

# Request for Decision



To: Regular Meeting

From: **Development, Engineering and Planning**

Date: June 10, 2019

Subject: Development Permit Application – Environmentally Sensitive Area on North Boundary Drive, Proposed Mobile Home Park and Ecological Reserve (File: DP1904)

Recommendation: **THAT Council approves Development Permit Application No. DP1904 for a mobile home park and protection of an ecological reserve area on the 8000 block of Boundary Drive, legally described as Lots 16, 17 and 18, Block 1, Plan KAP586, District Lot 380, Land District 54.**

---

## Background

### Overview

The City has received a development permit application to address environmental issues adjacent to a future mobile home park on the west side of the northerly extent of Boundary Drive. The site location and application details are in Appendix “A”.

A portion of the most northerly Lot 18 contains a wetland and is located within the “Environmentally Sensitive Area (“ESA”) Development Permit Area”. Therefore, before proceeding with development of the mobile home park, a development permit to address the protection of the wetland is required. It is noted that the wetland area will be zoned as an ecological reserve and become part of the City’s protected natural area network.

The applicant engaged a qualified environmental professional to define the wetland and setback area. A copy of the report submitted, including a survey of the wetland area, is attached in Appendix “B”.

### Zoning Bylaw Amendment

A zoning bylaw amendment to rezone this property to CD-1 (Mobile Home Park and Ecological Reserve) was given 3<sup>rd</sup> reading by City Council on February 25<sup>th</sup>, 2019. Council stipulated that this bylaw could not proceed to final reading until the servicing agreement, development permit and all other identified issues are resolved to the satisfaction of the City. A servicing agreement has successfully been negotiated and staff is recommending that Council proceed with final reading of the zoning bylaw amendment on June 10, 2019 (see report and recommendation under separate cover).

### Environmentally Sensitive Area Guidelines

The purpose of the Environmentally Sensitive Development Permit Area is to protect the oxbow and wetland at this location, to address high water table levels, connectivity among the wetlands and to retain the natural area’s biodiversity and bird/animal habitat.

The guidelines (from Section 14.6.2 of the Official Community Plan) for this development permit area and a summary of how this proposal responds to the guidelines are described in Table 1 below:

<b>Table 1: Environmentally Sensitive Area - Development Permit Area Guidelines</b>	
<b>Guideline</b>	<b>Comments</b>
1. Wetlands should be adequately buffered by natural vegetation to filter out contaminants from storm water runoff and protect aquatic habitat and amenity values. In general, a minimum setback of at least 15 meters is needed for a buffer to assimilate pollutants. Building setbacks should be calculated from the landward edge of the wetland, at high water.	Natural vegetation will remain intact up to 15 metres from the edge of the wetland.
2. On site deposit of fill or construction materials that may affect the size, water quality, or ecological integrity of wetlands is discouraged, and will be subject to approval by the City and the Ministry of Environment.	Storm water retention and site runoff will be managed and low impact development standards implemented.
3. Other mitigation measures for wetlands may be required by the City and the Ministry of Environment.	Mitigation will occur as per the development permit.
4. Do not clear, grub or remove trees or undergrowth from the wetland area of the site without prior approval from the Ministry of Environment.	No clearing proposed.
5. Re-vegetation within and adjacent to the wetland should be with native species appropriate to the site.	Re-vegetation to occur as per the development permit.
6. Where the Ministry of Environment has requested it, vegetation or trees should be planted or retained in order to control erosion, protect banks or protect water quality and fisheries.	n/a
7. Where disturbance of the Environmentally Sensitive Area is unavoidable in order to construct or repair road, water, sewer, drainage, gas, underground wiring or other infrastructure, soil conservation measures such as silt fencing, matting and trapping should be used. The disturbed areas should then be replanted with natural vegetation immediately after the construction or repair is complete.	n/a, no disturbance proposed.
8. The sequence and timing of development should consider important fish and wildlife activities such as breeding, nesting and spawning seasons, and assist in minimizing soil erosion.	n/a, no disturbance proposed.
9. Areas to be preserved free of development should be temporarily fenced or otherwise protected from damage prior to starting development of the site, with care taken	There will be a fence or other separation between the ecological reserve area and the mobile home park.

Table 1: Environmentally Sensitive Area - Development Permit Area Guidelines	
Guideline	Comments
to include the root system of the trees within the fenced area.	
10. Infrastructure and facilities that allow public access and passive recreational uses should be planned in such a way that public safety is ensured, landowners are not disturbed, and there are no significant impacts on the area's ecological features and functions	n/a, no public access proposed (viewing access is provided from the old rail grade to the north).

### Development Permit

A draft Development Permit No. DP1904 is attached in Appendix "C". It outlines, among other conditions, requirements for development, setbacks and mitigation measures to minimize impacts of the mobile home park on the adjacent wetlands.

### Conclusion

This application complies with the environmental guidelines in the Official Community Plan and the requirements of the CD-1 zone (scheduled for final reading on June 10<sup>th</sup>, 2019). The environmentally sensitive area will be protected through a specific ecological zoning designation and measures will be taken to protect it during and after development of the mobile home park. In view of this, staff is recommending that the development permit be approved.

---

## Benefits or Impacts

### General

The development and mitigation conditions in this development permit will help retain and protect the natural wetland area on the site and contribute to the natural protected area network in the City.

### Strategic Impact



#### Community Engagement

- The zoning bylaw amendment associated with the application was considered at a Public Hearing and nearby property owners were advised of the project in writing.



#### Community Livability

- The conditions of this permit will provide for an ecological reserve helping offset carbon emissions and create protected natural open space in the community for plants, birds and animals.

### Policy/Legislation

The Official Community Plan and the Local Government Act.

## Attachments

Appendix “A”: Site and Application Information

Appendix “B”: Report from the Qualified Environmental Professional

Appendix “C”: Draft Development Permit No. DP1904

---

## Recommendation

**THAT Council approves Development Permit Application No. DP1904 for a mobile home park and protection of an ecological reserve area on the 8000 block of Boundary Drive, legally described as Lots 16, 17 and 18, Block 1, Plan KAP586, District Lot 380, Land District 54.**

## Options

1. THAT Council accepts the recommendation.
2. THAT Council does not accept the recommendation.
3. THAT Council refers the report back to staff for further information.

### Report Approval Details

Document Title:	2019-06-10 DP1904 North Boundary Drive Mobile Home Park.docx
Attachments:	- 2019-06-10 DP1904-Appendices.pdf
Final Approval Date:	Jun 3, 2019

This report and all of its attachments were approved and signed as outlined below:

**Dolores Sheets - May 31, 2019 - 3:43 PM**

**Diane Heinrich - Jun 3, 2019 - 9:20 AM**