



ESA Management Strategy Update Community Feedback Summary



Environment & Parks

City of Port Moody

April 19, 2021

Introduction and background

ESA Management Strategy overview

Our Environmentally Sensitive Areas Management Strategy helps us balance urban development with the protection of Port Moody's natural areas: our forests, streams, wetlands, and marine areas. The Strategy outlines specific things the City and private property owners can do to protect and manage environmentally sensitive areas (ESAs) during the development process. We put this Strategy into practice through the designation of a development permit area (DPA) for environmentally sensitive areas and associated DPA guidelines. For property owners, this means you may need a development permit (DP) if you're planning to develop within the designated area.

Purpose of the update

This Strategy was adopted by Council 20 years ago and it's time for an update. Development of the initial strategy involved mapping and creating an inventory of watercourses, wetlands, forests, and marine areas. Mapping technology has improved tremendously in recent years and so has our knowledge of how to protect, restore, and connect our natural areas during the development process. We must also ensure that all development in Port Moody adheres to current federal, provincial, and municipal regulations such as the federal Fisheries Act, provincial Riparian Areas Protection Regulation, and Port Moody's Zoning Bylaw.

Historical timeline

1988

streamside setbacks established in [Zoning Bylaw](#)

2001

Council adopts ESA Management Strategy Phase 1

2003

Council adopts ESA Management Strategy Phase 2

2006

streamside setbacks revised to enhance protection of riparian areas and address changes in senior government legislation

2010

[Official Community Plan](#) updated to include new development permit area (DPA 4: Environmentally Sensitive Areas) and associated guidelines (Chapter 16 and Appendix 2) and policies (Chapter 6)

2014

[Official Community Plan](#) updated to include ESA policy #64 (Chapter 6): "...the City will explore alternative strategic planning processes for ensuring that upland use decisions protect and enhance the intertidal foreshore and marine environment of Burrard Inlet"

2015

2015-2018 Council Strategic Plan identifies need to review and update ESA Management Strategy: "The environment is higher priority through improvements to administration, planning and policy development"

2018

streamside setbacks revised to enhance protection of riparian areas and meet senior government requirements for all watercourses

2019-20

technical work begins for ESA Management Strategy update (e.g. more accurate mapping using LiDAR – Light Detection and Ranging, a method for measuring distances using laser light; data collection; field verification; review of best management practices and current approaches)

Engagement Process

Overview and methods of communication

Our engagement process for the ESA Update began in 2020. Initially, it was focused on First Nations, active developers in Port Moody, and owners of property along the marine shoreline. When looking at properties within Port Moody, we believed those along the marine shoreline would be most affected by the proposed changes, so we sent notification letters to owners in this area inviting them to review information available on our website and fill out a feedback form.

A number of other residents became interested in the proposed ESA Management Strategy update and wanted to participate in the public engagement process – not just property owners in areas of the city who might be affected by the proposed changes, but also owners whose property has been within or near an ESA since 2010. (The current development permit area was designated in the 2010 Official Community Plan.) We've heard from several residents who were not aware of our existing environmental development permit requirements and wanted more information.

As a result of this additional feedback, we broadened our public engagement in January 2021, and launched a comprehensive project page on Engage Port Moody, our new online public engagement hub. The project page included information about ESAs, development permits, and the proposed ESA Management Strategy update, as well as a feedback form and registration details for an online general information session (January 28, 2021) and a marine shoreline workshop (February 4, 2021). We wanted to make sure all property owners had a chance to learn about the proposed update and share their thoughts with us, so we notified the community as a whole about the engagement opportunities through a variety of communication channels including a news release issued to local media, social media, the City's website (featured on the home page), emails to community associations, e-notifications to our website news subscribers, and e-notifications to Engage Port Moody subscribers.

Engagement timeline

Phase 1: 2019

Engaged with Port Moody's Environmental Protection Committee (EPC) and local stewardship groups to review initial technical work.

Phase 2: Summer/fall 2020

Engaged with the EPC, Parks and Recreation Commission, local stewardship groups, and the Vancouver Fraser Port Authority to provide an update on the project and seek input.

The EPC and Parks and Recreation Commission endorsed the proposed ESA Management Strategy update.

City staff updated First Nations and invited representatives to meet with the City and offer comment.

Created an ESA Update page on the City's website, which included background information, map, proposed update, and an online feedback form. This online resource was promoted through social media.

Provided information to developers active in Port Moody, and to owners of property along the marine shoreline and invited them to fill out a feedback form online.

Phase 3: January/February 2021

Launched a project page on Engage Port Moody with information about the proposed update, a feedback form and registration details for an online general information session and marine shoreline workshop. The community was notified via social media, City website, emails to community associations, e-notifications to our website news subscribers, e-notifications to Engage Port Moody subscribers, and a news release. Port Moody residents were invited to learn about the proposed update, ask questions, attend an online information session, and fill out a feedback form.

Online information session for the general public (January 28, 2021).

Workshop for residents and property owners along the marine shoreline (February 4, 2021).

City Staff met with representatives from Tsleil-Waututh Nation, the Port of Vancouver, and Metro Vancouver.

Phase 4: Spring 2021

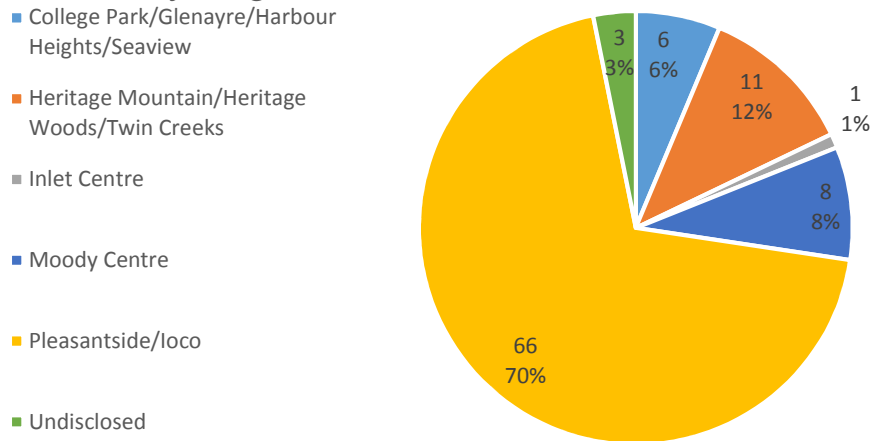
Staff present the engagement summary to Council and seek direction on next steps at a Regular Meeting of Council.

Feedback Summary

Summary of Feedback¹	
# individuals emailed staff	95 (88 properties)
# developers contacted staff	2
# community associations or other groups contacted staff	4 (Glenayre Community Association, TROPICA, Tri-Cities Chamber of Commerce, Port Moody Seniors Housing Association)
# phone calls received by staff/meetings with residents	24
# feedback forms submitted	103
# information session participants	47 (17 of these participants also registered for the marine shoreline workshop)
# marine shoreline workshop participants	47
# visits to Engage Port Moody Project Page	1400

¹ Feedback received as of March 26, 2021.

Phone calls and emails received by neighbourhood

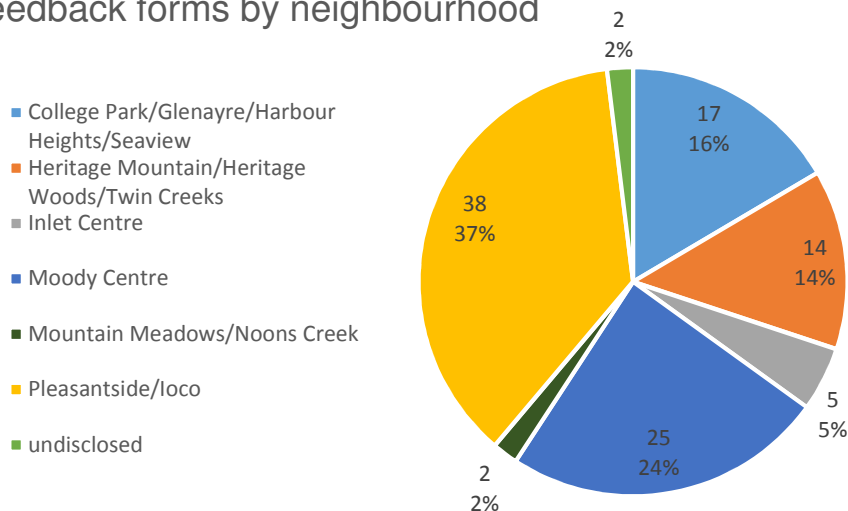


Feedback form summary

A feedback form was available on the City's website from October 1, 2020 until February 21, 2021. The form included general questions about the existing strategy and DPA process, and provided an opportunity for respondents to provide comments. A summary of feedback form responses is provided below.

103 feedback forms submitted
99% Port Moody residents
97% property owners
52% unaware of the existing ESA Management Strategy
46% unaware of the existing Development Permit Area for ESAs

Feedback forms by neighbourhood



Feedback analysis

Almost all respondents who provided written and verbal feedback on the proposed ESA Management Strategy Update were single-family residential property owners. The feedback received can be sorted into two main categories:

1. Concerns about the Update and the implications to property owners.
2. Opportunities for clarification about the purpose of the Update and existing development permit process.

Key concerns

Respondents shared their concerns with staff through email, phone calls, and during the information session and workshop. The concerns that were consistently expressed throughout the feedback process are listed below.

- The proposed update will negatively impact my property value.
- The proposed update will reduce the development potential of my land.
- The City did not adequately consult and the process is not transparent.
- The proposed process is onerous and redundant, and creates uncertainty for home owners.
- The proposed process and requirement for an environmental report will be costly and should not be the responsibility of the home owner.
- The EDPA should not be designated on private property or along the marine shoreline, west of Old Orchard.
- The proposed EDPA may reduce my ability to refinance or get insurance.

Opportunities for clarification

The feedback provided by property owners revealed that many were not aware of our existing bylaws and requirements, or the current process for development permits. Staff attempted to clarify information when responding to questions, by developing and updating a Frequently Asked Questions section on the Engage Port Moody project page, and by addressing misinterpretations during the presentations at the online information session and workshop. The most commonly referenced subjects that required additional clarification are highlighted and explained in the table below.

Areas requiring clarification	Explanation
The proposed EDPA process means that I can't rebuild my house if it burns down.	Development permit areas do not stop homes from being re-built if extensively damaged by fire or flood. Any time a home is re-built, non-conforming conditions need to be assessed and often modified. As is the case now, a development permit may be required for reconstruction and could include conditions that address environmental protection and regulatory requirements.
The assessment area is a setback.	The assessment areas are not setbacks. The land around ESAs is being proposed as an

Areas requiring clarification	Explanation
	<p>assessment area to flag planned development activity for additional review. The purpose of a review is to ensure the potential impact of development activity on nearby natural areas is considered.</p>
<p>There is nothing to protect in already developed areas.</p>	<p>Development activity adjacent to an ESA in already-developed areas, like along some parts of the marine shoreline or the forest edge, may impact the ESA. Increasing impermeable areas, erosion and sediment control, and the critical root zones of trees are examples of factors that should be reviewed to ensure development activities do not impact surrounding ESAs. The assessment areas are intended to flag properties adjacent to environmentally sensitive areas for review, to ensure that development activities do not impact these natural areas.</p> <p>There are some cases where roads and buildings may be within the mapped riparian ESA. This is because these areas were developed before streamside setbacks were in place, or under different streamside setbacks within the Zoning Bylaw. In these cases, staff work with the applicant to vary to the Zoning Bylaw setbacks in a manner that improves the existing conditions while still meeting provincial and federal requirements.</p>
<p>This is new legislation.</p>	<p>The City has protected watercourses through setbacks in the Zoning Bylaw since 1988 and has had a Development Permit Area for ESAs since 2010. Under the proposed process, the process for development activities in or adjacent to forests and watercourses is largely the same. The guidelines have been updated to reflect current best practices and environmental legislation.</p> <p>The proposed Strategy update recommends removing 'low', 'medium', and 'high' designations because many of the forests classified as 'low' over 20 years ago are now mature forest stands or include unmapped features like watercourses. In addition, these classifications are no longer considered best practice for management sensitive habitat in urban environments.</p> <p>The update also proposes adding a portion of the marine shoreline as an assessment area within the Environmental Development Permit</p>

Areas requiring clarification	Explanation
	<p>Area. Historically, senior government agencies reviewed marine shoreline development projects along Burrard Inlet as part of a referral process. In 2014, these processes were discontinued. Because of this change, policy was added to our Official Community Plan in 2014 that directed the City to look at how land use decisions can better protect and enhance the intertidal foreshore and marine environment of Burrard Inlet. Including the marine shoreline into the existing development permit area has been proposed as one option to achieve this policy goal.</p>
<p>The purpose of the proposed update is to expropriate land for Park.</p>	<p>Development permit areas are not used to expropriate land. They are used to flag properties that may require additional review to determine if an environmental development permit is required.</p> <p>The City does not consider dedication of ESAs as parkland when single-family home re-development is proposed. Dedication of ESAs as City parkland is, as per Official Community Plan policies, negotiated as part of large, multi-family development projects.</p>
<p>Under the proposed update, all activity would require a permit.</p>	<p>Only activity defined as development requires a permit. Examples of activities that are exempt from the development permit process include:</p> <ul style="list-style-type: none"> • agreements with senior government agencies or covenant terms; • property works (e.g. interior renovations, maintenance and repair of existing buildings and structures, gardening, maintenance within existing landscaped areas); • ecological restoration and enhancement works; • emergency and hazard works; and public utilities and operational works.
<p>The City has no jurisdiction along the shoreline.</p>	<p>The City has jurisdiction above the high water mark (the Port's boundary) and any development activity above this line could have an impact on the environment and should be carefully considered.</p>