment basin.

### **Environment**

Environmental Services has noted no environmental issues with the proposed development and have indicated no objection to the proposed subdivision.

According to the arborists report by D. Clark Arboriculture, there are two bylaw protected trees on the property. Both of these are in the rear of the property and would be retained along with three existing maple trees in the rear. There are also five bylaw protected trees outside the property lines — one in the front yard of each of the neighbouring properties, as well as three in the boulevard fronting the subject property. None of these five trees would be impacted by the proposed development and all are shown on associated plans to be retained. One non bylaw protected small fruit tree is within the footprint of the dwelling for proposed Lot 2 and would be removed. Parks notes that no Schedule I boulevard tree would be required provided the Norway maple #700 is successfully preserved. The tree preservation plan does show this tree to be protected and retained.

### **Climate Change and Sustainability**

The Official Community Plan (OCP) adopted in 2008 highlights the importance of climate change and sustainability. The OCP is broadly broken down into the pillars of sustainability including environmental integrity, social well-being and economic vibrancy. Climate change is addressed under the environmental integrity section of the OCP and through Saanich’s Climate Action Plan.

The following is a summary of the Climate Change and Sustainability features and issues related to the proposed development. It is important to note that this summary is not, and

cannot be, an exhaustive list of issues nor a detailed discussion on this complex subject matter. This section is simply meant to ensure this important issue is a key part of the deliberations on the subject application.

### Climate Change

This section includes the specific features of a proposal related to mitigation and adaptation strategies. Considerations include: 1) Project location and site resilience; 2) Energy and the built environment; 3) Sustainable transportation; 4) Food security; and 5) Waste diversion.

The proposed development includes the following considerations related to mitigation and adaptation:

- The proposal is an infill project located within the Urban Containment Boundary and Sewer Service Area, that is able to use existing roads and infrastructure to service the development;
- Limited infill through the development of new single family housing inside the Urban Containment Boundary provides a much-desired housing form within Saanich that people would otherwise have to commute further distances for elsewhere in the region. The number of lots so created are limited in number, acknowledge longstanding policies of the Official Community Plan and Local Area Plan, and will not result in significant long-term negative impacts, as long as the majority of future growth is focussed in “Centres”, “Villages”, and along key corridors;
- The proposal is located in the Village Neighbourhood area of the Cadboro Bay Local Area and less than 100 m from the Cadboro Bay Village “Centre” where a range of commercial and personal services are provided, employment opportunities exist, and where the majority of future residential and commercial growth is to be focused as per the Official Community Plan;
- The site is also within 585 m of Frank Hobbs Elementary School. Nearby parks include Cadboro-Gyro Park (less than 300 m away), and Maynard Park (360 m away). As a rough measure, in general a walking distance between 400 - 800 m is considered optimal in encouraging the average person to walk to a service or access public transit, instead of driving to their destination. Obviously, health, weather, comfort/ease of use related to alternative transportation, and purpose of the trip all play a role in a person choosing a particular travel mode;
- Sidewalk and cycling infrastructure are typical for a low density neighbourhood in Saanich. Improvements still need to be made to further support and encourage walking and cycling locally and in the Region;
- Proximity to public transit is good — north and southbound bus stops on Cadboro Bay Road are located 62 m and 47 m away respectively, and are serviced by transit Route #11 (UVic/Tillicum Mall) with frequencies of 15 minutes or less during peak times. In addition, Route #13 (UVic/10 Mile Point) has a stop 64 m away on Sinclair Road.
- The applicant has stated their willingness to commit to a BUILT GREEN® Gold, EnerGuide 82, or an equivalent level of energy efficiency for new dwellings constructed on Proposed Lots 1 and 2; and
- The proposed development includes sufficient area for backyard gardening. Long term plans call for a community garden in each Local Planning Area. An Agriculture and Food Security Task Force will be considering ways to improve food security in the community.

## Sustainability

### *Environmental Integrity*

This section includes the specific features of a proposal and how it impacts the natural environment. Considerations include: 1) Land disturbance; 2) Nature conservation; and 3) Protecting water resources. The proposed development includes considerations related to the natural environment, such as:

- The proposal is a compact, infill development in an already urbanized area without putting pressures onto rural areas.

### *Social Well-being*

This section includes the specific features of a proposal and how it impacts the social well-being of our community. Considerations include: 1) Housing diversity; 2) Human-scale pedestrian oriented developments; and 3) Community features. The proposed development includes the following considerations related to social well-being, such as:

- Secondary Suites are permitted in this development. This housing option provides for alternative forms of rental accommodation and supportive housing for immediate family members. Suites also work to make a home purchase by young couples/families, and home retention by aging seniors, relatively more affordable; and
- A range of outdoor, community, and recreation opportunities are available within reasonable walking/cycling distance. Nearby parks include Maynard and Cadboro-Gyro Park.

### *Economic Vibrancy*

This section includes the specific features of a proposal and how it impacts the economic vibrancy of our community. Considerations include: 1) Employment; 2) Building local economy; and 3) Long-term resiliency. The proposed development includes features related to economic vibrancy, such as:

- The development would create local short-term jobs during the construction period;
- Home based businesses would be permissible in this development; and
- The development would site additional residential units within the commercial catchment/employment area for the businesses and services located within the Cadboro Bay Village "Centre". The site is also less than 400 m from the University of Victoria Campus.

## **CONCLUSION**

The proposed rezoning and subdivision at 2558 Killarney Road, resulting in one new single family dwelling lot (two lots in total), is consistent with the Official Community Plan which contemplates limited infill in neighbourhoods inside the Urban Containment Boundary. The proposal is also consistent with the Cadboro Bay Local Area Plan with respect to the proposed residential land use and lot size.

The existing dwelling would be removed, and proposed Lots 1 and 2 would be identically sized parcels of 647 m<sup>2</sup>, with a width of 15.18 m and a depth of 42.6 m. The proposed lot sizes and configurations are compatible with the pattern of historical residential development in the surrounding neighbourhood.

The requested lot width variance of 0.82 m (2.6 ft) is relatively minor and would have negligible impact on the street appearance or character of the neighbourhood. In addition, the lots would simply be returning to their original historical state after an earlier consolidation from two lots to one.

The applicant is reluctant to register a building scheme for the two lots, noting the lack of consistency of dwelling type or style along Killarney Road. Staff concur with this observation. That being said, the proposed RS-6 (Single Family Dwelling) Zone regulations would allow for new dwellings on proposed Lots 1 and 2 that would have a maximum of 248 m<sup>2</sup> non-basement gross floor area, which would be in keeping with the general size of other new homes in the neighbourhood.

The applicant is willing to register a covenant to ensure that two new houses would be constructed to a minimum BUILT GREEN® Gold, Energuide 82, or an equivalent level of energy efficient building design and construction standard and would be designed to be solar ready. In addition, the proposed covenant would also ensure that the sideyard setbacks would be increased from the 1.5 m minimum required by the Zoning Bylaw to 2.0 m on the west side of proposed Lot 1 and 2.5 m on the east side of proposed Lot 2 to address neighbour privacy concerns.

For the above-noted reasons, Staff support the subject Rezoning and Development Variance Application.

Prepared by   
\_\_\_\_\_  
Chuck Bell  
Planner

Reviewed by   
\_\_\_\_\_  
Jarret Matanowitsch  
Manager of Current Planning

Approved by   
for \_\_\_\_\_  
Sharon Hvozanski  
Director of Planning

CWB/ads  
H:\Tempest\Prospero\Attachments\Sub\Sub00759\Report.Docx

Attachments

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

**ADMINISTRATOR'S COMMENTS:**

I endorse the recommendation from the Director of Planning.

  
for \_\_\_\_\_  
Paul Thorkelsson, Administrator

DISTRICT OF SAANICH

DVP00375

DEVELOPMENT VARIANCE PERMIT

To: Allan Roy Chapman
2558 Killarney Road
Victoria BC V8P 3G7

the owner of lands known and described as:

Lot B (DD 327049-I), Section 44, Victoria District, Plan 1592

2558 Killarney Road

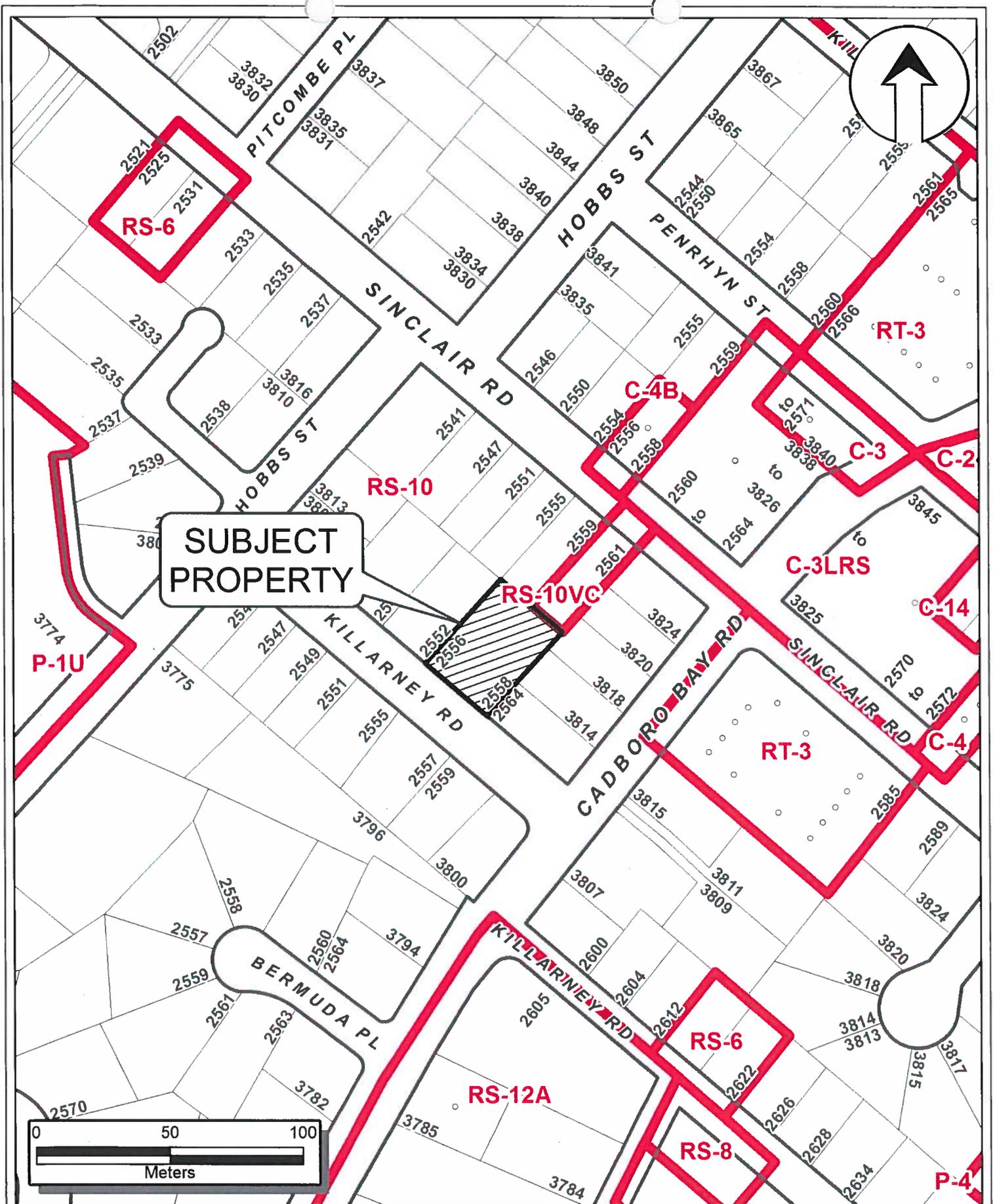
(herein called "the lands")

- 1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by the Permit.
2. This Development Variance Permit applies to the lands.
3. The owner has submitted to the Approving Officer a tentative plan of subdivision to subdivide Lot B (DD 327049-I) into two lots as shown on the plan of subdivision prepared by Island Land Surveying Limited received on June 10, 2016, a copy of which is attached hereto. (herein called "the subdivision")
4. The Development Variance Permit varies the provisions of the Zoning Bylaw 2003, as follows:
(a) By varying the minimum lot width provided by Section 210.6(a) of Schedule 210 attached to the Zoning Bylaw, 2003, No. 8200, in respect to proposed Lots 1 and 2 of the subdivision from 16.0 m to 15.18 m for proposed Lot 1 and proposed Lot 2.
5. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE MUNICIPAL COUNCIL ON THE

DAY OF 20
ISSUED THIS DAY OF 20

Municipal Clerk



# Memo

**To:** Subdivision Office  
**From:** Jagtar Bains – Development Coordinator  
**Date:** May 1, 2017  
**Subject:** Servicing Requirements for Development - REVISED

---

**PROJECT: TO REZONE FROM RS-10 TO RS-6 TO CREATE ONE ADDITIONAL LOT FOR SINGLE FAMILY DWELLING USE RESULTING IN A TOTAL**  
**SITE ADDRESS: 2558 KILLARNEY RD**  
**PID: 007-170-696**  
**LEGAL: LOT B SECTION 44 VICTORIA DISTRICT PLAN 1592**  
**DEV. SERVICING FILE: SVS02031**  
**PROJECT NO: PRJ2016-00363**

The intent of this application is to subdivide the above referenced parcel into two lots for single family use. Some of the more apparent Development Servicing requirements are as listed on the following pages(s).



Jagtar Bains  
DEVELOPMENT COORDINATOR

CC: Harley Machielse, Director of Engineering  
Troy McKay, Manager of Transportation & Development



ENTERED  
IN CASE

# Development Servicing Requirement

Development File: SVS02031  
Civic Address: 2558 KILLARNEY RD  
Page: 1

Date: May 1, 2017

## Drain

1. STORM WATER MANAGEMENT MUST BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF SCHEDULE H "ENGINEERING SPECIFICATIONS" OF SUBDIVISION BY-LAW. THIS SUBDIVISION/DEVELOPMENT IS WITHIN TYPE II WATERSHED AREA WHICH REQUIRES STORM WATER STORAGE, OIL/GRIT SEPARATOR OR GRASS SWALE AND SEDIMENT BASIN. FOR FURTHER DETAILS, REFER TO SECTION 3.5.16, STORM WATER MANAGEMENT AND EROSION CONTROL OF SCHEDULE H "ENGINEERING SPECIFICATIONS" OF SUBDIVISION BY-LAW.
2. SUBSEQUENT DRAIN CONNECTIONS WILL BE REQUIRED FOR PROPOSED LOTS 1 AND 2 FROM THE EXISTING MAIN ON KILLARNEY ROAD.

## Gen

1. THIS PROPOSAL IS SUBJECT TO THE PREVAILING MUNICIPAL DEVELOPMENT COST CHARGES.
2. THE EXISTING NON-COMFORMING BUILDING MUST MUST BE REMOVED PRIOR TO SUBDIVISION APPROVAL.

## Sewer

1. THE EXISTING SEWER CONNECTION IS TO BE PROVIDED WITH AN INSPECTION CHAMBER FOR FUTURE USE BY PROPOSED LOT 2.
2. SUBSEQUENT SEWER CONNECTION WILL BE REQUIRED FOR PROPOSED LOT 1 FROM THE EXISTING MAIN ON KILLARNEY ROAD.

## Water

1. PROVISIONAL WATER CONNECTION WILL BE REQUIRED FOR PROPOSED LOT 2 FROM THE EXISTING MAIN KILLARNEY ROAD.
2. THE EXISTING 13 MM WATER SERVICE TO PROPOSED LOT 1, MUST BE UPGRADED TO 19 MM.

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9449

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 RS-10 (Single Family Dwelling – Minimum Lot Size 780 m<sup>2</sup>) and adding to Zone RS-6 (Single Family Dwelling – Minimum Lot Size 560 m<sup>2</sup>) the following lands:

Lot B (DD 327049-I), Section 44, Victoria District, Plan 1592  
(2558 Killarney Road)
- 2) This Bylaw may be cited for all purposes as the "**ZONING BYLAW, 2003, AMENDMENT BYLAW, 2017, NO. 9449**".

Read a first time this 17th day of July, 2017

Public Hearing held at the Municipal Hall on the    day of

Read a second time this    day of

Read a third time this    day of

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

---

Municipal Clerk

---

Mayor

1410-04  
Report –  
Planning

xref: 2870-30  
Killarney Road

## **2558 KILLARNEY ROAD – SUBDIVISION, REZONING AND DEVELOPMENT VARIANCE PERMIT**

Report of the Director of Planning dated May 29, 2017 recommending that Council approve the application to rezone from RS-10 (Single Family Dwelling) zone to RS-6 (Single Family Dwelling) zone for a proposed subdivision to create one additional lot (two lots total) for single family dwelling use; approve Development Variance Permit DVP00375; and that Final Reading of the Zoning Amendment Bylaw be withheld pending registration of a covenant to secure the items outlined in the report.

### **APPLICANT:**

A. Chapman, owner, presented to Council and highlighted:

- The intention is to build a new home on the western side of the property and to sell the lot to the east; the proposed lot sizes are similar in size to adjacent properties.
- Consultation took place with neighbours and no concerns were identified.
- Privacy and separation would be maintained through the retention of the Laurel hedge between the properties and an increase in the width of the side yard setbacks.
- Originally, the property was two lots and in 1963, the lots were combined.
- Boulevard trees would be protected and trees at the rear property would be retained.
- The proposed dwellings would be smaller in size and would fit within the character of the neighbourhood.

In response to questions from Council, the applicant stated:

- The existing home would be either moved or deconstructed.
- There is an existing driveway for the new property on the west; there is also a driving access on the eastern portion of the property which would become the new driveway for that lot.
- There is a commitment to BUILT GREEN® Gold construction; it is expected that the new, smaller homes would be more energy efficient than the existing home.

### **PUBLIC INPUT:**

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

- The Residents Association supports the application.

J. Donaldson, Sinclair Road, stated:

- The application is supportable; the proposal makes maximum use of the space; it was two lots in the past.
- There is concern with having a covenant to protect and maintain the hedge; a covenant would be registered on title and protecting and maintaining the hedge would become the responsibility of owners of the property in perpetuity.

In response to questions from Council, the Director of Planning stated:

- The covenant would be registered on title and subsequent owners would be obliged to comply.
- A supplemental report will be prepared regarding the covenant for the hedge.

**COUNCIL DELIBERATIONS:**

**Motion:** **MOVED by Councillor Plant and Seconded by Councillor Brice: "That a Public Hearing be called to further consider the rezoning application on Lot B (DD 327049-I), Section 44, Victoria District, Plan 1592 (2558 Killarney Road)."**

Councillor Plant stated:

- It would be useful to receive further information with respect to the covenant for the hedge.

In response to questions from Council, the Director of Planning stated:

- Vegetation covenants are referred to the Approving Officer as a condition of subdivision approval.

Councillor Brownoff stated:

- Further information in relation to the covenant for the hedge would be helpful.

**The Motion was then Put and CARRIED**

## Sustainability Statement

**Environmental Consideration:** The subject property has no ecologically sensitive areas. It has no heritage trees but has mature vegetation, with a very lovely, large, mature maple tree in the front yard (located on municipal property), three large mature Japanese maples in the back yard, by the rear property line, and mature laurel hedging along both side property lines. All the existing trees will be protected during construction and maintained. The laurel hedging will be maintained, at approximately its current height.

**Green Design and Construction:** The existing house would be sold and removed, if possible. If not possible, it would be deconstructed and material salvaged to the greatest extent possible. The new houses would be designed using an accredited architect or designer, and built to energy and water efficient standards, such as the "Built Green" performance standards. I am a hydrologist by training, and am interested in exploring the use of water conservation methods, such as permeable pavers, storm water retention and reuse for lawn and garden watering, to reduce municipal water use and to reduce storm water inflow to the municipal system.

**Community Consultation:** A copy of the application package has been referred to the Cadboro Bay Residents' Association, and to all immediate and adjacent neighbours. I have talked with all my neighbours on Killarney Road, as well as beside me on Cadboro Bay Road and behind me on Sinclair Road. I have had no expressions of opposition, and have had many expressions of support. I had only one expression of concern, from the immediate neighbor to the west side of my property (Mark and Susan, 2552 Killarney Road), regarding the maintenance of the laurel hedge for privacy. Mark and Susan have been my neighbours for 17 years, and it is my intention to continue cooperating with them on the maintenance of the hedge. The laurel hedge will be maintained at approximately its current height (about 4 metres) and density.

I will be attending a meeting of the Cadboro Bay Residents' Association, to explain and discuss the proposal.

**Community Character:** I believe my proposal is consistent with the intent of the Cadboro Bay Local Area Plan, to provide for modest increase in residential density in the area of the "Village Neighbourhood". It will allow for rejuvenation of an old (1951) property in a manner consistent with the local community, and that supports the needs of the developing demographic by creating a modest home for a young family as well as a modest home for myself as I transition into retirement. Because the zoning will be RS-6, the two new homes will be modestly-sized. They will, I believe, be in character with the street and the Cadboro Bay village area. My property may be unique (if not unique, then certainly rare) in the Cadboro Bay area, in that it is a very large single family property (I am aware of no other in the Village Neighbourhood area of comparable size) that was originally two separately-titled lots that were combined into one lot (in 1963).

## Tree Preservation Plan

File: SUB00759; REZ00575; DVP00375; 2558 Killarney Road

A review by Brent Ritson, Park Referral Coordinator, noted three trees on the boulevard (#693, 700 and 213) and two trees in the back year (# 663 and 664) as “worthy of protection”. Also, tree # 215 is noted as Saanich Significant Tree #117). Mr. Ritson indicated that a “tree preservation plan” is required. I obtained the services of Darryl Clark, Consulting Arborist (Certified Arborist PN-6523A) to assess trees and make recommendations for tree protection. Mr. Clark’s report is attached as Appendix A. As I noted in the subdivision and rezoning application, it is my intention to protect and preserve all the trees on the property and on adjacent Saanich property. Details of the Tree Preservation Plan is as follows - please refer to the tree inventory, below, and the site plan depicting the PRZ based on the tree inventory below (Figure 1). The proposed services plan is shown in Figure 2, and the existing services plan is shown in Figure 3.

### Tree Inventory

Tag #	DBH (cm)	Species	Condition	Retain / Remove	PRZ (m)	Notes
<b>Trees Inside Property Line</b>						
663	44	Thuja plicata	Good	Retain	5.3	
664	34	Acer macrophyllum	Good	Retain	4.1	
<b>Trees Outside Property Line</b>						
215	120	Acer saccharinum	Good	Retain	21.6	Saanich significant tree #117, 2552 Killarney. PRZ based on 18x diameter
213	136	Thuja plicata	Good	Retain	16.3	heavy crown trim for hydro.
693	55	Thuja plicata	Good	Retain	6.6	
700	80	Acer platanoides	Good	Retain	9.6	heavy crown trim for hydro
n/t	20	Cornus Nuttallii	Good	Retain	2.4	2562 Killarney

**PRZ- Protected Root Zone.** For the purpose of this report, Mr. Clark, the arborist, recommended the PRZ be considered as 12x the diameter of the stem, measured in meters radially from the trunk with the exception of tree #215, where the PRZ is recommended as 18x the diameter of the stem.

**Note:** Because of multi-stemmed trunks, it was not possible to measure DBH for trees 215 and 700 at 1.4 m above ground as per the Saanich Tree Protection Bylaw (refer to Appendix C). Trees 215 was measured at 60 m above ground, and tree 700 was measured at 60 cm above ground. Tree 213 was measured as the sum of the three largest stems at 1.4 m above ground – however, the largest stem (80 cm diameter) is comprised of four stems that have coalesced and grown together.

### Boulevard Trees

There are three trees on Saanich property in front of the subject property, one tree in front of the west neighbouring property (2552 Killarney Road) and one tree on the east neighbouring property (2562 Killarney Road) that require protection.

- Tree 700 (Norway Maple). This is a multi-stemmed mature tree on the boulevard directly in front of the subject property. This is a distinctive tree on Killarney Road that will be subject to a high level of protection during development.
- Tree 215 (Silver Maple). This is a mature tree in the front of the property at 2552 Killarney Road. It is Saanich Significant Tree 117. Being on the neighbour’s property, it will not be affected by any direct machine or construction activity, and it is at least 10 metres away from any excavation.
- Tree 693. This is a young cedar on the boulevard near the west boundary of the subject property.

- Tree 213. This is a multi-stemmed Cypress clump on the boulevard near the east boundary of the subject property. It is “weedy”, and has a heavily-pruned crown to accommodate the BC Hydro wires.
- Tree n/t. This is a small dogwood in the side yard of 2562 Killarney Road. The PRZ for this tree does not extend into the subject property.

The following recommendations from the arborist are intended to protect the trees on the boulevard and outside the property lines:

- Tree protection fencing (1.2 m high with “Warning – Habitat Protection Area” signage) will be installed around all trees, as depicted in Figure 1. The fenced areas will be exclusion zones, to protect the tree trunks, branches and the rooted zone. No construction material, equipment, debris, soil piling, excavation, etc., will occur within this zone.
- Areas outside the tree protection fence but still within the PRZ will be protected from vehicle traffic with either 3/4” plywood or a minimum 20cm of coarse wood chips.
- Excavation (building foundation, services, driveway) inside the PRZ of any tree identified in this plan will be supervised by a qualified arborist or designate. Roots exposed during excavation will be pruned to acceptable standard by the arborist.
- The construction of new house services (water, sewer, natural gas, hydro, driveway) include no improvements to the street frontage at 2558 Killarney, such as road widening or curb and gutter installation, to provide protection to the trees on the boulevard. It is noted that trees 213, 693 and 700 are located close to the existing road pavement, and that street improvements would have a high likelihood of affecting the trees.
- A new driveway will be required for Lot B. Due to its location inside the PRZ of trees intended for retention, special construction employing permeable pavers, geogrid material or a geotextile fabric will be required (see Figure 2 for examples). The details will be determined by the architect as part of the house design that will be submitted to Saanich for a building permit upon completion of the subdivision and rezoning process.
- At the present time it is not known if the existing driveway for Lot A will be retained or replaced. If it is replaced, the same special construction techniques to protect the root zone discussed above for Lot B will also be used for Lot A.

### Back Yard Trees

Trees 663 and 664 (along with 697, 690 and 691) will all be protected and preserved by the following:

- Installation of tree protection fencing (1.2 m high, with “Warning – Habitat Protection Area” signage) will be installed diagonally across the entire width of the back yard, at the largest extend of PRZ,, to protect the tree trunks and branches and the rooted zone. The fenced areas will be exclusion zones, to protect the tree trunks, branches and the rooted zone. No construction material, equipment, debris, soil piling, excavation, etc., will occur within this zone.

I trust this is sufficient for your needs.

Best Regards,



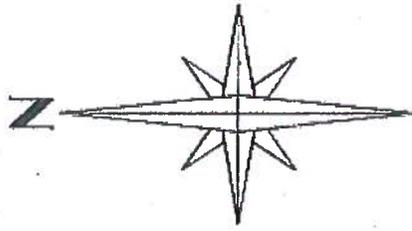
Allan Chapman, MSc, PGeo.

Phone: 250-208-1160

Email: [allan.chapman@telus.net](mailto:allan.chapman@telus.net)

Figure 1. Site plan showing Protected Root Zones and other tree protection features.

**SITE PLAN PROPOSED SUBDIVISION OF LOT B (DD 327049-1), SECTION 44, VICTORIA DISTRICT, PLAN 1592.**

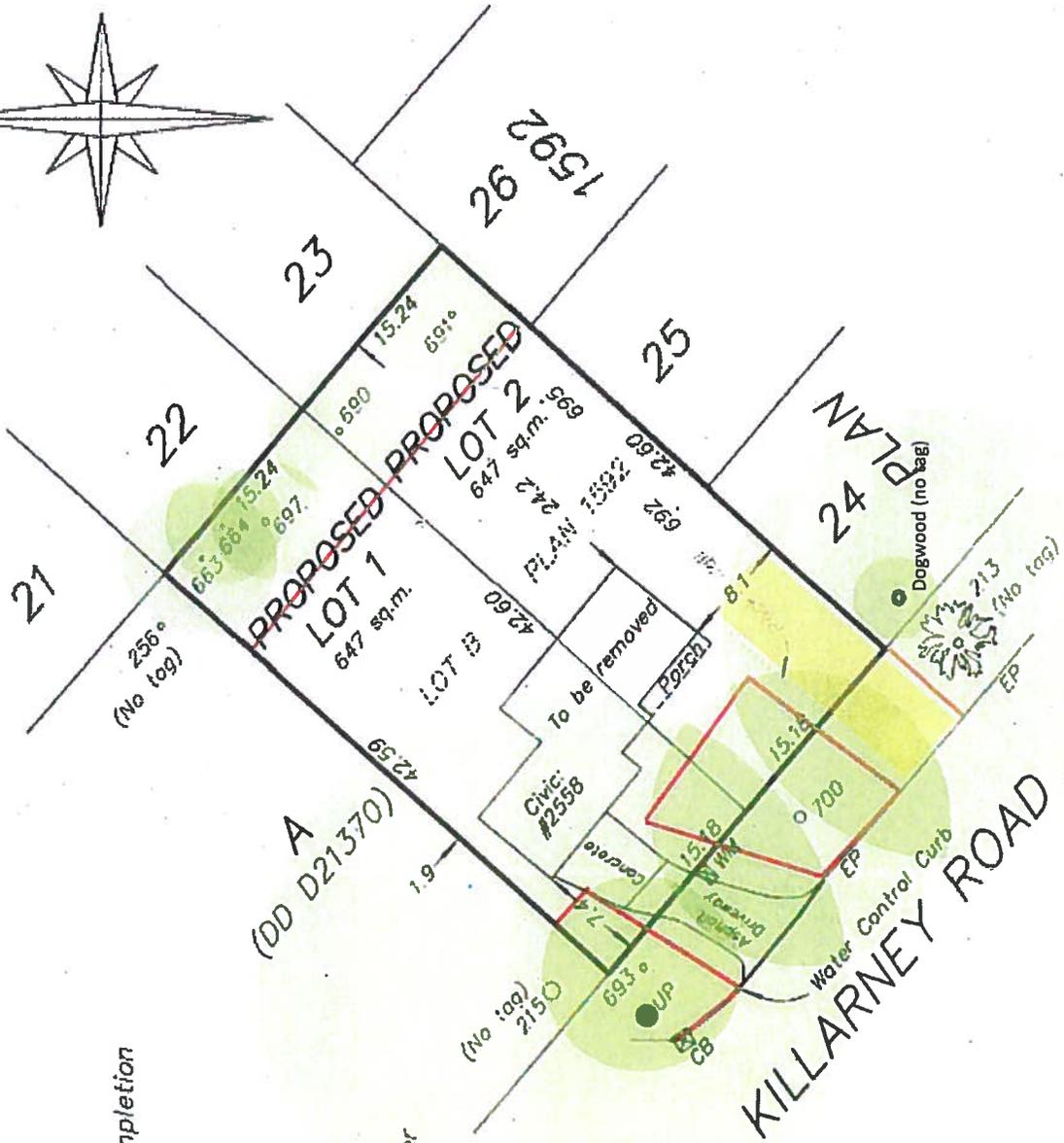


**NOTE:**  
Distances and area shown may vary upon completion of a comprehensive Legal Survey.

**LEGEND**

- WM Denotes water meter
- CB Denotes catch basin
- UP Denotes utility pole
- EP Denotes edge of pavement
- o 700 Denotes tree location & tag number

	Protected Root Zone
	Tree Protection Fencing
	Floating / Permeable Driveway



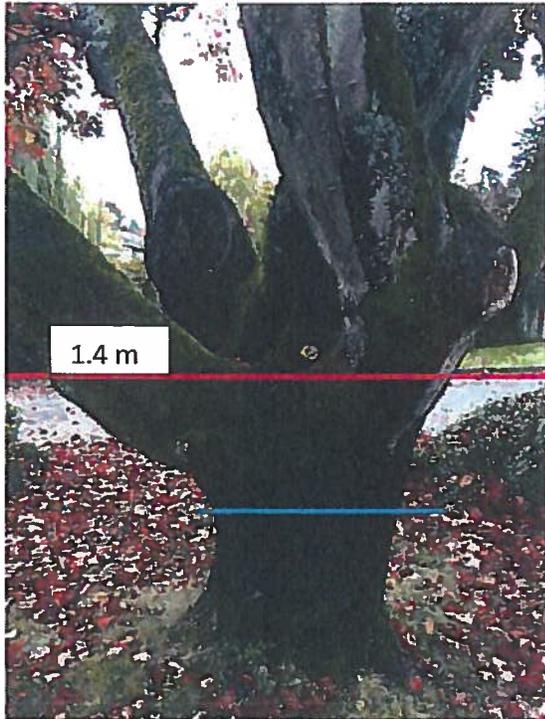
Field survey dated this 21st day of August, 2008.

File: 44-CHAPMAN-MN2
Date: September 5, 2008
<b>Island Land Surveying Ltd.</b> 1-15 Cadillac Avenue Victoria, B.C. V8Z 1T3 Tel 475-1515 Fax 475-1516 email: info@islandsurveying.ca

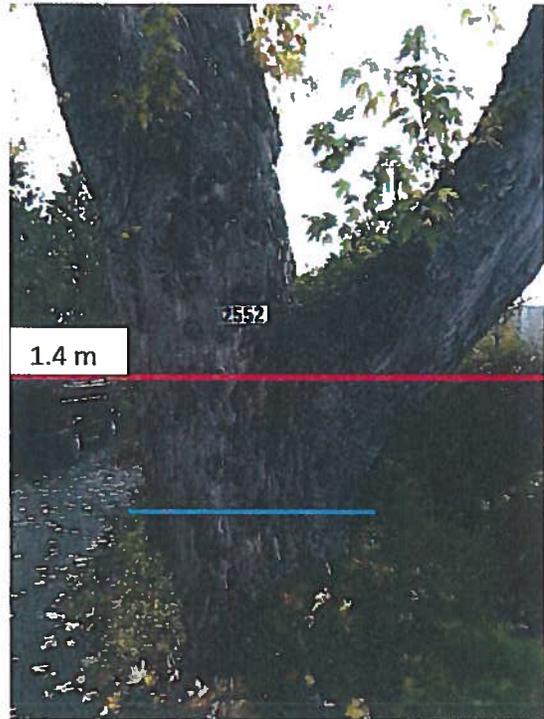
## Tree Diameter Measurements – trees 215 and 700

The arborists's report contains questionable tree diameter measurements for two trees. I believe the reported diameters for trees 215 and 700 are based on measurements inconsistent with the Saanich Tree Protection Bylaw. The bylaw says: "*D.B.H. means the diameter of a tree at roughly breast height (1.4 metres (4.6 feet)) above the highest point of natural grade of the ground measured from the base of a tree. For multi-stemmed trees, the three largest stems shall be measured 1.4 metres (4.6 feet) above the highest point of natural grade and the D.B.H. of the tree shall equal the cumulative total of the D.B.H. of the three largest stems*". For this Tree Protection Plan, I am reporting diameters as follows:

Tree 700



Tree 215



**Tree 700.** The arborist reported 199 cm diameter. The tree has multiple braches, with cut-off stems on the branches. It is not possible to measure one stem at 1.4 m, and it is not possible to measure the three largest stems at 1.4 m. The tree was previously measured (in 2008) at 80 cm diameter. Saanich Parks measured it as 78 cm in July 2016. It was remeasured as being 80 cm at about 0.6 m above ground, which is what I have reported for the Tree Protection Plan.

**Tree 215 (Saanich Significant tree 117)** . The arborist reported 147 cm diameter at 1.4 m height. This measures across the swell of a significant branch. The tree was previously measured (in 2008) as being 120 cm diameter. It was remeasured as being 120 cm at about 0.6 cm above ground, which is what I have reported for the Tree Protection Plan.

I will follow direction from Saanich Parks if they believe otherwise.

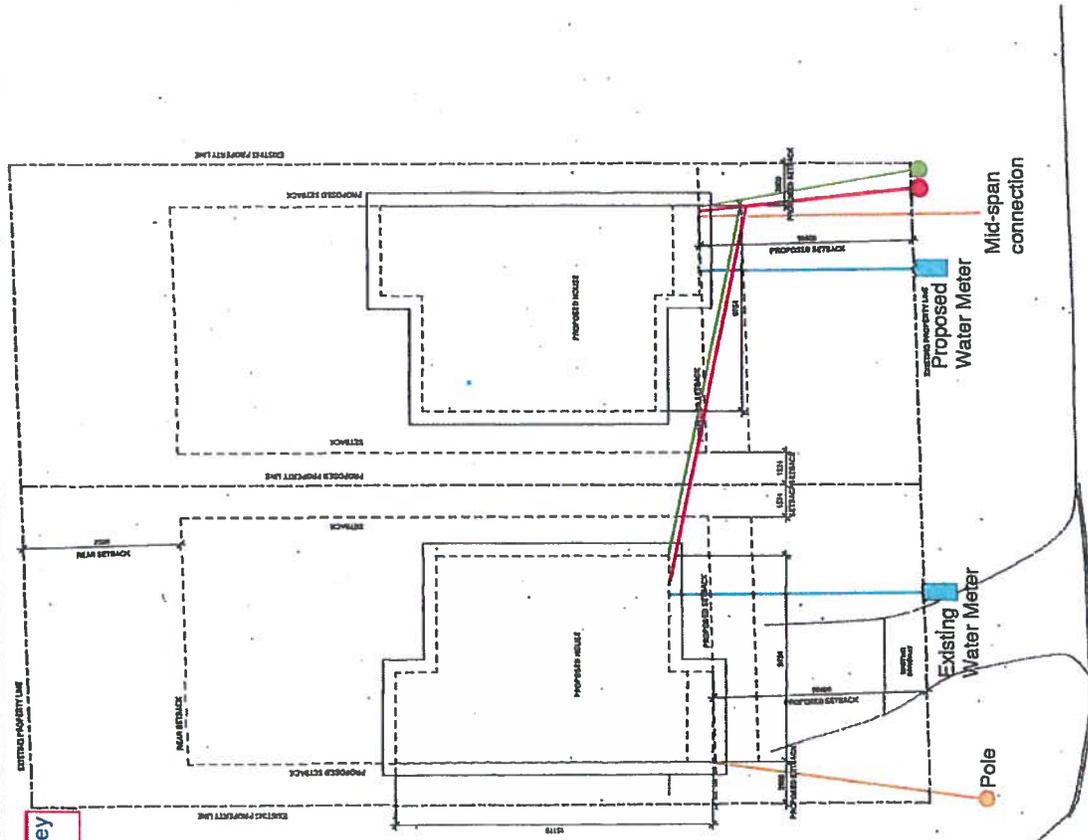
Allan Chapman

October 25, 2016

Figure 2. Proposed service plan - 2558 Killarney

SUGGESTED LOCATIONS OF SERVICES

- Denotes Water
- Denotes Sewer
- Denotes Storm Drain
- Denotes Hydro



1 PROPOSED SITE PLAN  
 AT 10 Scale 1:27

2558 KILLARNEY ROAD

SITE PLAN  
 JUNE 2, 2010



## Tree Preservation Plan

File: SUB00759; REZ00575; DVP00375; 2558 Killarney Road

A review by Brent Ritson, Park Referral Coordinator, noted three trees on the boulevard (#693, 700 and 213) and two trees in the back year (# 663 and 664) as "worthy of protection". Also, tree # 215 is noted as Saanich Significant Tree #117). Mr. Ritson indicated that a "tree preservation plan" is required. I am submitting this document as that plan. Please refer to the attached site plan.

### Back Yard Trees

Trees 663 and 664 (along with 697, 690 and 691, mature Japanese Maples) will all be protected and preserved by the following:

- Installation of tree protection fencing (1.2 m high) with "Warning – Habitat Protection Area" signage, approximately 7.5 metres from the rear property line, and at least four metres from individual tree, to protect the tree trunks and branches and the entire rooted zone. The fencing will extend from near the west property line to near the east property line. Based on the submitted "proposed site plan", excavation would be a further 8-10 metres away from the fence, and so would be at least 12 metres away from any individual tree. This will be an exclusion zone. No construction material, equipment, debris, soil piling, excavation, etc., will occur within this zone.

### Boulevard Trees

- Tree 700 (Norway Maple) will be boxed off with tree protection fencing (1.2 m high) with "Warning – Habitat Protection Area" signage. The fencing will be installed approximately 4 metres from the tree on the west, north and east sides, and 3 metres on the south side adjacent to Killarney Road.
- Trees 693 (cedar) will be boxed off with tree protection fencing, approximately 2 metres from the tree. The fencing will extend in a linear path approximately 2 metres from the west property line to protect tree 215 (Silver Maple – Saanich Significant tree 117). Tree 215 is on the boulevard in front of the neighbouring property, and will not be affected by any direct machine or construction activity. It is at least 10 metres away from any excavation.
- The fenced areas will be exclusion zones, to protect the tree trunks and branches and the rooted zone. No construction material, equipment, debris, soil piling, excavation, etc., will occur within this zone.
- Trench excavation for in-ground site services will be focussed in two locations (one for each new lot). For the western lot, the excavation will be restricted to the area noted as the existing asphalt drive. For the eastern lot, excavation will be restricted to a corridor east of the location noted as "Rock Wall" on the attached site plan. There will be no excavation for in-ground services within approximately 6 metres of tree 700, and 10 metres of tree 215.

I trust this is sufficient for your needs.

Best Regards,

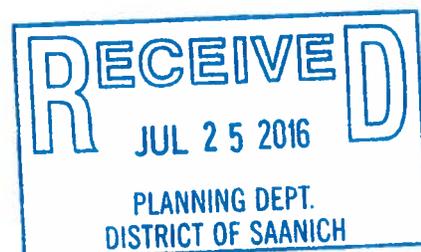


Allan Chapman, MSc, PGeo.

Phone: 250-208-1160

Email: allan.chapman@telus.net

ENTERED  
IN CASE







# Appendix A. Arborist report

D. Clark Arboriculture  
 2741 The Rise Victoria B.C. V8T-3T4  
 (250)474-1552 (250)208-1568  
 clarkarbor@gmail.com  
 www.dclarkarboriculture.com  
 Certified Arborist PN-6523A  
 ISA Tree Risk Assessor CTRA 459

Oct. 8, 2016

Received  
Oct 24

2558 Killarney Rd. Saanich BC V8P-3G7

For Allan Chapman

Re: Proposed Development

## Scope of Work

I have been retained to provide comments on trees impacted by a potential development, and Tree Protection Plan for the property at 2558 Killarney Rd. as per the requirements of the District of Saanich.

## Conclusion

Demolition of an existing building and subdivision and construction of two new buildings at 2558 Killarney Rd. will impact the Protected Root Zone of 2 bylaw protected trees on the property, and 5 bylaw protected trees outside the property line. 3 of those 5 are located on the boulevard. The project can proceed following the recommendations in this report.

## Tree Inventory

### Inventory

Tag #	Species	cm/DBH	Condition	Retain/ Remove	PRZ
663	Thuja plicata	51	Good	Retain	6.12
664	Acer Macrophyllum	34	Good	Retain	4.08

### Trees outside property line

693	Thuja plicata	55	Good	Retain	6.6
700	Acer platanoides	199 80	Good	Retain	17.91 9.6
213	Thuja plicata	136	Good	Retain	16.32
n/t	Cornus nuttallii	26 20	Good	Retain	3.12
117	Acer saccharinum	147 20	Good	Retain	26.46 21.6

DBH-Diameter at Breast Height. Measured at 1.4m from the point of germination. Where the tree is multi-stemmed at 1.4m, the DBH shall be considered 100% of the DBH of the three largest stems.

PRZ- Protected Root Zone. For the purpose of this report the PRZ is considered to be 12x the diameter of the stem, measured in meters radially from the trunk with the exception of tree #117 where the PRZ will be considered as 18x the diameter of the stem, and tree #700 where the PRZ will be considered as 9x the diameter of the sum of the 3 largest stems.

## Impacts of Demolition and Construction

Demolition will take place with access for machines coming up the easterly driveway. Machines can move from the east and northeast to remove the existing building. Materials will be trucked out from the easterly driveway.

Construction access should also be from the easterly driveway. Some access can come from the existing paved westerly driveway. Access for removal of the existing house and construction of the two new houses will impact trees marked for retention.

The current driveway is expected to be retained to serve Lot A. A new driveway will have to be constructed to service Lot B. It is expected that the driveway for Lot B will be built over the existing non-paved easterly driveway. The new driveway is expected to impact trees marked for retention.

The sewer connection is located on the south of the property. The lateral from Lot A is proposed to run across the front of lot B and tie in at the same location to the main. There is currently no lateral connection identified for storm drainage. It is assumed that the location of for the storm laterals will follow a similar path to the sewer lateral. These services are expected to impact trees marked for retention.

The current water service is at the west side of the property. This will be used to service Lot A. It is unknown if an upgraded service to lot A will be required. A new service will have to be added to service lot B. These services are expected to impact trees marked for retention.

Power to the property currently comes from a pole at the west side. There is currently no decision on how power will be brought to Lot B. Electrical services may impact trees marked for retention.

There has been no indication that natural gas will be brought into Lot A or B.

Any improvements to the frontage at 2558 Killarney, including road widening or curb and gutter installation will impact trees marked for retention.

The height of the buildings is not expected to interfere in any way with the canopies of the trees marked for retention.

### **Tree Protection Plan**

The Protected Root Zone (PRZ) of all protected trees recognized in this report shall be 12 times the diameter of the tree, with the exception of Significant Tree #117 which will be 18 times the diameter of the tree, and Tree #700 which will be 9 times the diameter of the tree. Saanich may approve a reduced PRZ for both of these trees at their discretion. Excavation inside the PRZ of any tree identified in this plan for any reason will take place under the supervision of the project arborist or his designate. Working radially inward toward the tree, the excavator will remove the soil incrementally with a non-toothed shovel allowing any exposed roots to be pruned to acceptable standard by the project arborist. Where machine excavation may be too invasive, Hydrovac, Airspade or hand dug excavation methods may be required. Any excavation of the stump of a tree inside a PRZ must be supervised by the project arborist. As well, any excavation for underground services inside a PRZ will be supervised by the project arborist.

Any required pruning to accommodate any services or construction beyond the scope of what is set out in this report must be approved and supervised by the project arborist.

During construction protection fencing will be installed, the construction and location of which will be approved by the project arborist. Tree protection fencing must be anchored in the ground and made of 2x4 or similar material frame, paneled with securely affixed orange snow fence or plywood and clearly

marked as TREE PROTECTION AREA- NO ENTRY (see appendix A for an example). The area inside the fence will be free of all traffic and storage of materials.

Areas outside the tree protection fence but still within the PRZ may be left open for construction access. These areas will be protected by vehicle traffic with either 3/4" plywood or a minimum 20cm of coarse wood chips (root zone armour). Tree protection measures will not be amended in any way without approval from the project arborist. Any additional tree protection measures will be documented in a memo to Saanich and the developer.

The fence in the back yard will run diagonally across the whole yard from the outside edge of the largest PRZ.

Fences on the boulevard will be located at the edge of the paved surfaces and no less than 2m back from the current house footprint.

The existing driveway is being retained at this point and serves as a suitable protection for the PRZ of the trees in this area. Should the driveway be removed in whole or in part for any reason inside the PRZ of these trees, the removal must be supervised by the project arborist. Any new installation will have to be approved by the project arborist. Special construction techniques may be required.

A new driveway will be required for Lot B. Due to its location inside the PRZ of trees recommended for retention, special construction employing geogrid material or a geotextile fabric will be required (see appendix B for examples).

It is recommended that beyond the addition of new house services (sewer, storm, water, hydro, gas and driveway) no additional improvements be made to the frontage at 2558 Killarney to avoid any additional impacts to protected trees in that area.

Saanich requires 1 replacement tree be planted for every tree removed. Replacement tree locations will be determined when a landscape plan is developed, and a map of those locations will be submitted to Saanich and the developer in a memo before the completion of the project. Should suitable locations not be available, the developer may seek to donate the trees to a location determined by the municipality.

Thank you for the opportunity to comment on these trees.

Should any issues arise from this report, I am available to discuss them by phone, email or in person.

Regards,

Darryl Clark

Certified Arborist PN-6523A  
ISA Tree Risk Assessor CTRA 459

## Disclosure Statement

An arborist uses their education, training and experience to assess trees and provide prescriptions that promote the health and wellbeing, and reduce the risk of trees.

The prescriptions set forth in this report are based on the documented indicators of risk and health noted at the time of the assessment and are not a guarantee against all potential symptoms and risks.

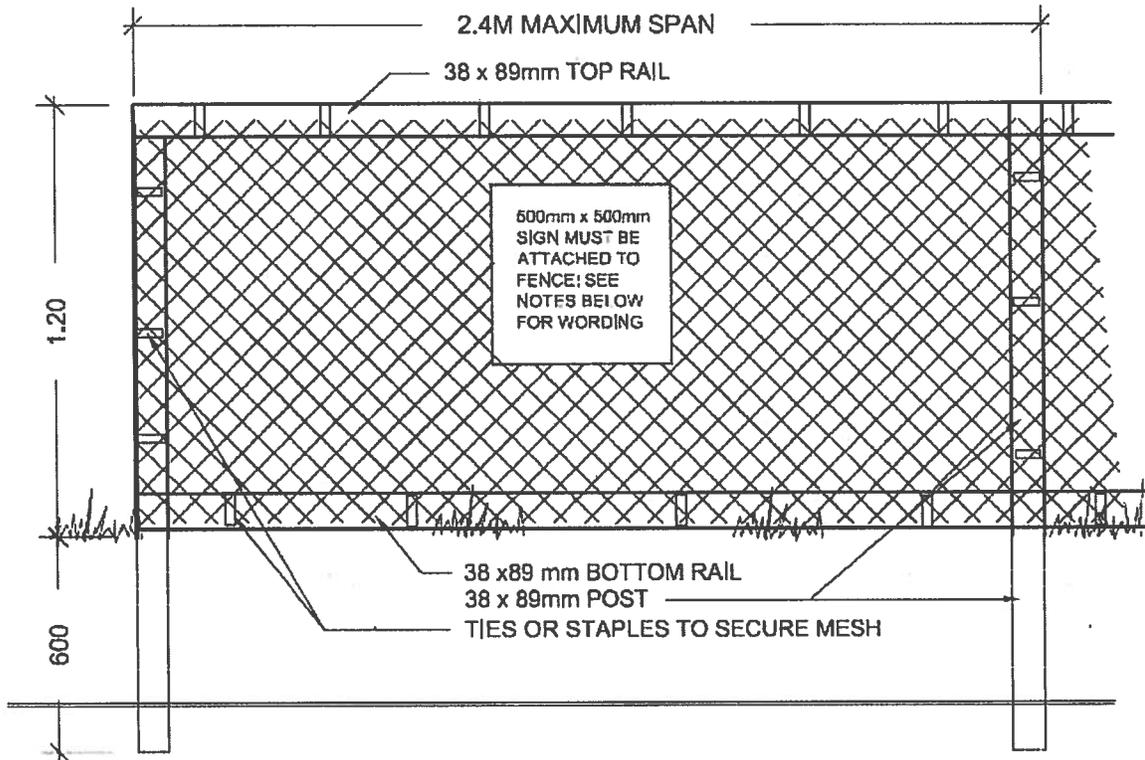
Trees are living organisms and subject to continual change from a variety of factors including but not limited to disease, weather and climate, and age. Disease and structural defects may be concealed in the tree or underground. It is impossible for an arborist to detect every flaw or condition that may result in failure, and an arborist cannot guarantee that a tree will remain healthy and free of risk.

To live near trees is to accept some degree of risk. The only way to eliminate the risks associated with trees is to eliminate all trees.

## Assumptions and Limiting Conditions

- Altering this report in any way invalidates the entire report.
- The use of this report is intended solely for the addressed client and may not be used or reproduced for any reason without the consent of the author.
- The information in this report is limited to only the items that were examined and reported on and reflect only the visual conditions at the time of the assessment.
- The inspection is limited to a visual examination of the accessible components without dissection, excavation or probing, unless otherwise reported. There is no guarantee that problems or deficiencies may not arise in the future, or that they may have been present at the time of the assessment.
- Sketches, notes, diagrams, etc. included in this report are intended as visual aids, are not considered to scale except where noted and should not be considered surveys or architectural drawings.
- All information provided by owners and or managers of the property in question, or by agents acting on behalf of the aforementioned is assumed to be correct and submitted in good faith. The consultant cannot be responsible or guarantee the accuracy of information provided by others.
- It is assumed that the property is not in violation of any codes, covenants, ordinances or any other governmental regulations.
- The consultant shall not be required to attend court or give testimony unless subsequent contractual arrangements are made.
- The report and any values within are the opinion of the consultant, and fees collected are in no way contingent on the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, or any finding to be reported.

## Appendix A



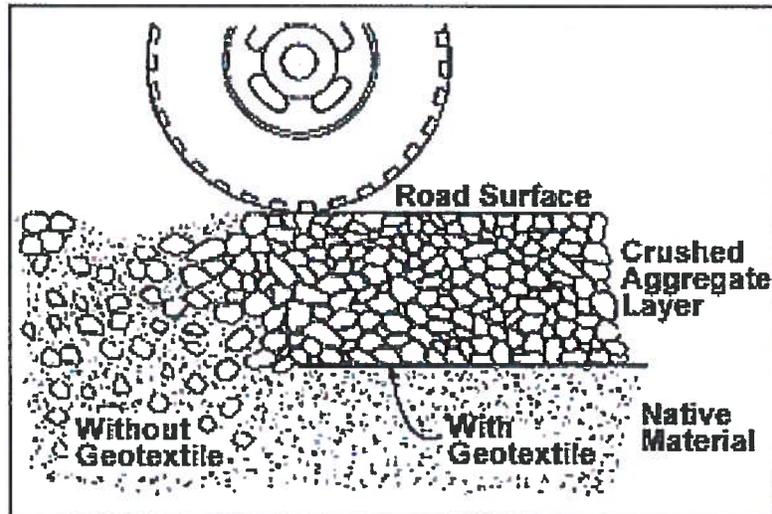
### TREE PROTECTION FENCING

#### Tree Protection Fencing Specifications:

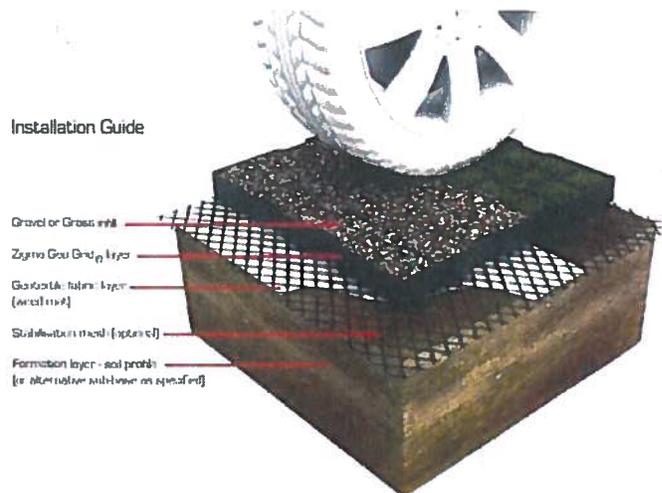
1. The fence will be constructed using 38 x 89 mm (2" x 4") wood frame:
  - Top, Bottom and Posts. In rocky areas, metal posts (t-bar or rebar) drilled into rock will be accepted
  - Use orange snow fencing mesh and secure to the wood frame with "zip" ties or galvanized staples. Painted plywood or galvanized fencing may be used in place of snow fence mesh.
2. Attach a roughly 500 mm x 500 mm sign with the following wording: **TREE PROTECTION AREA-NO ENTRY**. This sign must be affixed on every fence face or at least every 10 linear metres.

## Appendix B

### Examples of Special Driveway Design



From [www.na.fs.fed.us/spfo/pubs/stewardship/accessroads/geotextiles.htm](http://www.na.fs.fed.us/spfo/pubs/stewardship/accessroads/geotextiles.htm)



From <http://accessterrain.com/product/geo-grid/>

**Planning - RE: Saanich Referral**

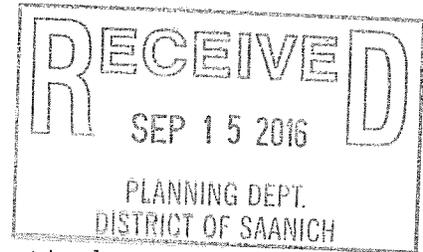
**From:** "Eric Dahli" [redacted]  
**To:** <Planning.Mun\_Hall.Saanich@saanich.ca>  
**Date:** 9/15/2016 10:30 AM  
**Subject:** RE: Saanich Referral  
**CC:** "Bill Dancer" <[redacted]>, <[redacted]>, <[redacted]>..

The Cadboro Bay Residents Association has no objection to this project at 2558 Killarney rd.

ENTERED  
IN CASE

Eric Dahli, Chair

Cadboro Bay Residents Association



**From:** Planning.Mun\_Hall.Saanich@saanich.ca [Planning.Mun\_Hall.Saanich@saanich.ca]  
**Sent:** Wednesday, September 7, 2016 9:41 AM  
**To:** Cadboro Bay Residents Association <chairman@cadborobay.net>  
**Cc:** ClerkSec <ClerkSec@saanich.ca>  
**Subject:** Saanich Referral

September 7, 2016

Dear Cadboro Bay Residents Association:

**RE: Application for Subdivision:**

**Site Address:** 2558 Killarney Road  
**Legal:** Lot B Section 44 Victoria District Plan 1592  
**Folder #:** SUB00759; REZ00575; REZ00375

An application for subdivision has been received for a site within your Community Association area. The project is currently being referred to internal departments and external agencies for comment.

We are interested to know if your Community Association:

- Has no objection to the project
- Generally has no objection with suggested changes or concerns
- Does not support the project.

We would appreciate receiving your comments in writing or by email to [planning@saanich.ca](mailto:planning@saanich.ca) within 30 days, in order for us to consider them during the subdivision review process. If you cannot meet this time frame, please email or call our office to indicate if and when you might be able to respond to

the referral.

It is suggested that you periodically check our website, [www.saanich.ca](http://www.saanich.ca) *Active Planning Applications* as any revised site plans for this application will be posted there.

Sincerely,

Liz Gudavicius

SUB00759  
REZ 00575  
DVP 00375

**Planning - Subdivision of 2558 Killarney**

**From:** Landon MacLean <[redacted]>  
**To:** "planning@saanich.ca" <planning@saanich.ca>  
**Date:** 11/21/2016 9:10 AM  
**Subject:** Subdivision of 2558 Killarney  
**CC:** "shana ([redacted])" <[redacted]>

✓Clerks

Good morning, I am writing in support of the proposed sub-division of 2558 Killarney Rd.

My wife, Shana, own [redacted] Killarney Rd, across and slightly up from Allan Chapman at 2558 Killarney Rd.

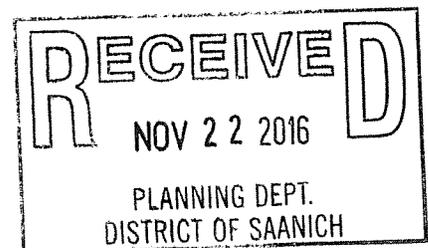
Allan has always been a friendly, respectful and courteous neighbor. Over the last ten years, we have spoken several times about the fact that he has a double lot and the related potential for re-development. Several months ago, Allan showed me preliminary drawings of what he envisioned for his property(s). The design appeared to be tasteful, made good use of the original lot lines, and did not detract from the neighborhood.

As urban density increases, I feel that projects such as Allan's meet the demand of a growing population base, while maintaining the character of an area. Allan's direct neighbor, who's street address is on Cadboro Bay Rd, has also approached us in seeking support to assemble property along the Cadboro Bay Rd frontage, with the intent to build a mixed use development. I would far prefer to see single family homes, such as Allan's proposal, proceed in our neighborhood.

Development in any urban area is inevitable in our region, but it is the proper management of these changes that will ultimately determine its success. Cadboro Bay is a desirable location in an already desirable City, and I strongly feel that Allan's use of his double lot to build two new tasteful homes is complimentary to the neighborhood, without taking away from the character and charm of the neighborhood.

I can be reached below if you would like to discuss further.

Best regards,  
**Landon MacLean**



# Planning - Rezoning of 2558 Killarney Road

✓	ACKNOWLEDGED
✓	CLERKS
	REPLIED

FYI -  
LG

From: <[REDACTED]>  
 To: <planning@saanich.ca>  
 Date: 9/26/2016 8:02 PM  
 Subject: Rezoning of 2558 Killarney Road

Attention: Liz Gudavicius, Subdivision Coordinator

Dear Ms. Gudavicius,

I am writing to provide comments with regard to the Rezoning Application for 2558 Killarney Road. I am the owner of [REDACTED] Cadboro Bay Rd. and thus have received an invitation to provide comments.

Firstly, I would like to thank you for your diligence in seeking neighbours' comments. I have another property in a neighbouring municipality and I have not previously received this courtesy.

With respect to the application at hand, I have no strong objections to the plans I have viewed on the Saanich.ca website and I personally see the careful addition of greater density consistent with building a more viable walking community within the Cadboro Bay area.

My only comment on the plan is a caveat that I would hope it is consistent with what I would see as the mostly likely changes that are likely eventually to occur below this property, in the adjacent and nearby lots between its location and Cadboro Bay Rd. I believe it is highly likely that at some point within the next decade, one or more property owners of the lots along Cadboro Bay Rd., running all the way through my lot (3820) to the four way stop in the village center will, either through a combined effort or by way of sale to a developer, seek further development of those lots. Consistent with the existing community (including the townhouses on 2585 Sinclair Rd. and recent residential developments on Penrhyn St.), I believe the most likely proposal at that stage will be for a townhouse or mixed used development running all or partially along that block of Cadboro Bay Rd. running southwest from Sinclair Rd to Killarney Rd. I may have some self-interest in such a rezoning one day being approved, though I believe it is reasonable to say that any such project would be consistent with the three other existing "corners" of Cadboro Bay Village and, like the present application, would also be in the community interest for increasing density in the village area. That brings me to my sole comment with respect to 2558 Killarney Road: to the extent that the planning officers at Saanich believe that the 2558 Killarney application is consistent with future developments as I have described above, then I am fully in support of the application. However, if there were any aspect of this application (including any increased concern about slightly higher buildings being built between this property and Cadboro Bay Rd., particularly as the set-back will now be decreasing) then I would hope careful consideration is given to whether some additional density benefit here would be gained at the expense of much more density being gained on adjacent properties in the near future. Otherwise, I have no objections to this application.

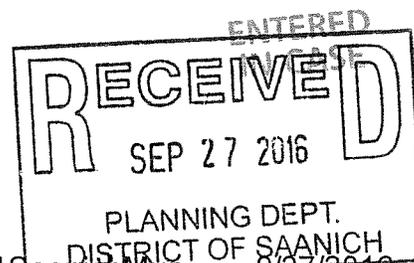
Thank you for your consideration of my comments.

Yours sincerely,

John MacKay

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

Latham & Watkins LLP



Planning - File #SUB00759 REZ00575 DVP00375

From: Karen Schindelhauer <[redacted]>  
To: "planning@saanich.ca" <planning@saanich.ca>  
Date: 9/22/2016 2:05 PM  
Subject: File #SUB00759 REZ00575 DVP00375

✓	ACKNOWLEDGED
✓	CLERKS
	REPLIED

RE: Proposed Subdivision of 2556/2558 Killarney

Dear Mayor and Council,

*CB -> Please respond.*

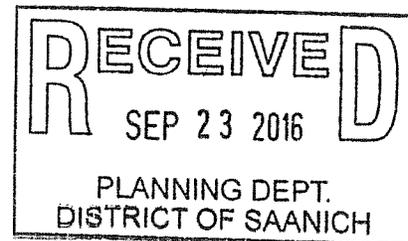
I would like bring a few points to your attention regarding the rezoning proposal of 2556 Killarney from a single to two separate lots. I reside adjacent to the building lot at [redacted] Cadboro Bay Road.

My house sits far back from busy Cadboro Bay Road and the area adjacent to my home is the only spot on the property where I can enjoy a relatively, quiet, peaceful and private moment outdoors. The proposed rezoning would eliminate this much treasured privacy element-currently made possible by the position of the existing Killarney house and its split level/single story configuration.

Please provide a response to the following:

- It appears from the submitted plans that the height and placement of the new buildings/windows would eliminate all elements of privacy on my property. Can anything be done to minimize this impact?
- It is hard to read the set backs on the submitted plan – I request that set backs be a minimum of 10 feet (3m) from the property line backing onto 2564 Killarney, 3814 Cadboro Bay and 3818 Cadboro Bay (planning advises this is the max that can be requested?).
- Over the years I have been made aware that there is a Spring (or other water source) at the back of the property bordering [redacted] Killarney. How will this issue be addressed? Should building redirect the water under any of the dirt basements at [redacted] Killarney, [redacted] Cadboro Bay or [redacted] Cadboro Bay it would cause significant damage to our old wooden structures.
- The laurel hedge running along the side of the Killarney address provides a good visual block – will the hedge remain and if not, what is the proposed replacement?
- The current plan shows two mirror image buildings – does the landowner intend to build both or will the plans change after the rezoning is complete?

Kind regards,  
Karen Schindelhauer  
[redacted] Cadboro Bay Road  
Victoria BC  
[redacted]



Sent from Mail for Windows 10

**Planning - File SUB00759 Subdvidion of 2558 Kilarney Road**

**From:** "Jerry Donaldson" <[redacted]>  
**To:** <planning@saanich.ca>  
**Date:** 9/12/2016 5:39 PM  
**Subject:** File SUB00759 Subdvidion of 2558 Kilarney Road

SUB 00759  
REZ 00575  
DVP 00375  
✓Clerks

Dear Sir:

My house is at [redacted] Sinclair, across the fence and slightly uphill from Mr. Chapman's house on Kilarney.

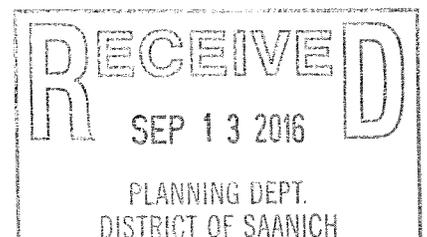
I whole-heartedly support this application. The existing lot was amalgamated out of two lots way back when, so the proposed subdivision makes sense historically.

Mr. Chapman's project preserves the character of the neighbour hood. The result will be two new, modest, single family houses.

Best Wishes

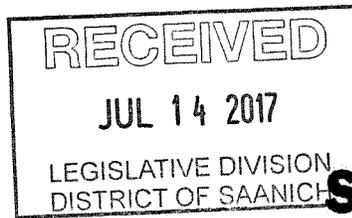
Jerry Donaldson

[redacted] **Sinclair Road**  
**Victoria, B.C. Canada**  
[redacted]



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

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



LEGISLATIVE SERVICES

### Application to Appear as a Delegation

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

#### General Information

Name of Organization or Association: Friends of Cuthbert Holmes Park

Meeting Date Requested (Except the last meeting of the month): 24 July 2017 Application must be submitted by 12:00 noon at least 10 days prior to the meeting date.

Day Month Year

#### Contact Information

Name of Contact Person (for Organization or Association): Julian Anderson

Telephone Number: [Redacted]

E-mail: [Redacted]

#### Presentation Information

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

Topic of Discussion  
Please describe the topic of your presentation

I would like to discuss the actions of the Ministry of Transportation and Infrastructure relating to the McKenzie Interchange and Cuthbert Holmes Park, as well as the proposal to construct a berm in the park. I will bring background materials to the meeting.

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

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

#### For Office Use

Delegation for Meeting: \_\_\_\_\_

Refer to Committee: \_\_\_\_\_

Refer to Department: \_\_\_\_\_ Direct Action: \_\_\_\_\_ Response: \_\_\_\_\_

Copy to Council

Page 1 of 1

CM  
B.1

THE DISTRICT OF SAANICH

BYLAW NO. 9414

A BYLAW

TO REGULATE THE DISCHARGE OF FIREARMS AND BOWS.

---

WHEREAS a municipal council may, by bylaw, regulate or prohibit the discharge of Firearms and of Bows pursuant to Sections 8(3)(e) and 8(5) of the *Community Charter*,

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

**DEFINITIONS**

1. In this Bylaw, unless the context otherwise requires,
  - (a) **"Archery"** means the sport of shooting with a drawbow and arrow at a target.
  - (b) **"Arrow"** means a projectile having a straight thin shaft with a pointed head at one end and often flight-stabilizing vanes at the other, meant to be shot from a bow but does not include projectiles with padded or suction cup ends used in games and other recreational activities.
  - (c) **"Bow"** means a drawbow, or crossbow
  - (d) **"Crossbow"** means a bow fixed on a stock with a mechanism to hold the bow drawn and release via a trigger.
  - (e) **"District"** means the District of Saanich
  - (f) **"Drawbow"** means a bow that is drawn with the tension supplied by the archer, which does not have a locking mechanism this includes a long bow, recurve bow and composite bow.
  - (g) **"Conservation Officer"** includes a conservation officer as defined in the *Wildlife Act*, 1996 R.S.B.C. C. 488
  - (h) **"Pound Inspector"** means any person appointed by the Council to carry out the duties so assigned in the "Animals Bylaw, 1997, No. 7699" or any successor bylaw.
  - (i) **"Firearm"** means any rifle, pistol, or shotgun, and includes an air gun, air rifle, air pistol includes air guns, air rifles, air pistols and spring guns, but does not include a starting pistol that is incapable of firing a projectile and is used for the discharge of blank ammunition in connection with an athletic sporting event
  - (j) **"Highway"** means a street, road, lane, bridge, viaduct, forestry road and any other way open to the use of the public, but does not include a private right-of-

way on private property.

- (k) **“Urban Containment Boundary”** means the geographic boundary which separates urban from rural land uses as defined in *the Official Community Plan Bylaw, 2008, No. 8940*” including amendments or any bylaw replacing this bylaw.
- (l) **“Legal Shooting Range”** means a place that is designated or intended for the safe discharge, on a regular and structured basis, of firearms for the purpose of target practice or target shooting competitions, and that has required approvals and operates in accordance with all applicable Federal, Provincial and local government statutes, regulations and bylaws including, but not limited to the *Firearm Act [RSBC 1996] c 145 and Firearms Act [S.C. 1995] c.39.*
- (m) **“Livestock”** means the same as defined in the *Livestock Act [RSBC 1996]* as may be amended from time to time and, for the purposes of this Bylaw,
- (n) **“Zoning Bylaw”** means the District’s “Zoning Bylaw. 2003” Number 8200 including amendments or any Bylaw replacing this Bylaw.

## **GENERAL**

- 2.1 No person shall discharge any *Firearm* or *Bow* within the *District* except in accordance with this Bylaw.
- 2.2 The provisions of this Bylaw shall not apply to a police officer, special municipal constable, pound inspector, *Conservation Officer*, employees of the Fish and Wildlife Branch, the Department of Fisheries and Oceans, the Canadian Wildlife Service, or a Special Constable of the Society for the Prevention of Cruelty to Animals, who have lawfully authority to use firearms in the performance of their duties.

## **FIREARMS AND CROSSBOW DISCHARGE RESTRICTIONS**

- 3.1 No person shall discharge any firearm or crossbow within that part of the *District* lying inside the *Urban Containment Boundary*.
- 3.2 No person shall discharge any *firearm* or *crossbow* within that part of the *District* lying outside the *Urban Containment Boundary* except as specifically provided in Sections 4.1 and 5.1 of this Bylaw.

## **EXCEPTIONS TO FIREARMS DISCHARGE RESTRICTIONS**

- 4.1 A person may discharge a Firearm on lands outside the *Urban Containment Boundary* when the person :
  - a) is engaged in the humane destruction or slaughter of domestic *Livestock*, where such *Livestock* is legally kept in according to the provisions of the *Zoning Bylaw* and other applicable bylaws.

- b) is engaged in a commercial slaughterhouse operation which is legally operating in accordance with the Zoning Bylaw and other applicable bylaws.
- c) is a member of the Armed Services of Canada and is engaged in practice shooting upon a *Legal Shooting Range*, drill exercises, manoeuvres or ceremonial activities.
- d) is a member of an organized Rifle Association or Pistol Association and is engaged in practice shooting upon a Legal Shooting Range.
- e) is participating in a shooting competition in a Legal Shooting Range

### **FURTHER EXCEPTIONS SUBJECT TO PERMITS FROM OTHER AGENCIES**

5.1 Subject to provisions of the *Migratory Birds Convention Act*, the *Farm Practices Protection (Right to Farm) Act*, the *Wildlife Act* and all regulations thereto, on lands Zoned for Agricultural use under the *Zoning Bylaw* upon which a farm operation [as defined in the *Farm Practices (Right to Farm) Act*] is being conducted, a person may discharge a *Firearm* or *Crossbow* when the person :

- a) is an owner or occupier of the land, or an employee of an owner or occupier of the land, or a person with the permission of the owner or occupier of the land, and
- b) is the holder of valid and subsisting permits that may be required under the referenced acts to permit discharge of a firearm or crossbow including, but not limited to, a Canadian Wildlife Service Crop Protection Permit, and federal Migratory Game Bird Hunting Permit, and
- c) discharges the firearm or crossbow for the purpose of protecting crops or livestock from birds or animals.

### **PROVINCIAL AND FEDERAL FIREARMS LAWS APPLY**

6 Nothing in this Bylaw relieves any person from compliance with all Federal and Provincial laws regarding firearms, including but not limited to the requirement to obtain licenses for the use and possession of firearms.

### **BOW DISCHARGE RESTRICTIONS**

7.1 Discharge of a *crossbow* is subject to the same restrictions as a firearm as set out in Section 3 and exemptions set out in Sections 4.1 and 5.1

7.2 The discharge of **an arrow** from a *drawbow* within the District is limited to recreational *Archery* purposes including the shooting of an arrow with a *drawbow* at a stationary inanimate target.

7.3. The person discharging the *drawbow* shall do so only with due regard for the safety and security of other persons and property.

### **PENALTY**



THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9450

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 RS-10 (Single Family Dwelling – Minimum Lot Size 780 m<sup>2</sup>) and adding to Zone RS-6 (Single Family Dwelling – Minimum Lot Size 560 m<sup>2</sup>) the following lands:

Lot 1, Section 55, Victoria District, Plan 21245

(1654 Feltham Road)
- 2) This Bylaw may be cited for all purposes as the "**ZONING BYLAW, 2003, AMENDMENT BYLAW, 2017, NO. 9450**".

Read a first time this    day of

Public Hearing held at the Municipal Hall on the    day of

Read a second time this    day of

Read a third time this    day of

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

---

Municipal Clerk

---

Mayor

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9451

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 RS-6 (Single Family Dwelling – Minimum Lot Size 560 m<sup>2</sup>) and adding to Zone P-4N (Natural Park) the following lands:

Lot 4, Block 4, Section 18A, Victoria District, Plan 1168  
(574 Walter Avenue)
- 2) This Bylaw may be cited for all purposes as the "**ZONING BYLAW, 2003, AMENDMENT BYLAW, 2017, NO. 9451**".

Read a first time this    day of

Public Hearing held at the Municipal Hall on the    day of

Read a second time this    day of

Read a third time this    day of

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

---

Municipal Clerk

---

Mayor

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9452

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 RS-18 (Single Family Dwelling – Minimum Lot Size 2 ha) and adding to Zone RS-12 (Single Family Dwelling – Minimum Lot Size 930 m<sup>2</sup>) the following lands:

Lot A, Section 25, Lake District, Plan 23346

(4623 Cordova Bay Road)
  
- 2) This Bylaw may be cited for all purposes as the "**ZONING BYLAW, 2003, AMENDMENT BYLAW, 2017, NO. 9452**".

Read a first time this    day of

Public Hearing held at the Municipal Hall on the    day of

Read a second time this    day of

Read a third time this    day of

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

---

Municipal Clerk

---

Mayor

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9453

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 adding to Section 4.1 – Zones, the following new classification under Public:  
"P-30/R"
  - b. By adding to Section 4.2 – Zone Schedules, a new Zone Schedule 1704 – Personal Care, Office and Research Zone – which is attached hereto as Schedule "A".
- 2) This Bylaw may be cited for all purposes as the "**ZONING BYLAW, 2003, AMENDMENT BYLAW, 2017, NO. 9453**".

Read a first time this day of

Public Hearing held at the Municipal Hall on the day of

Read a second time this day of

Read a third time this day of

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

---

Municipal Clerk

---

Mayor

## Schedule A

**1704.1 Uses Permitted**

Uses Permitted:

- (a) Hospital
- (b) Nursing Home
- (c) Accessory Buildings and Structures
- (d) Community Residential Facility
- (e) Congregate Housing
- (f) Office
- (g) Research
- (h) Daycare, Adult
- (i) Daycare, Child

**1704.2 Prohibited Uses**

Prohibited Uses:

All uses not permitted by Section 1025.1 and without limiting the generality of the foregoing:

- (a) A Community Residential Facility for more than 10 persons excluding staff.

**1704.3 Density**

Density:

- (a) The maximum density for all uses shall not exceed a Floor Space Ratio of .60.

**1704.4 Buildings and Structures**

Buildings and Structures:

- (a) Shall be sited not less than:
  - (i) 10.0 m (32.8 ft) from a front, a rear and an exterior side lot line.
  - (ii) 6.0 m (19.7 ft) from an interior side lot line.
- (b) Shall not exceed a height of 9.0 m (29.5 ft).

**1704.5 General**

General:

The relevant provisions of Sections 5, 6, and 7 and Schedule B and F of this bylaw shall apply.

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9454

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 P-3 (Personal Care) Zone and adding to Zone P-30/R (Personal Care, Office and Research) Zone the following lands :

That part of Lot 1, Section 44, Victoria District, Plan 15918, shown as "Proposed P-30 / R Zone" on the sketch plan prepared by McElhanney Associates Land Surveyors Ltd., dated March 29, 2017 and attached hereto as Schedule "A".

(2474 Arbutus Road)
- 2) This Bylaw may be cited for all purposes as the "**ZONING BYLAW, 2003, AMENDMENT BYLAW, 2017, NO. 9454**".

Read a first time this    day of

Public Hearing held at the Municipal Hall on the    day of

Read a second time this    day of

Read a third time this    day of

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

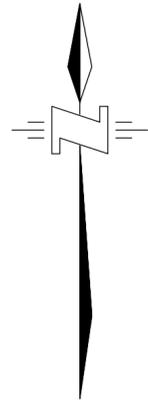
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Municipal Clerk

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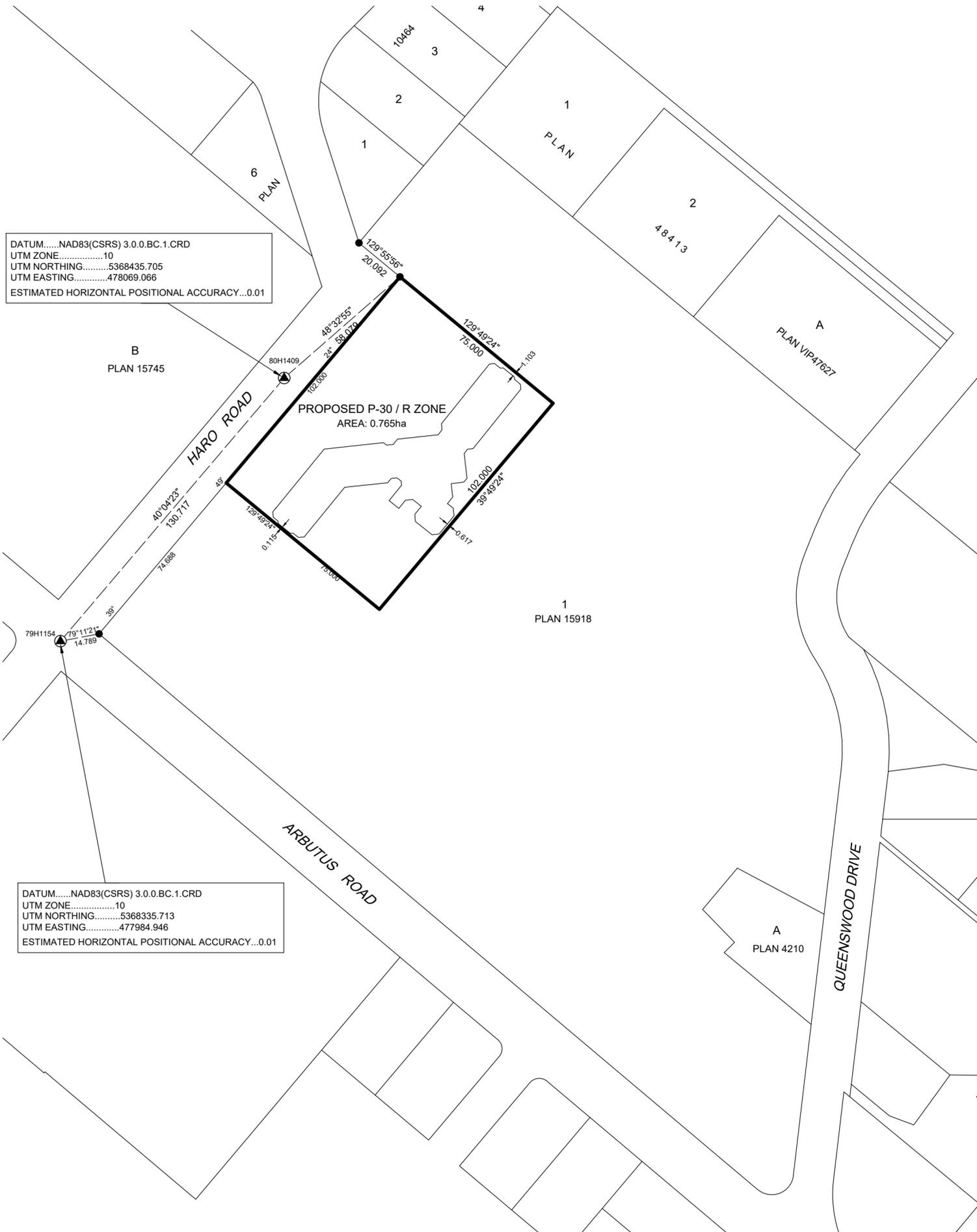
Mayor

SCHEDULE A



DATUM.....NAD83(CSRS) 3.0.0.BC.1.CRD  
 UTM ZONE.....10  
 UTM NORTHING.....5368435.705  
 UTM EASTING.....478069.066  
 ESTIMATED HORIZONTAL POSITIONAL ACCURACY...0.01

B  
 PLAN 15745



DATUM.....NAD83(CSRS) 3.0.0.BC.1.CRD  
 UTM ZONE.....10  
 UTM NORTHING.....5368335.713  
 UTM EASTING.....477984.946  
 ESTIMATED HORIZONTAL POSITIONAL ACCURACY...0.01

SKETCH PLAN TO ACCOMPANY  
 BY-LAW No. 9454  
 OVER LOT 1, SECTION 44, VICTORIA  
 DISTRICT, PLAN 15918

BCGS 92B.044

SCALE 1 : 1250



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF

THE INTENDED PLOT SIZE OF THIS PLAN IS 560 mm IN WIDTH BY  
 432 mm IN HEIGHT (C-SIZE) WHEN PLOTTED AT A SCALE OF 1:1250

LEGEND:

SYMBOLS	DESCRIPTION
FOUND PLACED	
	CONTROL MONUMENT
	STANDARD IRON POST
ha	DENOTES HECTARE

INTEGRATED SURVEY AREA No. 30 (MUNICIPALITY OF SAANICH)

NAD83 (CSRS) 3.0.0.BC.1.CRD

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL MONUMENTS 80H1409 AND 79H1154

THE UTM COORDINATES AND ESTIMATED HORIZONTAL POSITIONAL ACCURACY ACHIEVED HAVE BEEN DERIVED FROM MASCOT PUBLISHED COORDINATES AND STANDARD DEVIATIONS FOR GEODETIC CONTROL MONUMENTS 80H1409 AND 79H1154

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.9996059 WHICH HAS BEEN DERIVED FROM CONTROL MONUMENTS 80H1409

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 29th DAY OF MARCH, 2017  
 GLEN A. QUARMBY, BCLS #710, CLS

THIS PLAN LIES WITHIN THE  
 CAPITAL REGIONAL DISTRICT

**McElhanney**  
 McELHANNEY ASSOCIATES  
 LAND SURVEYING LTD.  
 Suite 500  
 3960 Quadra Street  
 Victoria BC  
 Canada V8X 4A3  
 Tel 250 370 9221

OUR FILE NO. 2113-03245-00  
 OUR DRAWING NO. 03245-REF.DWG

Notice of Motion

Councillor Susan Brice

Affordable Housing Option Administered by CRD Housing

For several years Saanich Staff, Council and Developers have spoken about the value of including affordable; CRD managed housing units into new multifamily developments at the time market housing is being proposed.

Unfortunately, the discussion usually ends with the developer making a financial contribution in lieu to the Saanich Affordable Housing Fund. While these funds have been put toward worthwhile projects it is not as effective as getting dedicated units agreed to at the time of application. Such units can become a part of the affordable housing stock immediately. Also there is strong social value in having affordable housing intermixed with market housing.

Reasons given by the development community for not proceeding with the CRD option:

- Discussions with the CRD are not easily facilitated
- Uncertainty around the minimum number of units CRD will administer in a project
- A process that is not readily understood by the development community

Therefore opportunities are lost or not perused and our goal of providing more affordable housing options is not achieved.

MOTION

That Saanich contact CRD Housing and request that they provide a clear process that will allow Saanich Staff to suggest the dedication of affordable units as a viable alternative to developers. CRD Housing to provide sufficient information to allow developers to give serious consideration to incorporating affordable housing into their development proposal. Information should include the minimum number of units for possible consideration, a straightforward application process, ongoing administration process and key contact information for CRD Housing personal. Saanich’s communication to CRD Housing will include a strong statement in favour of the option of including Affordable Housing administered by CRD in future multi-family development options that come to Saanich for approval.



## ALTERNATIVES

1. That Council receive the Diamond Head Consulting Ltd draft report for information and direct staff to arrange a stand-alone Council meeting to receive public input on the document as quickly as possible.

If this option is selected by Council, the meeting would be arranged as quickly as possible based on: the majority of Council being available; and securing a venue of sufficient size to accommodate interested citizens. This would mean that the meeting would likely take place in August.

2. That Council receive the Diamond Head Consulting Ltd draft report for information and direct staff to arrange a stand-alone Council meeting to receive input on the document in September.

If this option is selected by Council, a September meeting would allow more time for the public to review the draft report and formulate their input. In addition, it would avoid the months of July and August when many citizens are away on holidays. As in Alternative 1, the meeting would be arranged based on: the majority of Council being available; and securing a venue of sufficient size to accommodate interested citizens.

3. That Council provide alternate direction to staff on how it wishes to proceed forward with the Diamond Head Consulting Ltd draft report and the EDPA.

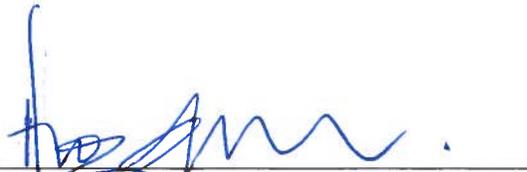
## FINANCIAL IMPLICATIONS

There are no immediate implications to the District of Saanich Financial Plan. If Council proposes additional work beyond the current project scope be undertaken, there would be an associated cost. This additional cost would be provided to Council for approval in advance of any further work being undertaken.

## STRATEGIC PLAN IMPLICATIONS

There are no immediate implications to the District of Saanich 2015-2018 Strategic Plan.

Prepared and  
Approved by



---

Sharon Hvozdzanski  
Director of Planning

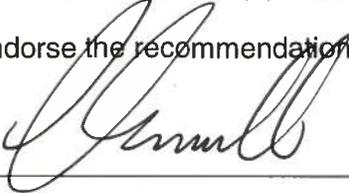
SH/jp  
G:\ENV\Development Permit Areas\EDPA\AA Reports to Council\2017 RTCs\Diamond Head Consulting Field  
Review\REPORT\_DIAMOND HEAD CONSULTING DRAFT PLAN\_FINAL.docx

**Attachments**

cc: Paul Thorkelsson, Administrator

**ADMINISTRATOR'S COMMENTS:**

I endorse the recommendation from the Director of Planning.



---

Paul Thorkelsson, Administrator

**District of Saanich  
Environmental Development Permit  
Area Independent Review**

**June 21, 2017**

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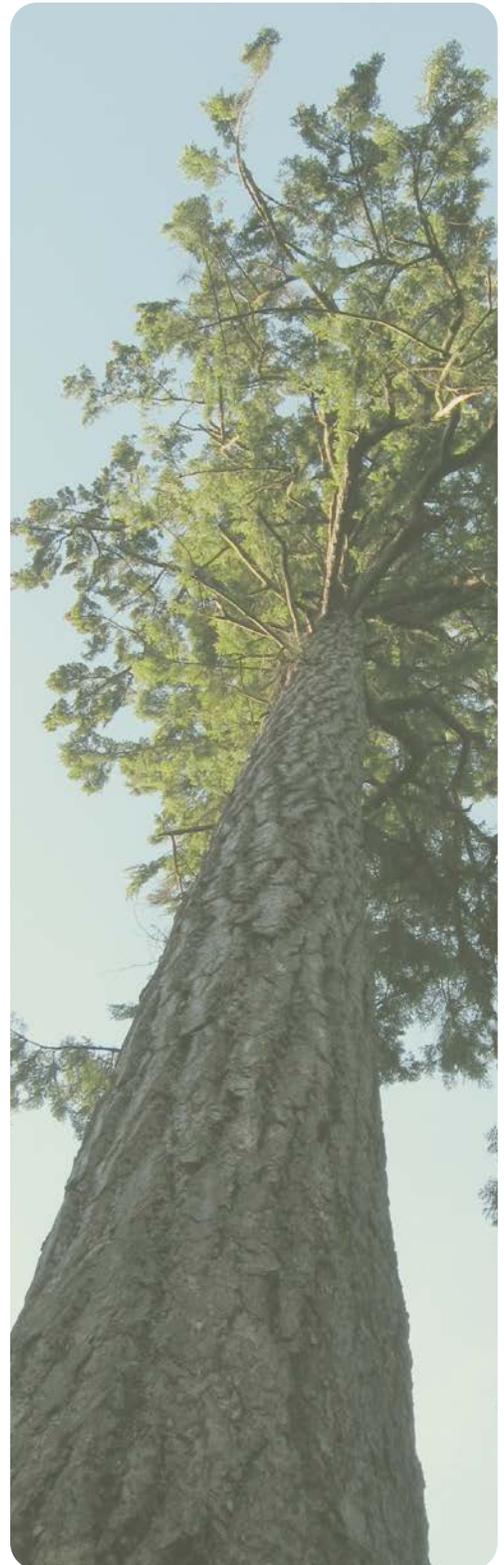
Submitted to:

**District of Saanich  
770 Vernon Ave.  
Victoria, BC  
V8X 2W7**

Submitted by:



**3551 Commercial Street  
Vancouver, BC  
V5N 4E8**



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## Acknowledgements

Diamond Head Consulting would like to thank everyone who was engaged during the course of this review. They include, but are not limited to:

- Cadboro Bay Residents Association
- Camosun Community Association
- Gordon Head Residents' Association
- Gorge Tillicum Association
- North Quadra Community Association
- Portage Inlet Sanctuary Colquitz Estuary Society
- Royal Oak Community Association
- Saanich Advocates for the Environment
- Saanich Citizens for a Responsible EDPA
- Saanich Community Association Network
- Victoria Residential Builders Association
- Saanich Environment & Natural Areas Advisory Committee
- District of Saanich Council (2017)
- District of Saanich departments of Administration, Parks and Recreation, Planning, Legislative Services, and Engineering
- GP Rollo & Associates
- BC Assessment Authority
- Brian Wilkes
- Cori L. Barraclough
- Deborah Curran
- Garry Oak Ecosystems Recovery Team
- James Miskelly
- Jann Kirkby
- Jeremy Gye
- Jo-Anne Stacey
- Jonathan Sexter
- Lehna Malmkvist
- Matt Fairbairn
- Moraia Grau
- Patrick Lucey
- Paul de Greeff
- Sara Stallard
- Ted Lea
- City of Campbell River Community
- City of Kelowna
- City of Langford
- City of Nanaimo
- City of Surrey
- Cowichan Valley Regional District
- District of North Vancouver
- District of West Vancouver
- Regional District of Central Okanagan
- **All Saanich residents who participated in the open house, survey and submitted comments in writing**

## Executive Summary

Diamond Head Consulting (DHC) conducted a third-party, independent review of the Environmental Development Permit Area (EDPA) Bylaw. In this review, we provide recommendations to Council to improve the EDPA Bylaw and support private land stewardship of Environmentally Significant Areas in Saanich. The review also follows an extensive engagement process conducted by the District of Saanich with its citizens.

Our stakeholder engagement generally confirmed the high level of interest, knowledge and passion Saanich residents have towards environmental protection in their municipality. However, we also found that there was confusion and misunderstandings about the EDPA bylaw and its implementation.

The report provides a brief summary of the role of Environmental Development Permit Areas in British Columbia and its history in the District of Saanich. It is followed by a description of the review process and engagement, and our detailed recommendations to improve and clarify the EDPA.

The report recommendations are summarized below for the readers' convenience. The first table focuses on recommendations that do not directly amend the EDPA, but are important to support implementation of the bylaw. The second set of recommendations focuses on improvements and clarifications to the EDPA bylaw itself.

Rec #	Recommendation for Broader Environmental Policy Context	Timeframe
1	Develop a Biodiversity Conservation Strategy to provide science-based guidance for the protection, restoration and connection of Environmentally Significant Areas.  <i>See Section 6.1 EDPA Guiding Policy</i>	<b>Long</b>
14	Investigate programs that would enable the creation of a conservation fund and/or provide allowances for reductions in property taxes to promote protection of environmentally significant areas protected by a covenant.  <i>See Section 6.9 Landowner and Development Incentives</i>	<b>Medium</b>
15	Develop an EDPA development approval checklist. This should define roles and expectations for all stages of development from initial project planning and environmental assessment through to construction and post-construction monitoring.  <i>See Section 6.10 Implementation of the EDPA</i>	<b>Short</b>

### 1.1 EDPA Amendments

The recommendations to improve and clarify the EDPA are presented below following the bylaw's structure.

Many stakeholders highlighted the importance of the implementation of the EDPA to be included in this review. A number of the recommendations listed below, by making the EDPA more detailed and explicit, can ensure a better shared understanding of its intent and purpose.

Rec #	Recommendation for EDPA Updates	Timeframe
<b>AREA</b>		
5	Remove reference to existing EDPA Atlas map and replace it with text-based descriptions for flagging properties that may contain Environmentally Sensitive Areas.  <i>See Section 6.4 EDPA Mapping</i>	<b>Short</b>
6	Remove references to set buffer distances from the bylaw for sensitive ecosystems, isolated wetlands and watercourses and the marine backshore. Only require buffers based on QEP recommendation for individual development permit applications.  <i>See Section 6.5 ESA Buffers</i>	<b>Short</b>
<b>JUSTIFICATION</b>		
2	Update the EDPA objectives to more directly link the OCP policies and clarify the intent of the bylaw.  <i>See Section 6.2 EDPA Objectives and Justification</i>	<b>Short</b>
3	Amend the EDPA justification to include specific language defining an Environmentally Significant Area and condition thresholds for their protection.  <i>See Section 6.2 EDPA Objectives and Justification</i>	<b>Medium</b>
<b>EXEMPTIONS</b>		
12	Remove the District Exemption from the EDPA. The District will be required to apply for a Development Permit for non-exempt activities within an ESA.  <i>See Section 6.8 Leading by Example</i>	<b>Short</b>
<b>GUIDELINES</b>		
4	Amend the EDPA Guidelines to include conditions for encroachments on Environmentally Significant Areas in consideration for smaller, more restricted lots typically found within the single-family zones.  <i>See Section 6.3 Applying the EDPA by Land Use</i>	<b>Short</b>
7	Provide a clear definition for restoration, enhancement and habitat creation, what their goals are within the EDPA Bylaw.  <i>See Section 6.6 ESA Restoration</i>	<b>Short</b>

Rec #	Recommendation for EDPA Updates	Timeframe
8	<p>Develop a standard that guides the level of restoration that is required based on the condition of the ESA and the size and scale of the proposed development.</p> <p><i>See Section 6.6 ESA Restoration</i></p>	<b>Short</b>
9	<p>Permit flexibility in setbacks by permitting some minor encroachment when unavoidable provided there is compensation elsewhere on the property. The percentage of encroachment permitted and ratio of compensation should be based on an assessment of ESA condition.</p> <p><i>See Section 6.6 ESA Restoration</i></p>	<b>Short</b>
10	<p>Provide a standard template for QEP reporting for DP Applications.</p> <p><i>See Section 6.7 Qualified Environmental Professional Reports</i></p>	<b>Short</b>
11	<p>Define classes for habitat condition that will guide QEPs to define and categorise ESAs and required restoration efforts.</p> <p><i>See Section 6.7 Qualified Environmental Professional Reports</i></p>	<b>Short</b>
13	<p>Encourage development incentives and flexibility when planning development projects within the EDPA in exchange for protection or restoration of ESAs.</p> <p><i>See Section 6.9 Landowner and Development Incentives</i></p>	<b>Medium</b>

## 2 Introduction – EDPA Independent Review

Diamond Head Consulting (DHC) was hired as a third-party consultant by the District of Saanich to conduct an independent review of the Environmental Development Permit Area (EDPA) Bylaw. The EDPA Bylaw was enacted in March 2012; however, a six-month-long public check-in process conducted in 2015 showed that many residents did not support the bylaw in its current form, and that there were perceived issues concerning its implementation, impacts on property rights and property values. The decision to hire a third-party consultant for this review was made in March 2016, when Council supported a staff recommendation to contract additional resources to undertake a thoughtful review of the ideas and options for revising the EDPA Bylaw.

The purpose of the review is to provide recommendations to Council to improve the EDPA Bylaw and support private land stewardship of Environmentally Significant Areas in Saanich. The recommendations in this report were made based on:

- Engagement with Saanich stakeholders and the public;
- Research of comparable local governments and their approaches to natural areas protection;
- Review of relevant local documents guiding natural area protection and the EDPA; and,
- Review of best practices and options for natural areas protection, including private land stewardship.

The report provides a brief summary of the role of Environmental Development Permit Areas in British Columbia and its history in the District of Saanich, followed by a description of the review process and detailed recommendations to improve and clarify the EDPA.

### 2.1 A Note from the Authors

The results of Diamond Head Consulting’s engagement are summarized throughout the report as they relate to recommendations to improve or clarify the EDPA and support land stewardship in Saanich. However, a number of observations and comments made during the review are beyond the scope of this report. Nonetheless, we wanted to acknowledge some elements we perceive as key for the District of Saanich to move forward with the EDPA and the protection of Environmentally Significant Areas.

Since February of 2017, staff at Diamond Head Consulting (DHC) have met with and reviewed submissions from multiple stakeholders, technical experts, Saanich Council and staff, and hundreds of citizens. We received valuable information, feedback, and opinions on EDPAs from within the District and from other communities and technical experts. It should be noted that, concurrently to this review, Council reviewed a number of applications to remove the mapping from specific properties, and has more removed a number of them from the EDPA map, and

suspended the EDPA from applying to the Single-Family Dwelling zone, with exceptions for rezoning and subdivision applications.

This engagement process revealed that there are differing and opposing opinions regarding what the EDPA is intended to protect, how it should be implemented and what areas it should apply to. Our stakeholder meetings generally demonstrated the high level of interest, knowledge and passion that some people have regarding the EDPA and environmental issues in Saanich. However, we also found that there was confusion across the range of opinions about what the EDPA protects, how it regulates development and what activities may or may not constitute development, and when restoration is required under the current bylaw. For example, we often heard that the mapped EDPA boundaries represent a complete restriction on future development. The concept of flexibility to negotiate development design with staff through the development permit process was not understood or trusted by some stakeholders. These findings emphasize the importance of clarifying and improving the current EDPA Bylaw and the need to rebuild trust between the District and the public in implementing the EDPA.

We also found some common ground through the engagement process. It was clear from many people's statements that Saanich citizens generally value the natural environment and support its protection. Saanich has a long history of both regulating environmental protection and voluntary environmental stewardship in the community. Many citizens maintain gardens and promote natural landscaping on their property. The public has generally accepted and supported some environmental regulation on private land, including the tree bylaw and watercourse DPA. However, the EDPA Bylaw has faced significant public opposition despite the fact that similar EDPAs are implemented in many other BC municipalities without incident.

Throughout our review of the ideas and options for revising the EDPA Bylaw, we have made efforts to address the main sources of concern identified during the engagement process. That being the case, we also acknowledge that some stakeholders have raised the broader question of whether or not the EDPA should be repealed. Given that our scope was to revise the EDPA Bylaw, consideration of this question was outside our scope. In addition, the question of whether or not the damage or removal of 'Environmentally Significant Areas' during development should be regulated on private property cannot be resolved solely on the basis of facts and expertise provided by subject matter experts; regulating environmental protection is a question of community values that is best answered through the broader political, planning and engagement process of the Official Community Plan and high-level strategic work.

It has become evident to our team through engagement that the District, public, developers and environmental professionals will need to make efforts to rebuild trust in the EDPA Bylaw and process to move forward with the protection of ESAs on private property, and that this need will not be resolved solely by implementing the recommendations of this review. A number of people highlighted their reluctance to engage on the topic of the EDPA, given the current type of acrimonious social discourse taking place, and the detrimental effect it is having amongst community members. This will be limiting to the ability for the District to engage with its community members.

We have also heard some critical commentary concerning the independence of this review from District staff. However, District staff have not directed our recommendations and we have

prioritized engaging all stakeholders fairly and equitably, without bias. We offer our professional recommendations with the expectation that they will inform Council's decisions to improve the EDPA bylaw with the hope that they will improve the acceptability of the bylaw among Council, stakeholders, and the public.

### 3 The Role of Environmental Development Permit Areas

Development Permit Areas (DPAs) are development regulations that apply to certain areas specified in the Official Community Plan. DPAs have specific objectives and guidelines to shape development at the parcel scale in coordination with the Zoning Bylaw. The Local Government Act (LGA) authorizes local governments to designate DPAs for different purposes. Environmental DPAs are designated for the protection of the natural environment, its ecosystems, and biological diversity. Examples of the values that may be protected include forests, wetlands, watercourses, grasslands, wildlife corridors, green infrastructure, marine backshores, species at risk, or habitat features (e.g., wildlife trees, nests, dens, hibernacula) important to wildlife.

EDPAs enable local governments to regulate development on private land, recognizing that those areas may have environmental values that benefit society as a whole. Protection of the natural environment can help reduce infrastructure costs, improve health, and provide other services for the public good (e.g. flood mitigation, clean air and water). People generally accept that some land use regulations are necessary, even though they affect their private property rights. For example, zoning bylaws are accepted to regulate land use, the size and location of buildings and the type of activities permitted. Tree bylaws are used to help preserve significant trees and help protect the urban forest.

For properties in an EDPA, a development permit is required to subdivide; construct, add to, or alter a building; or to alter land (e.g., change the grade). When a development permit is issued, it will include requirements, conditions or standards for the type and extent of development activities that can occur on a site, as well as conditions for the sequence and timing of construction. Not all activities require a development permit; the local government can make exemptions by specifying conditions under which a development permit is not required, like routine yard maintenance or removal of invasive plants or hazard trees.

EDPAs are used by many local governments and are generally considered to be a valuable tool to help protect environmentally significant areas at the time of development. EDPAs also add time and costs to the development process for both developers and local governments and so require clear objectives that justify the designation. EDPAs are one of several tools that local governments can use to protect the environment and best support private land stewardship when used with complementary tools including other bylaws, voluntary conservation covenants, public education and stewardship programs.

## 4 Saanich's Environmental Development Permit Area

The Saanich Official Community Plan states that Saanich and its residents are considered to be leaders in the region in preserving and protecting the natural environment. Saanich has had EDPAs in place for more than 20 years. Saanich first implemented EDPA guidelines to protect environmental features in parts of the community in 1994. In 2006, Saanich introduced the Streamside DPA to protect watercourses and riparian areas from new development and restore fish and wildlife habitat.

At the time of developing a Strategic Plan for the District in 2010, there were complaints about development impacts on the environment. In particular, trees not protected under the tree bylaw were being cut and some areas considered high value plant communities were being lost through development. These concerns were being raised late in the development process, leaving Council with few options to mitigate environmental impacts. In addition, invasive plant species were aggressively invading many natural areas and public awareness of that issue had been increasing. The District found that they were limited in their ability to address these public concerns. Saanich adopted a Strategic Plan (2010-2014) that directed staff, under the Sustainable Environment Initiatives C4 (Protect and enhance air, water and land quality) to:

***b. Establish an Environmentally Significant Areas Development Permit Area to protect and enhance sensitive ecosystems, species at risk, and the marine shoreline. Increasing development pressure adds to the need to protect natural ecosystems and the habitat of rare plants and animals at a level similar to the existing protection for riparian areas. Development Permit guidelines will focus on best management practices for protecting habitat adjacent to development.***

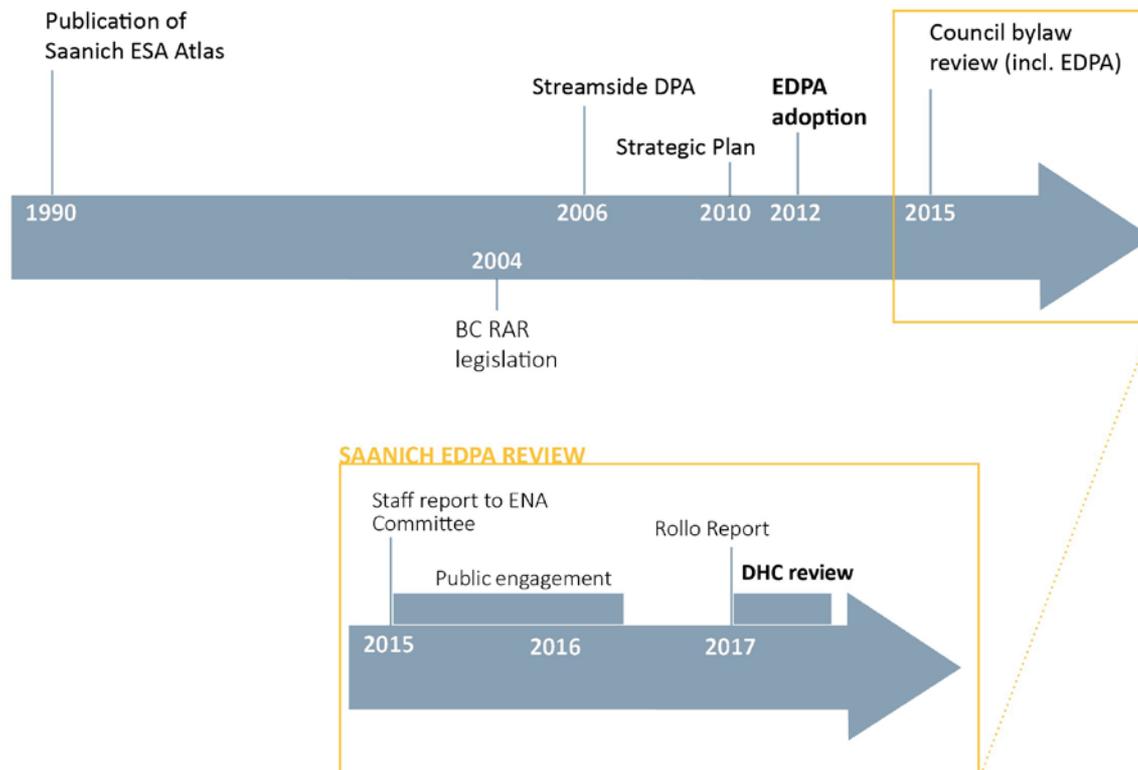
Consistent with its past environmental leadership and the policy priorities outlined in the OCP and in the 2010 Strategic Plan, Saanich consolidated and expanded the District-wide EDPA coverage into the current guidelines and map that were adopted by Council in the "Official Community Plan Bylaw, 2008, Amendment Bylaw, 2012, No. 9164".

The 2012 EDPA guidelines consolidated and built on numerous existing DPAs to protect and restore rare ecosystems and vital habitat contained in Environmentally Significant Areas (ESAs) across Saanich. The EDPA complemented and enhanced protections provided by existing DPAs and bylaws that already covered features like Streamside Protection and Enhancement Areas (SPEAs), floodplains and trees in Saanich. The objectives of the EDPA are to:

- Protect areas of highest biodiversity within Saanich.
- Mitigate damage during development.
- Restore degraded ecosystems.

The Saanich EDPA includes five types of Environmentally Significant Areas:

1. Sensitive Ecosystems
2. Red and blue listed animals, plants and ecological communities
3. Wildlife Trees
4. Isolated wetlands and watercourses
5. Marine Backshore



**Figure 1 – History of the EDPA in Saanich**

Since the EDPA was adopted in 2012, approximately 8 EDPA permit applications have been processed each year. The majority of requests from property owners to undertake some form of development in the EDPA were handled by staff through the exemption process built into the EDPA Bylaw.

In 2015, as part of the standard housekeeping/review process for Saanich bylaws, staff recommended amendments to the EDPA Guidelines to provide greater clarity of language and to ensure staff were meeting Council’s intent/objectives with the EDPA. Staff prepared a report on amendment options for the Environmental and Natural Areas Advisory Committee (ENA). Some residents raised concerns about the EDPA, and the ENA recommended a public process be initiated, after which Council supported a public process for feedback on the EDPA.

The public process consisted of two open houses and two Town Hall meetings held between June 2015 and February 2016. Feedback was collected from 550 people who attended two Open Houses, individual consultation with 250 landowners, the 300 feedback forms received and 100 speakers at the two Town Hall meetings. Feedback indicated that there is support in the community for protecting the natural environment using the EDPA, but that the Bylaw requires some improvement.

Following on from the public engagement process, staff presented Council with a report outlining three process options for moving forward:

Option 1: Repeal the entire EDPA Bylaw; or,

Option 2: Revise the existing EDPA Bylaw; or,

Option 3: Maintain the existing EDPA Bylaw.

Council supported Option 2, which included a recommendation that additional resources be contracted to undertake a thoughtful review of the ideas and options for revising the EDPA Bylaw. Through a competitive process, Diamond Head was selected to undertake a third-party review of the EDPA. A third party economic impact assessment was also undertaken by GP Rollo & Associates as further data to inform the review process.

## 5 The EDPA Review Process

A background review of key information related to the District of Saanich's Environmental Development Permit Area was completed as part of this review. Information included District documents, municipal policies and existing industry and government best practices for land development and environmental protection. Staff reports and minutes for relevant Council hearings and meetings, and documented public feedback on the EDPA and submissions from individuals or organizations pertaining to the EDPA, were also examined.

To acknowledge the high level of interest and participation of citizens in the EDPA review, the engagement program was reframed early on in the process. Although the Request for Proposal specified an "inform" engagement level, following the project startup meeting and workplan inclusive of stakeholder interviews and an Open House to obtain feedback, it is suggested that the level of engagement would be better described as "consult" the public and "involve" stakeholders. Details of the engagement are laid out in the EDPA Review Engagement Strategy (Appendix A).

The engagement conducted as part of the review was completed in two phases. In the first phase of engagement, interviews were conducted with key stakeholders to identify the main issues with the current EDPA, as well as objectives for its improvement. The observations and information provided by stakeholders in this phase of engagement helped inform the themes that were presented in the second phase of engagement and in this report. We met with six stakeholder groups, interviewed twenty professionals and representatives of neighbourhood associations over the phone and received more than 150 written submissions.

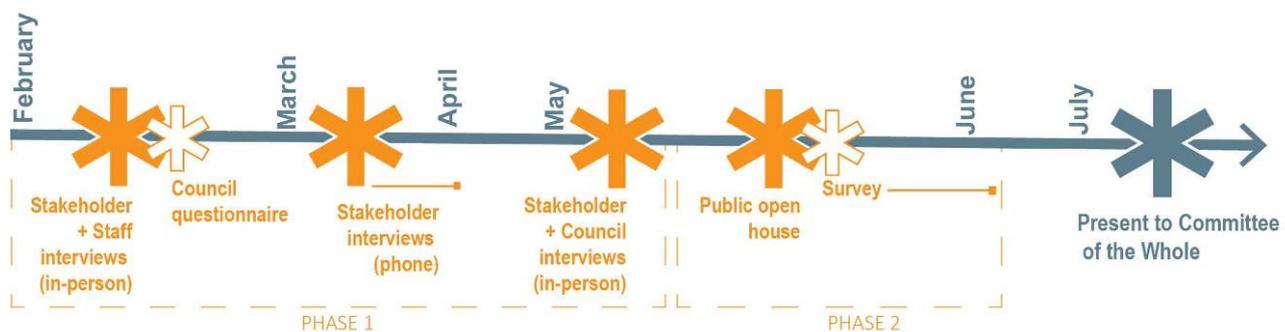
During the second phase of engagement, stakeholders and the public were asked to provide feedback on a range of options for improving the EDPA Bylaw through a survey offered at an open house and online. The options presented were focused on those themes that were identified as being the most contentious in the first phase of engagement. The survey was launched at the open house and was available on the web and on paper at the municipal hall for two weeks (Appendix C and D). A total of 356 surveys were submitted. Of respondents, 65% identified that they live within the EDPA. Because respondents self-selected to complete the

survey and attend the open house event, the results do not reflect a random sample of the Saanich population. The feedback received was taken as qualitative rather than as a statistically valid sample of the Saanich population’s opinions on the questions asked.



**Figure 2 – Picture of the Public Open House Held on May 25<sup>th</sup>, 2017**

Feedback from the survey and open house, stakeholder interviews, and submissions from Saanich residents have been considered in framing the recommendations and are referenced throughout the following sections.



**Figure 3 – EDPA Review Engagement Timeline**

## 6 EDPA Recommendations

The background review and engagement process identified a number of recurring themes touching on guiding policy, environmental values, implementation of the bylaw, mapping, setbacks and buffers, restoration, incentives, and civic leadership. The following sections and recommendations are organized according to those key themes. Relevant content from the background review, stakeholder engagement, municipal comparison and review of relevant local documents and best practices is provided to help frame and support these recommendations. While the community remains polarized in their opinion of the EDPA, we have made an effort to build on the common ground that does exist when framing recommendations for improving the bylaw.

This review is intended to provide recommendations that will be considered by council to amend (and improve) the existing EDPA. Full implementation of some recommendations will require additional detail beyond the scope of this review, including additional stakeholder engagement. Each recommendation has been linked to the relevant EDPA section for amendment. Some recommendations are relatively straight forward to implement, while others require additional consultation and research. Each has been categorised based on the estimated timeframe for implementation: short (<1 year), medium (1-3 years) and long (>3 years).

## 6.1 EDPA Guiding Policy

At a very high level, a local government's environmental policy is outlined in its Official Community Plan (OCP). On the ground, environmental protection and enhancement is implemented by tools such as zoning bylaws, Development Permit Areas and stewardship programs. The EDPA is enabled by the OCP, which provides the high-level policy and objectives, but does not provide detailed environmental policy guidance. Developing an intermediate guiding policy, such as a Biodiversity Conservation Strategy (BCS) would provide more detailed understanding of environmental values in the District and how they should be managed through bylaws (including the EDPA), education and stewardship initiatives.

### What we saw in best practices and other local governments

Biodiversity conservation and green infrastructure strategies have received significant support in other jurisdictions<sup>1</sup> and are encouraged to better support land use decisions and implementation of EDPAs<sup>2</sup>. This type of strategy is addressed in the Saanich OCP, which supports linking environmentally sensitive areas and green spaces, where appropriate, using "greenways", and designing them to maintain biodiversity and reduce wildlife conflicts. One of the foundations of a biodiversity strategy is often a **Green Infrastructure Network (GIN)** which is defined as an interconnected network of natural areas and other open spaces that conserves natural ecosystem values and functions, sustains clean air and water, and provides an array of benefits to people and wildlife<sup>1</sup>. A Biodiversity Conservation Strategy can also be used to provide a clear definition of Saanich ecosystems, and define what environmental values Saanich is intent on protecting.

Two out of the nine municipalities reviewed had developed guiding environmental strategies. The City of Surrey adopted its Biodiversity Conservation Strategy in 2014, and it has been considered instrumental for subsequent development of its Sensitive Ecosystems DPA. This policy creates a framework for future development and conservation by defining a GIN. The GIN was developed using a science-based approach to identify local and regional habitat connectivity opportunities. The GIN now forms the map basis for triggering Surrey's EDPA and provides the vision, goals and measurable objectives for what the local government is trying to achieve over the long term through its restoration, park acquisition, and sustainable development. Development of this strategy took just over two years and required extensive consultation with stakeholders. This comprehensive consultation process facilitated the subsequent development of the EDPA.

<sup>1</sup> Benedict, M. and McMahon E. 2006. *Green Infrastructure – Linking Landscapes and Communities*. Washington, DC: Island Press.

<sup>2</sup> Curran, D., et al. 2016. *Green Bylaws Toolkit for Conserving Sensitive Ecosystems and Green Infrastructure*. University of Victoria Environmental Law Centre.

### What policy is guiding the EDPA?



**Figure 4. Guiding policy in the local governments reviewed (see Appendix B for a full list of the local governments).**

#### What we heard from stakeholders

Through the engagement process we heard that stakeholders seem to agree that clearer justification, goals and measurable objectives are needed for environmental protection, restoration and connectivity in Saanich.

Stakeholders seem to disagree about whether or not the Environmental DPA can effectively protect biological diversity in Saanich in its current form, and whether it is being implemented as intended by the Saanich OCP. A number of professionals also highlighted the importance of providing a stronger scientific basis for identifying ESAs and justifying their protection through environmental policy in Saanich.

#### What we found from the survey

When asked if Saanich should develop a guiding policy called a “Biodiversity Conservation Strategy” (BCS), the majority of respondents were supportive. Some respondents commented that they wanted the strategy developed by a third-party QEP consultant, and that the BCS should apply to all of Saanich, not just the areas contained within the EDPA. Some respondents requested more information to understand what this strategy would do, and how it would guide the EDPA.

**Table 1 – Survey results on guiding policy**

Answer Options	# of Respondents	% Response
<b>A. Maintain status quo:</b> Rely on the Official Community Plan only to describe the special contributions or objectives that justify the DPA designation	38	15%
<b>B. Develop a Biodiversity Conservation Strategy:</b> Develop a science-based Biodiversity Conservation Strategy, in collaboration with the community, that provides a basis for policy decisions to protect Environmentally Significant Areas in Saanich.	219	85%

## Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
1	Develop a Biodiversity Conservation Strategy to provide science-based guidance for the protection, restoration and connection of Environmentally Significant Areas.	N/A	Long

### Rationale

The justification for and implementation of the EDPA could be clarified through the development of a Biodiversity Conservation Strategy. The strategy would provide the vision, goals and objectives for environmental protection in Saanich, all of which were highlighted as important by the community throughout this review. While it is beyond the scope of our work to recommend the values that Saanich should and should not be protecting, the development of a Biodiversity Conservation Strategy would be an opportunity to facilitate productive community engagement about what environmental values are priorities for protection, restoration and connection. These decisions can be reflected in the mapping of environmentally significant areas and corridors to create a green infrastructure network (GIN). ESAs that are not part of the GIN would be mapped as well and ranked based on their value.

The strategy would provide a stronger scientific basis for environmental policy decisions in Saanich and a clearer understanding of what the EDPA is intended to achieve. It would define what are considered ESAs and how they can be protected through the District’s policy as well as stewardship initiatives. Development of this policy would require a comprehensive stakeholder engagement process which would help residents to better understand the EDPA’s role during development, and provide input on what environmental values should be protected.

### Implementation

Development of a mid-level guiding policy such as a Biodiversity Conservation Strategy requires substantial effort. It would require that the District engage a team of consultants to work with Council, staff, stakeholders, and the public, and provide a science-based assessment of ESAs, green infrastructure and connectivity. Defining and mapping ESAs would require scientific analysis and extensive ground-truthing by qualified professionals. The strategy would provide a framework to illustrate how the EDPA works along with other policy and stewardship activities to protect ESAs in the District.

## 6.2 EDPA Objectives and Justification

The Official Community Plan (OCP) provides the guiding policy for environmental protection in the District of Saanich. One of the key elements of this community supported plan is protecting, restoring, and maintaining the ecological integrity of the natural environment, including the land, air, water, ecosystems and biodiversity. The OCP outlines specific policies that support this goal, including the management of Environmentally Significant Areas and support for environmental stewardship.

The EDPA is designated through the OCP and its objectives and justification are embedded within that policy. In the District of Saanich, there are presently three stated objectives of the EDPA:

- Protect the areas of highest biodiversity within Saanich;
- Require mitigation during development;
- Require restoration to damaged or degraded ecosystems during development.

The justification outlined in the EDPA describes five types of sensitive environmental values and their importance for protection;

- 1) sensitive ecosystems;
- 2) rare and endangered plant and animal species, and ecological communities;
- 3) wildlife trees;
- 4) isolated wetlands and watercourses; and,
- 5) marine backshore.

Definitions are provided for each along with reasoning for their protection.

#### What we saw in best practices and other local governments

Based on our review, local governments adopt a broad range of objectives and justifications within their EDPAs. Many local governments use ESAs to help meet other objectives related to health and wellness, risk management, sustainable development and climate adaptation. The objectives and justifications included in EDPAs typically reflect the policies outlined within each local government's higher-level plans. These include Official Community Plans as well as some mid-level guiding policy such as a Biodiversity Conservation Strategy.

#### What we heard from stakeholders

During the engagement process, stakeholders seem to agree that Environmentally Significant Areas should be clearly defined and protected. However, there was disagreement about what should be considered Environmentally Significant, and what objectives the EDPA aims to achieve. Specifically, some stakeholders were unclear on the interpretation of objectives to "protect the areas of highest biodiversity within Saanich" and "require restoration to damaged or degraded ecosystems during development."

There was agreement from most stakeholders that the EDPA and its implementation would benefit from better definitions of ESAs and the objectives for their protection.

#### What we found from the survey

The public survey asked respondents to indicate whether or not the EDPA objectives should be expanded to include more environmental policy direction from the current OCP and, if so, which ones. The majority of survey respondents were in favour of expanding the EDPA objectives.

**Table 2 – Survey results on Objectives of the EDPA**

Answer Options	# of Respondents	% Response
<b>A. Maintain status quo:</b> Retain the current EDPA objectives.	44	21%
<b>B. Expand the EDPA objectives to address one or more of the following policies from the OCP (check all that you would support)</b>	168	79%
<input type="checkbox"/> Protect and restore habitats that support native species of plants and animals and address threats to biodiversity such as invasive species	108	67%
<input type="checkbox"/> Protect and restore rare and endangered species habitat and ecosystems, particularly those associated with Garry Oak ecosystems	107	66%
<input type="checkbox"/> Protect and enhance marine, intertidal, backshore, wetland, and riparian habitats	113	69%
<input type="checkbox"/> Encourage the retention or planting of native vegetation in the coastal riparian zone.	118	73%
<input type="checkbox"/> Link environmentally sensitive areas and greenspaces	85	53%
<input type="checkbox"/> Preserve “micro-ecosystems” as part of proposed development applications	74	46%
<input type="checkbox"/> Incorporate climate change, its potential impacts, and mitigation measures when reviewing new development applications	96	59%

Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
<b>2</b>	Update the EDPA objectives to more directly link the OCP policies and clarify the intent of the bylaw.	<b>Justification</b>	<b>Short</b>
<b>3</b>	Amend the EDPA justification to include specific language defining an Environmentally Significant Area and condition thresholds for their protection.	<b>Justification</b>	<b>Medium</b>

Rationale

Whereas the Streamside DPA must implement a standard for watercourse protection that meets or beats the Provincial Riparian Areas Regulation (RAR), the Province does not require the District to protect the values defined in the EDPA. While there seems to be general agreement that Saanich residents appreciate the natural environment of Saanich, there is some difference of opinion regarding what should be protected by the EDPA. Presently the EDPA objective to protect the areas of “highest biodiversity within Saanich” can be interpreted in various ways and is not clearly understood. The justification for protecting values as Environmentally Significant Areas provides limited context to interpret what is significant. In the short-term, the OCP is the community supported policy that provides high level direction for the EDPA. The objectives for environmental protection within the OCP should guide the justification of the EDPA. In the long-term, objectives and definitions of ESAs are best identified through the development of a

Biodiversity Conservation Strategy that provides stronger scientific basis and community support.

#### Implementation

The OCP provides community-supported objectives for environmental protection. The EDPA objectives should be updated to include the environmental objectives from the OCP. The following objectives from the OCP were presented at the open house, and could be added to the Justification section of the EDPA:

- Protect Environmentally Significant Areas including:
  - habitats that support native species of plants and animals
  - rare and endangered species habitat and ecosystems, particularly those associated with Garry oak ecosystems
  - backshore, wetland, and riparian habitats
  - native vegetation in the coastal riparian zone
- Link environmentally sensitive areas and green spaces
- Address threats to biodiversity such as invasive species
- Preserve “micro-ecosystems” as part of proposed development applications
- Incorporate climate change, its potential impacts, and mitigation measures when reviewing new development applications
- Require mitigation during development
- Require restoration to damaged or degraded ecosystems during development

The definitions for ESAs should be updated to provide more detailed descriptions. If adopted, the process of developing a Biodiversity Conservation Strategy would provide the opportunity to develop scientifically based definitions that are supported through the Strategy’s engagement process.

### **6.3 Applying the EDPA by Land Use**

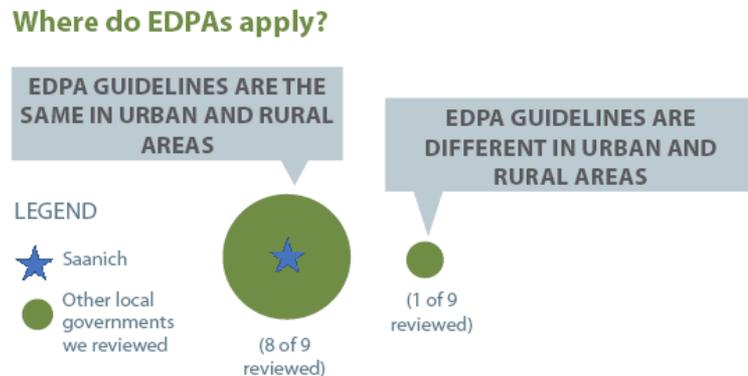
Local governments may choose to tailor where their EDPA applies, for example, to reflect land use development patterns or the location of specific values. Others take a conservative approach and apply their EDPA to an entire area to ensure potential environmental values are always considered during development. In Saanich, the EDPA applies to development on private land wherever ESAs are mapped (unless exempt such as farm-related uses within the Agricultural Land Reserve).

#### What we saw in best practices and other local governments

Most local governments we reviewed apply their EDPAs similarly across land uses except agriculture land, pasture, or timber harvesting on crown land where relevant; however, there may be some restrictions or additional requirements. For example, non-farm uses on ALR land (houses, etc.) often still requires a development permit (or farm plans may be required in lieu of

a QEP report). Some local governments have guidelines that provide more direction on how to deal with development on lots that are substantially covered by an Environmentally Significant Area.

The City of Campbell River was the only municipality we reviewed that varied permit requirements by land use. Within Campbell River’s urban containment boundary, the EDPA only applies to the mapped ESAs, whereas outside the urban containment boundary, all development must obtain a general environmental development permit unless an exemption applies.



**Figure 5. EDPA guidelines in urban and rural areas in the local governments reviewed (see Appendix B for a full list of the local governments).**

#### What we heard from stakeholders

Through the engagement process we heard that stakeholders generally agree that Environmentally Significant Areas should be protected from development. However, people seem to disagree where the EDPA should apply (e.g., whether the EDPA should apply in certain areas such as single family residential or rural zonings, or if it should apply to all of Saanich). Most stakeholders thought the EDPA should apply to District owned lands, and some felt that agricultural activities should be exempt.

#### What we found from the survey

About half of the respondents favoured the removal of certain zones from the EDPA. The majority of respondents felt that single family homes should be exempt from the bylaw, but were split on whether this exemption should only apply to renovating existing single-family homes, or if it should also extend to building new ones, rezoning, or subdivision. Others explicitly stated that single family homes and rural areas should not be exempt from the EDPA.

A few respondents felt that none of the options captured what they believe is the best path forward. Some felt that the EDPA should apply to all of Saanich, some felt that application of the EDPA should be determined on a case-by-case basis, and others felt that all private land should be exempt.

**Table 3 – Survey results on where the EDPA should apply**

Answer Options	# of Respondents	% Response
<b>A. Maintain status quo:</b> Apply existing EDPA guidelines across all zones except Agricultural Land Reserve	35	12%
<b>B. Develop guidelines for specific zonings:</b> Develop guidelines that are specific to certain zones (e.g. single-family dwelling or rural zone types) that differentiate the permit requirements and create more flexibility for small-scale development and rural land use activities.	91	31%
<b>C. Exempt specific zonings:</b> Exempt specific zoning (e.g., single family dwelling zones) from the EDPA.	167	57%

Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
<b>4</b>	Amend the EDPA Guidelines to include conditions for encroachments on Environmentally Significant Areas in consideration for smaller, more restricted lots typically found within the single-family zones	<b>Guidelines</b>	<b>Short</b>

Rationale

Presently, the EDPA guidelines apply anywhere an EDPA is mapped, unless a relevant exemption applies. However, larger lots often have greater options for building siting or clustering to protect ESAs than smaller, single-family residential lots. Greater flexibility can be added to the process by defining how encroachment may occur in constrained lots such as many of those found in Saanich’s single-family residential zones.

Implementation

Amend existing EDPA to include guidelines that specify how, and under which circumstances, encroachment in Environmentally Significant Areas may occur in constrained lots. Suggested wording for the guidelines:

- Development should, wherever possible, be directed to lands outside of the Environmentally Significant Areas. In cases where there are no appropriate alternatives, the onus will be on the applicant to demonstrate that encroachment is necessary due to circumstances such as topography, hazards or the entire parcel being located within the sensitive area.
- Where a parcel of land is entirely or significantly within a sensitive ecosystem, the development should be sited to maximize the separation between the proposed development and the most sensitive area. In such cases, mitigation and restoration measures may be required to minimize the impact of the encroachment
- Roads and driveways should be located as far as possible from the edge of an Environmentally Significant Area

## 6.4 EDPA Mapping

Local governments usually reference some form of mapping to identify the Environmentally Significant Areas protected in the EDPA. Maps are based on existing provincial and local inventories. Due to the high costs of ground surveys and restrictions to access private property, inventory mapping is often based on air photo interpretation. Accuracy can be variable and, when done at a wide scale, may not translate well to an individual property. EDPA mapping is often infrequently updated, and usually only when development occurs or during OCP reviews. In addition, land condition is constantly being altered by urban development and natural changes such as invasion of non-native species, pest and disease outbreaks, wildfire, flooding, etc.

As a result of mapping inaccuracies and a changing environment, most local governments use their mapping as a generalized ‘flagging tool’ to identify locations where ESAs are likely to be found. This mapping is intended to identify properties that may require further investigation. When a property is flagged, staff will determine whether a development permit and a more detailed report by a Qualified Environmental Professional (QEP) are required to verify the location and condition of the ESA. The QEP report then provides a more precise EDPA boundary to be considered during the development application process.

In Saanich, the Provincial SEI mapping, the Conservation Data Centre, and other inventories were used to help identify potential ESAs. This information was refined with some ground-truthing and input by committees and the public. The District maintains this mapped information in an atlas. Updates to the EDPA mapping occurs when amendments are approved by council; this may be triggered when a QEP report indicates that current mapping is inaccurate or if new information is brought to staff’s attention.

### What we saw in best practices and other local governments

Most local governments with EDPAs maintain a map of the sensitive areas that the EDPA is intended to protect. These maps are used to flag properties that may have features of interest. However, the method that relates the mapping to the properties requiring a DP application varies. Some examples include:

- Langford has blanket mapping for larger lots (typically greater than 5 acres) that have the potential to have ESAs which should be protected during development.
- Surrey applies a Sensitive Ecosystems DP to all properties within 50m of its Green Infrastructure Network areas.
- West Vancouver’s EDPA covers the entire municipality, with all lots requiring a DP

The Cowichan Valley Regional District does not consistently map EDPAs. While they have maps for Cowichan Bay, they use a text based description to describe the location of EDPAs in South Cowichan. This has provided staff with experience using both strategies, with general agreement that a non-mapped approach is easier to implement.

### Are EDPA maps mapped?

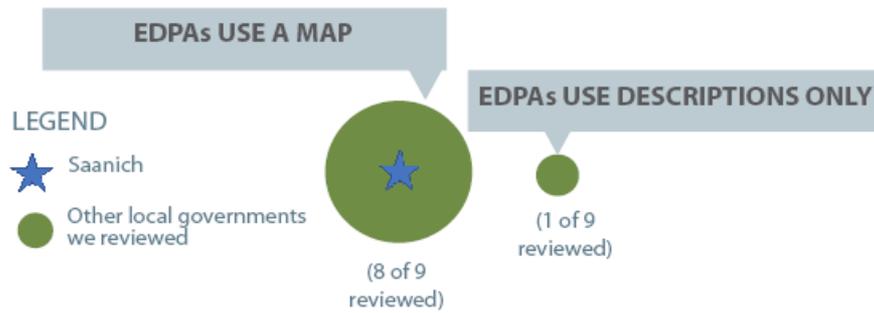


Figure 6. The use of EDPA maps among the local governments reviewed (see Appendix B for a full list of the local governments).

### What is the base mapping used for terrestrial ecosystems, and is it ground-truthed?

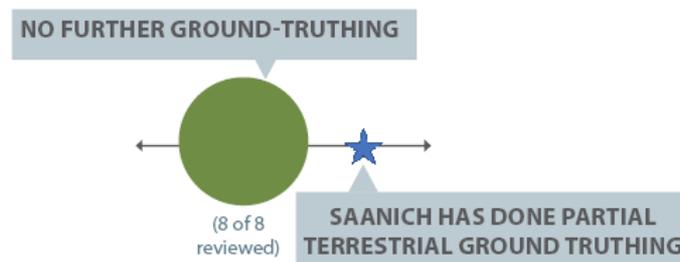


Figure 7. The use of ground-truthing maps in the local governments reviewed (see Appendix B for a full list of the local governments).

### How is mapping used for development applications?

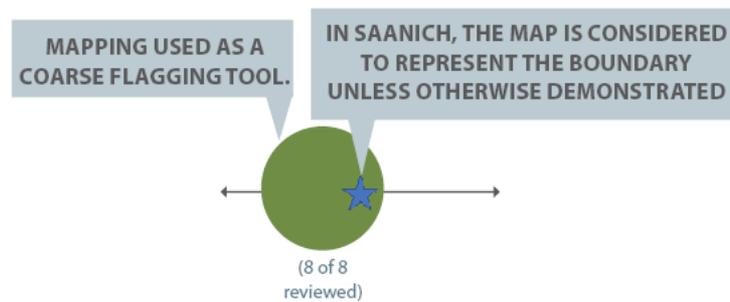


Figure 8. How EDPA maps are used among the local governments reviewed (see Appendix B for a full list of the local governments).

### What we heard from stakeholders

Through the engagement process we heard that stakeholders generally seem to agree that current mapping is inaccurate at the individual property scale. This was the most common complaint heard throughout the engagement process. Many residents were particularly concerned about line work that extended through areas that are clearly disturbed. We also heard many complaints that there are ESAs that were not included in the current mapping.

People seem to disagree about what the mapping is intended for, and whether or not the mapping represents a hard line beyond which usage of a person’s property is restricted. There was also some confusion regarding the conditions and constraints that the line work represented. Many stakeholders are under the impression that the line work was fixed, and that all areas within them would have to be restored to a natural state through the DP application process.

### What we found from the survey

The majority of survey respondents felt that the map was not useful in its current form, and should be removed from the EDPA and replaced with text based descriptions of the ESAs. Some indicated they would prefer a fourth option, which was to ground-truth the current mapping by QEPs at cost to the District of Saanich.

**Table 4 – Survey results on how to map ESAs**

Answer Options	# of Respondents	% Response
<b>A. Maintain status quo:</b> Retain the EDPA mapping and continue to update it as boundaries are refined.	43	17%
<b>B. Generalize the mapping:</b> Generalize existing mapping and show it at a coarser scale to emphasize its application as a flagging tool.	42	17%
<b>C. Remove EDPA map from the OCP and Define Environmentally Significant Areas with text:</b> Remove the EDPA map entirely and rely on descriptive text in the EDPA to define when a property would be flagged for likely containing an Environmentally Significant Area.	165	66%

### Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
5	Remove reference to existing EDPA Atlas map and replace it with text-based descriptions for flagging properties that may contain Environmentally Sensitive Areas.	Area	Short

### Rationale

Mapping is an important tool to help make land use decisions and prevent unwanted impacts through development; however, understanding what the mapping is intended to do and its

limitations is important for it to be effective. The accuracy of the current EDPA mapping and misunderstanding of its intent has caused significant concern with landowners.

It is very difficult to create and maintain mapping that is accurate. The state of the land is constantly changing as a result of development and infrastructure projects, as well as natural processes. Many people suggested that the District ground-truth the EPDA map; however, this would be a costly task and would require frequent updates to remain up-to-date. Ground-truthing is best done on a site by site basis as part of the development permit application process.

ESA line work is meant to flag a property that has potential to include an ESA. It has been used as a tool to help inform staff when they are guiding development permit applications. Removing the current EDPA mapping and using text-based definitions for ESAs is a fair and consistent that would apply for both public and private land across the whole of Saanich.

All development permit applications require that planning staff work collaboratively with the applicant and QEP to determine if an ESA exists and how it will be protected. Based on text descriptions of ESAs, staff would still be required to review applications and use all existing resources to best determine if ESA may exist. These resources would include the most up to date Provincial and Municipal mapping, air photos, studies from institutions and local stewardship groups. If developed, a Biodiversity Conservation Strategy would add to these resources by providing scientifically based spatial information. This process is done at the initial stages of a development application. It would not identify ESA locations exactly but would flag projects that require further investigation by a QEP. Properties would not be assessed for ESAs until a development application is made.

Removing the mapping from the EDPA would also negate the need to update maps through OCP amendments, as well as the use of temporary covenants to manage development as a stop gap measure while inaccurate mapping is being updated.

#### Implementation

Remove Schedule 3 to Appendix N of the OCP Bylaw, 2008, No. 8940 and mention of it from all text in the EDPA. Develop detailed text based descriptions of the ESAs and distance to properties that should be flagged during a development permit application.

### **6.5 ESA Buffers**

Buffers are areas defined around a known feature to protect the core feature from the “edge effect”. For example, DPAs to protect the Agricultural Land Reserve often require a buffer to intercept pollutants from adjacent land uses. Using buffers to protect defined features is common practice for local governments. Local government policies either define their extent (e.g., zoning setbacks), or provide guidance for the QEP to recommend them (e.g., tree protection zone in a Tree Bylaw).

Provincial legislation guides the definition of setbacks for watercourse riparian areas. Best Management Practices exist to guide buffers around eagle and heron nests. However, it is often

up to the local government or a Qualified Environmental Professional (QEP) to determine and rationalize effective setbacks and buffers and to provide guidelines for their implementation.

In the Saanich Environmental DPA, buffers apply to sensitive ecosystems (10 m), isolated wetlands/watercourses (10 m) and the marine backshore (15 m). Buffers are intended to provide additional protection around an ESA and help prevent adverse effects of activities, or encroachment from, adjacent land. The buffer is part of the EDPA.

#### What we saw in best practices and other local governments

All the local governments we reviewed use setbacks to protect ESAs. Some apply additional buffers, or allow QEPs the discretion to add buffers based on the values being protected. Buffers and setbacks can be implemented in different ways. West Vancouver protects its marine backshore through its zoning bylaw; a variance would be required to change the setback. The City of Surrey permits flexing of its setbacks, also through its zoning bylaw. The setback distance can be reduced by a certain distance (up to five metres in most situations) provided there is equivalent compensation elsewhere on the property to offset the reduction (i.e., no net loss). In Campbell River for example there is a minimum 30 m setback from the high-water mark in its Shoreline DPA, but that can be reduced if the QEP demonstrates a lesser setback is appropriate. Langford does not designate buffers, but allows QEPs to designate them in non-disturbance areas to set back buildings and certain uses. Nanaimo also allows QEPs to designate the buffer width, but it is usually 15 metres around an ESA. The Regional District of Central Okanagan requires that ESAs be ranked based on their condition (i.e., health); lower value ESAs may be retained as a buffer for higher value ESAs.

There are best practices available to help determine buffers for certain values, but their application can differ based on the situation. For example, the provincial guidelines<sup>3</sup> specify buffers for raptor nests, but the standard is different depending on the ability of a certain bird to co-exist with humans, the time of year, and whether the nest is located in urban, rural or undeveloped areas. As a result, the buffer may be as little as 1.5 tree lengths or as wide as 500 metres.

There is some guidance in best practices for application of marine backshore setbacks, but this can vary depending on the situation. The *Greenhores for Coastal Development*<sup>4</sup> guide recommends that permanent structures be setback a minimum of 15 metres horizontal distance from the natural boundary, and more if the bluff is subject to coastal erosion. The Department of Fisheries and Oceans recommends the use of buffers to separate development from the coast, mitigate damage from coastal hazards and to protect marine ecosystems.

<sup>3</sup> Demarchi, M. et al. 2013. Guidelines for Raptor Conservation during Urban and Rural Land Development. BC Ministry of Environment.

<sup>4</sup> Green Shores Technical Working Group. 2016. Green Shores for Coastal Development: Credits and Ratings Guide. Stewardship Centre for BC.

## Are marine backshore buffers used in other EDPAs?

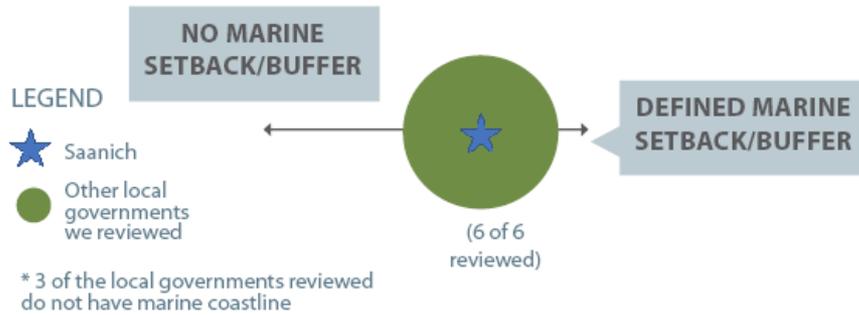


Figure 9. The use of marine backshore buffers among the local governments reviewed (see Appendix B for a full list of the local governments).

## How are buffers or setbacks determined?

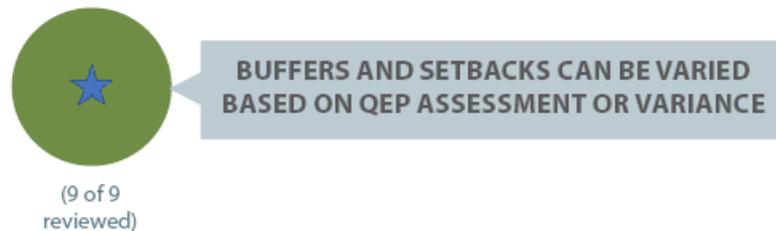


Figure 10. How final buffers or setbacks are determined among the local governments reviewed (see Appendix B for a full list of the local governments).

### What we heard from stakeholders

Through the engagement process we heard that stakeholders generally seem to agree that the marine backshore buffer is too large for some small residential lots. People seem to disagree about the use of and justification for buffers around sensitive ecosystems and along the marine backshore.

### What we found from the survey

The majority of survey respondents were in favour of eliminating defined buffers but providing guidelines for QEPs to recommend appropriate buffers and/or setbacks on a case by case basis. Some who selected this option are concerned that District Staff will not trust QEP opinion. Some respondents suggested that buffers weren't necessary in addition to setbacks, and should be eliminated. However, there were other respondents that felt that current setbacks and buffers were not stringent enough, and should be increased. Comments also indicate that some people are confused as to why a buffer is needed on top of the setback, and what the difference is between the two.

**Table 5 – Survey Results on how buffers and/or setbacks should be applied**

Answer Options	# of Respondents	% Response
<b>A. Maintain status quo:</b> Retain the current EDPA buffers defined for Sensitive Ecosystems, Isolated Wetlands and Watercourses, and Marine Backshore.	37	14%
<b>B. Retain defined buffers but update guidelines for QEP to recommend modifications.</b> Retain the buffers in the mapping but allow the QEP to recommend the appropriate buffer and/ or setback distance on a site-by site basis.	49	18%
<b>C. Eliminate defined buffers but update guidelines for QEP to recommend appropriate buffers and/ or setbacks.</b> Eliminate the buffers from the mapping but update the guidelines to reflect that the QEP should recommend appropriate buffers and/ or setback on a site-by-site basis.	186	68%

Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
6	Remove references to set buffer distances from the bylaw for sensitive ecosystems, isolated wetlands and watercourses and the marine backshore. Only require buffers based on QEP recommendation for individual development permit applications.	Area	Short

Rationale

Buffers are intended to provide additional protection to ESAs by regulating the types of activity directly next to them. However, specifying an exact width for buffers can be challenging due to the diversity and condition of habitat, and the type and intensity of developments.

Marine backshore for example provide habitat for terrestrial species and protect sensitive foreshore and intertidal habitats. The ecology in these areas can be highly variable, from rock bluffs to beach ecosystems. Many waterfront lots are small and somewhat constrained, and waterfront views are highly valued, so encroachment is common into these areas with structures, retaining wall, docks and landscaping. Finding a suitable compromise between environmental protection and sustainable development in these areas is not easy

Buffers for protecting ESAs should be defined by a QEP based on an assessment of the ESA value and the risk associated with the development. In some cases, a buffer may not necessarily be required. Regardless, a rationale should be provided based on best practices and current science. For example, the riparian area bordering isolated wetlands and watercourses would likely be included as a buffer to protect the ESA; however, defining a minimum or maximum buffer distance should be based on the ground assessment and not be pre-determined.

### Implementation

Amend EDPA (and mapping if it is not removed) to remove all buffers to sensitive ecosystems, isolated wetlands and watercourses and the marine backshore. Add text to the EDPA to provide QEPs with discretion to recommend and justify buffers based on ESA values. Provide QEP guidelines in the EDPA to follow Greenshores for Coastal Development guide for development planning along marine backshore properties. Post-development monitoring should be encouraged to ensure that buffers are retained and continue to function as they were intended.

## **6.6 ESA Restoration**

Natural areas are often destroyed or degraded due to human use and development. Historically, timber harvesting, agriculture, cultural burning and other land management have significantly altered the landscape and natural processes. Urban development (housing, roads, and other infrastructure) also causes significant changes. The introduction of non-native plants and animals also degrades natural areas. Local governments can require restoration in development permits under certain circumstances. This often includes activities such as invasive species removal, planting of native species and restoration of watercourses.

The extent of restoration required by local governments often varies with the size of the proposed development and condition of the ESA. Restoration can be required to correct damage that occurred prior to the development permit application, and/or damage that occurred as a result of development. However, restoration is often difficult to define as its objective implies that a state of naturalness must be achieved. Some plant communities are so diverse and complicated that achieving this objective can be very difficult.

### What we saw in best practices and other local governments

The local governments we surveyed were split on their approaches to restoration. Some, such as the City of Nanaimo, require restoration regardless of when the damage occurred. Surrey has a vision for an extensive green infrastructure network, and is looking to restore all natural areas within it. Due to the size of the project, Surrey prefers to have this land conveyed so that it can manage restoration itself. West Vancouver and CVRD require restoration for damage caused directly by the development, with the expectation that it will be restored to pre-development conditions. The RDCO bases its restoration requirements off of an assessment of condition; restoration is not required for low value ESAs. Langford bases its restoration requirements based on a QEP assessment. In most cases where restoration is required there is an expectation that the amount is kept in line with the size of the project, so that there is no undue hardship.

### When could restoration be required?



Figure 11. When restoration could be required among the local governments reviewed (see Appendix B for a full list of the local governments).

### How is the level of restoration determined?

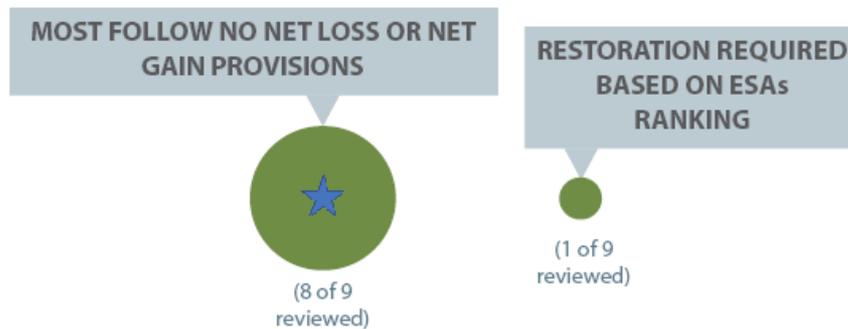


Figure 12. The level of restoration required among the local governments reviewed (see Appendix B for a full list of the local governments).

#### What we heard from stakeholders

Through the engagement process we heard that stakeholders generally seem to agree that restoration should not always be required as a condition of development, and that there can be a high cost to the landowners when it is required. Many felt a definition of restoration would be useful to clarify the effort required as well as maintenance.

People seem to disagree about the extent of restoration that should be required and whether it should be required for degradation caused prior to development. People seemed to disagree on the costs associated with restoration, and who should be responsible for them. Some felt it should be the responsibility of the landowner, while others felt the District of Saanich should cover portions of the costs. There was also disagreement on the use of the terms protect, enhance, restore, and which of the three terms is most appropriate for a Development Permit.

A number of stakeholders who are active in voluntary restoration on their properties were concerned that in doing so they would be creating an ESA and may restrict future development potential. Many stated that they had stopped restoring their property due to this concern.

What we found from the survey

The majority of respondents felt that restoration requirements should be based on the scale of development. However, many would be in favour of a combination of B and C, with restoration requirements based on the scale of development and defined condition classes that would guide expectations for the effort required. Some felt that while restoration is a worthwhile goal, it should only be enforced on public property and encouraged on private land through education, subsidized native species, and tax incentives.

**Table 6 – Survey Results on the extent of restoration required**

Answer Options	# of Respondents	% Response
<b>A. Maintain status quo:</b> Restoration is determined collaboratively by the QEP, staff, landowners and other stakeholders based on a review of the development.	59	25%
<b>B Restoration requirements are based on defined condition classes:</b> The restoration requirement for each site is determined based on the QEP assessment and pre-defined condition classes.	56	23%
<b>C. Restoration requirements are based on scale of development:</b> The restoration requirement for each site is determined based on the scale of development.	125	52%

The majority of respondents were not in favour of requiring restoration for developments that take place on already disturbed sites. Most agreed that it was fair to require onsite restoration when development infringes on existing ESAs. However, some commented that restoration could be justified for pre-existing or development related damages, if the District of Saanich provided incentives to do so.

**Table 7 – Survey Results on the extent of restoration required**

Answer Options	# of Respondents	% Response
<b>A. Maintain status quo:</b> Restoration can be required for pre-existing or development related damage.	63	26%
<b>B. Require onsite restoration only when development infringes on the EDPA:</b> Restoration is only required when development impacts an ESA or buffer zone.	179	74%

### Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
7	Provide a clear definition for restoration, enhancement and habitat creation, what their goals are within the EDPA Bylaw.	<b>Guidelines/ Definitions</b>	<b>Short</b>

#### Rationale

Ecological restoration is the act of returning a degraded natural area to a condition that approximates its original state. This goal is controversial, as natural areas are often in a dynamic state and can change over time. There is also some debate regarding what role humans have historically played to shape these ecosystems making it difficult to define an original state. A clear definition of restoration should be included in the bylaw. This definition should reference the term habitat enhancement which intends to improve the state of a natural area, as well as the term habitat creation which means establishing something that was never there to begin with. In some cases, restoration back to an original natural state may not be possible or feasible based on the existing state of the ESA. Invasive species for example can be very difficult to eradicate from a plant community. The QEP should be able to reference this definition to justify their recommendations when development impacts an ESA.

Restoration of disturbed areas should only be required for damage that occurs as a result of what is defined as development in the EDPA. Restoration should be required whether this damage occurs with or without a DP Permit.

#### Implementation

Include a definition for restoration, enhancement and habitat creation in the EDPA bylaw. Use the standards for definitions and guidelines for implementation within the Ministry of Environment – Environmental Mitigation Policy and Procedures documents<sup>5</sup> and Ecological Restoration Guidelines for British Columbia<sup>6</sup>.

### Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
8	Develop a standard that guides the level of restoration that is required based on the condition of the ESA and the size and scale of the proposed development.	<b>Guidelines</b>	<b>Short</b>

#### Rationale

During an assessment of a property for a development permit application, the QEP should provide a rating of ESA condition (low, moderate, high, very high). These categories should be defined within detailed QEP guidelines that are associated with the EDPA. These categories will

<sup>5</sup> BC Ministry of Environment, n.d. *Environmental Mitigation Policy for British Columbia*. [www.env.gov.bc.ca/emop/](http://www.env.gov.bc.ca/emop/)

<sup>6</sup> Forest Renewal BC. *Ecological Restoration Guidelines for British Columbia*. [www.env.gov.bc.ca/fia/documents/restorationguidelines.pdf](http://www.env.gov.bc.ca/fia/documents/restorationguidelines.pdf)

provide an expectation for the restoration potential of the site. The expectation for restoration would then be based on its condition. For example, if an ESA is in a condition category of high, the goal of restoration would then be to restore it fully. If an ESA is in moderate condition, expectation would include appropriate enhancement works targeting the elements most degrading to the ESA. ESAs assessed to be in low condition may not be required to be restored. The Regional District of Central Okanagan provides an example of guidance for restoration based on condition.

Specific restoration activities should also be justified based on the size and scale of development. Landowners who are undertaking minor developments should not be required to take on onerous or costly restoration projects. The goal should be to provide scale appropriate gains where opportunities exist. Alternatively, large-scale development projects provide good opportunities to restore ESAs and improve habitat connectivity, with the goal of achieving moderate to large gains.

Implementation

Amend the EDPA to include a table that provides restoration expectations based on the condition of the ESA and the size of development. Condition class should be defined within the EDPA guidelines and based on QEP’s assessments. The overall goal should be a no net loss of ESA area. When damage is caused either wilfully or through non-approved activities, restoration should be required at a 2:1 ratio. Post-development monitoring will be required to ensure natural areas are restored.

Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
9	Permit flexibility in setbacks by permitting some minor encroachment when unavoidable provided there is compensation elsewhere on the property. The percentage of encroachment permitted and ratio of compensation should be based on an assessment of ESA condition.	Guidelines	Short

Rationale

Ground-truthing by a QEP will identify if ESAs exist and their exact location. In some cases, the lot dimensions and ESA location could restrict development on the site. A standard should be developed that allows staff to work with landowners to permit some encroachment when it is unavoidable due to lot constraints, while requiring compensation elsewhere. The amount of encroachment and compensation should be based on the condition of the ESA, as assessed by a QEP. Setbacks can be set in zoning regulations and/or DPA guidelines, but must be consistent with the OCP. The table below is an example of an encroachment/compensation scale that could be implemented:

ESA Condition	% Allowable Encroachment	Compensation Ratio
Very High	0	n/a
High	10	3:1

ESA Condition	% Allowable Encroachment	Compensation Ratio
Moderate	20	2:1
Low	30	1:1

#### Implementation

Amend the EDPA to include specific guidelines for establishment of setbacks and limits for allowable encroachment and compensation ratios. Update zoning bylaw to permit flexible setbacks, if required. Post-development monitoring will be required to ensure compensation areas are retained/restored as intended.

### **6.7 Qualified Environmental Professional Reports**

When a development application is received by a local government, they can require development approval information at cost to the developer<sup>7</sup>. Sometimes a report completed by a Qualified Environmental Professional (QEP) may be needed to verify the EDPA boundary and provide recommendations to mitigate impact to the ESA. The QEP recommendations accepted by the local government then become conditions of the development permit.

Some local governments have very specific requirements or standards for reporting, while others leave much to the discretion of the QEP. In either case, QEP reports are submitted to local government staff for review to judge whether or not a permit application meets the approval requirements. If staff find that the report is not adequate, they often work with the applicant and QEP to resolve concerns, request a peer review or, if issues are not otherwise resolved, staff can reject the application. Applicants are entitled to have the local government reconsider the decision of an officer or employee without charge.

#### What we saw in best practices and other local governments

About half of the local governments we reviewed always require QEP reports. For example, in Nanaimo, a QEP report is always required to identify ESAs and determine appropriate buffers. About half of the local governments we reviewed require QEP reports for properties in the EDPA at staff discretion. For example, in Campbell River, small sites with no value may not require a QEP report.

Most of the local governments we reviewed have no official reporting criteria; however, a few of the local governments we reviewed did have official guidelines for QEP assessments. For example, the Regional District of Central Okanagan provides Terms of Reference for reports, with QEPs having some flexibility in their assessment methods. They do have to provide a rationale to support the determination of biological value, however.

<sup>7</sup> Curran, D., et al. 2016. *Green Bylaws Toolkit for Conserving Sensitive Ecosystems and Green Infrastructure*. University of Victoria Environmental Law Centre. <http://www.greenbylaws.ca>

All local governments, including Saanich, can require changes to or reject QEP reports. Many highlight their preference to have in-house expertise to review the QEP reports.

### Are QEP reports *always* required?



Figure 13. When QEP reports are required among the local governments reviewed (see Appendix B for a full list of the local governments).

### Are there specific reporting criteria?



Figure 14. QEP report criteria among the local governments reviewed (see Appendix B for a full list of the local governments).

### Are QEP reports automatically accepted?

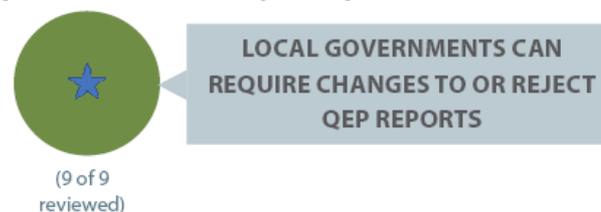


Figure 15. The acceptance of QEP reports among the local governments reviewed (see Appendix B for a full list of the local governments).

### What we heard from stakeholders

Through the engagement process we heard that stakeholders generally seem to agree that field verification by a QEP can show that a development is outside the ESA and therefore exempt (exemption 14). People seem to disagree about the standard for QEPs to use when assessing the condition of an ESA and its boundaries, and the application/interpretation of the provincial SEI methodology for identifying ESAs in Saanich. Some people expressed the opinion that District staff should not have the authority to reject QEP reports, while others felt that QEPs should have some oversight through staff. Finally, some people felt that the cost of QEP reports should be covered by the District of Saanich when they are required.

### What we found from the survey

The vast majority of respondents were in favour of developing QEP assessment standards. However, many respondents added the caveat that these standards should be determined independently of staff, in consultation with QEPs.

**Table 8 – Survey Results on assessment standards for QEPs**

Answer Options	# of Respondents	% Response
<b>A. Maintain status quo:</b> Rely on the guidelines in the EDPA (draft assessment guidelines exist for Sensitive Ecosystems but have not been finalized or adopted).	33	14%
<b>B. Require onsite restoration only when development infringes on the EDPA:</b> Develop assessment standards for QEPs to define the assessment method for Environmentally Significant Areas and boundaries.	206	86%

### Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
<b>10</b>	Provide a standard template for QEP reporting for DP Applications.	<b>Guidelines</b>	<b>Short</b>

#### Rationale

Having a clear and defined reporting standard makes it easier for QEPs to conduct their assessment, for staff to check and review, and for the landowner to understand. Information can be readily updated if required and easily verified through an independent review. The province has developed reporting standards (Preliminary Site Survey and Detailed Site Bio-inventory) in *Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia*<sup>8</sup>. These standards are used by some other local governments (CVRD) and are a good starting point; however, additional information including an assessment

<sup>8</sup> Polster, D., Cullington J., et al., 2014. *Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia*. Ministry of the Environment.  
<http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare/>

of habitat condition and restoration potential should also be included (see recommendation 11 for details). Standards for mitigation and restoration of the development should follow Provincial standard “Procedures for Mitigating Impacts on Environmental Values”<sup>9</sup>. The QEP report templates from the Strategic Wildfire Prevention Initiative<sup>10</sup> and the Riparian Areas Regulation<sup>11</sup> also provide good examples.

The standard reporting structure will help facilitate the EDPA implementation as it removes some of the ambiguity and discretion that can come with non-standard reporting processes. It will simplify communications between Staff and QEPs by creating a shared understanding of the required information. It will also ensure that, whenever a peer-review by another QEP is produced, the two reports are easily comparable.

#### Implementation

Update the EDPA guidelines to refer to Terms of Reference providing a standard QEP report template that must be filled out as part of the development process. The template should have sections headings and written expectations of what is required from the QEP. These sections should provide provincial standards and BMPs to follow including the “*Develop with Care 2014*” guidelines and “Procedures for Mitigating Impacts on Environmental Values.” QEPs should follow the mitigation process and template for mitigation plan when discussing development in and around ESAs.

#### Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
<b>11</b>	Define classes for habitat condition that will guide QEPs to define and categorise ESAs and required restoration efforts.	<b>Guidelines</b>	<b>Short</b>

#### Rationale

Urban natural areas are commonly degraded for a variety of reasons. Land clearing and development, pollution, noise, establishment of invasive plants, and other disturbances can affect habitat condition. Pristine habitat does not typically exist in urban areas; however, that does not mean that these areas do not have value. As such, the provincial Sensitive Ecosystem Inventory (SEI) is a useful flagging tool, but should not be relied upon as the primary assessment tool for the condition of ESAs on the ground. The SEI was intended as an inventory tool to map semi-natural and natural areas, particularly those facing development pressure. It was not

<sup>9</sup> BC Ministry of Environment, 2014. *Procedures for Mitigating Impacts on Environmental Values (Environmental Mitigation Procedures) – Version 1.0.*

[www.env.gov.bc.ca/emop/docs/EM\\_Procedures\\_May27\\_2014.pdf](http://www.env.gov.bc.ca/emop/docs/EM_Procedures_May27_2014.pdf)

<sup>10</sup> Union of BC Municipalities, 2017. *2017 SWPI Program.*

[www.ubcm.ca/EN/main/funding/lgps/strategic-wildfire-prevention/2017-swpi-program.html](http://www.ubcm.ca/EN/main/funding/lgps/strategic-wildfire-prevention/2017-swpi-program.html)

<sup>11</sup> Government of British Columbia, n.d. *Riparian Areas Regulations.*

[www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/fish/riparian-areas-regulation](http://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/fish/riparian-areas-regulation)

intended to provide management direction. Sensitive ecosystems were identified using older air photos with some ground-truthing. The resulting mapped areas were typically large (>0.5 hectares) and had no relationship to lot boundaries. Simply put, the SEI is based primarily on occurrence and does not provide an assessment of value, although it does improve the understanding of restoration potential and disturbance history of a site.

The QEP should consult other sources of information such as the Conservation Data Centre and areas identified as ecologically sensitive by local governments when assessing ESAs. A condition ranking of ESAs should be developed by the District of Saanich and included in the QEP reporting standards. Categories would provide a ranking of habitat condition (Low, Moderate, High, Very High) than can be used to direct protection and restoration. The Regional District of Central Okanagan uses a similar scale for assessment, although the QEP is responsible for defining the assessment methods.

#### Implementation

Amend the EDPA guidelines to include a table that defines ESA condition classes. These would rate ESAs from low to high and be linked to expectations for restoration and compensation if impacted.

### **6.8 Leading by Example**

Local governments can lead by example by meeting or exceeding the development standards that they ask private landowners to follow, demonstrating environmental stewardship on public land and by supporting landowner stewardship on private land. Local governments frequently undertake development activities on public land. Capital projects are opportunities to demonstrate environmental best practices. In some cases, local governments require their own projects go through an EDPA process. Other local governments exempt themselves, but may have other equivalent standards in place.

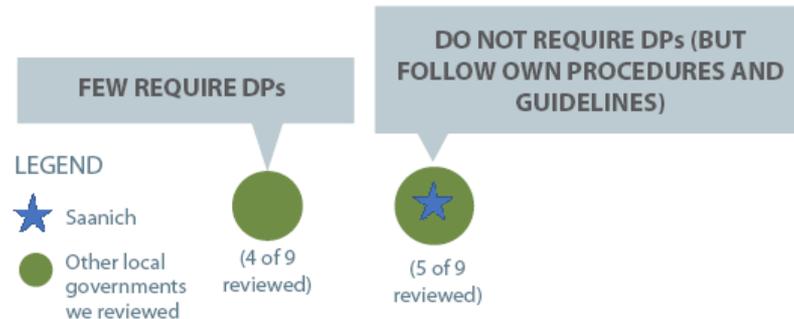
Public land often safeguards the largest and most valuable Environmentally Significant Areas (ESAs). Local governments can demonstrate good stewardship through programs such as treatment of invasive species, native plant restoration, tree planting and stream restoration.

Public programs that support landowner stewardship on private land also demonstrate leadership and increase capacity within the community to protect environmental values.

#### What we saw in best practices and other local governments

About half of the local governments we reviewed require themselves to get a development permit. For example, in Kelowna all departments are required to get a DP unless the type of work is specifically exempted. About half of the local governments we reviewed exempt themselves from Development Permits for capital projects, though most follow their own, inhouse procedures to protect the environment. In Campbell River, while the City is not required to get a DP, they expect their departments to follow the same environmental standards as those applying for a DP.

## Do other municipalities require themselves to get a Development Permit (DP) for capital projects?



**Figure 16. The use of development permits for municipal capital projects among the local governments reviewed (see Appendix B for a full list of the local governments).**

### What we heard from stakeholders

Through the engagement process we heard that stakeholders generally seem to agree that the District of Saanich could do more to lead by example when it comes to working in and around Environmentally Significant Areas; and to encourage environmental stewardship. Many felt that requiring restoration on private land was difficult for many residents to accept when nearby parkland was not receiving similar standards of care. Many respondents called for better management and preservation of existing ESAs on public land, and more restoration of degraded public areas. They felt Saanich should lead on removal of invasive species and the planting of native species in park land.

People seem to disagree about whether or not the District follows a process equivalent to the EDPA for public works projects.

### What we found from the survey

The majority of respondents were in favour of removing the District Exemption from EDPA. Many comments suggest that survey respondents do not trust that public land in Saanich is currently being held to the same standards as private land.

**Table 9 – Survey Results on capital projects in and around ESAs**

Answer Options	# of Respondents	% Response
<b>A. Maintain status quo:</b> The District of Saanich is exempt from the EDPA.	15	6%
<b>B. Maintain District Exemption from the EDPA but Require an Equivalent Internal Policy:</b> Update the EDPA to refer to a District policy that outlines procedures to be followed when undertaking municipal works and services, such as an “Environmental Management Strategy” for Municipal Operations.	62	23%

Answer Options	# of Respondents	% Response
<b>C. Remove District Exemption from the EDPA:</b> Remove Exemption 2 so that the District must apply for a development permit for municipal works and services within the EDPA.	190	71%

Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
<b>12</b>	Remove the District Exemption from the EDPA. The District will be required to apply for a Development Permit for non-exempt activities within an ESA.	<b>Exemptions</b>	<b>Short</b>

Rationale

Leading by example can improve community support for the EDPA and other initiatives aimed at protecting the environment. The District can show that it values ESAs and is following the same rules, standards, and best practices as private land owners. Although the application process may add some time and cost to municipal led projects, it will ensure that important values are being considered and managed appropriately. Active engagement in the development approval process from both sides may also provide opportunities for self-assessment, which may lead to improvements and stream-lining of process that may benefit all applicants.

Implementation

Remove Exemption 2 (Construction, maintenance or operation of municipal works and services undertaken or authorized by the District of Saanich or the Capital Region District). Add text to confirm that the District is required to apply for a Development Permit for non-exempt activities within an ESA. If this significantly increases the staff time required for processing applications, additional support staff may be required.

**6.9 Landowner and Development Incentives**

Providing incentives for environmental protection during development creates opportunities for cooperation with landowners through the EDPA process. Zoning Bylaws can allow clustering or include conditions for amenity density bonuses, which allow a development to exceed the allowable Floor Area Ratio in exchange for amenities needed by the community. Density bonuses are voluntary and involve an exchange between the local government and land developers. For example, if a land developer is subdividing a large parcel, they could cluster their development on a portion of the property to avoid a sensitive ecosystem. They receive this density bonus in return for placing a conservation covenant on the remaining property, creating parkland, or restoring degraded ecosystems. Other forms of flexibility can also be built into the Zoning Bylaw, such as provisions for varying setbacks. Providing this flexibility is one of the primary ways that impacts to property value can be offset.

### What we saw in best practices and other local governments

All local governments we reviewed will consider development variances or bonus options such as density or height in exchange for the protection of ESAs. In Kelowna, the City will work with developers to relax zoning, increase density and provide bonuses where possible. In Campbell River, development clusters are encouraged and density increases may be permitted. Some local governments, such as Surrey, also permit flex provisions for their setbacks. Flexing allows for a reduction in an ESA setback provided there is an equivalent increase elsewhere on the property, resulting in no-net loss. The amount of flex permitted depends on the value, but typically is a maximum of five metres.

### Do local governments have the option to provide development variances ?



**Figure 17. The availability of the use of development variances among the local governments reviewed (see Appendix B for a full list of the local governments).**

### What we heard from stakeholders

Through the engagement process we heard that stakeholders generally seem to agree that it would be beneficial to have more flexibility to provide incentives for environmental protection during development. However, this process is complicated and many stakeholders found it difficult to understand. Also, there have not been many examples of this type of negotiation to demonstrate its effectiveness. People seem to disagree about how much flexibility exists for landowners in the current EDPA process.

### What we found from the survey

The majority of respondents agreed that landowner incentives need to be improved, but disagreed on what this would entail. There was a roughly 50/50 split on selecting B or C. This suggests that most respondents feel that clustering and density bonuses should be encouraged, but disagree on whether this should be done through updating the EDPA or integrating the EDPA into the zoning bylaw. Additional landowner incentives were suggested, including free native plants, tax credits, stewardship opportunities, educational campaigns, and that staff should work with landowners to help offset the costs of restoration. While some were wary of the use of the term “density”, others were excited by the opportunity this could provide for housing affordability.

**Table 10 – Survey Results on incentives to protect ESAs**

Answer Options	# of Respondents	% Response
<b>A. Maintain status quo:</b> Maintain the status quo whereby density could be transferred in exchange for parkland. This has occurred infrequently in the past.	22	10%
<b>B. Update the EDPA to encourage clustering development and options for applying density bonuses in the EDPA process:</b> Encourage clustering development in the EDPA guidelines and increase options for density bonuses in exchange for restoration of historically degraded ESAs, conservation covenants or creating parkland.	95	42%
<b>C. Integrate the EDPA into the zoning bylaw to define setbacks (and provisions for varying them), and conditions for density bonuses:</b> Remove part or all of the EDPA from the OCP and place it in the Zoning Bylaw, which will define setbacks from ESAs, provisions for varying them and set out the conditions for density bonuses.	110	48%

Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
<b>13</b>	Encourage development incentives and flexibility when planning development projects within the EDPA in exchange for protection or restoration of ESAs.	<b>Guidelines</b>	<b>Med</b>

Rationale

Increasing flexibility in development options while also improving environmental stewardship will provide landowners with greater incentive to support the EDPA. This is particularly true on smaller, constrained lots where there are fewer opportunities to protect areas. Permitting increased height, density, and other incentives (e.g., clustering) can potentially meet the goals of the developer and the EDPA.

Implementation

Amend EDPA guidelines to encourage the protection of ESAs by allowing variances in density and setbacks. Amend zoning bylaw to identify opportunities to permit this development flexibility in all zones covered under the EDPA.

Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
<b>14</b>	Investigate programs that would enable the creation of a conservation fund and/or provide allowances for reductions in property taxes to promote protection of environmentally significant areas protected by a covenant.	<b>N/A</b>	<b>Med</b>

## Rationale

Restoration efforts and long-term stewardship can be encouraged by providing land owners with property tax reductions. The Islands Trust, for example, has a Natural Area Tax Exemption Program under which a tax exemption is applied to a proportion of the assessed value of the property that is covered by a conservation covenant<sup>12</sup>. It should be noted that this specific tax exemption program is allowed for properties in the Island Trust Area under the *Island Trust Act* and not under the *Local Government Act*<sup>13</sup>. This tax exemption could provide a strong incentive for voluntary restoration and maintenance. QEP standards would also need to be developed to verify the condition class that is required to qualify for the tax reduction.

The District could also consider the creation of a Conservation Fund to provide budget dedicated towards protection and restoration of Environmentally Significant Areas<sup>14</sup>. Levying a tax on all properties in the District of Saanich for that purpose could provide opportunities to equalize the impacts of protecting ESAs and support stewardship on both private and public land.

## Implementation

Investigate the possibility of developing a conservation fund, and/or a stand-alone policy to permit property tax breaks for ESAs on private land protected under a permanent covenant.

### **6.10 Implementation of the EDPA**

Local governments communicate their development process in different ways. For example, the City of Nanaimo has a development permit process guide that outlines the different steps, emphasizes when staff should be contacted during the process, and provides an idea of expected timeline for approval. The District of Maple Ridge has a Natural Features Development Permit Checklist to assist developers during the application process; it provides very detailed information and notification requirements.

While having a vision supported by clear objectives is important, having a clear, transparent process to implement is essential to meeting environmental protection and development goals. Understanding the different steps in a development process requires communication and engagement throughout. This can help ensure that the right information is collected, issues are identified early, and that there is sufficient time and flexibility to identify solutions that can achieve that balance between conservation and development.

While there have not been many development applications within the EDPA to demonstrate the intended process, many of the stakeholder concerns regarding the EDPA were associated with

<sup>12</sup> West Coast Environmental Law, 2005. *Greening your Title – A Guide to Best Practices for Conservation Covenants, Second Edition*. [www.wcel.org/resources/publication/greening-your-title-guide-best-practices-conservation-covenant-2nd-edition-0](http://www.wcel.org/resources/publication/greening-your-title-guide-best-practices-conservation-covenant-2nd-edition-0)

<sup>13</sup> Curran, D., et al. 2016. *Green Bylaws Toolkit for Conserving Sensitive Ecosystems and Green Infrastructure*. University of Victoria Environmental Law Centre. [www.greenbylaws.ca](http://www.greenbylaws.ca)

<sup>14</sup> Curran, D., et al. 2016. *Green Bylaws Toolkit for Conserving Sensitive Ecosystems and Green Infrastructure*. University of Victoria Environmental Law Centre. [www.greenbylaws.ca](http://www.greenbylaws.ca)

its implementation. Improved education of the intent of the EDPA and how it is meant to be used during development may address some of the concerns by stakeholders.

#### Recommendations for amending the EDPA

#	Recommendation	EDPA Section	Timeframe
<b>15</b>	Develop an EDPA development approval checklist. This should define roles and expectations for all stages of development from initial project planning and environmental assessment through to construction and post-construction monitoring.	<b>N/A</b>	<b>Short</b>

#### Rationale

A clearly defined process for development approval can improve communication between the District, land owners, and land developers. This can lead to increased efficiency and help alleviate current concerns regarding transparency in the process regarding what development is and is not being approved, and why. Many local governments we spoke to emphasized the need to communicate early on in a development process to ensure the requirements for environmental protection are full understood before getting too far ahead. This provides more certainty for developers, helps educate the public who may not be entirely aware of the process, and provides an opportunity to address project concerns early in the planning process.

#### Implementation

Develop EDPA development approval checklist. Reference this within the EDPA, but provide it as a separate document that can be updated without requiring an OCP amendment.

## 7 Appendix A – Engagement Strategy

# District of Saanich EDPA Review Engagement Strategy

February 15, 2017

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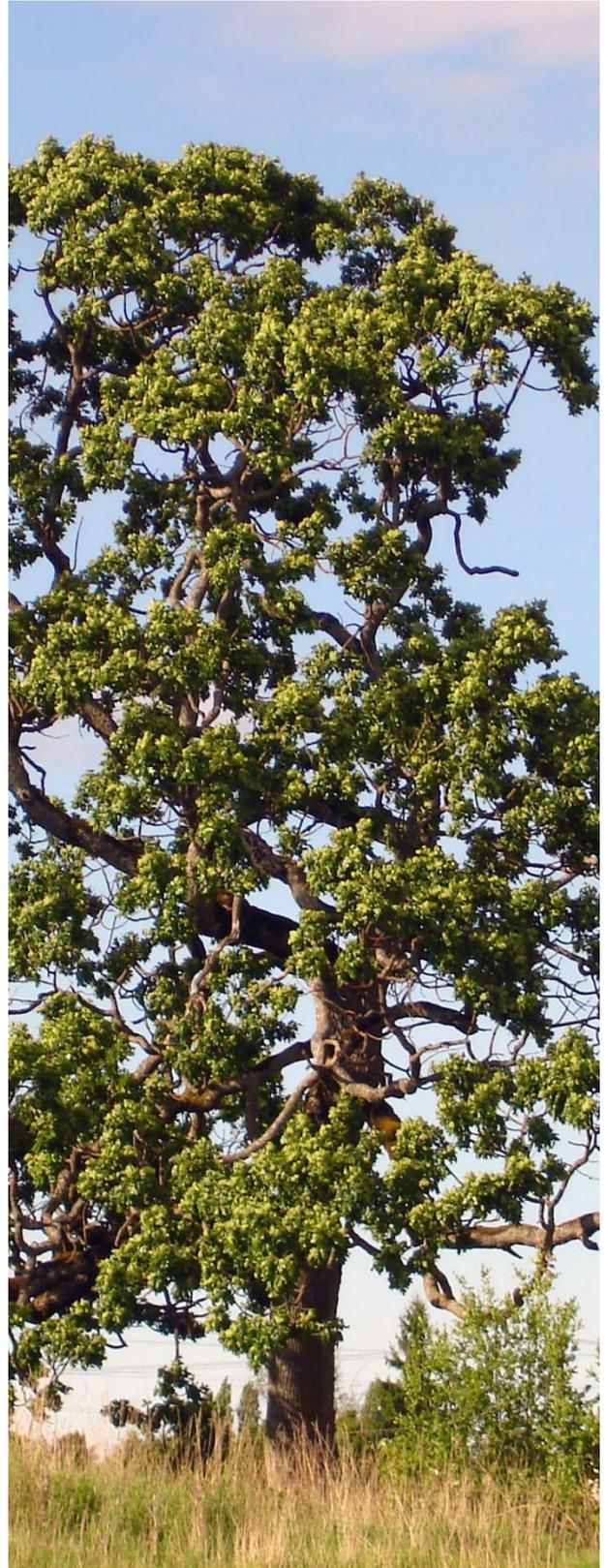
Submitted to:

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

Submitted by:



**3551 Commercial Street  
Vancouver, BC  
V5N 4E8**



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## 1 Background to the EDPA Review

### 1.1 Vision and Challenges for Protecting Natural Heritage

The Official Community Plan (OCP) (*Bylaw 8940, 2008*) presents the community supported vision for Saanich as a sustainable community where a healthy natural environment is paramount to ensure social well-being and economic vibrancy for current and future generations. Saanich has a rich natural heritage including marine shorelines, numerous freshwater lakes and watercourses, Garry Oak ecosystems, and abundant flora and fauna. Many of these natural features have been altered due to development and land use, and are considered sensitive or at risk.

The OCP highlights a number of key challenges facing the natural environment now and in the future. These include the need to continuously restore and protect the natural environment, to minimize the impacts of the built environment, and to manage the effects of climate change to ensure a similar or better quality of life for future generations. To address these challenges, part of the OCP's natural environment policy focus is to:

- Continue to protect and restore habitats that support native species of plants, animals and address threats to biodiversity such as invasive species.
- Protect and restore rare and endangered species habitat and ecosystems, particularly those associated with Garry Oak ecosystems.
- Preserve “micro-ecosystems” as part of proposed development applications, where possible.
- Encourage the use of native species and climate change resistant plants for landscaping on both public and private lands and continue to promote the principles of Naturescape.

### 1.2 Implementation of Environmental Development Permit Areas in Saanich

Under the “Local Government Act”, the District is authorized to designate Development Permit Areas (DPA) to protect the natural environment, its ecosystems, and biological diversity. Development Permit Area (Design) Guidelines focus on new development within specified areas of the community. Where the DPA applies, a property owner must obtain a development permit or exemption before subdividing land or constructing, adding to, or altering a building or land. The DPA guidelines reflect the policies of the OCP and assist Council and staff in evaluating development proposals and in communicating and negotiating environmental protection with landowners throughout the development process.

Saanich and its residents are recognized as leaders in the region in preserving and protecting the natural environment. In 2006, Saanich introduced the Streamside DPA to protect watercourses and riparian areas from new development and restore fish and wildlife habitat. Saanich has actually had wide ranging Environmental Development Permit Area (EDPA) guidelines to protect environmental features in different parts of the community since 1994. Consistent with its past environmental leadership and the policy priorities outlined in the OCP, Saanich consolidated and expanded the District-wide EDPA coverage into the current guidelines and atlas that were adopted by Council in the “Official Community Plan Bylaw, 2008, Amendment Bylaw, 2012, No. 9164”.

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The 2012 EDPA guidelines consolidated and built on numerous existing DPAs to protect and restore rare ecosystems and vital habitat contained in Environmentally Significant Areas (ESAs) across Saanich. The EDPA complemented and enhanced protections provided by existing DPAs and bylaws that already covered features like Streamside Protection and Enhancement Areas (SPEAs), floodplains and trees in Saanich. The features currently included in the EDPA are Bald Eagle and Great Blue Heron nests, sensitive ecosystems, isolated wetlands and watercourses, marine backshore and the habitat of rare and endangered plants, animals and ecosystems. The objectives of the EDPA are to:

1. Protect biodiversity.
2. Mitigate damage during development.
3. Restore degraded ecosystems.

### **1.3 Review of the Environmental Development Permit Area**

Since the EDPA was adopted in 2012, approximately 8 EDPA permit applications have been processed each year. The majority of requests from property owners to undertake some form of work/development in the EDPA were handled by staff through the exemption process built into the original EDPA Bylaw. In 2015, as part of the standard housekeeping/review process for Saanich bylaws, staff recommended amendments to the EDPA Guidelines in 2015 to provide greater clarity of language used in the guidelines and to ensure staff were meeting Council's intent/objectives with the EDPA. Staff prepared a report on amendment options for the Environmental and Natural Areas Advisory Committee (ENA) feedback. Some residents raised concerns about the EDPA and the ENA recommended a public process be initiated, after which Council supported a public process for feedback on the EDPA. The public process consisted of two open houses and two Town Hall meetings held between June 2015 and February 2016. Feedback was collected from 550 people who attended two Open Houses, individual consultation with 250 landowners, the 300 feedback forms received and 100 speakers at two Town Hall meetings. Feedback indicated that there is support in the community for protecting the natural environment using the EDPA, but that improvement in the Bylaw is required.

Following on from the public engagement process, staff presented Council with a report outlining three process options for moving forward:

- Option 1: Repeal the entire EDPA Bylaw; or,
- Option 2: Revise the existing EDPA Bylaw; or,
- Option 3: Maintain the existing EDPA Bylaw.

Council supported Option 2, which included a recommendation that additional resources be contracted to undertake a thoughtful review of the ideas and options for revising the EDPA Bylaw. Through a competitive process, Diamond Head Consulting Ltd. (DHC) was selected to undertake a third-party review of the EDPA. The consultants will review District policy relevant to the EDPA and assess options relative to best practices applied throughout the region. A third party economic impact assessment was also undertaken by GP Rollo & Associates as further data to inform the review. Ongoing engagement and communication with stakeholders and the public is required to inform the review process and provide input on suitable options for amending the EDPA Bylaw.

## 2 Engagement goals and objectives

There are three primary goals of the communications and engagement strategy:

1. Consult Public - To obtain public feedback on analysis and alternatives.
2. Involve Stakeholders and Staff – To work directly with stakeholders and staff throughout the process to ensure that their concerns and aspirations are consistently understood and considered.
3. Collaborate with Council – To partner with Council in the development of alternatives and the identification of the preferred solution.

These goals are supported by measurable objectives, which will be monitored to provide feedback on the engagement process.

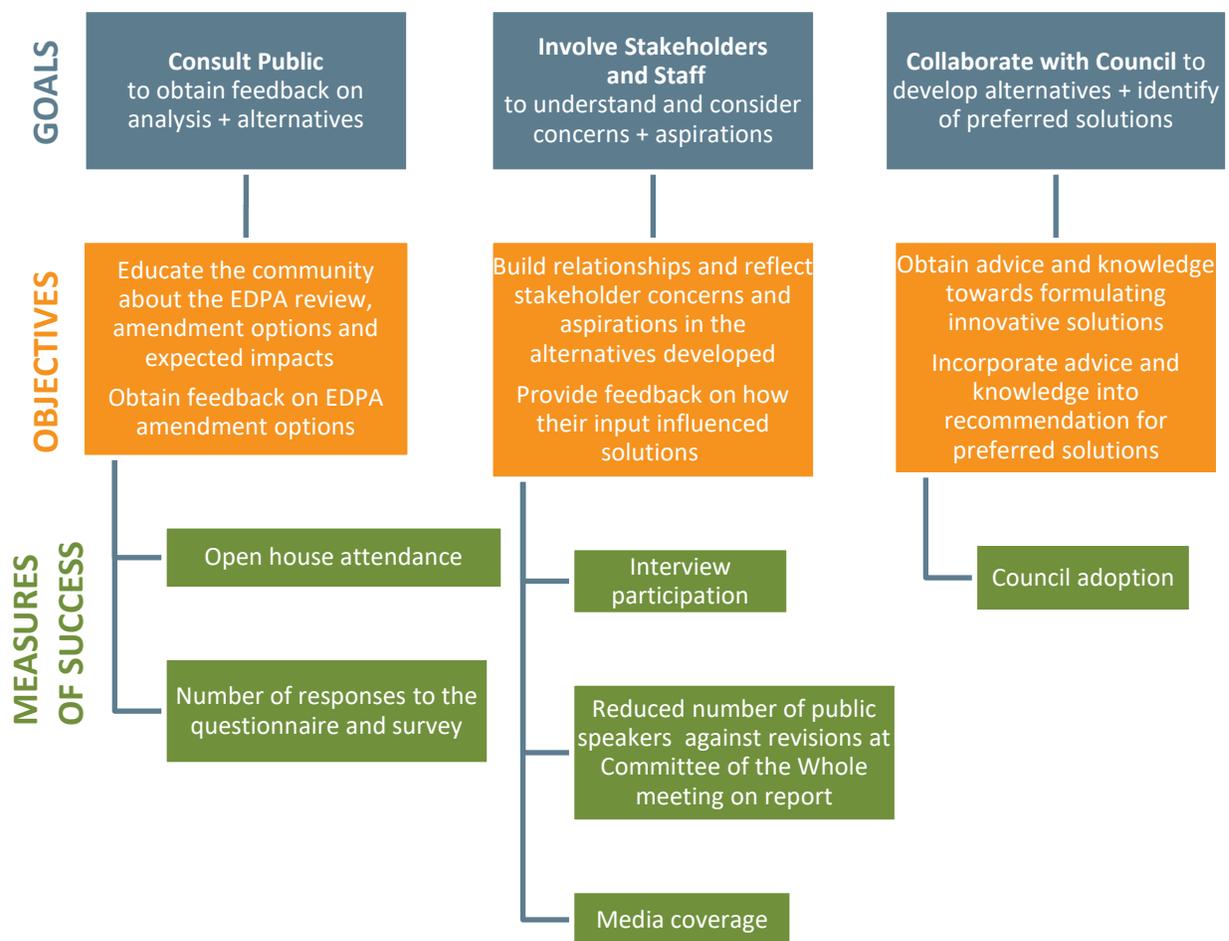


Figure 1. Engagement goals, objectives and measures of success

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### 3 Key Stakeholders

Several key stakeholder groups have been identified for initial contact but the list is not exhaustive and additional stakeholders may be identified for consultation through the process:

- Public - homeowners
- External stakeholders
  - SAFE – Saanich Action for the Environment
  - SCRES – Saanich Citizens for a Responsible EDPA
  - SCAN – Saanich Community Association Network
  - Other Neighbourhood Associations
  - Local media/bloggers
  - BC Assessment Authority
  - MOE
  - GOERT
  - Local consultants
- Decision-maker
  - District Council
- Internal stakeholders
  - Environment and Natural Areas Advisory Committee
  - District Planning
  - District Administration
  - District Legislative Services
  - District Parks and Recreation
  - District Engineering

## 4 Engagement/communication timeline

Engagement for the EDPA bylaw review will take place from February to June, 2017 (specific dates may be subject to change).

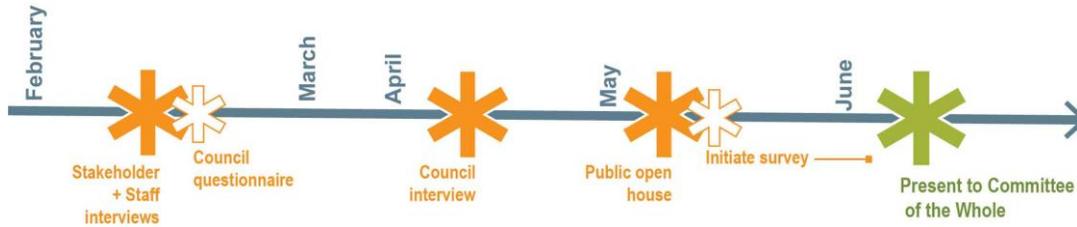


Figure 2. Engagement timeline

## 5 Engagement approach

The engagement proposed for this project will be building on the significant engagement conducted since 2015 by the District of Saanich. All of stakeholder groups that have been identified in Section 3 will be contacted for interviews by phone or in-person, and the broader public will provide feedback at the open house and through the feedback survey.

Engagement	STAKEHOLDERS CONSULTED			
	Public	External Stakeholders	Staff	Council
Interviews	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Questionnaire	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open House	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Feedback Survey	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

*EDPA review process*

Figure 3. Stakeholder groups consulted at each step of the engagement process

## 5.1 Stakeholder, Council and Staff Interviews

**Purpose:** The objective of the interviews is to understand the concerns and aspirations of stakeholders, Council and staff to **inform the objectives** for the EDPA revisions and develop a **preliminary list of alternatives**. Stakeholders and staff will first be interviewed, followed by Council. A questionnaire will be distributed to Council ahead of their interview, as described below.

### 5.1.1 Stakeholder + Staff interview

**Date:** February 16<sup>th</sup> (day and evening) and ongoing by phone

**Stakeholders to interview (phone or individual meeting):** SCRES, SAFE, SCAN, other Neighbourhood Associations, consultants who submitted correspondence to Council and Staff, GOERT, MOE, BC Assessment Authority

**Staff for interview (groups):** CAO (Paul Thorkelsson), Planning (Sharon Hvozdzanski, Adriane Pollard, Jarret Matanowitsch,), Legislative Services (Richard Butler), Parks and Recreation (Suzanne Samborski), and Engineering (Harley Machielse)

Stakeholder and staff interviews would broadly focus on identifying:

- Which parts of the EDPA policy and process are not supported or are sources of confusion
- Which parts of the EDPA are supported
- What environmental, social, cultural and/or economic objectives the EDPA should be achieving:
  - o Environmental (e.g., protection of specific values, restoration of specific values etc.)
  - o Social (e.g., public acceptance, public awareness etc.)
  - o Cultural (e.g., environmental leadership, fairness, private property rights etc.)
  - o Economic (e.g., impact on property values, costs to homeowners, costs to District, provision of ecosystem services etc.)
- Options for amending the Bylaw that the review should consider

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### 5.1.2 Council Questionnaire

**Purpose:** The objective of the Council questionnaire is to understand the concerns and aspirations of Council members to **inform the objectives** for the EDPA revisions develop a **preliminary list of alternatives** and **inform the interview materials** developed for Council. The questionnaire will provide a better understanding of individual concerns of councillors ahead of the interview.

**Date:** February 16<sup>th</sup> – February 28<sup>th</sup>

**Format:** online

The questionnaire will provide an early opportunity for councillors to provide individual input ahead of the interview with council. Specifically, the questionnaire will include a short introductory statement and contain questions such as the ones provided in the example below:

In general, DPA guidelines for protecting the natural environment are intended as a tool for staff and Council to communicate, negotiate and ultimately require, through the development permit process, environmental protections on private lands with features worthy of protection or restoration. The Saanich EDPA and associated atlas presently defines these features as Bald Eagle and Great Blue Heron nests, sensitive ecosystems, isolated wetlands and watercourses, marine backshore and rare and endangered plants/animals/ecosystems.

- What are your main concerns about the current EDPA policy and process?
- Are there parts of the current EDPA policy and process that are confusing?
- What is working well about the current EDPA policy and process?
- What environmental, social, cultural and/or economic objectives do you think an EDPA should be trying to achieve in Saanich?
  - o Environmental (e.g., protection of specific values, restoration of specific values etc.)
  - o Social (e.g., public acceptance, public awareness etc.)
  - o Cultural (e.g., environmental leadership, fairness, private property rights etc.)
  - o Economic (e.g., impact on property values, provision of ecosystem services etc.)
- In order to decide between different alternatives for amending the Saanich EDPA, what would be the key information you would want to know to make your decision?

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### 5.1.3 **Council interview**

**Date:** April 3<sup>rd</sup> (tentative)

Building on material collected with the questionnaire the previous month, the interview with Council will explore alternatives for amending the EDPA:

- Presentation of findings from background review and interviews
- Discussion and consensus on EDPA objectives
- Presentation and discussion of alternatives and expected impacts
- Ranking of alternatives relative to how well they meet the defined EDPA objectives

## 5.2 **Public Open House**

The open house will be an opportunity for people to learn about the EDPA and proposed amendments, and to provide feedback on either a draft that has been released, and/or on a presentation and boards presented in the open house.

**Date:** May 1<sup>st</sup> (tentative)

**Venue:** TBD

The open house will open with a 15-minute presentation on the EDPA and proposed amendments, followed by two hours for participants to consult information boards setup in the room and provide feedback on the options presented on participatory boards.

In preparation for the open house on May 1<sup>st</sup>, the content for information boards will be submitted to Saanich for review. It will likely include approximately (but no more than) twelve boards.

The following list suggests *examples* of what the boards may cover but content will be refined following interviews:

1. What is a DPA?
2. What is the Saanich EDPA?
3. Do other jurisdictions have EDPAs?
4. Why is the District trying to protect things on private land?
5. What happens if the EDPA covers my back yard?
6. Does the EDPA impact the assessed value of my property?
7. What is proposed for revision in the EDPA?
  - a. Multiple boards re: alternatives (participatory)

## 5.3 **Feedback survey**

**Date:** May 1<sup>st</sup> (tentative)

A survey soliciting feedback on the proposed options for the EDPA amendments (survey questions and format to be developed). It will subsequently be hosted on the District's website and be available in paper copies at the Municipal Hall.

## 5.4 **Presentation to Committee of the Whole**

Present the final report to Council and respond to questions.

## 8 Appendix B – Municipality Comparison Summary

### 1. Guiding Policy – What policy is guiding the EDPA?

OCP Only	Guiding Environmental Policy
<i>District of Saanich</i>	City of Surrey
District of North Vancouver	Regional District of Central Okanagan
City of Langford	
District of West Vancouver	
City of Campbell River	
City of Nanaimo	
Cowichan Valley Regional District	
City of Kelowna	

### 2. Defining Objectives for Protection

### 3. Applying the EDPA – Are EDPA Guidelines different in rural and urban areas?

Apply EDPA Guidelines to All Areas	EDPA Guidelines are Different in Urban & Rural
<i>District of Saanich</i>	City of Campbell River
District of North Vancouver	
City of Kelowna	
District of West Vancouver	
City of Nanaimo	
City of Langford	
Regional District of Central Okanagan	
City of Surrey	
Cowichan Valley Regional District	

**4. Mapping – Are EDPAs mapped?**

<b>Yes</b>	<b>No, word description only</b>
<p><b><i>District of Saanich</i></b>  District of North Vancouver  City of Kelowna  District of West Vancouver  City of Nanaimo  City of Langford  Regional District of Central Okanagan  City of Surrey  City of Campbell River</p>	<p>Cowichan Valley Regional District</p>

**4. Mapping – What is the base mapping used for terrestrial ecosystems, and is it ground-truthed?**

<b>Existing mapping and inventory data, no additional ground-truthing</b>	<b>Partial ground-truthing</b>
<p>City of Surrey  District of North Vancouver  City of Kelowna  District of West Vancouver  City of Nanaimo  City of Langford  Regional District of Central Okanagan  City of Campbell River</p>	<p><b><i>District of Saanich</i></b></p>

**4. Mapping** – How is mapping used for development applications?

<b>Flag lots with potential ESAs; boundaries may not be altered</b>	<b>Map defines development boundaries; unalterable</b>
<p><b><i>District of Saanich*</i></b></p> <p>District of North Vancouver</p> <p>City of Kelowna</p> <p>District of West Vancouver</p> <p>City of Nanaimo</p> <p>City of Langford</p> <p>Regional District of Central Okanagan</p> <p>City of Campbell River</p> <p>City of Surrey</p>	

\* The District of Saanich considers the map to represent the boundary, unless otherwise demonstrated by a QEP

**5. Setbacks and Buffers** – Are marine backshore buffers used in other EDPAs?

<b>Defined marine setback/buffer</b>	<b>No marine setback/buffer</b>
<p><b><i>District of Saanich</i></b></p> <p>District of North Vancouver</p> <p>District of West Vancouver</p> <p>City of Nanaimo</p> <p>Cowichan Valley Regional District</p> <p>City of Campbell River</p> <p>City of Surrey</p>	

Note: 3 of the 9 municipalities compared do not have a marine shoreline

**5. Setbacks and Buffers** – How are buffers or setbacks determined?

Local government identifies setbacks/buffers, can be varied based on QEP assessment	Setbacks/buffers can not be varied
<p><b><i>District of Saanich</i></b></p> <p>District of North Vancouver</p> <p>City of Kelowna</p> <p>District of West Vancouver</p> <p>City of Nanaimo</p> <p>City of Langford</p> <p>Regional District of Central Okanagan</p> <p>Cowichan Valley Regional District</p> <p>City of Campbell River</p> <p>City of Surrey</p>	

**6. Restoration** – When could restoration be required?

Restoration when damage is caused by development	Restoration regardless of when damage occurred
<p>District of West Vancouver</p> <p>Cowichan Valley Regional District</p> <p>City of Kelowna</p> <p>District of North Vancouver</p> <p>Regional District of Central Okanagan</p> <p>City of Langford</p>	<p>City of Surrey</p> <p>City of Nanaimo</p> <p>City of Campbell River</p> <p><b><i>District of Saanich</i></b></p>

**6. Restoration** – How is the level of restoration determined?

Follow no net loss or net gain provisions	Restoration based on ranking of ESAs
<p><b><i>District of Saanich</i></b>  District of North Vancouver  City of Kelowna  District of West Vancouver  City of Nanaimo  City of Langford  Cowichan Valley Regional District  City of Campbell River  City of Surrey</p>	<p>Regional District of Central Okanagan</p>

**7. QEP Reports** – Are QEP reports always required?

QEP reports required	QEP reports at staff discretion
<p>City of Nanaimo  District of West Vancouver  Cowichan Valley Regional District  City of Surrey</p>	<p><b><i>District of Saanich</i></b>  City of Campbell River  Regional District of Central Okanagan  City of Langford  District of North Vancouver  City of Kelowna</p>

**7. QEP Reports** – Are there specific reporting criteria?

No official criteria	Specific guidelines
<p><b><i>District of Saanich</i></b>  District of North Vancouver  City of Kelowna  District of West Vancouver  City of Surrey  City of Langford  City of Campbell River</p>	<p>Regional District of Central Okanagan  Cowichan Valley Regional District  City of Nanaimo</p>

**7. QEP Reports – Are QEP reports automatically accepted?**

<b>No, local governments can require changes to or reject QEP reports</b>	<b>Yes</b>
<p><b><i>District of Saanich</i></b></p> <p>District of North Vancouver</p> <p>City of Kelowna</p> <p>District of West Vancouver</p> <p>City of Nanaimo</p> <p>City of Langford</p> <p>Regional District of Central Okanagan</p> <p>Cowichan Valley Regional District</p> <p>City of Campbell River</p> <p>City of Surrey</p>	

**8. Leading by Example – Do other municipalities require themselves to get a Development Permit (DP) for capital projects?**

<b>Do not require a DP (but follow own procedures and guidelines)</b>	<b>Requires a DP</b>
<p><b><i>District of Saanich</i></b></p> <p>City of Campbell River</p> <p>Regional District of Central Okanagan</p> <p>City of Langford</p> <p>City of Surrey</p> <p>City of Nanaimo</p>	<p>City of Kelowna</p> <p>District of North Vancouver</p> <p>Cowichan Valley Regional District</p> <p>District of West Vancouver</p>

**9. Landowner Incentives** – Do local governments have the option to provide development variances?

Yes, they consider development variances or bonus options such as density or height	No
<p><i><b>District of Saanich</b></i></p> <p>District of North Vancouver</p> <p>City of Kelowna</p> <p>District of West Vancouver</p> <p>City of Nanaimo</p> <p>City of Langford</p> <p>Regional District of Central Okanagan</p> <p>Cowichan Valley Regional District</p> <p>City of Campbell River</p> <p>City of Surrey</p>	

## 9 Appendix C – Open House Boards



### WHAT ARE DEVELOPMENT PERMIT AREAS?

Development Permit Areas (DPAs) are development regulations that apply to certain areas specified in the Official Community Plan. The Local Government Act authorizes local governments to designate DPAs for 10 different purposes.

### HOW DO DPAs AFFECT ME?

Where a DPA applies, the local government can issue a development permit that includes requirements and conditions or sets standards for the type and extent of development activities that can occur on a site, as well as conditions for the sequence and timing of construction.

In a DPA, a development permit is required to subdivide; construct, add to, or alter a building; or to alter land (e.g., change the grade). The local government can make exemptions by specifying conditions under which a development permit is not required.

### WHAT DO ENVIRONMENTAL DPAs PROTECT?

The terms used to describe environmental areas of concern vary. The Saanich EDPA protects “environmentally significant areas”. Terms used elsewhere include “environmentally sensitive areas”, “ecologically sensitive areas”, “sensitive terrestrial ecosystem”, and “sensitive ecosystems”. Examples of the values protected under these umbrella terms include forests, wetlands, watercourses, grasslands, green infrastructure areas, marine backshores, or habitat features (e.g. nests, dens, hibernacula) important to wildlife.



### WHY ENVIRONMENTAL DPAs?

Environmental DPAs are designated for the protection of the natural environment, its ecosystems, and biological diversity. EDPA's enable local governments to regulate development on private land, recognizing that there are environmental values on private land that benefit society as a whole. Protection of the natural environment can help reduce infrastructure costs, improve health, and provide other services for the public good (e.g. flood mitigation, clean air and water).

Environmental DPAs provide an opportunity to protect Environmentally Significant Areas (ESAs) at the time of development. Examples of other complementary tools that encourage ongoing protection of ESAs include streamside DPAs, education, stewardship programs, voluntary conservation covenants, and tree protection bylaws.

### SAANICH'S ENVIRONMENTAL DPA

The objectives of the Saanich EDPA are to ‘protect the areas of highest biodiversity within Saanich’, ‘require mitigation during development’ and ‘require restoration to damaged or degraded ecosystems during development’.

The Saanich EDPA includes five types of ESAs:

- 1) Wildlife Trees
- 2) Sensitive Ecosystems
- 3) Isolated Wetlands and Watercourses
- 4) Marine Backshore
- 5) Habitat of Rare & Endangered Plants, Animals, & Ecosystems

## Introduction





### HOW TO SHARE YOUR OPINION

Please ensure you get a survey from one of our team members. The boards in the room will provide you with information, and present a range of options associated with each theme.

As you walk around the room, note this symbol



The symbol will refer you to specific questions in your survey.

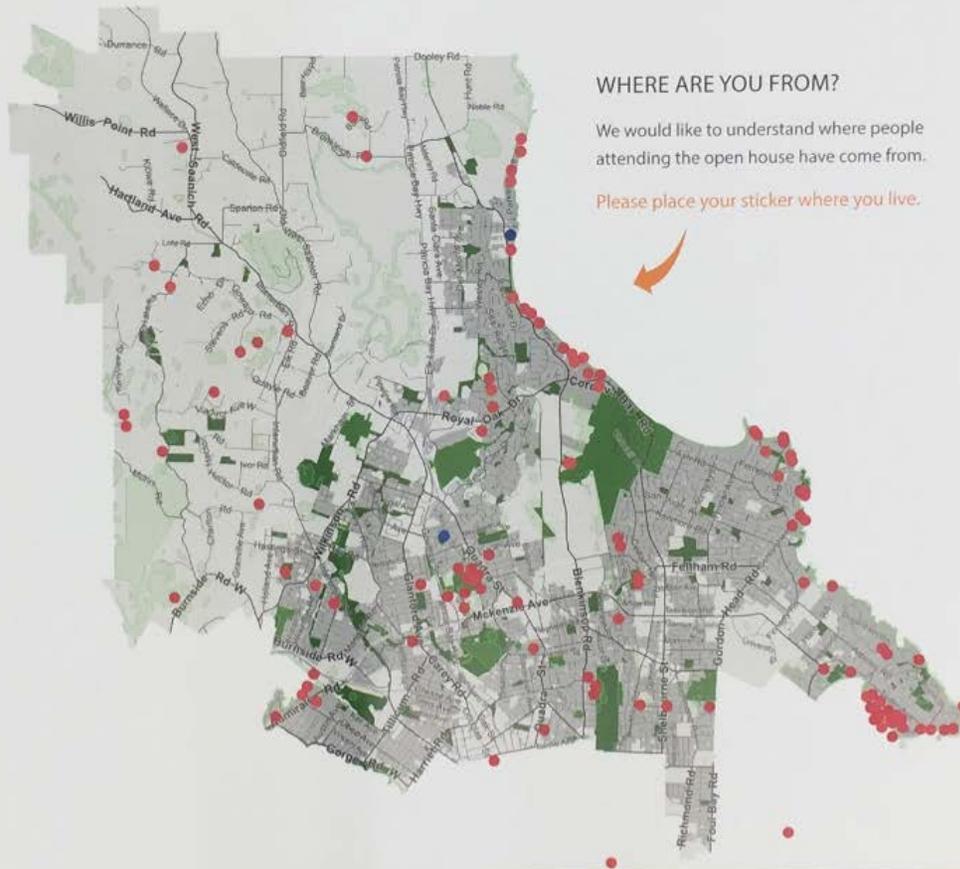
### HOW WILL YOUR FEEDBACK BE USED?

The feedback you provide in your survey will be used to inform our final report to Council. Our final report will contain recommendations on how to improve the EDPA, and will be based on Best Management Practices, our comparison of relevant municipalities, and feedback from the public and other stakeholders.

### WHERE ARE YOU FROM?

We would like to understand where people attending the open house have come from.

Please place your sticker where you live.



**We need your input!**





## OVERVIEW OF THE REVIEW PROCESS

Since January, Diamond Head Consulting has been undertaking an independent review of the District of Saanich's Environmental Development Permit Area (EDPA) Bylaw.

The purpose of our work is to provide recommendations to improve the Environmental Development Permit Area Bylaw and support land stewardship of Environmentally Significant Areas in Saanich.

### WHAT HAVE WE BEEN DOING?

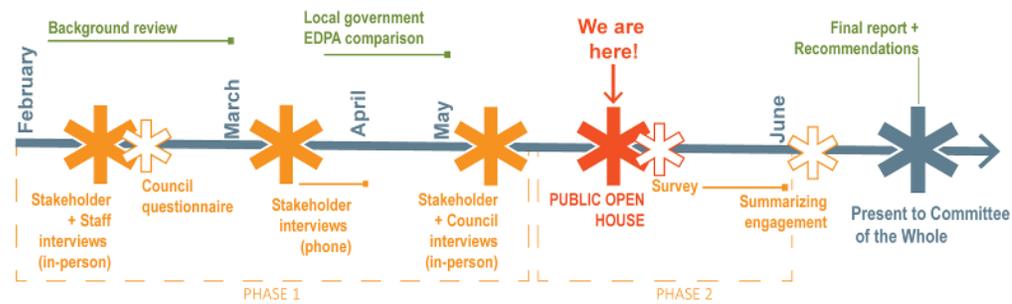
Diamond Head has been reviewing the documentation provided by the District of Saanich regarding its EDPA process, engaging with the public and stakeholders, speaking with other municipalities, and reviewing Best Management Practices reports.

*This timeline illustrates where we are in the review process, and provides a cursory overview of the phases in the EDPA Review.*



The following local governments were interviewed to provide a comparison of EDPA policy and implementation:

- District of North Vancouver
- City of Langford
- District of West Vancouver
- City of Campbell River
- City of Nanaimo
- City of Surrey
- City of Kelowna
- Regional District of Central Okanagan
- Cowichan Valley Regional District



During this part of the engagement, we spoke with and received written submissions from the following stakeholders.



- Council members
- Saanich Citizens for a Responsible EDPA Society (SCRES)
- Saanich Advocates for the Environment (SAFE)
- Environment and Natural Areas Advisory Committee



- Biologists who submitted correspondence to Council
- Environmental professionals
- Other relevant professionals
- Additional Neighbourhood Associations

The interviews were conducted to get a better understanding of the main issues with the current EDPA, and to identify objectives and preferred solutions for improving it.



The goal of this open house and survey is to get a sense of people's preferences on a number of options that could be considered to improve the EDPA.

The survey results, along with the outcomes of the first phase of engagement, will inform the discussion and final recommendations in our report.

# EDPA Independent Review Process





## WHAT POLICY GUIDES ENVIRONMENTAL DEVELOPMENT PERMIT AREAS (EDPA)?

A local government's environmental policy is broadly outlined in its Official Community Plan (OCP). On the ground, environmental protection and enhancement is implemented by tools such as Bylaws, Development Permit Areas and stewardship programs.

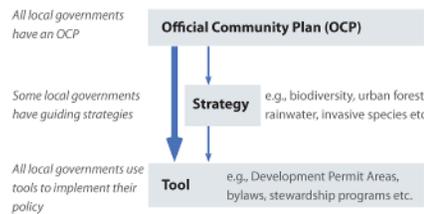
Some local governments develop strategies to provide a more comprehensive basis for environmental policy decisions. Strategies provide more direction for environmental protection and enhancement efforts on public and private land. For example, a 'Biodiversity Conservation Strategy' takes a science-based approach to manage environmental values by looking at local and regional habitat connectivity to create a framework for future development and conservation.

Strategies provide a vision, goals and measurable objectives for what the Local Government is trying to achieve over the long term and gives stronger support for specific land use decisions.

### WHAT WE HEARD IN SAANICH

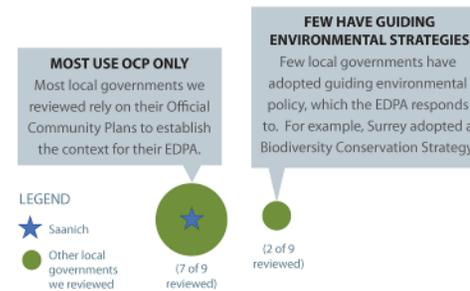
**People seem to agree** that clearer justification, goals and measurable objectives are needed for environmental protection, restoration and connectivity in Saanich.

**People seem to disagree** about whether or not the Environmental DPA is being implemented as intended by the Saanich OCP.



## WHAT ARE OTHER LOCAL GOVERNMENTS DOING?

### What policy is guiding the EDPA?



## OPTIONS FOR YOUR FEEDBACK

On guiding policy...

### A. MAINTAIN STATUS QUO

Rely on the Official Community Plan only to describe the special contributions or objectives that justify the DPA designation.

### B. DEVELOP A BIODIVERSITY CONSERVATION STRATEGY

Develop a science-based Biodiversity Conservation Strategy, in collaboration with the community, that provides a basis for policy decisions to protect Environmentally Significant Areas in Saanich.



**WHICH OPTION WOULD YOU PREFER?**

Please tell us by completing question 1 on your survey

# 1. Guiding Policy





## WHAT ARE THE OBJECTIVES OF ENVIRONMENTAL DPAs?

Local governments can use EDPAs to protect the natural environment, its ecosystems and biological diversity. The areas defined for protection and the EDPA objectives typically reflect the local context, including land use and types of natural areas as described in guiding policy.

The decision on what to protect within an EDPA is made through the democratic political process of developing the Official Community Plan. These decisions are usually informed by community values, science and expertise from Qualified Environmental Professionals, municipal staff, and other stakeholders.



In Saanich, areas protected in the EDPA are termed 'Environmentally Significant Areas' (ESAs) with objectives to:

- Protect the areas of highest biodiversity within Saanich
- Require mitigation during development
- Require restoration to damaged or degraded ecosystems during development

## WHAT ARE OTHER LOCAL GOVERNMENTS DOING?



Based on our review, local governments adopt a broad range of objectives within their EDPAs. These objectives typically reflect the policies outlined within each local government's Official Community Plan.

## WHAT WE HEARD IN SAANICH

**People seem to agree** that Environmentally Significant Areas should be clearly defined and protected.

**People seem to disagree** about what is Environmentally Significant, and what objectives the EDPA aims to achieve.

## OPTIONS FOR YOUR FEEDBACK

On the objectives for the EDPA...

### A. MAINTAIN STATUS QUO

Retain the current EDPA objectives.

### B. EXPAND THE EDPA OBJECTIVES TO ADDRESS ONE OR MORE OF THE FOLLOWING POLICIES FROM THE OCP

(Choose all that apply)

- Protect and restore habitats that support native species of plants and animals and address threats to biodiversity such as invasive species.
- Protect and restore rare and endangered species habitat and ecosystems, particularly those associated with Garry Oak ecosystems.
- Protect and enhance marine, intertidal, backshore, wetland and riparian habitats.
- Encourage the retention or planting of native vegetation in the coastal riparian zone.
- Link environmentally sensitive areas and greenspaces.
- Preserve "micro-ecosystems" as part of proposed development applications.
- Incorporate climate change, its potential impacts, and mitigation measures when reviewing new development applications.



**WHICH OPTION WOULD YOU PREFER?**

Please tell us by completing question 2 on your survey

## 2. Defining Objectives for Protection





### WHEN AND WHERE DOES THE EDPA APPLY?

Environmental development permits are only required during development. Development is generally defined as construction on or subdivision of property, in addition to some activities resulting in land alteration. The local government can define what is meant by land alteration, and can allow exemptions for certain activities. For example, yard maintenance in existing landscaped areas and minor soil disturbances and plantings are often exempt.

Local governments may choose to tailor where their EDPA applies, for example, to reflect land use development patterns or the location of specific values. Others take a conservative approach and apply their EDPA to an entire area to ensure potential environmental values are always considered during development. In Saanich, the EDPA applies to development on private land wherever ESAs are mapped, except within the Agricultural Land Reserve or if an activity is exempt.

### WHAT WE HEARD IN SAANICH

**People seem to agree** that Environmentally Significant Areas should be protected from development.

**People seem to disagree** about whether the EDPA should apply in certain areas such as single family residential or rural zonings.

### WHAT ARE OTHER LOCAL GOVERNMENTS DOING?

#### Where do EDPAs apply?

**ABOUT HALF APPLY EDPA GUIDELINES TO ALL ZONES**  
About half of the local governments we reviewed apply the same guidelines to all zones.

**ABOUT HALF HAVE EXEMPTIONS FOR RURAL (ALR) ZONES**  
About half of the local governments we reviewed have exemptions for their rural and/or agricultural zones. Saanich currently has an exemption specific to the ALR.

#### LEGEND

★ Saanich  
● Other local governments we reviewed



(5 of 9 reviewed)



(4 of 9 reviewed)



### OPTIONS FOR YOUR FEEDBACK

On where the EDPA should apply...

#### A. MAINTAIN STATUS QUO

Apply existing EDPA guidelines across all zones except Agricultural Land Reserve.

#### B. DEVELOP GUIDELINES FOR SPECIFIC ZONINGS

Develop guidelines that are specific to certain zones (e.g. single family dwelling or rural zone types) that differentiate the permit requirements and create more flexibility for small-scale development and rural land use activities.

#### C. EXEMPT SPECIFIC ZONINGS

Exempt specific zoning (e.g., single family dwelling zones) from the EDPA.



#### WHICH OPTION WOULD YOU PREFER?

Please tell us by completing question 3 on your survey

## 3. Applying the EDPA





### WHAT IS ENVIRONMENTAL DPA MAPPING FOR?

Local governments often use mapping to identify the Environmentally Significant Areas (ESAs) protected in the EDPA. Usually, maps are based on existing inventories such as the Provincial Sensitive Ecosystem Inventory (SEI), the BC Conservation Data Centre (CDC), or other sources.

Due to the high costs of ground surveys, inventory mapping is primarily based on air photo interpretation with limited ground-truthing. Accuracy can be variable, particularly when looking at the scale of an individual property. EDPA mapping is often infrequently updated, and usually only when development occurs or during OCP reviews.

As a result, most local governments use their mapping as a generalized 'flagging tool' to identify locations where ESAs are likely to be found. When a property is flagged, staff will determine whether a development permit and a more detailed report by a Qualified Environmental Professional (QEP) are required to verify the EDPA boundary. The accepted QEP report then provides the precise EDPA boundary which will go on the property title. The OCP mapping boundary often remains unchanged.

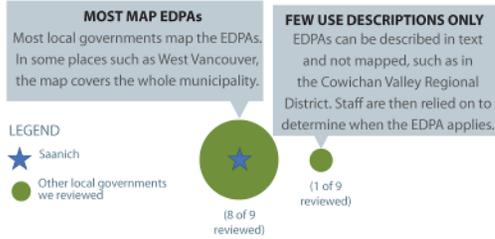
#### WHAT WE HEARD IN SAANICH

**People seem to agree** that current mapping is inaccurate at the individual property scale.

**People seem to disagree** about whether or not the mapping represents a hard line beyond which usage of a person's property is restricted, and whether it will have a substantial impact on property value.

### WHAT ARE OTHER LOCAL GOVERNMENTS DOING?

#### Are EDPAs mapped?

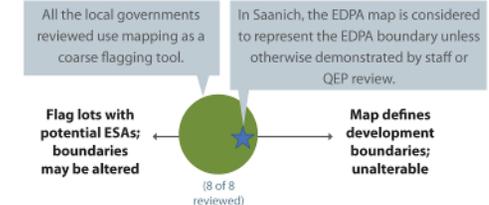


#### What is the base mapping used for terrestrial ecosystems, and is it ground-truthed?

All EDPAs we reviewed use similar base mapping to Saanich's, with no further ground-truthing to establish the EDPA boundary.



#### How is mapping used for development applications?



### OPTIONS FOR YOUR FEEDBACK

On how the map should be...

#### A. MAINTAIN STATUS QUO

Retain the EDPA mapping and continue to update it as boundaries are refined.

#### B. GENERALIZE THE MAPPING

Generalize existing mapping and show it at a coarser scale to emphasize its application as a flagging tool.

#### C. REMOVE EDPA MAP FROM THE OCP AND DEFINE ENVIRONMENTALLY SIGNIFICANT AREAS WITH TEXT

Remove the EDPA map entirely and rely on descriptive text in the EDPA to define when a property would be flagged for likely containing an Environmentally Significant Area.



#### WHICH OPTION WOULD YOU PREFER?

Please tell us by completing question 4 on your survey

## 4. Mapping





## WHAT ARE BUFFERS AND SETBACKS?

Setbacks and buffers\* are used by local governments to restrict development in certain areas, or manage activities next to an area protected in the EDPA.

Provincial legislation guides the definition of setbacks for riparian areas. Best Management Practices exist to guide buffers around eagle and heron nests. However, it is often up to the local government or a Qualified Environmental Professional (QEP) to determine and rationalize effective setbacks and buffers.

Applying setbacks and buffers to protected defined features is common practice among local government policies. The policies either define their extent (e.g. zoning setbacks), or provide guidance for the QEP to recommend them (e.g. tree protection zone in a Tree Bylaw).

In the Saanich Environmental DPA, buffers apply to sensitive ecosystems (10 m), isolated wetlands/watercourses (10 m) and marine backshore (15 m).

### WHAT WE HEARD IN SAANICH

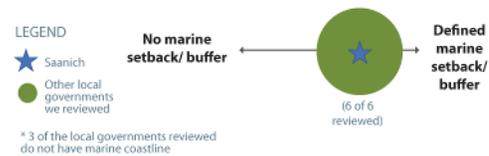
**People seem to agree** that the marine backshore buffer is too large for some small lots.

**People seem to disagree** about the use of and justification for buffers around sensitive ecosystems and along the marine backshore.

## WHAT ARE OTHER LOCAL GOVERNMENTS DOING?

### Are marine backshore buffers used in other EDPAs?

All the local governments we reviewed apply buffers and/or setbacks to protect their marine ESAs. In Campbell River, there is a minimum 30 m setback from high water mark. Saanich has a 15m marine buffer.\*



### How are buffers or setbacks determined?



For all the local governments we reviewed, buffers and setbacks can be varied based on QEP assessment or variance. An interesting example is in the Regional District of the Okanagan, where lower value ESAs may be retained as buffers for higher value ESAs. In Saanich, riparian areas buffers can be reduced.

\***Buffers** are areas defined around a known feature (e.g. eagle nest) to protect the core feature from 'edge effect'. For example, DPAs to protect the Agricultural Land Reserve often require a 'soft' buffer to intercept pollutants from adjacent land uses.

**Setbacks** relate to the minimum distance a building or structure must be sited away from a known feature.

## OPTIONS FOR YOUR FEEDBACK

On how buffers and/or setbacks should be applied...

### A. MAINTAIN STATUS QUO

Retain the current EDPA buffers defined for Sensitive Ecosystems, Isolated Wetlands and Watercourses, and Marine Backshore.

### B. RETAIN DEFINED BUFFERS BUT UPDATE GUIDELINES FOR QEP TO RECOMMEND MODIFICATIONS

Retain the buffers in the mapping but allow the QEP to recommend the appropriate buffer and/ or setback distance on a site-by site basis.

### C. ELIMINATE DEFINED BUFFERS BUT UPDATE GUIDELINES FOR QEP TO RECOMMEND APPROPRIATE BUFFERS AND/ OR SETBACKS

Eliminate the buffers from the mapping but update the guidelines to reflect that the QEP should recommend appropriate buffers and/ or setback on a site-by-site basis.



### WHICH OPTION WOULD YOU PREFER?

Please tell us by completing question 5 on your survey

# 5. Setbacks and Buffers





## WHAT DOES RESTORATION INCLUDE IN ENVIRONMENTAL DPAs?

Natural areas in urban environments are often degraded due to human use and development, and other disturbances such as the introduction of non-native plants.

Local governments can require restoration in development permits under certain circumstances. Restoration can include activities such as invasive species removal, planting of native species and restoring altered hydrology.

The extent of restoration required by local governments often varies with the size of the proposed development or condition of the ESA. Restoration can be required to correct damage that occurred prior to the development permit application, and/or damage that occurred as a result of development.

### WHAT WE HEARD IN SAANICH

**People seem to agree** that restoration should not always be required as a condition of development, and that there is a cost to the landowners when it is required.

**People seem to disagree** about the intent of the Environmental DPA in terms of the extent of restoration that should be required and whether it should be required for degradation caused prior to development.

## WHAT ARE OTHER LOCAL GOVERNMENTS DOING?

### When could restoration be required?

#### RESTORATION WHEN DAMAGE IS CAUSED BY DEVELOPMENT

About half the local governments we reviewed require restoration only when the damage is caused by development. For example the Cowichan Valley Regional District expects ESAs to be restored to pre-development conditions.

#### RESTORATION REGARDLESS OF WHEN DAMAGE OCCURRED

About half the local governments we reviewed, such as Nanaimo, might require revegetation and restoration regardless of when damage occurred.

#### LEGEND

- ★ Saanich
- Other local governments we reviewed



### How is the level of restoration determined?

#### MOST FOLLOW NO NET LOSS OR NET GAIN PROVISIONS

Most of the local governments we reviewed determine the level of restoration based on a no net loss (or, more rarely, a net gain) provision. For example, the District of North Vancouver typically required replacing trees using compensation ratios.



#### FEW REQUIRE RESTORATION BASED ON ESAs RANKING

The Regional District of Central Okanagan determines the level of restoration based on condition of the ESA; low quality ESAs are not considered candidates for restoration.



## OPTIONS FOR YOUR FEEDBACK

On the extent of restoration required...

### A. MAINTAIN STATUS QUO

Restoration is determined collaboratively by the QEP, staff, landowners and other stakeholders based on a review of the development.

### B. RESTORATION REQUIREMENTS ARE BASED ON DEFINED CONDITION CLASSES

The restoration requirement for each site is determined based on the QEP assessment and pre-defined condition classes.

### C. RESTORATION REQUIREMENTS ARE BASED ON SCALE OF DEVELOPMENT

The restoration requirement for each site is determined based on the scale of development.

On when restoration is required...

### A. MAINTAIN STATUS QUO

Restoration can be required for pre-existing or development related damage.

### B. REQUIRE ONSITE RESTORATION ONLY WHEN DEVELOPMENT INFRINGES ON THE EDPA

Restoration is only required when development impacts an ESA or buffer zone.

### WHICH OPTION WOULD YOU PREFER?

Please tell us by completing question 6 on your survey

## 6. Restoration





### WHAT IS THE ROLE OF QEP REPORTS?

When a development application is received by a local government, they can require development approval information. Sometimes a report completed by a Qualified Environmental Professional (QEP) may be needed to verify the EDPA boundary and provide recommendations to mitigate impact to the ESA. The QEP recommendations accepted by the local government then become conditions of the development permit.

Some local governments have very specific requirements or standards for reporting, while others leave much to the discretion of the QEP. In either case, QEP reports are submitted to local government staff for review. If staff find that the report is not adequate, they often work with the applicant and QEP to resolve the issues, request a peer review or, if issues are not otherwise resolved, can reject the application. Applicants are entitled to have the local government reconsider the decision of an officer or employee without charge.

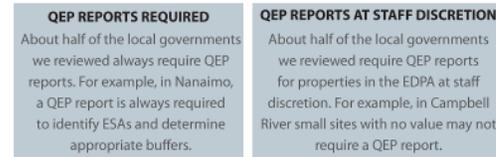
### WHAT WE HEARD IN SAANICH

**People seem to agree** that field verification by a QEP can show that a development is outside the ESA and therefore exempt (exemption 14).

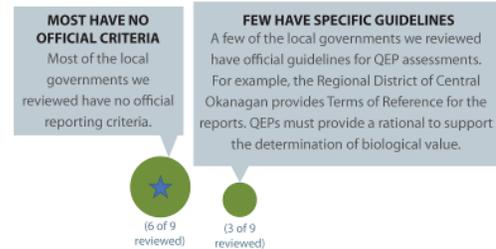
**People seem to disagree** about the standard for QEPs to use when assessing ESA boundaries and the application/interpretation of the provincial SEI methodology for identifying ESAs in Saanich.

### WHAT ARE OTHER LOCAL GOVERNMENTS DOING?

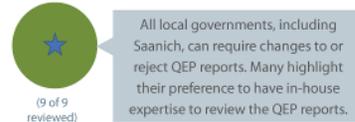
#### Are QEP reports *always* required?



#### Are there specific reporting criteria?



#### Are QEP reports automatically accepted?



### OPTIONS FOR YOUR FEEDBACK

On assessment standards for QEPs...

#### A. MAINTAIN STATUS QUO

Rely on the guidelines in the EDPA (draft assessment guidelines exist for Sensitive Ecosystems but have not been finalized or adopted).

#### B. DEVELOP QEP ASSESSMENT STANDARDS

Develop assessment standards for QEPs to define the assessment method for Environmentally Significant Areas and boundaries.



WHICH OPTION WOULD YOU PREFER?

Please tell us by completing question 7 on your survey

## 7. QEP Reports





### WHAT DOES IT MEAN TO LEAD BY EXAMPLE?

Local governments can lead by example by meeting or exceeding the development standards that they ask private landowners to follow, demonstrating environmental stewardship on public land and by supporting landowner stewardship on private land.

Local governments frequently undertake development activities on public land. Capital projects are opportunities to demonstrate environmental best practices. In some cases, local governments require their own projects go through an EDPA process. Other local governments exempt themselves but may have other equivalent standards in place.

Public land often safeguards the largest and most valuable Environmentally Significant Areas (ESAs). Local governments can demonstrate good stewardship through programs such as treatment of invasive species, native plant restoration, tree planting and stream restoration.

Public programs that support landowner stewardship on private land also demonstrate leadership and increase capacity within the community to protect environmental values.

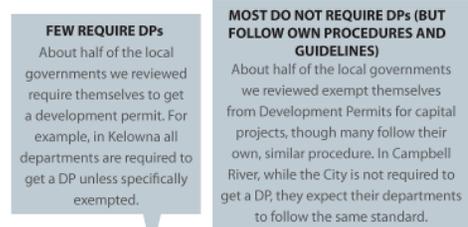
#### WHAT WE HEARD IN SAANICH

**People seem to agree** that the District of Saanich could do more to lead by example when it comes to working in and around Environmentally Significant Areas; and to encourage stewardship.

**People seem to disagree** about whether or not the District follows a process equivalent to the Environmental DPA for public works projects.

### WHAT ARE OTHER LOCAL GOVERNMENTS DOING?

#### Do other municipalities require themselves to get a Development Permit (DP) for capital projects?



### OPTIONS FOR YOUR FEEDBACK

On capital projects in and around ESAs...

#### A. MAINTAIN STATUS QUO

The District of Saanich is exempt from the EDPA.

#### B. MAINTAIN DISTRICT EXEMPTION FROM THE EDPA BUT REQUIRE AN EQUIVALENT INTERNAL POLICY

Update the EDPA to refer to a District policy that outlines procedures to be followed when undertaking municipal works and services, such as an "Environmental Management Strategy" for Municipal Operations.

#### C. REMOVE DISTRICT EXEMPTION FROM THE EDPA

Remove Exemption 2 so that the District must apply for a development permit for municipal works and services within the EDPA.



#### WHICH OPTION WOULD YOU PREFER?

Please tell us by completing question 8 on your survey

## 8. Leading by Example





## WHAT INCENTIVES CAN BE INCORPORATED INTO ENVIRONMENTAL DPAs?

Providing incentives for environmental protection during development creates opportunities for cooperation with landowners through the EDPA process.

Zoning Bylaws can allow clustering or include conditions for amenity density bonuses, which allow a development to exceed the allowable Floor Area Ratio in exchange for amenities needed by the community. Density bonuses are voluntary and involve an exchange between the local government and land developers. For example, if a land developer is subdividing a large parcel, they could cluster their development on a portion of the property to avoid a sensitive ecosystem. They receive this density bonus in return for placing a conservation covenant on the remaining property, creating parkland, or restoring degraded ecosystems. Other forms of flexibility can also be built into the Zoning Bylaw, such as provisions for varying setbacks.

### WHAT WE HEARD IN SAANICH

**People seem to agree** that it would be beneficial to have more flexibility to provide incentives for environmental protection during development.

**People seem to disagree** about how much flexibility exists for landowners in the current EDPA process.

## WHAT ARE OTHER LOCAL GOVERNMENTS DOING?

### Do local governments have the option to provide development variances?



#### LEGEND

- ★ Saanich
- Other local governments we reviewed

All local governments we reviewed will consider development variances or bonus options such as density or height in exchange for the protection of ESAs. In Kelowna, the City will work with developers to relax zoning, increase density and provide bonuses where possible. In Campbell River, development clusters are encouraged and density increases may be permitted. There are also flex provisions.



## OPTIONS FOR YOUR FEEDBACK

On incentives to protect ESAs...

### A. MAINTAIN STATUS QUO

Maintain the status quo whereby density could be transferred in exchange for parkland. This has occurred infrequently in the past.

### B. UPDATE THE EDPA TO ENCOURAGE CLUSTERING DEVELOPMENT AND OPTIONS FOR APPLYING DENSITY BONUSES IN THE EDPA PROCESS

Encourage clustering development in the EDPA guidelines and increase options for density bonuses in exchange for restoration of historically degraded ESAs, conservation covenants or creating parkland.

### C. INTEGRATE THE EDPA INTO THE ZONING BYLAW TO DEFINE SETBACKS (AND PROVISIONS FOR VARYING THEM), AND CONDITIONS FOR DENSITY BONUSES

Remove part or all of the EDPA from the OCP and place it in the Zoning Bylaw, which will define setbacks from ESAs, provisions for varying them and set out the conditions for density bonuses.



### WHICH OPTION WOULD YOU PREFER?

Please tell us by completing question 9 on your survey

# 9. Landowner Incentives



# 10 Appendix D – Open House Survey

## District of Saanich – Environmental Development Permit Area Review Feedback Survey

Welcome to Diamond Head Consulting’s third party review of the District of Saanich’s Environmental Development Permit Area (EDPA).

- i) What is your Postal Code? \_\_\_\_\_
- ii) Do you live within the EDPA? Yes  No
- iii) Do you own property within the EDPA? Yes  No

### Instructions

Circle the option (A, B, or C) that best represents your preferences. Question numbers correspond to the board number they are referencing, which contain additional information (For Example: Question 1 refers to board 1 – Guiding Policy).

#### 1. Guiding policy (Circle A or B)

- A. Maintain status quo
- B. Develop a biodiversity conservation strategy

Comments \_\_\_\_\_

#### 2. Defining objectives for protection (Circle A or B)

- A. Maintain status quo
- B. Expand the EDPA objectives to address one or more of the following policies from the OCP (check all that you would support)
  - Protect and restore habitats that support native species of plants and animals and address threats to biodiversity such as invasive species
  - Protect and restore rare and endangered species habitat and ecosystems, particularly those associated with Garry Oak ecosystems
  - Protect and enhance marine, intertidal, backshore, wetland, and riparian habitats
  - Encourage the retention or planting of native vegetation in the coastal riparian zone.
  - Link environmentally sensitive areas and greenspaces
  - Preserve “micro-ecosystems” as part of proposed development applications
  - Incorporate climate change, its potential impacts, and mitigation measures when reviewing new development applications

Comments \_\_\_\_\_

#### 3. Applying the EDPA (Circle A, B or C)

- A. Maintain status quo
- B. Develop guidelines for specific zonings
- C. Exempt specific zonings

Comments \_\_\_\_\_

<u>List of Acronyms</u>	
EDPA –	Environmental Development Permit Area
ESA –	Environmentally Significant Area
OCP –	Official Community Plan
QEP –	Qualified Environmental Professional

**4. Mapping** (Circle A, B, or C)

- A. Maintain status quo
- B. Generalize the mapping
- C. Remove EDPA map from the OCP and define Environmentally Significant Areas (ESAs) with text

Comments \_\_\_\_\_

**5. Setbacks and Buffers** (Circle A, B, or C)

- A. Maintain status quo
- B. Retain defined buffers but update guidelines for QEP to recommend modifications
- C. Eliminate defined buffers but update guidelines for QEP to recommend appropriate buffers and/or setbacks

Comments \_\_\_\_\_

**6.1 Restoration – Extent of Restoration** (Circle A, B, or C)

- A. Maintain status quo
- B. Restoration requirements are based on defined condition classes
- C. Restoration requirements are based on the scale of development

Comments \_\_\_\_\_

**6.2. Restoration – When restoration is required** (Circle A or B)

- A. Maintain status quo
- B. Require onsite restoration only when development infringes on the EDPA

Comments \_\_\_\_\_

**7. QEP Reports** (Circle A or B)

- A. Maintain status quo
- B. Develop QEP assessment standards

Comments \_\_\_\_\_

**8. Leading by example** (Circle A, B, or C)

- A. Maintain status quo
- B. Maintain district exemption from the EDPA but require an equivalent internal policy
- C. Remove district exemption from the EDPA

Comments \_\_\_\_\_

**9. Landowner incentives** (Circle A, B, or C)

- A. Maintain status quo
- B. Update the EDPA to encourage clustering development and options for applying density bonuses in the EDPA process
- C. Integrate the EDPA into the zoning bylaw to define setbacks (and provisions for varying them), and conditions for density bonuses

Comments \_\_\_\_\_

*Thank you for your time and opinion. The survey results, along with the outcomes of the first phase of engagement, will inform the discussion and final recommendations in our report.*



The Corporation of the District of Saanich

# Report

**To:** Mayor and Council  
**From:** Sharon Hvozdanski, Director of Planning  
**Date:** July 11, 2017  
**Subject:** Subdivision, Rezoning, and Development Variance Permit Application  
File: SUB00781; REZ00587; DVP00384 • 1649 & 1653 Alderwood Street

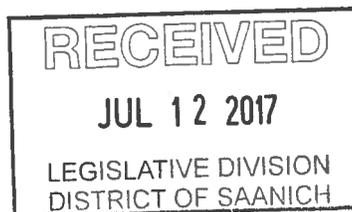
## RECOMMENDATION

1. That the application to rezone from the RS-6 (Single Family) Zone to the RS-4 (Single Family) Zone be approved.
2. That Development Variance Permit DVP00384 be approved.
3. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Variance Permit be withheld pending payment of \$1275 for the planting of one Schedule I Boulevard tree.
4. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Variance Permit be withheld pending registration of a covenant to secure:
  - The new dwelling on proposed Lot B be constructed to a EnerGuide 82, or equivalent, energy efficiency standard;
  - The new dwelling include the installation of the necessary conduits to be solar ready for future installation of photovoltaic or solar hot water systems; and
  - The new dwellings be constructed substantially in compliance with the plans prepared by Java Designs date stamped February 20, 2017.

Note: If Council approves the rezoning, the registration of a right-of-way for the public pathway between Alderwood Street and Cedarwood Close would be addressed by the Subdivision Approving Officer.

## PURPOSE

The purpose of this report is to seek direction from Council on the subject application. The subject application is for a Rezoning and a Development Variance Permit for lot width to accommodate a subdivision to create one additional lot, for a total of three parcels. The applicant is Peter Jawl of Blair Street Properties Inc.



### DISCUSSION

#### Neighbourhood Context

The subject property is located within the Gordon Head neighbourhood, approximately 250 m east of Shelbourne Street. The surrounding area is relatively flat and the site is within 400 m travel distance to Shelbourne Street and 600 m to the core of the University Major "Centre".

The property is located approximately 700 m travel distance of Mount Douglas Secondary School, 850 m to the Montessori School (former Fairburn Elementary), and slightly over 1 km to Lambrick Secondary School and the Gordon Head Recreation Centre.

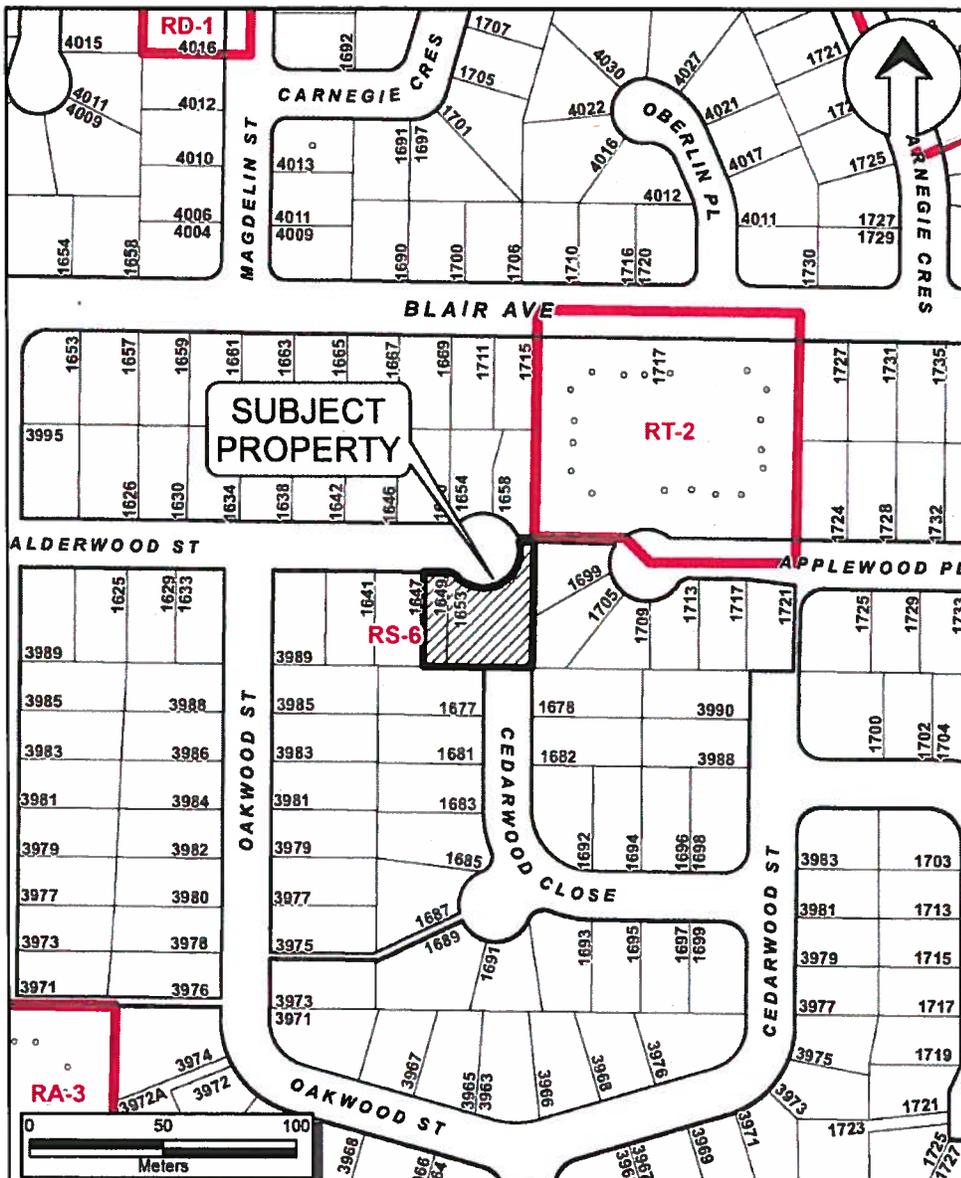


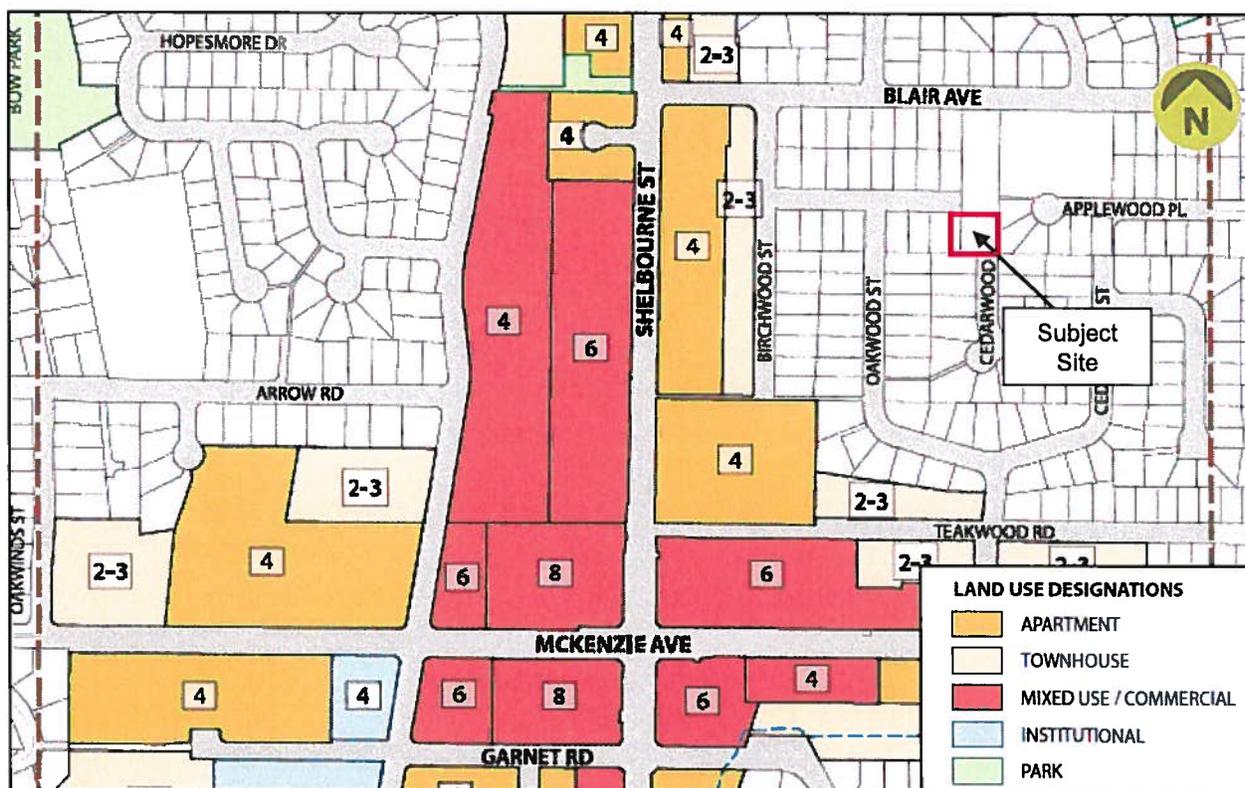
Figure 1: Neighbourhood Context

**Proposed Land Use**

The proposed three lot subdivision is the second phase of subdividing the parent parcel at 1715 Blair Avenue. The northern portion of the parent parcel has been subdivided under the existing RS-6 (Single Family Dwelling) Zone into five parcels, including the subject property at 1653 Alderwood Street. As part of the first phase of the subdivision, the Alderwood Street cul-de-sac was acquired and dedication for a 2 m wide pathway connecting eastward to Applewood Place was secured.

The property at 1653 Alderwood Street is one of two properties included in the proposal to rezone to the RS-4 (Single Family Dwelling) Zone and subdivide to create a total of three lots. The adjacent property at 1649 Alderwood Street, owned by the District of Saanich, is also part of the rezoning proposal. There is a sales agreement in place with the applicant should the rezoning be successful.

The site is also within the study area of the Shelbourne Valley Action Plan. It is approximately 250 m from the Shelbourne Corridor, within an area identified as residential neighbourhood.



**Figure 2: Property Location within Shelbourne Valley Action Plan**

**Site and Building Design**

The applicant has provided house plans for three new dwellings that they are willing to commit to by covenant. The proposed dwellings would be between 180 – 200 m<sup>2</sup> gross floor area, they would not include any basement area, they would have attached two car garages, and secondary suites. The modern design would include a mix of flat and low pitched roofs, covered entranceways, and a mix of cedar plank, cement board panels, and cement planks as the exterior materials.

A 3 m wide statutory right-of-way would be granted to provide a pedestrian connection to Cedarwood Close through Lot B, parallel to the eastern property line, adjacent to Lot C. The pathway would connect Cedarwood Close to the Alderwood Street cul-de-sac in a north-south direction. From the cul-de-sac, a dedicated 2 m walkway would connect to Applewood Place in an east-west direction.

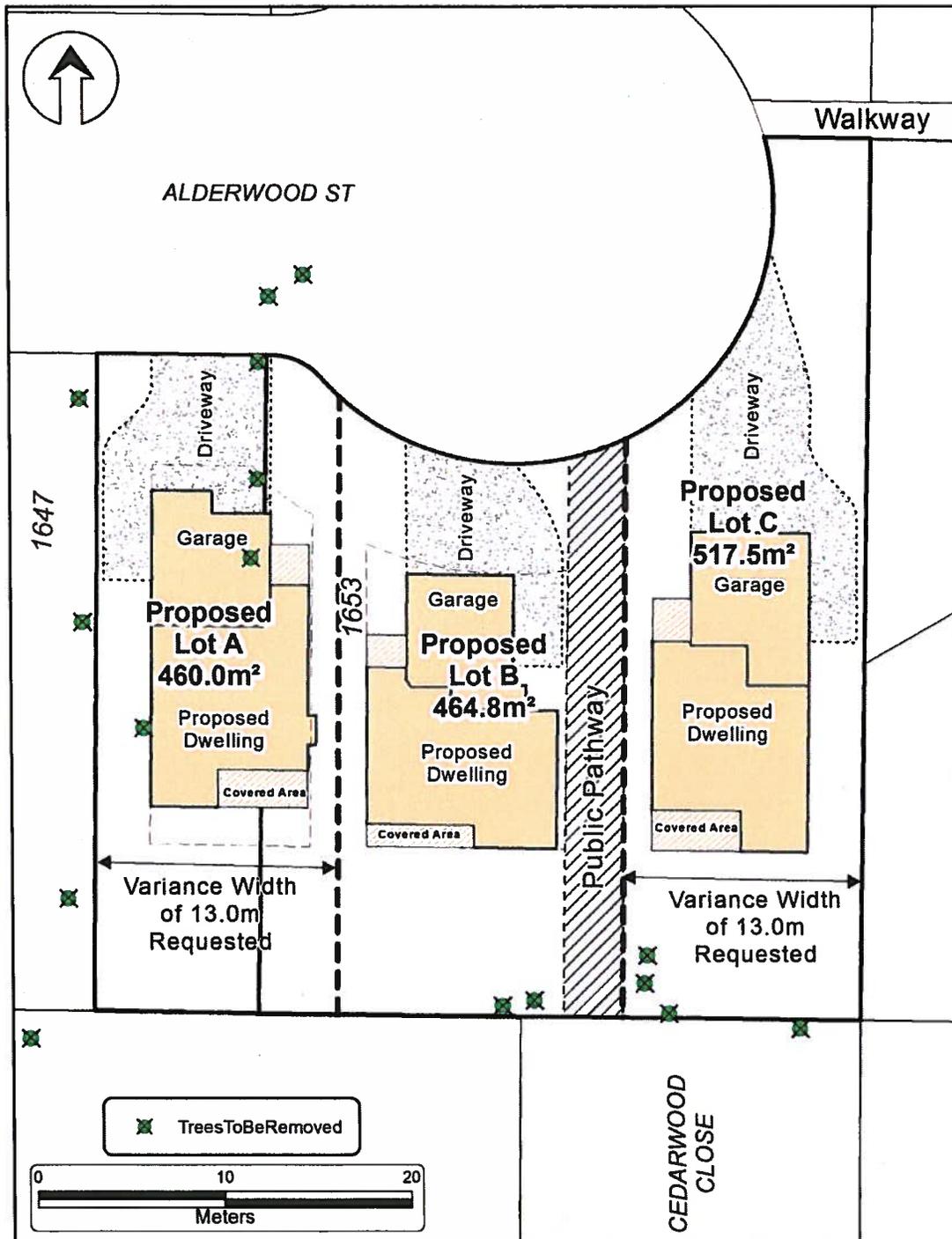


Figure 3: Proposed Subdivision



Figure 4: Lot A Front Elevation (Provided by Java Designs)



Figure 5: Lot B Front Elevation (Provided by Java Designs)

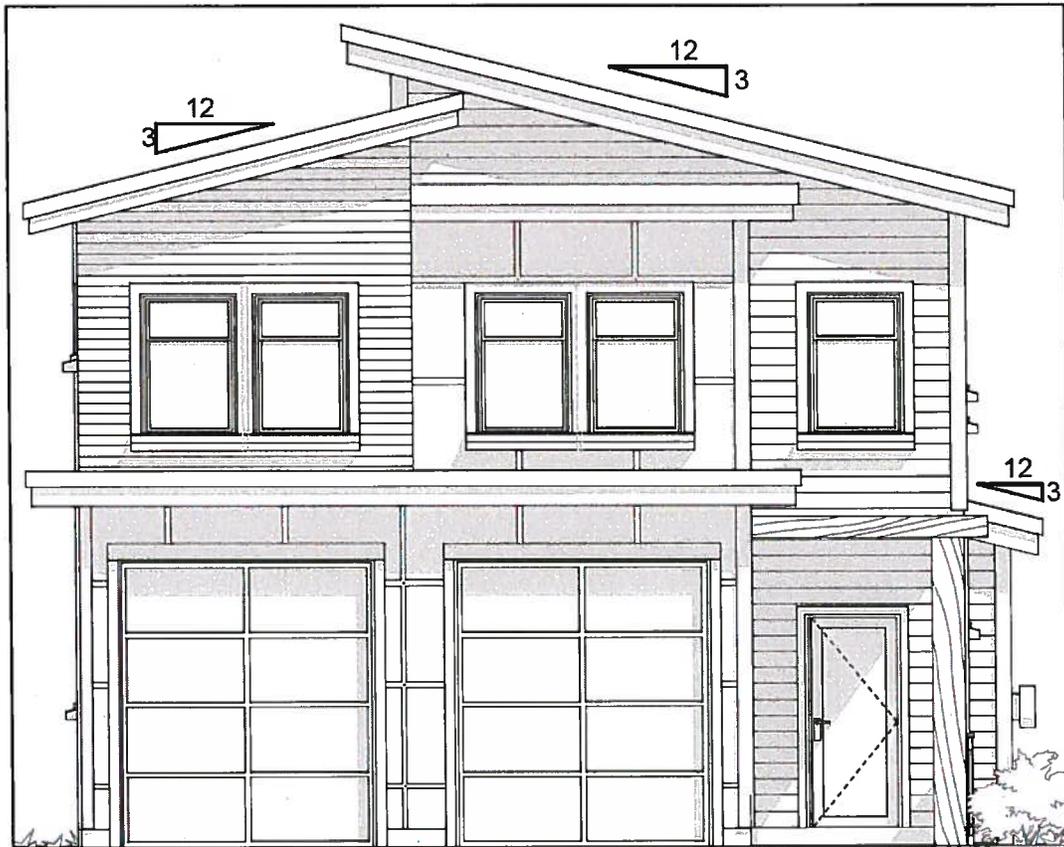


Figure 6: Lot C Front Elevation (Provided by Java Designs)



Figure 7: Conceptual Renderings of Proposed Dwellings (Provided by Java Designs)

### VariANCES

Variations to lot width are required for Proposed Lots A and C. The RS-4 zone requires a minimum width of 14 m, whereas a width of 13 m is proposed for Lots A and C. All lots would have useable outdoor area, having rear yards with a depth of 9 m or more. House plans have been designed based on the lot dimensions, which conform to the RS-4 zone provisions.

### **Consultation**

The applicants hosted a community meeting with the neighbours prior to submitting the application, as well as having follow up phone calls or meeting with individual neighbours as required. Consideration of a townhouse development on the site was discussed, however neighbourhood feedback indicated creating single family lots was preferred. The inclusion of the pedestrian pathway was also a topic of concern and based on neighbourhood input the proposed pathway was sited between two of the proposed lots rather than adjacent to an existing single family lot.

A referral was sent from the Planning Department to the Gordon Head Residents' Association. A response was received noting they have no objection to the proposal.

### **ALTERNATIVES**

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

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

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

Should Council decide to reject the recommendations contained in this report, the implications are that the proposed rezoning and subdivision as presented would not proceed. A two lot subdivision of 1653 Alderwood Street under the existing RS-6 zoning would be expected, which would not require the land sale of 1649 Alderwood Street.

3. That Council provide alternate direction to Staff.

Should Council provide alternate direction to staff, the implications are that staff would work with the applicant to address comments from Council. The applicant would undertake any necessary revisions to the plans, and would resubmit their proposal for review by staff, and ultimately consideration by Council.

### **FINANCIAL IMPLICATIONS**

The proposal has no immediate implications related to the District of Saanich Financial Plan.

### **STRATEGIC PLAN IMPLICATIONS**

The proposal has no implications to the District of Saanich 2015-2018 Strategic Plan.

### **PLANNING IMPLICATIONS**

#### **Policy**

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

#### Official Community Plan (2008)

- 4.2.1.1 "Support and implement the eight strategic initiatives of the Regional Growth Strategy, namely: Keep urban settlement compact; Protect the integrity of rural communities; Protect regional green and blue space; Manage natural resources and

the environment sustainably; Build complete communities; Improve housing affordability; Increase transportation choice; and Strengthen the regional economy.”

- 4.2.1.2 “Maintain the Urban Containment Boundary as the principal tool for growth management in Saanich, and encourage all new development to locate within the Urban Containment Boundary.”
- 4.2.1.14 “Encourage the use of ‘green technologies’ in the design of all new buildings.”
- 4.2.1.18 “Encourage new development to achieve higher energy and environmental performance through programmes such as ‘Built Green’, LEED or similar accreditation systems.”
- 4.2.2.3 “Consider the use of variances to development control bylaws where they would achieve a more appropriate development in terms of streetscape, pedestrian environment, view protection, overall site design, and compatibility with neighbourhood character and adjoining properties.”
- 4.2.4.3 “Support the following building types and land uses in Neighbourhoods:
- single family dwellings;
  - duplexes, tri-plexes, and four-plexes;
  - townhouses;
  - low-rise residential (up to 4 storeys); and
  - mixed-use (commercial/ residential)(up to 4 storeys).”
- 4.2.8.13 “Work with private land owners to acquire trail rights-of-way or easements to complete the trails network and encourage the donation or bequest of privately owned lands that support the objectives of the Parks and Recreation Master Plan, and assist prospective donors in determining eligibility for tax deductions.”
- 4.2.9.6 “Encourage and support non-vehicular transportation by providing a safe, interconnected, accessible and visually appealing cycling and walking network.”
- 4.2.9.11 “Identify future trails, footpaths, and bikeways and acquire rights-of-way or easements at the time of rezoning or subdivision, in order to create high quality pedestrian and bicycle networks through the community.”

#### Gordon Head Local Area Plan (1997)

- 5.1 “Maintain single family housing as the principle form of development.”
- 5.3 “Consider applications to rezone to permit subdivision having due regard for the prevalent lot size in the area, site specific tree location information, and preservation of environmentally significant areas.”
- 5.6 “Evaluate the need for Greenway links and pedestrian access when reviewing subdivision and rezoning applications and require dedication where appropriate.”
- 8.5 “Dedicate pedestrian/ Greenway links through the subdivision and development approval process.”

- 9.2 “Acquire rights-of-way for footpaths, sidewalks, bikeway and greenway linkages particularly at the time of subdivision to ensure convenient access to schools, bus stops, shopping, parks and to provide for circular pedestrian recreational routes, and require construction by the developer where applicable.”

Map 9.1 Identifies the property as “Consider pedestrian links at time of subdivision.”

### Shelbourne Valley Action Plan

The subject property is within the study area for the Shelbourne Valley Action Plan (SVAP).

- 5.4.1 “Promote a range of housing types, forms and tenures to support a diverse, inclusive and multigenerational community.”
- 6.1.2 “Acquire rights-of-way or easements for trails or footpaths at the time of rezoning or subdivision.”

### **Analysis**

The proposal is consistent with the Official Community Plan which contemplates limited infill in neighbourhoods inside the Urban Containment Boundary. Similarly the Gordon Head Local Area Plan supports rezoning for subdivision with consideration of the prevalent lot size in the area, site specific tree location information, and preservation of environmentally significant areas. Policies and design guidelines in the Shelbourne Valley Action Plan focus largely on redevelopment along the corridor with an emphasis on multi-family or mixed-use developments. However, the proposed dwelling would include suites, which would advance policy 5.4.1 and securing a new pedestrian path would be consistent with policy 6.1.2.

The single family residential use of the land would not change with this application and the proposed lots are consistent with the minimum lot sizes permitted under the proposed zoning. A multi-family development is immediately to the east of the property and there are a number of duplex developments in the surrounding area. The proposed RS-4 sized lots at 460 – 517 m<sup>2</sup> would be slightly smaller than adjacent properties which tend to range from 560 – 750 m<sup>2</sup>, however the pattern of development would be consistent with the neighbourhood. Creating three infill lots would be consistent with the surrounding area that is predominantly single family dwellings.

An important consideration with infill developments is that the scale, massing, and design of any proposed infill housing respects the neighbourhood character. Many of the neighbouring homes on Alderwood Street or Cedarwood Close were constructed in the mid-1960’s, with homes on Applewood Close generally constructed in the late-1980’s. Most of the surrounding houses are split level entry, 2-storey homes. Four dwellings are under construction on the newly created lots north of the Alderwood Street cul-de-sac.

The three proposed dwellings have a modern design, which would be compatible with the new dwellings constructed on the north side of the cul-de-sac. All three homes include a covered entranceway, secondary suite, and double car garage.

The proposal would improve pedestrian and cycling connectivity both in the north-south and east-west direction either through land dedication or granting a statutory right-of-way.

Variances to lot width are required for Proposed Lots A and C. The RS-4 zone requires a minimum lot width of 14 m, whereas a width of 13 m for Lots A and Lot C is proposed. All lots would have useable outdoor area, having rear yards with a depth of 9 m or more. The proposed lot configuration would provide for adequate building envelopes and house plans have been designed for the lots that conform to the proposed RS-4 zone provisions (setback, lot coverage, height, density). The applicant is willing to secure the proposed house design by covenant. Given the above, the variances are supportable.

### **Servicing**

No land dedication or road improvements are required for the subject application as they were acquired when the parent parcel was recently created and the cul-de-sac was completed. New services for water, sewer, and storm drain will be provided for all lots.

Stormwater management must be provided in accordance with the requirements of Schedule H "Engineering Specifications" of the Subdivision Bylaw. This subdivision is within a Type II watershed area which requires stormwater storage, oil/grit separator or grass swale and sediment basin.

### **Environment**

There are three non-bylaw protected trees that would be removed as they conflict with the building envelope for proposed Lot A. One Schedule I boulevard tree would be required.

Sustainable development practices would be followed and the applicant has committed that construction would meet, or be equivalent to EnerGuide 82. The applicant would also construct the dwellings to be solar ready. These commitments would be secured by covenant.

### **Climate Change and Sustainability**

The Official Community Plan (OCP) adopted in 2008 highlights the importance of climate change and sustainability. The OCP is broadly broken down into the pillars of sustainability including environmental integrity, social well-being, and economic vibrancy. Climate change is addressed under the environmental integrity section of the OCP and through Saanich's Climate Action Plan.

The following is a summary of the Climate Change and Sustainability features and issues related to the proposed development. This section is not and cannot be an exhaustive list or examination of the issue. However, this section is meant to highlight key issues for council and keep this subject matter at the forefront of council's discussion.

#### Climate Change

This section includes the specific features of a proposal related to mitigation and adaptation strategies. Considerations include: 1) Project location and site resilience, 2) Energy and the built environment, 3) Sustainable transportation, 4) Food security, and 5) Waste diversion.

The proposed development includes the following features related to mitigation and adaptation:

- The proposal is located within the Urban Containment Boundary.
- Walking distance to Mount Douglas Secondary School is approximately 700 m and to the Montessori School (former Fairburn Elementary) is approximately 850 m.

- Recreation facilities at the Gordon Head Recreation Facility and Lambrick Park are within 1 km.
- The proposal is an in-fill development that is able to use existing roads and infrastructure to service the development.
- Sustainable development practices would be followed and the applicant has committed that construction would meet, or be equivalent to EnerGuide 82. This commitment would be secured by covenant.
- The proposed development will include the necessary conduit to be considered solar ready for the future installation of solar photovoltaic or hot water heating systems. This commitment would be secured by covenant.
- The proposed development would encourage alternative forms of transportation by providing new connections to the cycling and pedestrian network.
- The property is located approximately 250 m from bus stops on Blair Avenue, 400 m on Shelbourne Street, and 600 m on McKenzie Avenue.
- Bus routes on Blair Avenue and Shelbourne Street are considered frequent routes with service every 15 minutes or better between 7 am to 7 pm Monday to Friday. Bus routes on McKenzie Avenue are considered regional routes with service every 15 to 60 minutes or better.
- Available bus routes provide service between the University of Victoria or Gordon Head to downtown Victoria, Esquimalt, or Royal Roads.
- The development is readily accessible via all modes of alternative transportation including walking, cycling, and public transit.
- The proposed development includes sufficient area suitable for backyard gardening.
- The property is conveniently located within 600 m of major grocery stores located at the University Heights Shopping Centre and Tuscany Village.

### Sustainability

#### *Environmental Integrity*

This section includes the specific features of a proposal and how it impacts the natural environment. Considerations include: 1) Land disturbance, 2) Nature conservation, and 3) Protecting water resources.

The proposed development includes the following features related to the natural environment:

- The proposal is a compact, infill development without putting pressures onto environmentally sensitive areas or undisturbed lands.

#### *Social Well-being*

This section includes the specific features of a proposal and how it impacts the social well-being of our community. Considerations include: 1) Housing diversity, 2) Human-scale pedestrian oriented developments, and 3) Community features.

The proposed development includes the following features related to social well-being:

- The applicant has agreed to register a covenant securing the design of new dwellings for the proposed lots.
- The residential design incorporates outdoor areas of that are suitable for active use and seating.

- The proposed dwellings would include a secondary suite, which is allowed through a building permit process for all RS zoned parcels within the Urban Containment Boundary. Suites provide an alternative form of accommodation within our neighbourhoods and can make housing more affordable by allowing home owners to benefit from rental revenue.
- A range of outdoor, community, and recreation opportunities are available within reasonable walking/cycling distance.

### *Economic Vibrancy*

This section includes the specific features of a proposal and how it impacts the economic vibrancy of our community. Considerations include: 1) Employment, 2) Building local economy, and 3) Long-term resiliency.

The proposed development includes the following features related to economic vibrancy:

- The development would create short-term jobs during the construction period with local suppliers/trades used for construction.
- The proposal would be within the commercial catchment/employment area for the businesses and services located within the University Major "Centre".
- Home based businesses would be permissible in this development.

### **CONCLUSION**

The proposal is to rezone two lots from RS-6 (Single Family Dwelling) Zone to RS-4 (Single Family Dwelling) Zone to create one additional lot for single family dwelling use resulting in a total of three lots. A variance for lot width for proposed Lots A and C is requested.

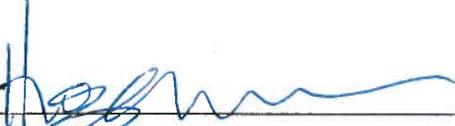
The proposed subdivision would generally fit with the surrounding pattern of development for single family homes. The applicant has provided house plans for the new dwellings that they are willing to commit to by covenant. The proposed house designs have been based on the lot dimensions and conform to the provisions of the proposed RS-4 zone.

The proposal complies with a number of OCP policies of supporting development within the Urban Containment Boundary, therefore protecting rural lands and environmentally sensitive areas. The proposed infill development would make use of a vacant underutilized parcel and be located where there are adequate services and infrastructure in place to support the development. Increasing density in urban areas where alternative modes of travel (walking, cycling, and public transit) are feasible options to the automobile also helps to build compact walkable neighbourhoods.

For the above-noted reasons, staff support the subject Rezoning and Development Variance Permit.

Prepared by   
Andrea Pickard  
Planner

Reviewed by   
Jarret Matanowitsch  
Manager of Current Planning

Approved by   
Sharon Hvozdzanski  
Director of Planning

APK/ads  
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Attachments

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

**ADMINISTRATOR'S COMMENTS:**

I endorse the recommendation from the Director of Planning.

  
\_\_\_\_\_

Paul Thorkelsson, Administrator

DISTRICT OF SAANICH

DVP00384

DEVELOPMENT VARIANCE PERMIT

To: Blair Street Properties Inc., Inc. No. BC1058698
300 - 4392 West Saanich Road
Victoria BC V8Z 3E9

the owner of lands known and described as:

Lot 5, Section 56, Victoria District, Plan EPP65180
1653 Alderwood Street

Lot 22, Section 56, Victoria District, Plan 18261
1649 Alderwood Street

(herein called "the lands")

- 1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by the Permit.
2. This Development Variance Permit applies to the lands.
3. The owner has submitted to the Approving Officer a tentative plan of subdivision to subdivide Lots 5 and 22 into three lots as shown on the plan of subdivision prepared by McElhanney Associates Land Surveying Ltd. received on February 20, 2017, a copy of which is attached hereto.

(herein called "the subdivision")

- 4. The Development Variance Permit varies the provisions of the Zoning Bylaw 8200, as follows:

By varying the provisions of Zoning Bylaw 8200, Section 205.6 (a) to permit proposed Lots A and C to have a minimum width of 13.0 m.

- 5. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE MUNICIPAL COUNCIL ON THE

DAY OF 20

ISSUED THIS DAY OF 20

Municipal Clerk

# Memo

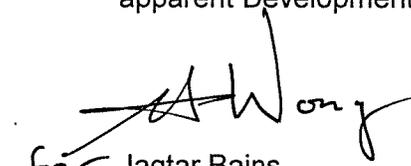
**To:** Subdivision Office  
**From:** Jagtar Bains – Development Coordinator  
**Date:** March 17, 2017  
**Subject:** Servicing Requirements for Development

---

**PROJECT: TO REZONE TWO LOTS FROM RS-6 TO RS-4 TO CREATE ONE  
ADDITIONAL LOT FOR SINGLE FAMILY DWELLING USE RESULTING**

**SITE ADDRESS: 0 ALDERWOOD ST**  
**PID: 003-880-656**  
**LEGAL: LOT 22 SECTION 56 VICTORIA DISTRICT PLAN 18261**  
**DEV. SERVICING FILE: SVS02075**  
**PROJECT NO: PRJ2016-00843**

The intent of this application is to subdivide the above referenced parcel. Some of the more apparent Development Servicing requirements are as listed on the following page.

  
for Jagtar Bains  
DEVELOPMENT COORDINATOR



# Development Servicing Requirements

Development File: SVS02075  
Civic Address: 1653 ALDERWOOD ST  
Page: 1

Date: Mar 17, 2017

## Drain

- 1: Subsequent drain connections will be required for proposed lots.
2. Storm water management must be provided in accordance with the requirements of Schedule H "Engineering Specifications" of Subdivision By-law. This subdivision/development is within Type II watershed area which requires storm water storage, oil/grit separator or grass swale and sediment basin. For further details, refer to section 3.5.16, Storm Water Management and Erosion Control of Schedule H "Engineering Specifications" of Subdivision By-law.

## Gen

1. This proposal is subject to the prevailing municipal development cost charges.

## Hydro/tel

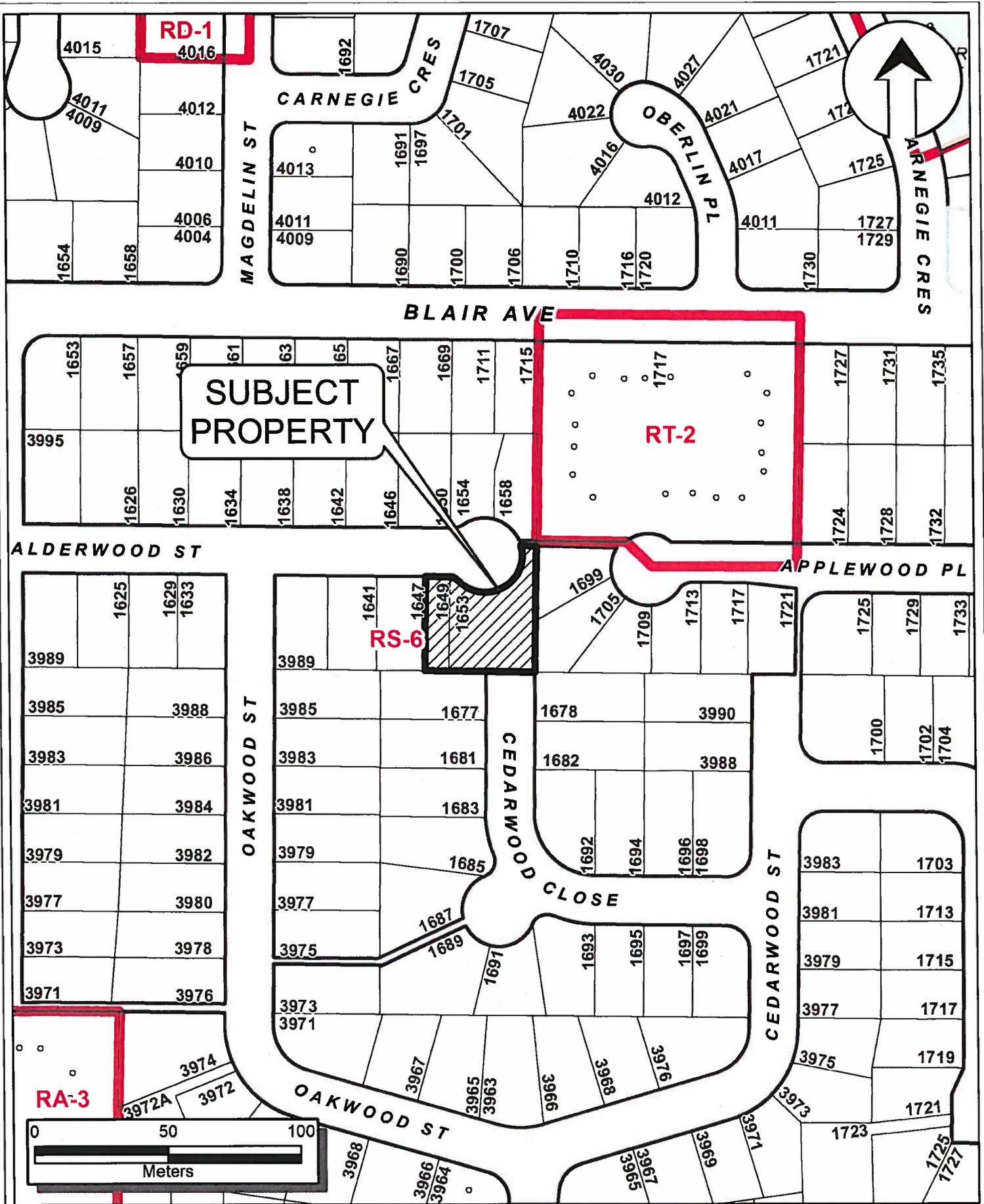
1. Underground wiring is required to serve all proposed lots.

## Sewer

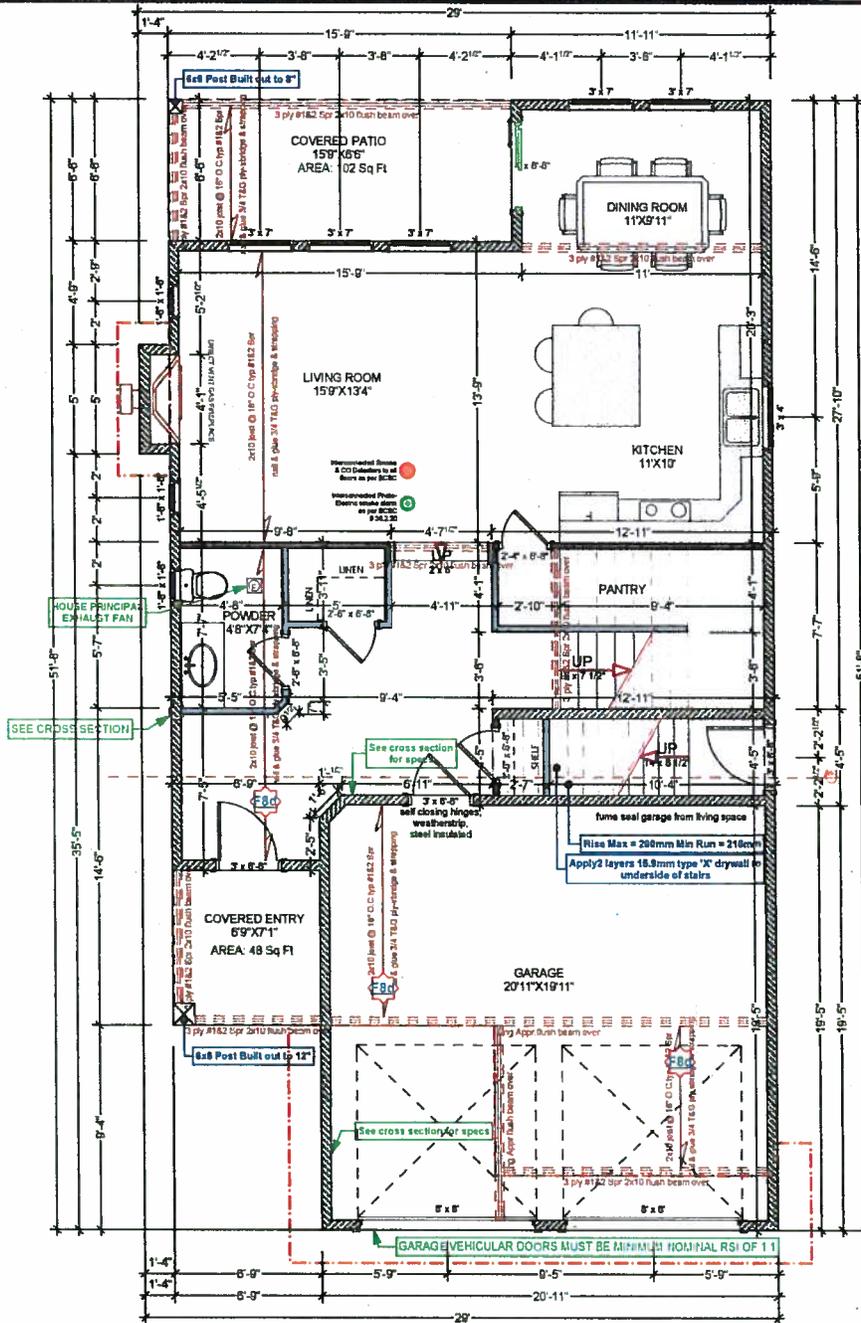
1. Subsequent sewer connections will be required for proposed lots.

## Water

1. Provisional water connections will be required for proposed lots.







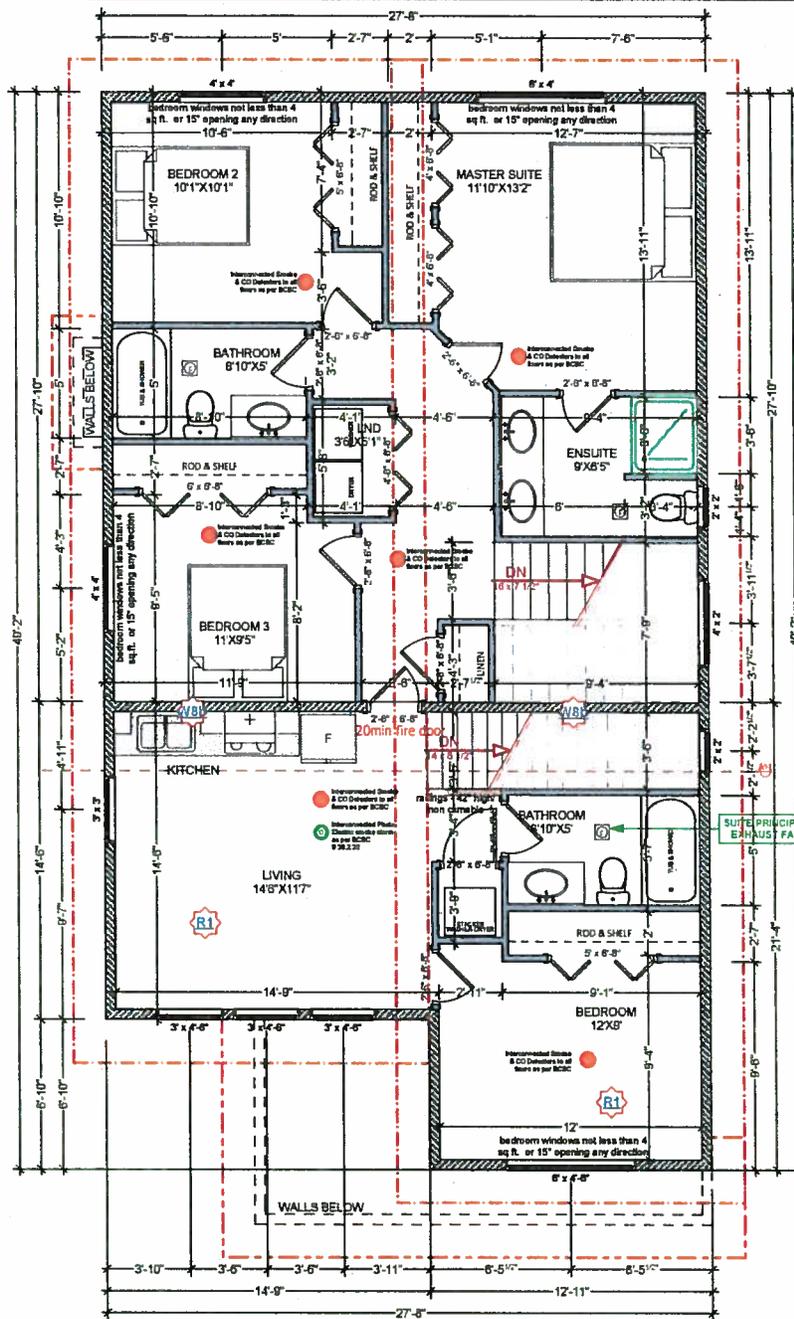

**MAIN FLOOR PLAN (9'-0 3/4" WALLS)**  
 SCALE: 1/4" = 1' - 0"  
 MAIN FLOOR AREA: 808 Sq Ft  
 GARAGE AREA: 415 Sq Ft

- ALL POT LIGHT CAVITIES IN CEILINGS, PLUMBING BOXES, FANS, ELECTRICAL PANELS.....IN PARTY WALLS TO BE COMPLETELY SEALED AND FIRE RATED WITH TYPE 'X' DRYWALL**
- |   |   |
|---|---|
| <p><b>F8d</b> DEMISING FLOOR: (30min as per F8d - Table A-9.10.3.1.B)</p> <ul style="list-style-type: none"> <li>• SUBFLOOR OF 18.8mm PLYWOOD, OSB OR WAFERBOARD, OR 17mm TONGUE AND GROOVE LUMBER</li> <li>• WOOD JOISTS OR WOOD I-JOISTS SPACED max. of 600mm O.C.</li> <li>• ABSORPTIVE MATERIAL IN CAVITY</li> <li>• RESILIENT METAL CHANNELS SPACED 600mm</li> <li>• 15.8mm TYPE 'X' GYPSUM BOARD</li> </ul> | <p><b>W8</b> DEMISING WALL: (45min as per W8b - Table A-9.10.3.1.A)</p> <ul style="list-style-type: none"> <li>• 2 layers of 12.7mm Type X gypsum board to one side</li> <li>• Two rows 38mm x 88mm studs spaced 600mm O.C. staggered on common 38mm x 140mm plate</li> <li>• 88mm thick absorptive material on one side</li> <li>• 12.7mm Type X gypsum board on other side</li> </ul> |
| <p><b>R1</b> DEMISING CEILING: (45min as per R1 - Table A-9.10.3.1.B)</p> <ul style="list-style-type: none"> <li>• WOOD TRUSSES SPACED NOT MORE THAN 600mm O.C.</li> <li>• 1 LAYER 15.8mm TYPE 'X' GYPSUM BOARD</li> </ul>  |   |


 ADD INTERCONNECTED PHOTO-ELECTRIC SMOKE ALARM CONFORMING TO ARTICLE 9.30.2.19 DWELLING UNITS TO BE SEPARATED FROM EACH OTHER BY A FIRE SEPARATION HAVING A FIRE-RESISTANCE RATING OF NOT LESS THAN 30 min, AS PER 9.30.2.15 (b)

CADILLAC\_LOT A\_FEB. 15, 2017


**JAVA DESIGNS**  
 WHERE LINES ON PAPER BECOME WALLS ON SITE  
 PH 250.590.2468 FX 250.590.4577 www.javadesigns.ca



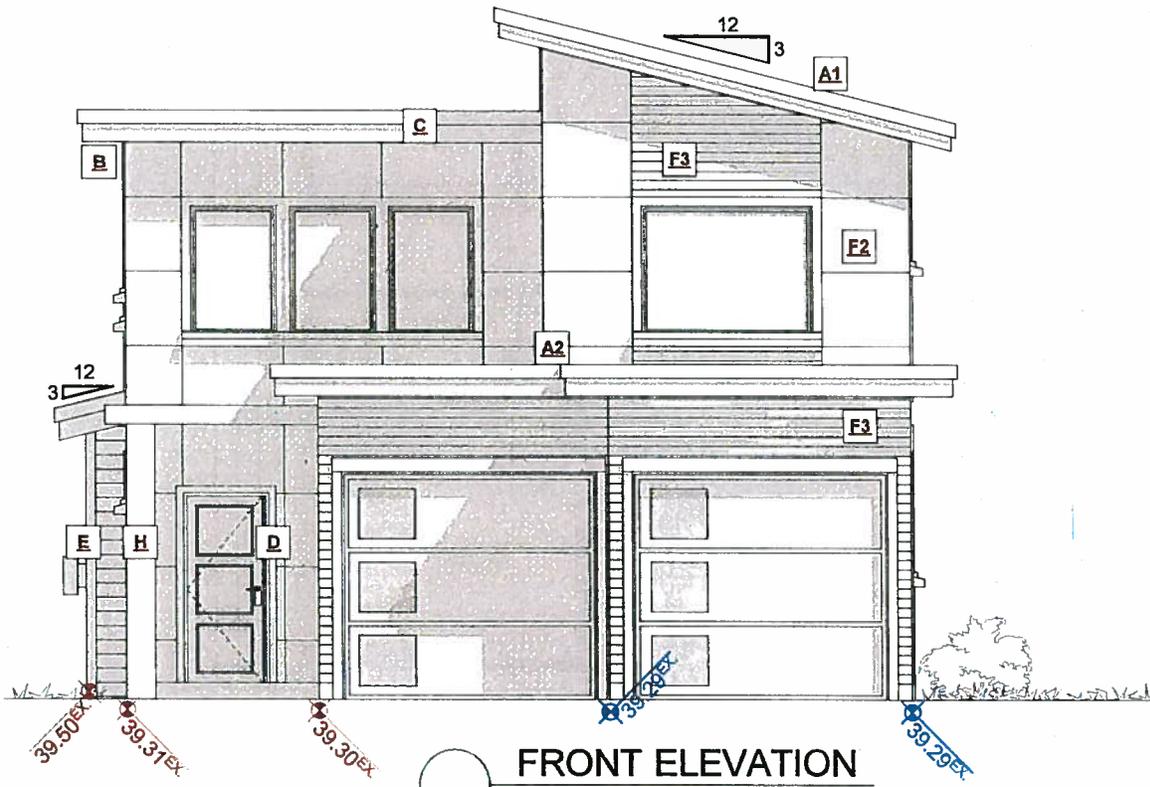
○ UPPER FLOOR PLAN (8'-0 3/4" WALLS)  
 SCALE: 1/4" = 1' - 0"  
 UPPER FLOOR AREA: 703 Sq Ft  
 SUITE AREA: 446 Sq Ft

<p><b>ALL POT LIGHT CAVITIES IN CEILINGS, PLUMBING BOXES, FANS, ELECTRICAL PANELS... IN PARTY WALLS TO BE COMPLETELY SEALED AND FIRE RATED WITH TYPE "X" DRYWALL.</b></p>	
<p><b>FR0</b>  <b>DEMISING FLOOR:</b> (45min. as per FR0 - Table A-9.10.3.1.B)        • SUBFLOOR OF 18.8mm PLYWOOD, OSB OR WAFFERBOARD, OR 17mm TONGUE AND GROOVE LUMBER        • WOOD JOISTS OR WOOD I-JOISTS SPACED max of 600mm O.C.        • ABSORPTIVE MATERIAL IN CAVITY        • RESILIENT METAL CHANNELS SPACED 600mm        • 18.8mm TYPE "X" GYPSUM BOARD</p>	<p><b>WB8</b>  <b>DEMISING WALL:</b> (45min. as per WB8 - Table A-9.10.3.1.A)        • 2 layers of 12.7mm Type X gypsum board to one side        • Two rows 38mm x 88mm studs spaced 600mm O.C. staggered on common 38mm x 140mm plate        • 88mm thick absorptive material on one side        • 12.7mm Type X gypsum board on other side</p>
<p><b>R1</b>  <b>DEMISING CEILING:</b>        (45min. as per R1 - Table A-9.10.3.1.B)        • WOOD TRUSSES SPACED NOT MORE THAN 600mm O.C.        • 1 LAYER 18.8mm TYPE "X" GYPSUM BOARD</p>	

● ADD INTERCONNECTED PHOTO-ELECTRIC SMOKE ALARM CONFORMING TO ARTICLE 9.36 2.19 DWELLING UNITS TO BE SEPARATED FROM EACH OTHER BY A FIRE SEPARATION HAVING A FIRE-RESISTANCE RATING OF NOT LESS THAN 30 min. AS PER 9.36 2.15 (b)

CADILLAC\_LOT A\_FEB. 15, 2017

**JAVA DESIGNS**  
 WHERE LINES ON PAPER BECOME WALLS ON SITE  
 PH 250.590.2468 FX 250.590.4577 www.javadesigns.ca

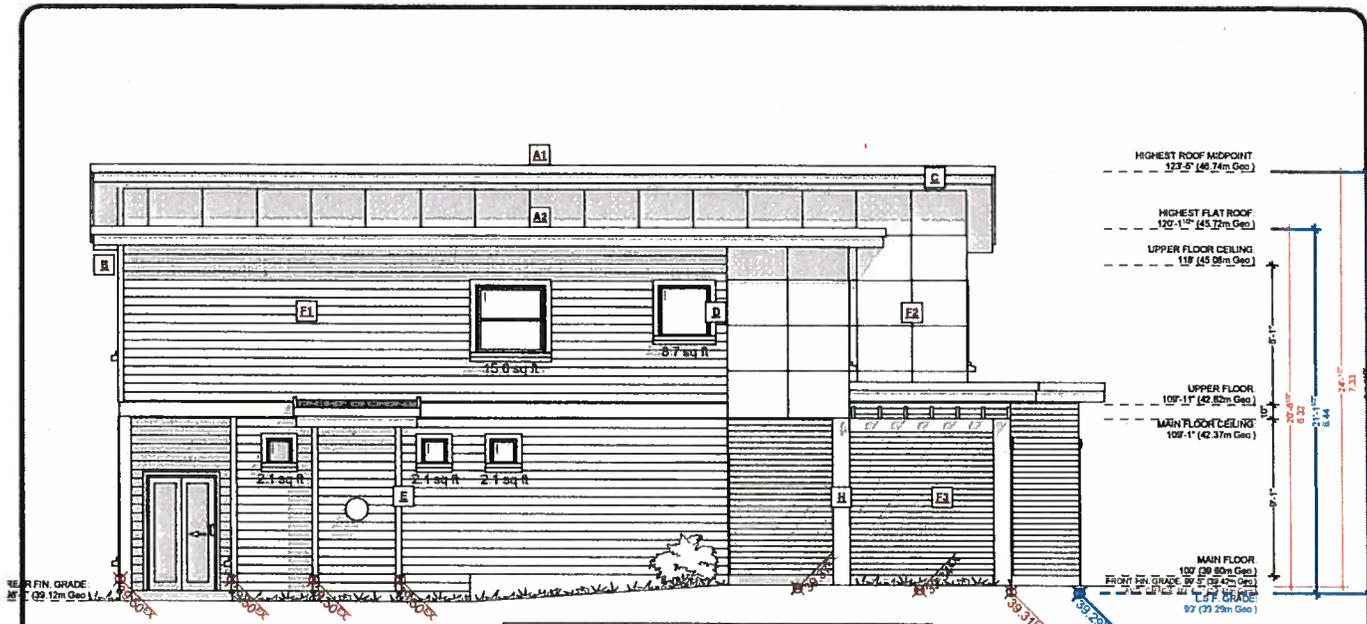


**FRONT ELEVATION**

SCALE: 1/4" = 1' - 0"

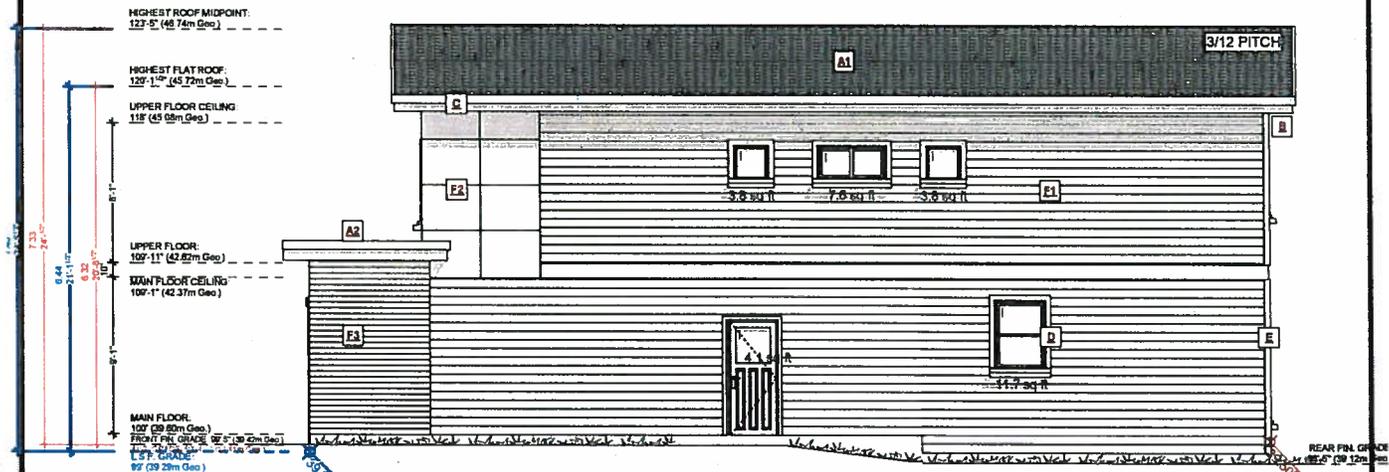
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LEFT ELEVATION  
SCALE: 1/4" = 1' - 0"

EXPOSING BUILDING FACE: 89.74m<sup>2</sup>  
 LIMITING DISTANCE: 1.65m  
 AREA OF GLAZED OPENINGS: 2.84m<sup>2</sup>  
 % GLAZED OPENINGS: 3.16%  
 45 min FIRE-RESISTANCE RATING: not required  
 TYPE OF CLADDING: no limits  
 PERMITTED % OF GLAZED OPENINGS (as per Table 9.10.15.4): 8.36%  
 PERMITTED AGGREGATE AREA OF GLAZED OPENINGS: 7.50m<sup>2</sup>



RIGHT ELEVATION  
SCALE: 1/4" = 1' - 0"

EXPOSING BUILDING FACE: 89.42m<sup>2</sup>  
 LIMITING DISTANCE: 3.00m  
 AREA OF GLAZED OPENINGS: 2.87m<sup>2</sup>  
 % GLAZED OPENINGS: 3.21%  
 45 min FIRE-RESISTANCE RATING: not required  
 TYPE OF CLADDING: no limits  
 PERMITTED % OF GLAZED OPENINGS (as per Table 9.10.15.4): 14.66%  
 PERMITTED AGGREGATE AREA OF GLAZED OPENINGS: 13.11m<sup>2</sup>

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**JAVA DESIGNS**  
 WHERE LINES ON PAPER BECOME WALLS ON SITE  
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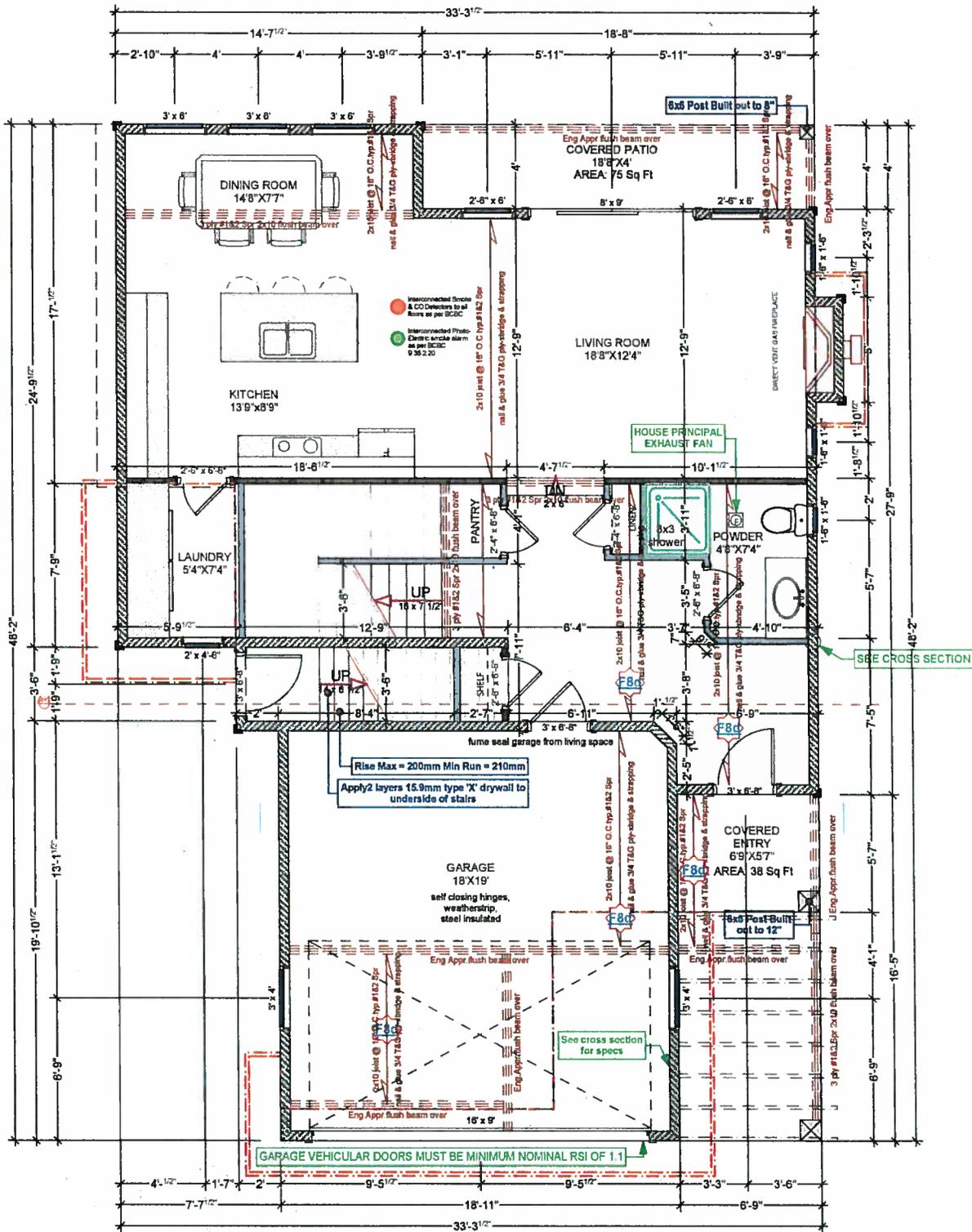
REAR ELEVATION

SCALE: 1/4" = 1' - 0"

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**JAVA DESIGNS**  
 WHERE LINES ON PAPER BECOME WALLS ON SITE  
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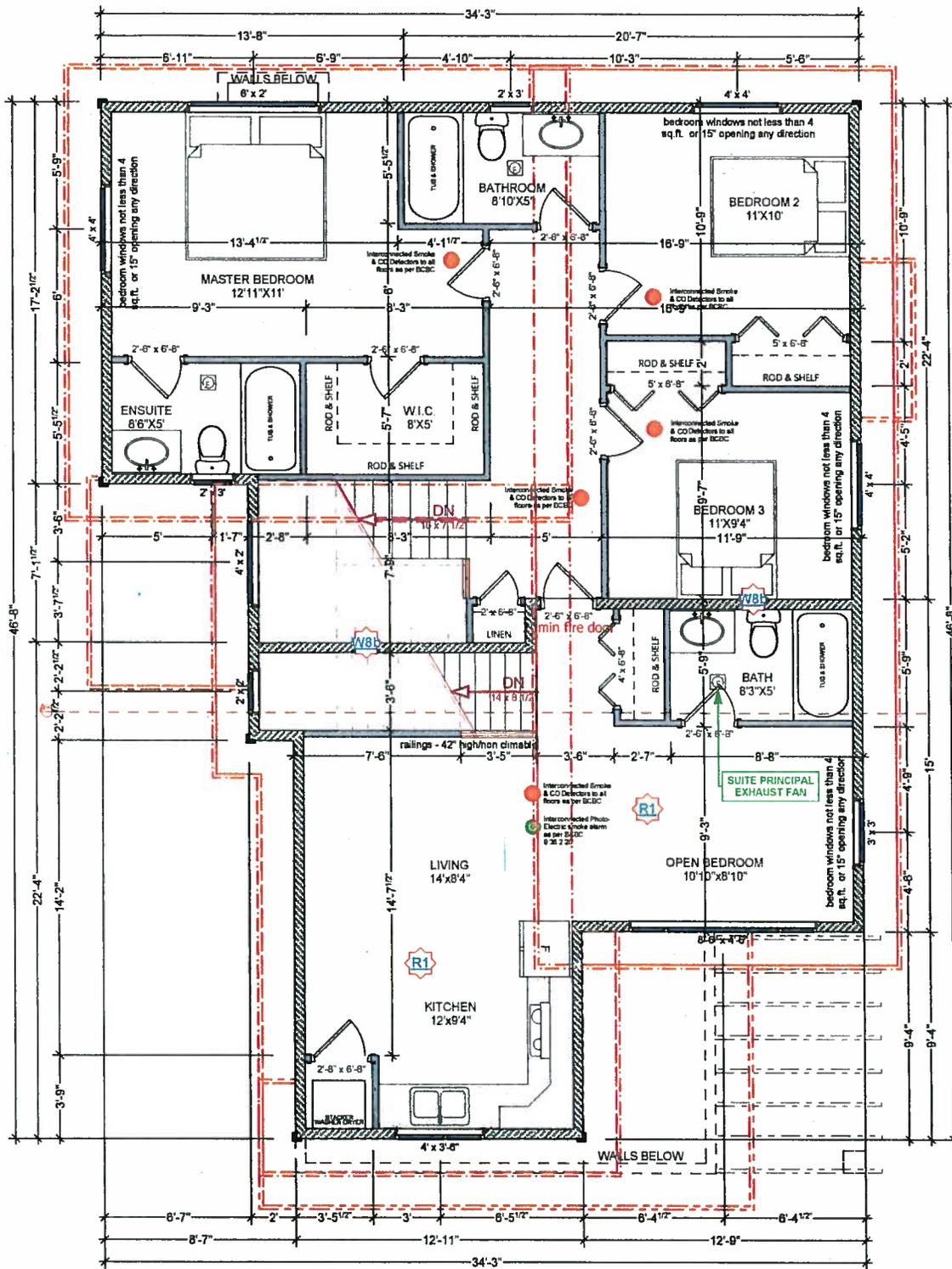


○ MAIN FLOOR PLAN (9'-0 3/4" WALLS)

SCALE: 1/4" = 1' - 0"  
 MAIN FLOOR AREA: 828 Sq Ft  
 GARAGE AREA: 428 Sq Ft

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**JAVA DESIGNS**  
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○ UPPER FLOOR PLAN (8'-0 3/4" WALLS)

SCALE: 1/4" = 1' - 0"

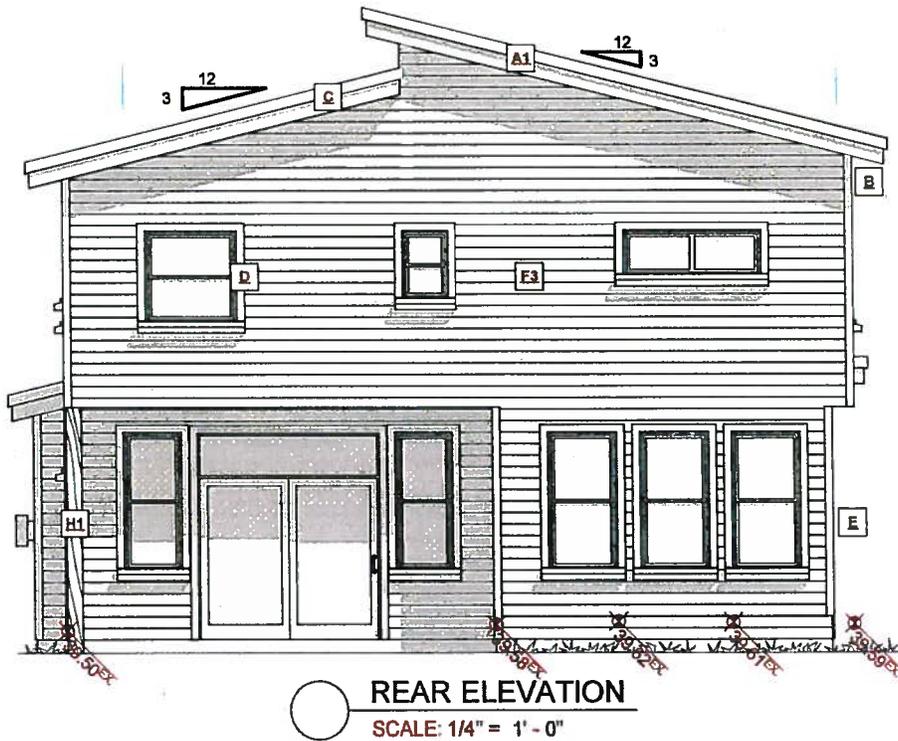
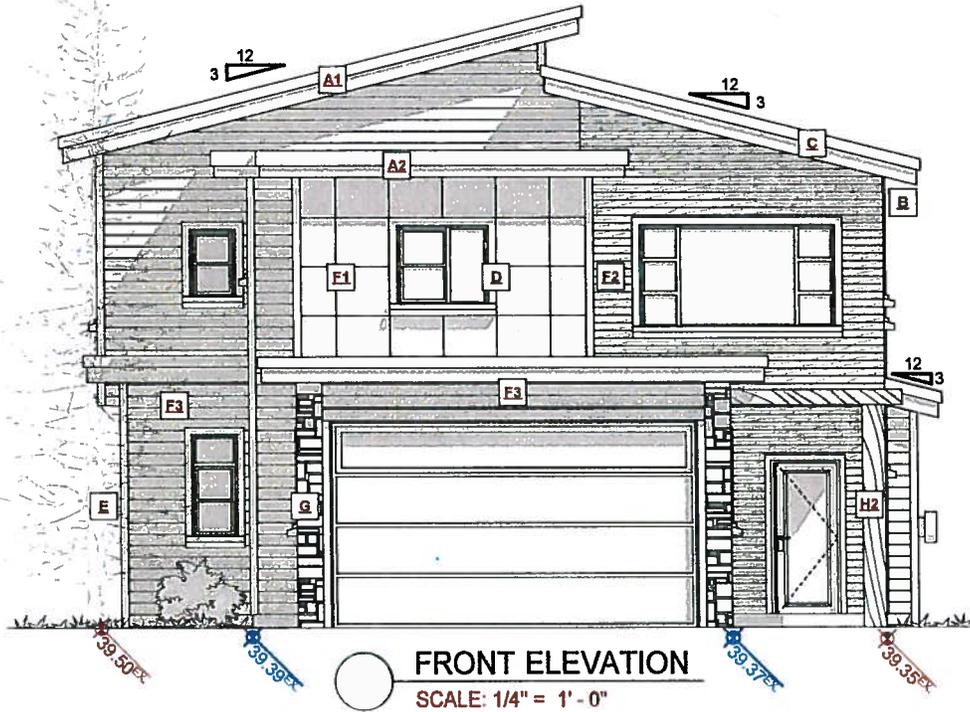
UPPER FLOOR AREA: 689 Sq Ft

SUITE AREA: 450 Sq Ft

TOTAL UPPER FLOOR AREA: 1,139 Sq Ft

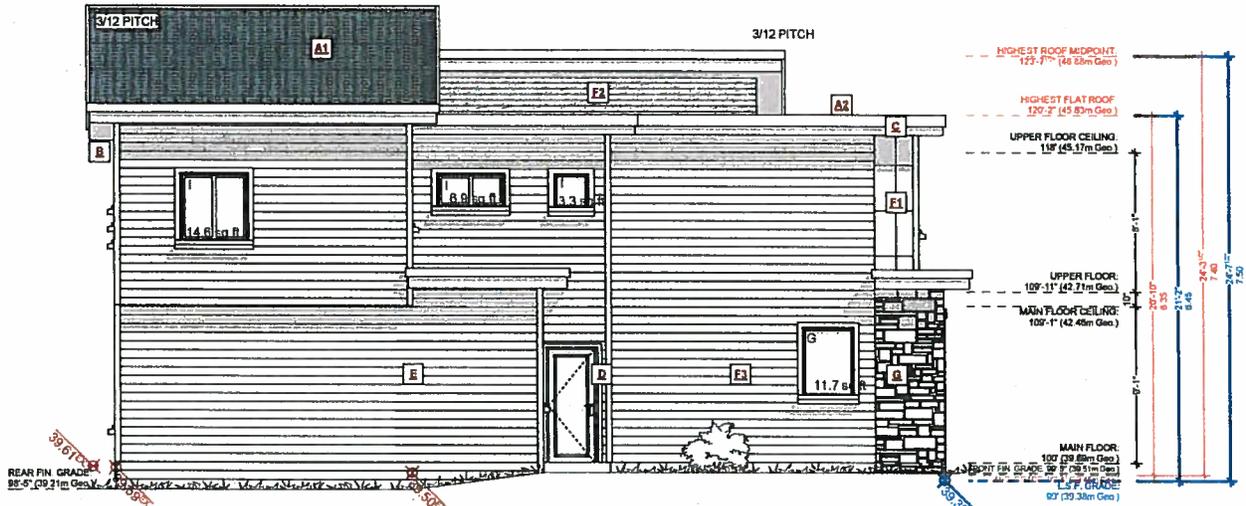
CADILLAC LOT B FEB. 15, 2017

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**LEFT ELEVATION**  
SCALE: 1/4" = 1' - 0"

EXPOSING BUILDING FACE: 89.38m<sup>2</sup>  
 LIMITING DISTANCE: 3.05m  
 AREA OF GLAZED OPENINGS: 3.39m<sup>2</sup>  
 % GLAZED OPENINGS: 3.79%  
 45 min FIRE-RESISTANCE RATING: not required  
 TYPE OF CLADDING: no limits  
 PERMITTED % OF GLAZED OPENINGS (as per Table 9.10.15.4): 13.5%  
 PERMITTED AGGREGATE AREA OF GLAZED OPENINGS: 12.07m<sup>2</sup>



**RIGHT ELEVATION**  
SCALE: 1/4" = 1' - 0"

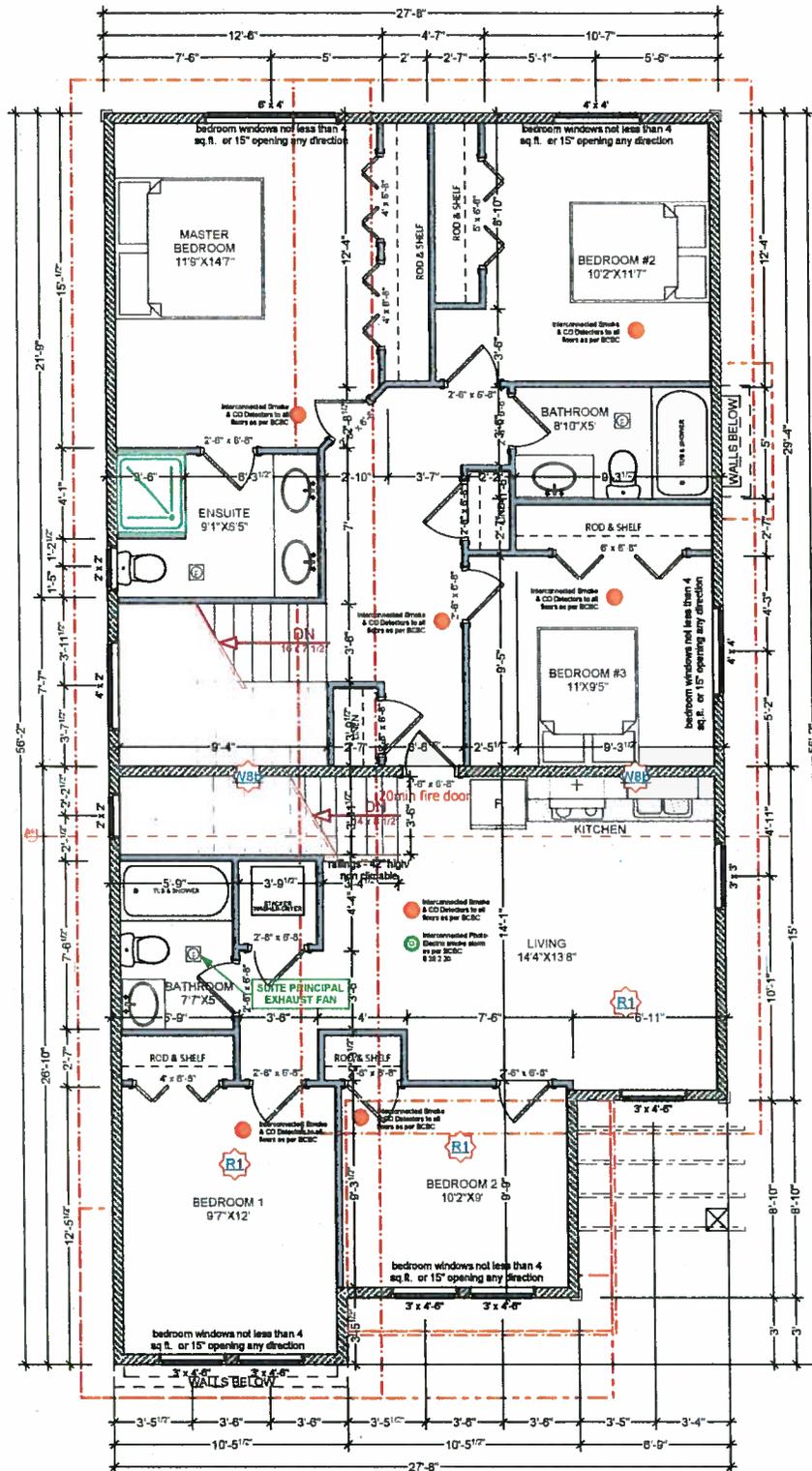
EXPOSING BUILDING FACE: 61.41m<sup>2</sup>  
 LIMITING DISTANCE: 1.57m  
 AREA OF GLAZED OPENINGS: 2.57m<sup>2</sup>  
 % GLAZED OPENINGS: 4.18%  
 45 min FIRE-RESISTANCE RATING: not required  
 TYPE OF CLADDING: no limits  
 PERMITTED % OF GLAZED OPENINGS (as per Table 9.10.15.4): 8.0%  
 PERMITTED AGGREGATE AREA OF GLAZED OPENINGS: 4.91m<sup>2</sup>

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○ UPPER FLOOR PLAN (8'-0 3/4" WALLS)

SCALE: 1/4" = 1' - 0"

HOUSE UPPER FLOOR AREA: 744 Sq Ft

SUITE FLOOR AREA: 587 Sq Ft

TOTAL UPPER FLOOR AREA: 1,331 Sq Ft

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**JAVA DESIGNS**  
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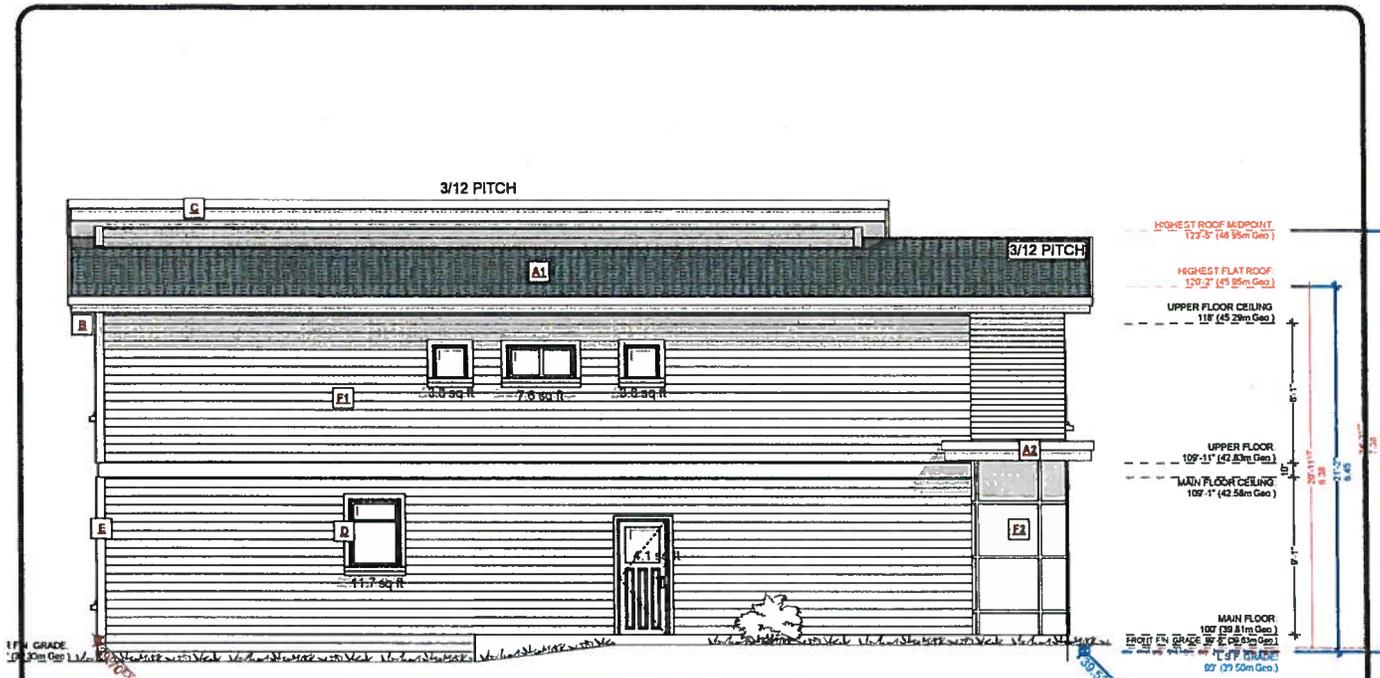


**FRONT ELEVATION**

SCALE: 1/4" = 1' - 0"

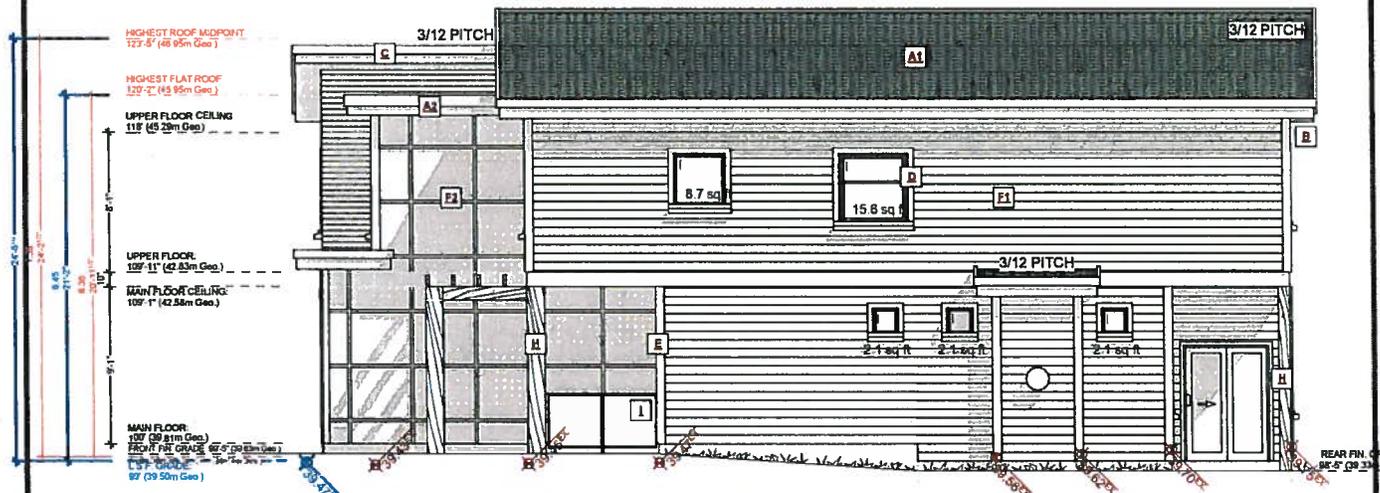
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**JAVA DESIGNS**  
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LEFT ELEVATION  
SCALE: 1/4" = 1' - 0"

EXPOSING BUILDING FACE: 103.68m<sup>2</sup>  
 LIMITING DISTANCE: 3.08m  
 AREA OF GLAZED OPENINGS: 2.87m<sup>2</sup>  
 % GLAZED OPENINGS: 2.77%  
 45 min FIRE-RESISTANCE RATING: not required  
 TYPE OF CLADDING: no limits  
 PERMITTED % OF GLAZED OPENINGS (as per Table 9.10.15.4): 8.0%  
 PERMITTED AGGREGATE AREA OF GLAZED OPENINGS: 8.28m<sup>2</sup>

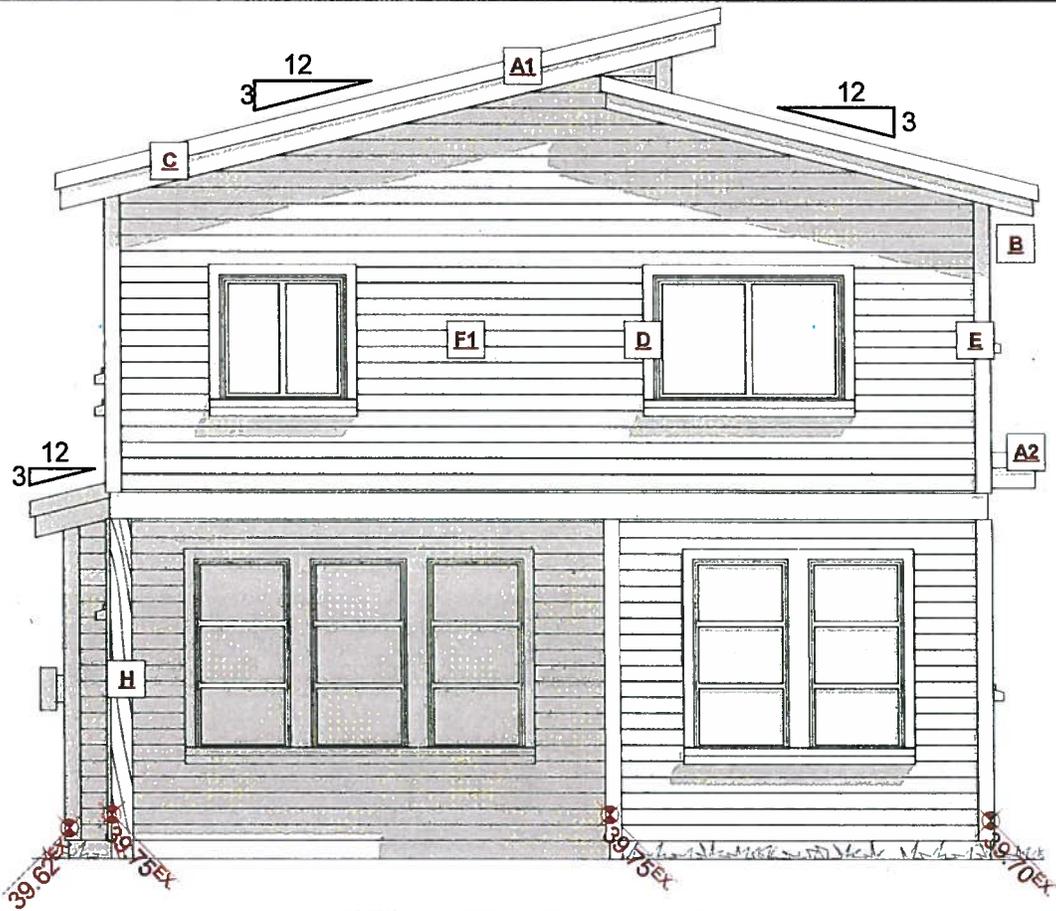


RIGHT ELEVATION  
SCALE: 1/4" = 1' - 0"

EXPOSING BUILDING FACE: 68.82m<sup>2</sup>  
 LIMITING DISTANCE: 1.51m  
 AREA OF GLAZED OPENINGS: 2.84m<sup>2</sup>  
 % GLAZED OPENINGS: 4.13%  
 45 min FIRE-RESISTANCE RATING: not required  
 TYPE OF CLADDING: no limits  
 PERMITTED % OF GLAZED OPENINGS (as per Table 9.10.15.4): 8.0%  
 PERMITTED AGGREGATE AREA OF GLAZED OPENINGS: 5.51m<sup>2</sup>

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**JAVA DESIGNS**  
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REAR ELEVATION

SCALE: 1/4" = 1' - 0"

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## Planning - Re: Saanich Referral

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**From:** Chris Skelton <[REDACTED]>  
**To:** "Planning.Mun\_Hall.Saanich@saanich.ca" <Planning.Mun\_Hall.Saanich@saanic...>  
**Date:** 3/10/2017 9:41 AM  
**Subject:** Re: Saanich Referral  
**CC:** Peter Ostergaard <[REDACTED]>

---

Hello Liz, the Gordon Head Residents' Association met last night and put forward the recommendation noted below. Thank you

Chris Poirier-Skelton, President  
Gordon Head Residents' Association

On Feb 23, 2017, at 2:39 PM, [Planning.Mun\\_Hall.Saanich@saanich.ca](mailto:Planning.Mun_Hall.Saanich@saanich.ca) wrote:

February 22, 2017

Dear Community Association:

**RE: Application for Subdivision:**

**Site Address:** 0 Alderwood St  
 1653 Alderwood St  
**Legal:** Lot 22 Section 56 Victoria District Plan 18261  
 Lot 5 Section 56 Victoria District Plan EPP65180  
**Folder #:** SUB00781; REZ00587; DVP00384

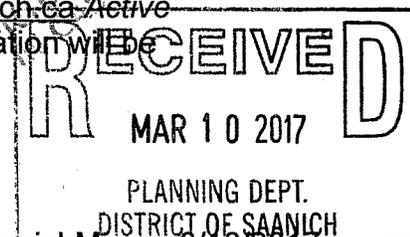
An application for subdivision has been received for a site within your Community Association area. The project is currently being referred to internal departments and external agencies for comment.

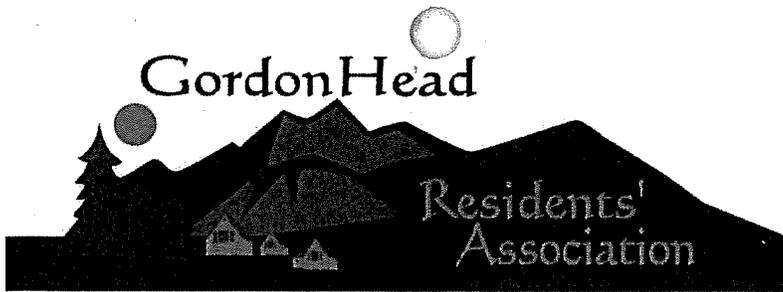
We are interested to know if your Community Association:

- Has no objection to the project
- Generally has no objection with suggested changes or concerns
- Does not support the project.

We would appreciate receiving your comments in writing or by email to [planning@saanich.ca](mailto:planning@saanich.ca) within 30 days, in order for us to consider them during the subdivision review process. If you cannot meet this time frame, please email or call our office to indicate if and when you might be able to respond to the referral.

It is suggested that you periodically check our website, [www.saanich.ca](http://www.saanich.ca) Active Development Applications as any revised site plans for this application will be posted there.





Gordon Head Residents' Association  
c/o Goward House  
2495 Arbutus Road  
Victoria, BC V8N 1V9

[www.gordonhead.ca](http://www.gordonhead.ca)

November 11<sup>th</sup>, 2016

Andrea Pickard  
Saanich Planning Department

Re: 1653/1649 Alderwood Project

Dear Andrea

The Gordon Head Residents' Association has been kept apprised of developments at and around 1715 Blair by Tri Eagle Development Corporation. We support the proposed sale of the small Saanich- owned lot known as 1649 Alderwood to Tri Eagle at fair market value in order to optimize the layout of the second phase of this subdivision."

Yours Truly

Chris Poirier-Skelton, President  
Gordon Head Residents' Association

