

District of Saanich

Current Planning - Subdivision t. 250-475-5471
770 Vernon Ave. f. 250-475-5430
Victoria BC V8X 2W7 saanich.ca



December 17, 2020

Kasapi Construction Company Limited
538 Dupplin Road
Victoria BC V8Z 1C1

Via-email

Att'n: Taylor Love
tlove@lovedevelopmentsinc.com

Dear Taylor Love:

Re: Proposed Subdivision of Lot D, Section 62, Victoria District, Plan 13988
File: SUB00870 • 1291 Tracksell Avenue

A review of your application indicates outstanding items that need resolution prior to further consideration of your of your proposed subdivision can continue. The following items will require either corrections to previously submitted information or additional information as requested. Please note that you should expect further comments on this application once the revised information is submitted and reviewed by the relevant departments.

Parks Department Review

Parks has reviewed the information provided and have determined that the information provided is either incomplete or incorrect. A revised Arborist's report and Tree Management Plan is required. Please review all comments and provide further detail as to how the concerns noted will be addressed.

Questions regarding these requirements should be directed to Andrew Connell, Development Review Coordinator, at 250-475-5526, or andrew.connell@saanich.ca.

Environmental Services review

Based on Environmental Services staff observation, the provincially mapped Sensitive Ecosystem Inventory and Saanich's Environmentally Significant Areas Atlas, a large portion of the proposed lot is comprised of a woodland ecosystem. Official Community Plan policies recommend protection and restoration of these areas. Further information is required in relation to how the proposed lot and adjacent road right of way will be developed with minimum impact to the ecosystem.

Questions regarding this matter should be directed to Thomas Munson, Senior Environmental Planner, at 250-475-5494, extension 3408 or thomas.munson@saanich.ca.

Engineering Review

For your information, attached is a copy of the servicing requirements to develop this proposal. Please review them and ensure that all revised drawings submitted address the requirements noted.

Questions regarding these requirements should be directed to Jason Hodgins, Manager of Development Services at 250-475-5492, or jason.hodgins@saanich.ca.

A copy of the Quadra Cedar Hill Community Association's comments have been included for your information.

As mentioned previously, further consideration of your proposal will continue when new information has been provided. If you have any other enquiries, please contact me at 250-475-5494, extension 3414, or e-mail liz.gudavicius@saanich.ca.

Sincerely,



Liz Gudavicius
Subdivision Coordinator

LG/rh

Attachments: Memo from Development Services
Memo from Parks
Memo from Environmental Services
Community Association letter

cc: Jason Hodgins, Manager of Development Services
Thomas Munson, Senior Environmental Planner
Andrew Connell, Park Referral Coordinator

Memo

To: Subdivision Office
From: Jagtar Bains – Development Coordinator
Date: February 21, 2020
Subject: Servicing Requirements for Development

PROJECT: TO CREATE 1 ADDITIONAL LOT FOR SINGLE FAMILY DWELLING UNDER CURRENT RS-6 ZONING RESULTING IN A TOTAL OF 2 LOTS

SITE ADDRESS: 1291 TRACKSELL AVE

PID: 004-451-902

LEGAL: LOT D SECTION 62 VICTORIA DISTRICT PLAN 13988

DEV. SERVICING FILE: SVS02268

PROJECT NO: PRJ2019-00732

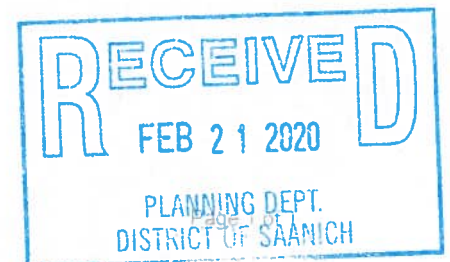
The intent of this application is to subdivide the above referenced parcel to create one additional lot on Tattersall Drive for single family use. Some of the more apparent Development Servicing requirements are as listed on the following pages(s).



Jagtar Bains
Development Coordinator

cc Harley Machielse, Director of Engineering
Jason Hodgins, Development Services Manager

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Development Servicing Requirements

Development File: SVS02268
Civic Address: 1291 TRACKSELL AVE
Page: 1

Date: Feb 21, 2020

Drain

1. Storm water management must be provided in accordance with the requirements of Schedule H "Engineering Specifications" of Subdivision By-law. This subdivision 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. A suitably designed Municipal storm drain system must be installed to serve the proposed Lot 1 and the tributary area from the existing system fronting 1284 Tattersall Drive or alternatively 100 mm connection be installed from Tracksell Avenue via a private easement which must be acquired.

General

1. This proposal is subject to the prevailing municipal development cost charges.

Hydro/tel

1. Underground wiring is required to serve proposed Lot 1 on Tattersal Drive.

Road

1. Minimum 6.0 m wide road must be constructed on Tattersall Drive from the intersection of Tattersall Dive and James Heights complete with concrete curb and gutter to provide access to proposed Lot 1. A turning area at the end of road must be constructed in accordance with Saanich Standard Drawing No. DES 32. Catch basins will be required for drainage of pavement.
2. Street lighting is required on the extension of Tattersall Drive.

Sewer

1. A suitably designed Municipal sanitary sewer system must be installed to serve the proposed Lot 1 from the existing system on Tattersall Drive or alternatively a 100 mm sewer connection be installed from Tracksell Avenue via a private easement which must be acquired.

Water

1. An appropriately sized water main must be installed on Tattersall Drive from the existing main in the intersection of James Heights and Tattersall Drive to serve proposed Lot 1.



PARKS, RECREATION
& COMMUNITY SERVICES

Memo

To: Liz Gudavicius

CC: Park Referral Team, Planning, DB

From: Andrew Connell, Development Review Coordinator

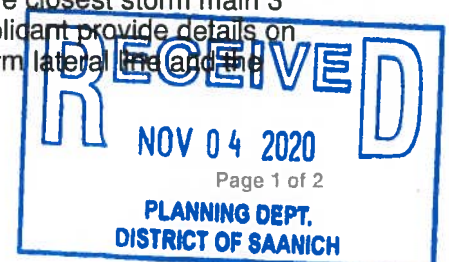
Date: February 11, 2020 - Updated November 3, 2020

Subject: 1291 Tracksell Ave – SUB00870 – To create 1 additional lot for Single Family Dwelling under current RS-6 zoning resulting in a total of 2 lots

The following comments are provided based on Saanich Parks' review of the Arborist Report by Gye & Associates (December 5, 2019), Tentative Plan of Subdivision by JE Anderson & Associates (November 21, 2019). All received by Saanich Planning on December 17, 2019 and received by Saanich Parks December 20, 2019. File was updated in November 2020 due to withdrawal by the owner of negotiations between property owner and municipality for the transfer of the property..

- A preliminary site review of the arborist report and survey was conducted, two protected trees as defined by the Tree Protection Bylaw No. 9272 (Bylaw) were not included in the inventory or survey. At that point a detailed review of the accuracy of the arborist report and survey was suspended. However this did not preclude general comments on the application or specific comments on the provided information.
- Should the application require resubmission please have the applicant's team review the accuracy of the arborist report and survey and ensure that all Bylaw protected and municipally owned trees are included in the submission. The trees that were found to not be included were a tree in the road ROW and one Garry Oak on the site adjacent to the proposed driveway location.
- The application did not include a site grading plan, blasting plan, on site servicing plan potential building footprint or the maximum allowable building envelope. Tree removals for future building on the property are unknown at this point. Parks requests these details so a more fulsome review of tree impacts can be conducted.
- In general the buildable portions of the proposed lot are heavily treed and any approvals of subdivision or building would result in removals of a significant amount of Bylaw protected trees.
- From a site review there appears to be a significant amount of blasting that will be required for the installation of a driveway and services to access the proposed lot. This level of blasting is likely to have detrimental effects on the trees within the municipal road ROW, in particular to the Douglas-fir tree (NT001, DBH of 61 cm) that is shared between the municipality and 3595 James Heights. Please have the applicant provide detailed information on the anticipated impacts to municipal and off site trees from the required driveway blasting.
- The application shows the storm and sewer connections ending at the corner of Tattersall Dr. and James Hts. However Saanich GIS shows the closest storm main 3 houses away fronting 1284 Tattersall Dr. Please have the applicant provide details on how the connection is to be made between the end of the storm lateral line and the

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storm main. Depending on routing of this connection and Engineering requirements for construction (depth, location etc.) there is potential for tree impacts from servicing the lot that are not included in the application.

- Under **General Notes** on the Arborist report it states "Due to the existing topography and grading required to develop two buildable sites, the applicant proposes to complete all sub-grading within the building envelopes at site servicing stage. Sub-grading of the building envelopes will result in the removal of all mature trees within the envelopes."
 - The application does not show two additional lots. Please have the applicant clarify this statement.
 - In addition tree removals for building permits are adjudicated at the time of building permit and not at the time of site servicing.
- Should the application be approved, tree removals from the centre of the site have the potential to expose trees on the edge of the site to new wind forces and site hydrology changes. Depending on final building layout these changes are anticipated to be significant enough that the remaining trees may not survive construction.
- Should the removal of a large number of mature trees be required from the site, Parks is concerned that trees within the adjacent park would be impacted. The trees of concern are mature, healthy Garry Oaks and from a Park asset conservation perspective, this application is not supportable.
- Schedule I of the Subdivision Bylaw requires at least one boulevard tree per new lot created. Saanich Parks requires a minimum available soil volume for boulevard trees of 8 m³ for small class trees, 12 m³ for medium class trees and 16 m³ for large class trees. Please have the applicant indicate the location they propose for the required Schedule I tree.
- On February 5, 2020 the Bylaw was amended and the amending Bylaw No. 9548 includes sections (3, 4 and 5) that provide for a transition for in progress files in terms of tree replacement ratios and bonding. The transition period for in progress subdivision files that do not require rezoning ends on February 5, 2021. What this means in practice, is that any subdivision that has not reached a pre-construction meeting with approved servicing plans and associated tree permit prior to February 5, 2021 is subject to the revised ratios and bonding.

Park/Trail:

- Should the application be approved, Parks requests the applicant provide trail connections to Cedar Hill Park.

Please contact the undersigned with questions arising from this response.

Andrew Connell, Development Review Coordinator,
Saanich Parks



Memo

To: Liz Gudavicius, Subdivision Coordinator
From: Thomas Munson, Senior Environmental Planner
Date: January 13, 2020
Subject: Environmental Services Development Review Comments
File: SUB00870 • 1291 Tracksell Avenue

Existing Site Conditions

The subject property has an unusual layout, consisting of a panhandle lot fronting on 1291 Tracksell Avenue, which connects to a larger parcel that lies adjacent to James Heights/Tattersal Drive corner to the south. The larger parcel is mainly covered with an overstorey of mature Garry Oak trees of different ages, and a smaller number of mature Douglas-fir trees.

The understory vegetation on the larger parcel of this property consists of a dense cover of invasive species – Himalayan Blackberry, English Ivy and Daphne. However, the property also contains native shrub species such as June Plum, Nootka Rose and Bracken Fern, all species associated with Garry Oak ecosystems. The lower southwest corner of the property is a large rock outcrop which lies adjacent to the James Heights/Tattersal Drive corner.

This property and adjacent forested land on the Cedar Hill Golf Course are classified as 'woodland' in the Sensitive Ecosystem Inventory for Southern Vancouver Island, and mapped in the Saanich Environmentally Significant Areas Atlas. This is a valuable remnant patch of original Garry Oak ecosystem in Saanich.

The following summarizes the environmental considerations for this development application:

OCP and LAP policies

The following OCP policies apply to this proposal due to the presence of mature trees, native vegetation and wildlife habitat in urban Saanich:

OCP Policy 4.1.2.3 "Continue to protect and restore habitats that support native species of plants, animals and address threats to biodiversity such as invasive species."

OCP Policy 4.1.2.8 "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."

OCP Policy 4.1.2.11 "Promote and encourage the protection and designation of indigenous, significant and wildlife trees."

Quadra Local Area Plan Policy 6.1 "Encourage protection and restoration of indigenous vegetation, wildlife habitat, and riparian environments within Quadra when considering applications for change in land use.

The development as proposed would remove some mature Garry Oak and understory containing native shrub species, and damage a rock outcrop containing Garry Oak ecosystem species.

DPA Guidelines - Saanich General

The guidelines are not applicable to the proposal.

Watershed - Swan Lake Sub-watershed of the Colquitz Watershed

There are no watershed management plans for this sub-watershed.

Other Policy Documents

In compliance with the Noxious Weeds Bylaw and in consideration of the District of Saanich Invasive Species Management Strategy, Himalayan Blackberry, English Ivy, Daphne, and other invasive species should be removed from the trees and natural areas to be retained prior to any lot development and construction.

Saanich's Urban Forestry Strategy states as its primary goal: "The urban forest should be protected from loss due to cumulative effects of tree removal during development, tree mortality and land clearing. Trees should be planted and tended with a long-term vision of tree and ecosystem survival and a thriving population of established trees." All effort should be made to protect Garry Oak trees from development on the larger parcel of this property.

Other Environmental Considerations

The proposed construction of sanitary sewer and stormwater utilities into the larger parcel would require the blasting of a significant portion of the rock outcrop at the southwest corner of the property. A number of Garry Oak trees would be removed with this construction. The development as proposed would cause significant impacts to the ecological integrity of the Garry Oak ecosystems associated with the rock outcrop and the woodland ecosystem.

Summary and Recommendations

This property contains a significant remnant of Garry Oak ecosystem, recognized and mapped by the Sensitive Ecosystem Inventory of Southern Vancouver Island. The proposed development would cause ecological impacts to the Garry Oak ecosystems on this site.



Thomas Munson, M.Sc., P. Ag.
Senior Environmental Planner.

TM/rh



Quadra Cedar Hill Community Association

February 22, 2020

Ms. Gudavicius
Approving Officer
Saanich Planning

RE: SUBDIVISION APPLICATION FOR 1291 TRACKSELL, SUB00870

Dear Ms. Gudavicius,

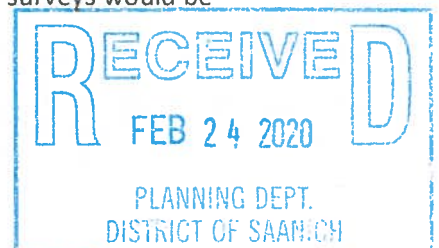
Thank you for inviting QCHCA to comment on the above-noted subdivision application. Following receipt of your request for comments, we contacted Mr. Taylor Love of Kasapi Construction to set up a meeting. Six of our Board members met with him to walk the property on January 21. The neighbour at 1292 Tattersall saw and joined us. Mr. Love indicated that they would not be interested in co-hosting a neighbours meeting with us to share their plans. Subsequently, QCHCA booked a room at the Cedar Hill Rec Centre for February 9 and invited residents on Tracksell, Tattersall and James Heights. A total of 56 people attended, six of whom were QCHCA Board members. We shared what we knew of the application including the site plan and the landscape plan and then took questions and comments. We urged attendees to write to you with their comments and asked them to cc QCHCA so our input would reflect their views and concerns.

Having heard the strong concerns raised at the meeting and received cc's on over 40 letters or emails to Planning on the proposal to date, all of which express significant concerns, QCHCA does not support the proposed subdivision. Our reasons are as follows:

1. Location of proposed building envelope missing

The 'location of the proposed building envelope' is noted under 'Information required for submission' on Part 2 of the subdivision application and yet **the site map provided by Kasapi Construction's application does not include the proposed building envelope**. It is therefore impossible to accurately gauge the potential extent of injury to adjacent neighbours, the irreversible damage to the sensitive woodland ecosystem and habitat, and the negative impacts to the hydrology of the surrounding area. This is an incomplete application. We assume that, prior to any consideration of a complete application, both hydrological and geological surveys would be required.

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2. Injurious effects on immediate neighbours

If allowed to proceed, the injurious effects on immediate neighbours would include those from blasting, from changes to the area's hydrology, on access/egress, aesthetics and property value, quality of life and privacy as follows:

- a) **Effects from blasting** – the extent of blasting required to create a driveway and services through the approximately 6-meter high rocky outcrop would be enormous. The toe of this rock outcrop is **actually under the house** at 1292 Tattersall and the southeast corner of their foundation is built around it. The undeveloped right-of-way is only 25 feet from 1292's property line and the blasting for the proposed driveway would traverse the entire width of the property only 30 feet from the front of the house. The rock formations in the area are unique and run in deep, long seams. Blasting into the seams has the real potential to cause tremors and instability in rock quite distant from the blast and the neighbouring homes to the south and west that sit on it. Blasting will change the topography and drainage patterns of the area, creating issues for the homes at 1291, 1295 and 1299 Tracksell as well as the adjacent area of Cedar Hill Park. Blasting will also irrevocably damage the iconic and beautiful rocky outcrop and surrounding area, leaving a scarred and unappealing landscape. There is only a very small flat area within the natural geology of the proposed new property such that extensive blasting and rock removal would be required for the construction of any home(s). Blasting will also disrupt use of the Park's chip trail, used by up to 800 people a day. The rocky outcrop is part of a high rocky ridge extending into Cedar Hill Park that separates the Bowker and Colquitz watersheds and blasting could alter these flows.
- b) **Effects from changes to hydrology**
The ultimate effects of changes to hydrology caused by blasting, rock and soil movement and increase in impermeable surfaces on the area's water table and natural hydrological system after construction are unknown. However, the water flow is already heavy, carries sediment and floods properties to the north of the lot. Many of the rock outcroppings in this area give rise to springs. Neighbours at 1299 Tracksell say it's likely there is a natural spring somewhere on the hill as "our curtain drains collect water continuously, irrespective of rain". The other neighbours affected by changes to hydrology would be Cedar Hill Park and its users. The corner of the Park adjacent to the proposed lot and its Tracksell neighbours is in particularly bad condition following the past several wet months and any change to the hydrology would exacerbate these issues. Changes in water flow into the Colquitz watershed could have significant and unpredictable negative impact.
- c) **Effects on access/egress and potential safety issues**
The proposed driveway would cut across the front of 1292 Tattersall's home, creating access/egress challenges for adjacent neighbours and potential safety issues for all children, pedestrians, cyclists, dog walkers and vehicle traffic in or using the area given its location on the corner where Tattersall turns to the south and becomes James Heights, the narrow width of the road and the blind corner.
- d) **Effects on aesthetics, property values, quality of life and privacy**
The destruction of a significant portion of the rocky outcrop and the effect of this on the beauty of natural landscape, the loss of a great number of trees and understory, and the reduction or loss of wildlife in the area will have a significant negative effect on the aesthetics of the area, the enjoyment of their nearby homes by residents and on current property values. Loss of privacy for all adjacent neighbours will occur. All of the above will affect nearby neighbours' quality of life negatively.

3. Widespread destruction of ESA-designated woodland

The proposed lot and the driveway access through the road right-of-way are fully within an Environmentally Sensitive Area in Saanich's ESA Atlas. The area is home to 65 Garry Oaks and four Douglas firs. The coastal Douglas fir ecosystem, (which includes the Garry Oak ecosystem), "provides a **home for 200 plus species of wildlife and plants at risk**" and only 4% of the original ecosystem remains according to Thomas Munson, Saanich's Senior Environmental Planner. "The vast majority of Garry Oak and Douglas fir ecosystems (almost 80%) are on private land" and protecting these ecosystems will become increasingly difficult, he says. Habitat and ecosystem services provided by these mature trees cannot be quickly replaced by planting replacements, even if it is on a 3:1 basis. The area is home to, or a corridor for, bats, at least 20 species of birds, deer and other animals and countless varieties of lichens, mosses and insects as well as large clusters of camas and rock slopes covered in licorice fern and miner's lettuce. The precipitous decline in bird and insect numbers worldwide is primarily due to a loss of habitat. The property is part of the wildlife corridor stretching from the Blenkinsop valley to the native areas of CHP and beyond. To fragment it would result in a loss of endangered Douglas fir ecosystem, habitat, biodiversity and forest canopy.

We are in a climate crisis. Saanich has declared a climate emergency. There is no way to replace what would be lost if the subdivision were to be approved. Collectively, we need to do what we can to retain the remaining bits of natural habitat.

4. Unsuitability of lot for subdivision development

The subject property does not lend itself to development without extensive damage to the environment, given the rocky drop-offs to the north and east of about 4 meters and only an extremely small flat area on the top of the rocky outcrop for any kind of building. The whole area is an ESA-designated Douglas fir/Garry Oak woodland. In addition, it is also impossible to estimate with any accuracy how much blasting, soil disturbance and impact to the area's hydrology would be caused by the actual building footprint and the actual siting of the proposed house(s) and subsidiary buildings. We say 'house(s)' because we are very aware of and concerned about the fact that the lot that would result if the subdivision is approved, is large enough for at least two conforming RS6 homes if a further subdivision application were filed and approved. Each resulting home would presumably be able to create and/or apply to create legal and garden suites.

The rocky outcrop has many fissures and is well-forested, both of which facts help with drainage. Blasting would significantly change these drainage patterns, putting greater pressure on the vegetation that remains. The resulting increase in runoff would increase flooding, already a significant issue, for the neighbours to the north and to the Park.

Blasting into the large rocky outcrop to create access to a property that lies fully within an ESA increases the negative impact. In light of Saanich's Climate Action Plan goal to double the rate of planting trees to enhance the urban forest, the loss of or damage to up to 70 protected trees seems inappropriate to say the least. Additionally, the place where the driveway enters the roadway is at a sharp, right hand turn on a narrow street with poor sightlines creating potential danger to car, pedestrian and bicycle traffic.

5. Further comments

We have heard many comments about the fact that this kind of legacy 'ownership' without an expiry date shouldn't have been allowed to occur and that it hopefully isn't permitted any longer. Regular payment of property taxes is an expectation of all homeowners and many residents are angered at the thought that this hasn't been the case in this instance.

We understand that there is a precedent for delisting road allowances. Neighbours at 1299 Tracksell advised that "Saanich has had a number of identified road rights-of-way taken off the planning sheets and included under the Park administration" including an identified road connecting Tracksell to Tattersall running along the east side of their home.

We are interested in being part of a discussion with the appropriate individuals on the possibility of removing the undeveloped Tattersall Drive right of way that borders the proposed property and incorporating it into Cedar Hill Park. The location of the right-of-way and proposed lot adjacent to the Park provide an opportunity to enhance the ecological integrity and resilience of the Park. Are there opportunities for give and take on both sides with a net benefit to the developer, the neighbours, the municipality and the environment?

In conclusion, QCHCA does not believe the application is in the public's interest, not in Saanich's interest, is unsuited to the configuration of the land to be subdivided and would injuriously affect the established amenities of adjoining or reasonably adjacent properties including Cedar Hill Park, its visitors and the species that live in or use it as a wildlife corridor.

In addition, the application is incomplete given that no building footprint is shown, leading to fears that more than one home is the ultimate plan and the multiplier negative effects if that were to be the case.

Please let me know if you have any further questions. Thank you.

Sincerely,

Susan Haddon
President, QCHCA