

Watercourse Development Permit Application for 1160 Victoria Drive

RECOMMENDATION:

That Committee of Council approve Watercourse Development Permit DP000390 to provide for watercourse protection and enhancement at and adjacent to 1160 Victoria Drive.

PREVIOUS COUNCIL/COMMITTEE ACTION

May 14, 2024 – Council gave Third Reading to Zoning Amendment Bylaw No. 4370 to rezone 1160 Victoria Drive from RS3 (Residential Single Dwelling 3) to P3 (Parks and Natural Area) for a 1.04-acre portion and RS2 (Residential Single Dwelling 2) for the remaining 3.23-acres.

REPORT SUMMARY

This report provides for Committee of Council consideration of a watercourse development permit application that facilitates realignment and establishes riparian area protection and enhancement for a watercourse located along the west portion of 1160 Victoria Drive. Council has granted third reading to a zoning bylaw amendment that would facilitate residential subdivision at the subject property; as a condition of the rezoning the watercourse protection area within the property would be dedicated to the City. Staff recommend approval of the Watercourse Development Permit.

BACKGROUND

Proposal: The applicant, HY Engineering Ltd., has submitted a Watercourse Development Permit application to allow for modification, enhancement and protection of a watercourse located partially on 1160 Victoria Drive, a portion of an adjacent unopened road, and the Hyde Creek Nature Reserve.

Policy and Regulations: The site is subject to the objectives and guidelines of the Official Community Plan (OCP) Watercourse Protection Development Permit Area (DPA). The intent of the watercourse protection DPA is to protect and enhance the natural environment, ecosystems and the biological diversity of watercourses. The DPA designation encourages considering watercourse areas in development design, encouraging development which supports the riparian function, and using innovative and flexible regulations to support compatible development.

Proposed Watercourse Enhancement, Protection and Dedication:

Existing context: The watercourse currently flows along the southwest portion of the site, originating from a storm sewer outlet located approximately 60m south of Victoria Drive in an adjacent narrow and unopened road allowance. The watercourse flows southward through a portion of the unopened road and the southwest corner of the property and then re-enters the underground storm sewer along Lynnwood Avenue where it travels approximately 360m underground and daylights in a drainage ditch at 3940 Ambleside Close which later drains into Hyde Creek. The approximate location and photos of the watercourse on the site are inset below.

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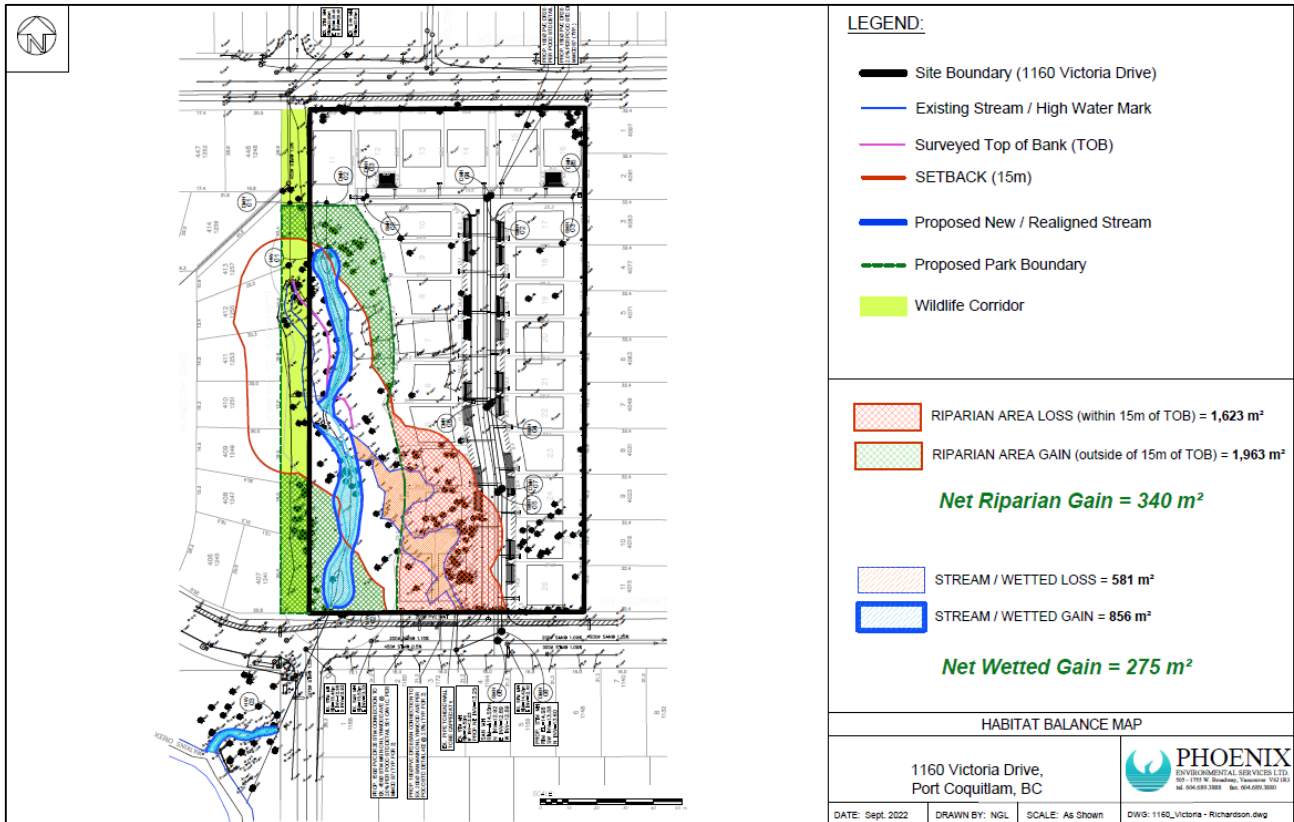


Proposal: The applicant has proposed to undertake modifications to the watercourse to connect it to Watkins Creek through a fish passible culvert under Lynwood Avenue, and to dedicate a 1.04-acre portion of 1160 Victoria Drive containing the realigned watercourse and associated riparian habitat improvements to the City for long term protection as a natural park area.

The environmental consultant report (Attachment 1) confirms the proposed modification would result in a 340m² increase in the riparian area and 275m² increase in wetted area, significant improvements to the function of the watercourse through expansion and regrading of the channel and incorporating pools and riffles, boulders and course woody debris, and significant riparian planting to improve insect drop, leaf litter and shading over the stream. This work would result in the watercourse being upgraded to a class A fish bearing watercourse and establishes a 15-meter watercourse protection setback in accordance with the OCP.

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The Habitat Balance Map included below provides confirmation on the location of the realigned watercourse, loss and gain of riparian area, new connection to Watkins Creek, and 15-meter watercourse protection setbacks.



Habitat Balance Map

Realignment and regrading of the watercourse will require the removal of some mature trees from the watercourse protection area. The Habitat Enhancement and Restoration Planting Plan included in the draft development permit (Attachment 2) proposes landscape enhancements to the riparian area including 190 new trees, 2775 shrubs, 320 aquatic plants and wildlife barrier fencing along the edges of the riparian corridor.

Realignment of the watercourse requires review and approvals from senior government agencies. Fisheries and Oceans Canada provided written confirmation that the proposed work is consistent with Federal legislation. In accordance with the *Water Sustainability Act*, the applicant received Provincial approval for the proposed works on May 15, 2024. Both the Federal and Provincial approvals include substantive measures to be met by the applicant through the course of the project and have been integrated into the draft development permit.

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The applicant and their consultant(s) have had ongoing discussions with the Hyde Creek Watershed Society over the course of the multi-year design and review process and the Society have indicated general support for the proposal. City staff recently reached out to the Society to provide an update and further opportunity for comment.

DISCUSSION

The OCP establishes objectives and guidelines for watercourse protection. Through their initial site investigation, the applicant identified the existence of a previously unmapped class B watercourse and has since proposed modification and significant enhancement to this watercourse to facilitate the residential development of 1160 Victoria Drive. The proposal includes realigning the watercourse to connect it to Watkins Creek, an increase in riparian and wetted area, and significant improvements to the watercourse function and landscaping with the goal of reclassifying the watercourse from class B non-fish bearing to class A fish bearing.

Given the watercourse is an integral part of the neighbourhood storm drainage network and in keeping with the rezoning conditions, the watercourse realignment and enhancement works will be managed through the City offsite works and services processes. This would include review and approval of detailed engineered design and provision of securities for those works prior to zoning bylaw adoption along with City inspections through the construction and maintenance periods.


Staff believe the proposed watercourse development permit aligns with OCP policy and the Watercourse Protection DPA objectives and guidelines. Accordingly, staff recommend approval.

FINANCIAL IMPLICATIONS

The 1.04-acre watercourse protection area is to be dedicated to the City for long-term protection and maintenance as a park reserve. Once the 5-year developer maintenance period has lapsed, the City will be responsible for ongoing maintenance similar to other City nature reserves such as the Hyde Creek or Wellington Park. Staff estimate the yearly cost of maintenance to be approximately \$2,000.

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OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Approve Watercourse Development Permit DP000390.
	2	Request additional information or amendments if Committee is of the opinion that such information or amendment would assist in its evaluation of how the proposal complies with the watercourse protection area objectives and guidelines.
	3	Recommend rejection of the application if Committee is of the opinion that it does not conform to the watercourse protection area guidelines.

ATTACHMENTS

Attachment 1 - Phoenix Environmental Watercourse Assessment Report

Attachment 2 - Draft Watercourse Development Permit DP000390

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