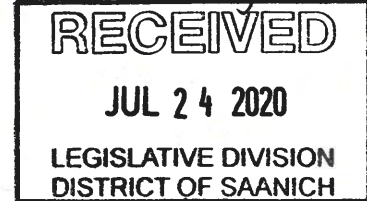




The Corporation of the District of Saanich

Report

C. 10 Aug 20



To: Mayor and Council
From: Sharon Hvozdzanski, Director of Planning
Date: July 23, 2020
Subject: Rezoning Application
File: REZ00640 • 226 Stevens Road

RECOMMENDATION

- 1. That the application to rezone from the P-4 (Recreation and Open Space) Zone to the P-4SC (Recreation Supervised Camping) Zone be approved.
2. That Final Reading of the Zoning Bylaw amendment be withheld pending registration of a covenant to secure the following:
- That overnight camping be restricted to participants in programs under the direction of "Power To Be"; and
- That overnight camping be restricted to outside those areas identified as "Designated No Camping Area" on the Site Plan prepared by Christine Lintott Architects Inc. received July 9th, 2020.
3. That Final Reading of the Zoning Bylaw amendment be withheld pending confirmation from the Ministry of Environment that the applicant has met the requirements of the letter, dated July 6th, 2020, from the Director, Environmental Management Act.
4. That upon Final Reading of the Zoning Bylaw amendment, the existing Temporary Use Permit (TUP00007) be rescinded.

PURPOSE

The purpose of this report is to seek direction from Council on the subject application. The application is to rezone from the P-4 (Recreation and Open Space) Zone to a site-specific zone to permanently allow overnight camping activities as part of the use of the property by the Power To Be Adventure Therapy Society. The applicant is Christine Lintott Architects Inc. (Christine Lintott).

DISCUSSION

Neighbourhood Context

The subject property located at 226 Stevens Road (4633 Prospect Lake Road). The 32.62 ha parcel is situated in the Rural Saanich Local Area, and borders on the southern edge of

Prospect Lake. The area is a predominantly single family neighbourhood of large rural residential parcels.

The subject property is approximately 1.8 km from the Prospect Lake Rural Village "Centre". Nearby parks include South Prospect Lake Park (60 m away), Logan Park (590 m away), and Calvert Park (810 m away).

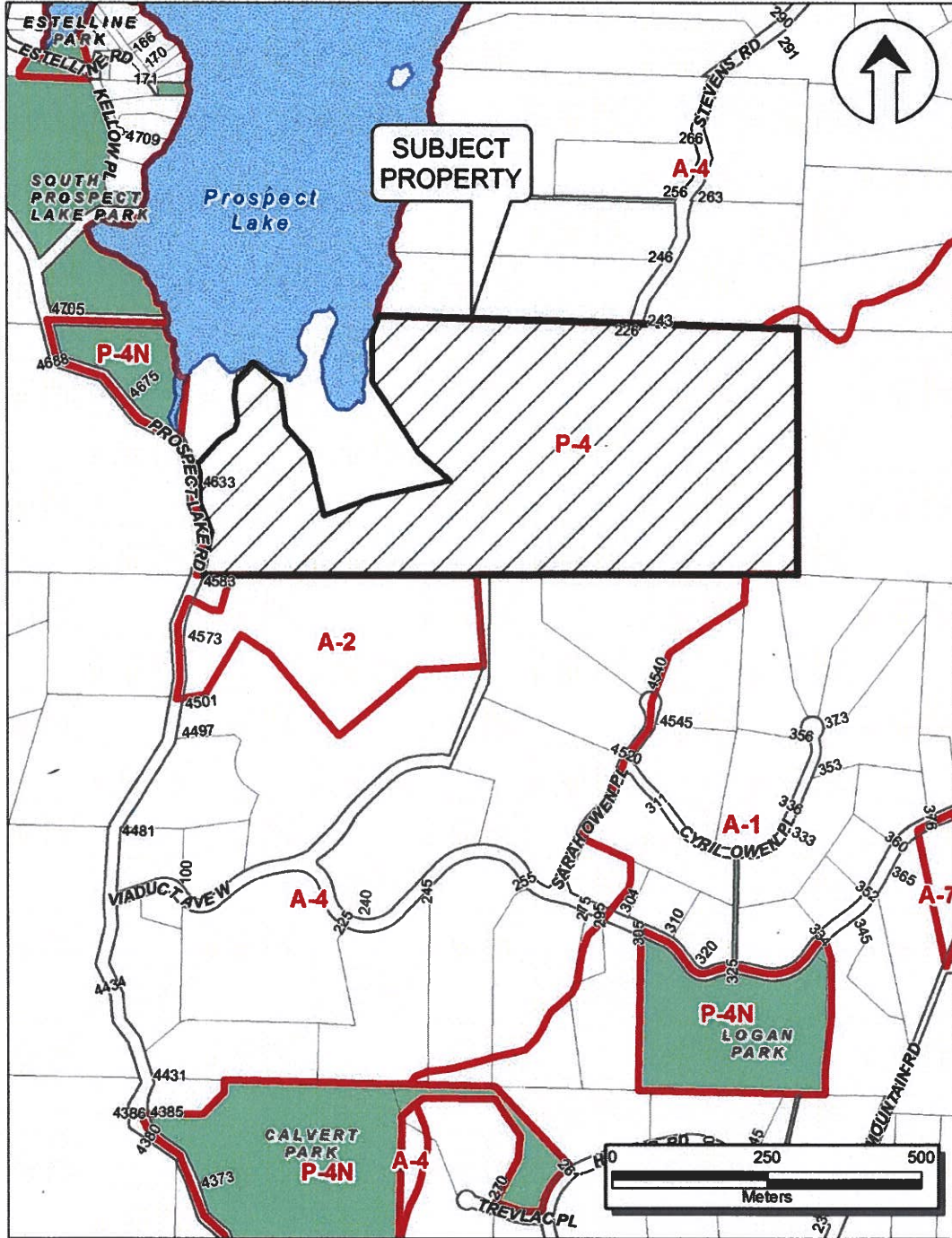


Figure 1: Neighbourhood Context Map

Proposed Land Use

The parcel falls within the Prospect Lake Watershed, an area designated as 4 ha minimum lot size in the Rural Saanich Local Area Plan. This designation was established to help maintain the water quality of Prospect Lake by limiting the potential for subdivision within the watershed. Surrounding properties are primarily A-4 (Rural – 4.0 ha) zoned parcels, though parcels to the east are zoned A-1 (Rural – 2.0 ha) and the parcel immediately to the south is zoned A-2 (Rural – Two Dwelling).

Current Land Use

The subject property is zoned P-4 (Recreation and Open Space) and has operated for many years as the Prospect Lake Golf Course. Permitted uses in the P-4 Zone include the following:

- (a) Community Centre;
- (b) Park;
- (c) Recreation Facility;
- (d) Accessory Residential;
- (e) Accessory Buildings and Services;
- (f) Daycare, Adult; and
- (g) Daycare, Child.

Temporary Use Permit

The Power To Be Adventure Therapy Society currently uses the property for day programs, most of which are water-based, such as kayaking, canoeing, and stand-up paddle boarding. They also use the property for meetings. In order to expand their program offerings to allow for overnight camping for participants of their programs, they applied for a Temporary Use Permit (TUP00007) which was approved by Council on March 20, 2017. Subsequent to this approval, Power To Be entered a 25-year lease agreement with the property owner effective April 1, 2017 to deliver their inclusive outdoor recreation programs on the property.

The Temporary Use Permit expired on March 20, 2020, three years after the date of issuance, however on April 27, 2020, Council granted a renewal of the TUP for Power to Be Adventure Therapy Society or another three years. The purpose of renewing the TUP was to allow the organization the time required to complete the rezoning process while still continuing to operate their much needed programs.

Proposed Land Use

The applicant is seeking to rezone the property to permanently allow for supervised overnight camping. Under the Temporary Use permit, the proposed campsite area is located in the southwest portion of the property, situated on former golf greens and fairway areas. Impact on adjacent properties from this proposed use has been negligible, and no complaints or calls for service have been noted.

One letter was received on March 17, 2020 (in relation to the Temporary Use Permit extension) from a neighbour who opposed the re-zoning application because of the perceived additional risks they felt this activity would place on their property for forest fire. However, the same risks could accrue from any neighbouring parcel, all of which are outside the water service boundary. It is worth noting that neither the subject parcel nor the neighbours parcel are in the Rural Saanich Fire Interface Hazard Development Permit Area. This neighbour was also concerned about the possibility of a group other than Power To Be or the public using this property for camping. Restrictions on the property preventing this from occurring would be secured via a covenant.

The closest neighbouring dwelling to the proposed campsite is over 100 m away, and is screened by trees and topography. Staff do not anticipate any impacts to neighbours based on the fact that none have occurred to date

By way of background for understanding their operation, "Power To Be" policy dictates a minimum ratio of 2 staff to 10 participants, noting that some camping participants with support needs require a 1:1 or 1:2 staff to participant ratio. It is typical for camping groups to be less than 20 people. The applicant notes that participants are typically between 13 to 24 years of age, with "quiet time" occurring by 10:00 PM. Power To Be enforces a strict no alcohol and no smoking policy.

The applicant states that camping is in greater demand between May and September, but some less frequent camping could also occur between October and April.

To help mitigate potential impacts on the surrounding residential neighbourhood, the current Temporary Use Permit on this site contains the following conditions:

- Restrict overnight camping to participants in programs under the direction of "Power To Be";
- Restrict the overnight camping to the area shown as "Proposed Campsite" on the plan that accompanies and forms part of the Temporary Use Permit; and
- Prohibit the use of Recreational Vehicles (RV's) or Camper trailers.

It is recommended that similar conditions be imposed as part of the rezoning, if approved. Also, that the proposed additional use be specified as "supervised overnight camping" and that use defined. Specifically, overnight camping would be restricted to outside those areas identified as "Designated No Camping Area" on a site plan prepared by the applicant. (see Figure 2). This would be secured by covenant, as would the requirement for overnight camping to be restricted to participants in programs under the direction of "Power To Be". The prohibition on Recreational Vehicles and Camper trailers would be contained within the definition of "supervised overnight camping". At the applicant's suggestion, the use of Recreational Vehicles (RV's) or Camper Trailers would be limited to individuals with disabilities who require the use of such as adaptive equipment, and without which they would not be able to participate.

The applicant has agreed to these requirements.

Site and Building Design

As part of the long-term lease arrangement, "Power to Be" has applied for building permits for permanent facilities on the site which will serve the delivery of programs and the stewardship of the natural assets. These buildings do not form part of the Rezoning application as these buildings are consistent with what is permitted under the existing P-4 Zone, and so only a building permit is required to construct these. The three proposed buildings would include an Office/Storage Hub, a Play Hub, and a Gear Hub. These buildings would also conform to the new zone should Council approve the subject application.

Future proposed buildings would include a Waterfront Activity Hub, and Play Hub and a Wilderness Hub. All of these buildings would be located near the eastern edge of the site, with the exception of the Wilderness Hub. (see Figure 2).

As the property is zoned Institutional (and would remain so after a successful rezoning), these buildings would be exempt from the normal requirements of a Form and Character Development Permit, but would be subject to the applicable Environmental and Storm water Development

Permits. These have been obtained for the three buildings currently under Building Permit applications.

Consultation

Neighbourhood

As part of the Temporary Use permit application, the applicant held an information session to discuss the proposed overnight camping use on October 13, 2015, that was attended by more than 20 Prospect Lake area residents. They also presented to the Prospect Lake Community Association on April 20, 2016. The applicant also met with an adjacent neighbour on August 29, 2016 and discussed their concerns.

On September 8, 2016, "Power To Be" organized a Prospect Lake community engagement evening at the subject property to familiarize the local community with their organization and intended programs on the property. The event was advertised on the Prospect Lake Community Association website, via a Prospect Lake Community Association email to residents, via a notice on two community mailboxes, and via flyers hand delivered to 80 nearby houses. 18 members of the community attended.

As part of this current rezoning application, a referral was sent from the Planning department to the Prospect Lake Community Association. A response was received indicating no objection to the proposal.

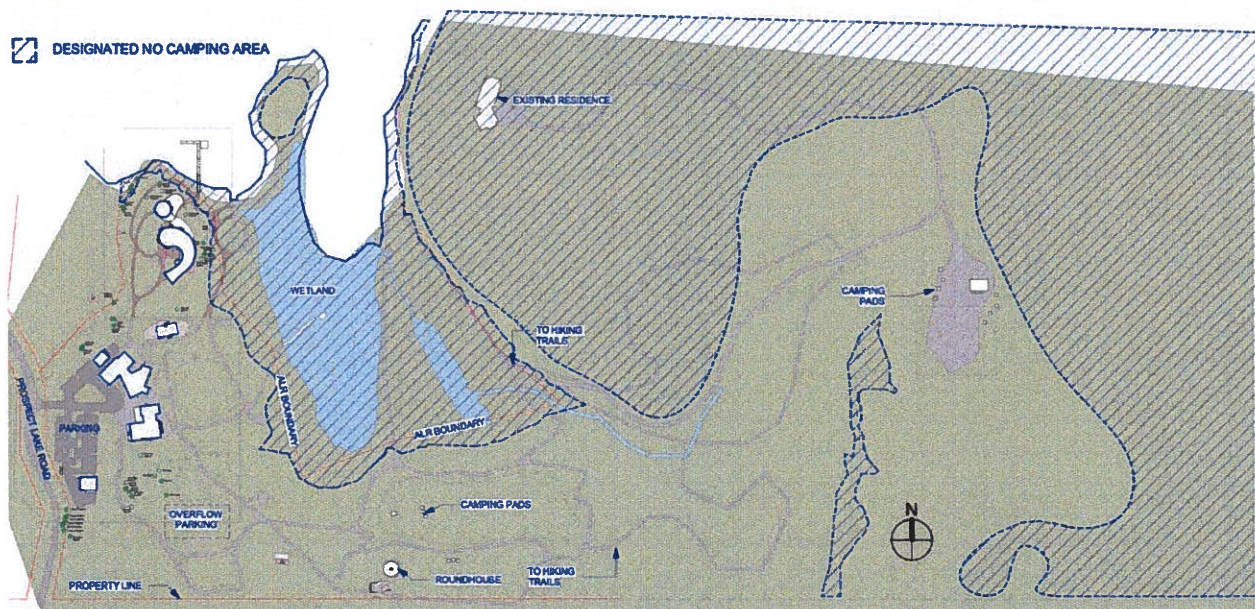


Figure 2: Site Plan (from plans by Christine Lintott Architects Inc.)

An email was received by the Planning Department from the Prospect Lake Preservation Society (PLPS), expressing support for the rezoning. In their email, the PLPS noted that Power to Be "have developed a number of stewardship programs to further improve the health of Prospect Lake. This has included removing invasive species, to protect areas that will allow for native plants and pollinators to return. Educational programs have been developed with in

An email was also received from a resident who owns a property adjacent to the subject property (Cyril Owen Place) noting their opposition to the proposed rezoning. The reasons given for opposition were two-fold: one was a concern that camping activities could increase the risk of a forest fire, and noting no piped city water, no fire hydrants and limited access to the rear of the property; and second, that while Power to Be claims that their camping activities will be supervised, if the rezoning is granted another group or the public or a wider usage of camping could occur on the property in the future.

Concerns around forest fires are not unique to this parcel, but affect all rural parcels outside the Urban Containment Boundary and Water Service Boundary. The concern about camping activities possibly expanding in the future following a change of ownership would be addressed by ensuring the new permitted use is specified as "Supervised Overnight Camping".

Ministry of Environment

As part of the application package, the applicant submitted a Schedule 1 - Site Profile that indicated the possible presence of such items as discarded barrels, drums or tanks, above ground fuel or chemical storage tanks, and/or PCB-containing electrical transformers or capacitors. Accordingly, this was forwarded to the Ministry of Environment for review.

A letter, dated July 6th, 2020 was received from Vincent Hanemeyer (on behalf of the Director, Environmental Management Act) to Christina Lucas of WSP Canada Inc. (the applicant's consultant) and Planning. The letter acknowledges receipt of a satisfactorily completed site profile for 226 Stevens Road.

The letter further states that a preliminary site investigation is required. The letter states that the applicant would need to obtain the following:

- a determination that the site is not a contaminated site;
- a Voluntary Remediation Agreement;
- an Approval in Principle of a remediation plan; or
- a certificate confirming the satisfactory remediation of the site.

Once completed, the applicant would provide this information to the Ministry for consideration and approval. Once approved, the Ministry would then notify the District of Saanich that the requirements had been met. In order to allow the applicant a level of comfort to complete the necessary work required to obtain approval from the Ministry, it is recommended that Final Reading of the Zoning Bylaw be withheld until confirmation has been received from the Ministry that the applicant has met the requirements.

ALTERNATIVES

1. That Council approve the recommendations as outlined in the staff report.
2. That Council reject the recommendations as outlined in the staff report.
3. That Council provide alternate direction to Staff.

FINANCIAL IMPLICATIONS

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

STRATEGIC PLAN IMPLICATIONS

The subject proposal works towards achieving some of Council's key Strategic Plan goals, namely; the furtherance of community well-being and collaboration with organizations working towards a healthy community.

PLANNING IMPLICATIONS

Policy

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

Official Community Plan (2008)

- 4.1.2.4 "Protect and restore rare and endangered species habitat and ecosystems, particularly those associated with Garry Oak ecosystems."
- 4.1.2.25 "Work with private land owners to encourage stewardship that protects, preserves, and enhances natural systems and, where appropriate, enter into conservation covenants or provide incentives to protect riparian or environmentally significant areas."
- 5.1.4.1 "Foster the development of a community that is safe, diverse and inclusive and where social interaction, physical activity, sense of place, and neighbourliness are actively promoted and supported."
- 5.2.1.1 "Continue to work with Neighbourhood Associations, service organizations, sports groups, business and other stakeholders to support and strengthen the community."
- 5.2.1.2 "Continue to develop and enhance community pride and identity through the creation and implementation of events and on-going community services and programs."
- 5.2.1.6 "Encourage and support a wide range of educational and learning opportunities which aid in community capacity building, and strive to meet a broad range of community needs."
- 6.2.1.4 "Support a balanced economy by encouraging a broad range of commercial, service, research, high tech and industrial uses."

Rural Saanich Local Area Plan (2008)

- 6.6 "Continue to work with local schools, parent advisory groups, community associations, established agencies, and local residents, including youth, to determine community service needs and implement needed programs."
- 8.10 "Encourage the owners of institutional properties to retain native vegetation, including visual buffers along lot boundaries, and to carefully consider environmental features such as watercourses and wildlife habitat as part of their management plans."
- 10.2 "Work to maintain private open space by:
 - a) encouraging and promoting land stewardship by private and institutional landowners;

- b) considering natural state covenants as a condition of development approval; and
- c) considering property tax exemptions or discounts for lands subject to a conservation covenant.”

Environment

Environmental Services indicated no objection to the proposed rezoning, noting that the proposal to formalize camping areas would be low impact and does not require further review. Environmental Services note also that the proposal is in keeping with the relevant environmental policies and guidelines, and appreciate that the applicant has designated large areas of natural area as off-limits to camping.

The proposal meets the Official Community Plan policies for Environmentally Sensitive Areas and Environmental Stewardship. The Proposal is also in keeping with Rural Saanich Local Area Policy 8.10 which encourages consideration of environmental features in land management on institutional lands.

Should any new trails, structures, or fill be proposed within the Streamside Development Permit Area, wetland, or floodplain, the applicants are advised to contact District of Saanich staff first to discuss any requirements. The applicant stated that they were aware of this and would comply should the need arise in the future.

Parks noted that the plans clearly show the areas in which camping would not be permitted, but did not indicate how the camping would be undertaken within the root zones of trees protected under the tree Protection Bylaw. A list of tree damaging activities was provided to the applicant, who indicated that none of the listed activities are anticipated. Based on this, Parks had no comments with respect to the proposed rezoning application.

Servicing

The Development Services section of the Engineering Department advises that there are no servicing requirements as part of this proposal.

CONCLUSION

The applicant is seeking to rezone from the P-4 (Recreation and Open Space) Zone to a site-specific zone to permanently allow overnight camping activities as part of the use of the property by the Power To Be Adventure Therapy Society.

The Power To Be Adventure Therapy Society has been operating under a Temporary Use Permit since 2017, and no complaints or calls for service have been noted.


The proposed new P-4SC (Recreation Supervised Camping) Zone is not expected to be a significant change from the existing land use, as it is identical to the existing P-4 (Recreation and Open Space) Zone with the exception of one additional use, “Supervised Overnight Camping”. Because of this, existing buildings as well as some currently being applied for under a separate building permit would conform both to the required height and setbacks of the existing P-4 (Recreation and Open Space) Zone, as well as the proposed new P-4SC Zone. No variances are requested as part of this proposal as the lot size and buildings would remain as they are now and are compatible with the surrounding neighbourhood.

Restrictions secured through a covenant would ensure that overnight camping would be restricted to participants in programs under the direction of “Power To Be”; and that the areas


for overnight camping would be clearly defined as being outside those areas identified as "No Camping" in a site plan provide by the applicant. In addition, under the new definition for Supervised Overnight Camping the use of Recreational Vehicles (RV's) or Camper Trailers would be limited to individuals with disabilities who require the use of such as adaptive equipment. These factors would minimize any environmental impacts and also prevent expansion of activity on the site.

The Power To Be program provides a needed service in the community and aligns with policies of the Official Community Plan as well as goals of the Strategic Plan, such as the furtherance of community well-being and collaboration with organizations working towards a healthy community.

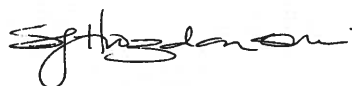
For the above-noted reasons, staff support the subject Rezoning Application.

Prepared by: 

Chuck Bell
Planner

Reviewed by: 

Shari Holmes-Saltzman
Manager of Current Planning

Approved by: 

Sharon Hvozdzanski
Director of Planning

CWB/rh

Attachments

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.



Paul Thorkelsson, Administrator