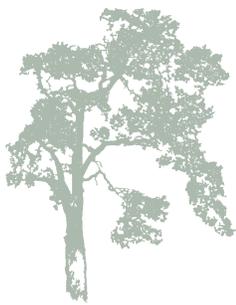


# 4 Ways that local governments can protect Garry oak areas during land development



Contact the Garry Oak Ecosystems Recovery Team (GOERT) if you would like a meeting to discuss protection of Garry oak areas in your community.



*Municipalities and Regional Districts have many powers to protect Garry oak areas and the species they support during land development.*

## KNOW WHAT YOU HAVE

### *Identify and map Garry oak areas*

- Do your council, board members and staff know where the Garry oak areas are in your community? Remember that rock outcrops, natural meadows and coastal bluffs may be Garry oak areas too. The Garry Oak Ecosystems Recovery Team can help you to identify significant ecosystems in your area. Local naturalist groups may also help to identify locally important Garry oak areas.
- Ensure that developers in your community know the locations of these endangered ecosystems.
- Identify Garry oak areas in the Official Community Plan (OCP) and other planning documents such as local area plans, greenways plans and park plans. On private lands, these ecosystems can be identified in the OCP as development permit areas (DPAs) with guidelines controlling how development can occur. On public lands, these areas can be designated and managed as natural parks.

## PROVIDE FOR PROTECTION

### *Check your bylaws*

- Make sure that your bylaws provide your government with the authority to protect Garry oak areas. The Garry Oak Ecosystems Recovery Team (GOERT) can help to provide appropriate wording.
- Where Garry oak ecosystems are identified as development permit areas, ensure that the DPA guidelines are worded to protect these ecosystems.
- Ensure that your tree protection bylaws will protect Garry oaks and other trees. Remember that Garry oaks may take 20 or more years to reach a significant size, so bylaws should protect small Garry oak trees as well as larger, older ones. Ideally, tree protection bylaws should protect the whole ecosystem and not just the trees.
- Ensure that your soil protection bylaw will conserve existing soil ecosystems, including those in Garry oak areas.
- Make sure that these bylaws have enforcement measures in place and significant penalties for non-compliance.

### *Provide incentives for conservation on private land*

- Consider offering property tax exemptions for landowners who protect Garry oak areas with a conservation covenant, as the Islands Trust has done with the Natural Areas Protection Tax Exemption Program.<sup>1</sup>
- Help landowners who already have covenants to seek a property tax exemption through the B.C. Assessment Authority.

### *Consider acquiring the land*

- Use park land dedication provisions to acquire Garry oak areas during subdivision,

<sup>1</sup> For information see [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

and ensure that the park is managed for ecosystem protection.

- Work with land trusts or community groups to purchase, or place conservation covenants on, Garry oak areas. Conservation covenants should be held by at least three parties — the landowner, the local government and a conservation organization — to ensure their long-term success. Covenants should also be regularly monitored. See Sheet 6 for a list of local land trust organizations that can provide additional information.

## WORK WITH DEVELOPERS TO PROTECT GARRY OAK AREAS

### *Gather and share information*

- If there are (or may be) Garry oak areas on the development site, require that the developer hire a professional to provide a detailed site inventory that identifies ecosystem values, including any species at risk on or near the proposed development site. For more information see the Ministry of Environment's *Develop with Care* guidelines and *Terms of Reference for Bio-inventory and Site Evaluation*.<sup>2</sup> For a list of qualified professionals, see the GOERT website.
- Make sure that the developer is aware of the Canada *Species at Risk Act* if there are federally-listed species at risk, as well as any Recovery Plans for these species.<sup>3</sup> Encourage developers to contact GOERT for more information.

### *Encourage protection during land development*

- Provide developers with information on the financial incentives for ecological gifts (see Sheet 2).
- Find ways to make protection an attractive option, for example by fast-tracking approvals of development proposals that commit to the protection of Garry oak areas.
- Consider some form of public recognition such as a media release or awards night for landowners and developers who protect Garry oak areas on their property.

### *Encourage development alternatives*

- Encourage clustering in a less sensitive part of the development site in exchange for the protection of Garry oak areas. Long-term protection can be provided using tools such as a conservation covenant or park land dedication.

<sup>2</sup> Available from [www.env.gov.bc.ca/wld/BMP/bmpintro.html](http://www.env.gov.bc.ca/wld/BMP/bmpintro.html)

<sup>3</sup> For information on the *Species at Risk Act* see [www.sararegistry.gc.ca](http://www.sararegistry.gc.ca)

<sup>4</sup> For more information see "Conservation design for subdivisions: a practical guide to creating open space networks" available from [www.greenerprospects.com/products.html](http://www.greenerprospects.com/products.html)

<sup>5</sup> For a list of qualified arborists see [www.goert.ca](http://www.goert.ca)

- Encourage conservation subdivision design, featuring small lots with significant amounts (more than 50%) of natural areas and open space.<sup>4</sup> Density bonuses may help to encourage this type of development.
- Use alternative design standards such as narrower roads to reduce the size of the construction footprint, so that more land can be set aside for conservation purposes.
- When development variances are requested, negotiate for the protection of any Garry oak areas.

### *Plan for protection during and after construction*

- Ensure that the building envelope for new developments does not encroach on Garry oak trees or their root systems (which may extend well beyond the crown of the tree). The tree protection area should be defined by a qualified arborist.<sup>5</sup> Require that buffers of natural vegetation be retained around Garry oak areas, to protect the understorey as well as trees both during and after construction.
- Ensure subdivision bylaws specify requirements for erosion control and tree protection measures during the construction phase.
- Ensure that course of construction documents protect Garry oak areas during development, for example by ensuring that wash water is not allowed to flow into these sensitive areas, and that temporary fencing prevents damage to trees and their roots from heavy equipment.
- Consider the impacts of development on the hydrology of Garry oak areas. Changes to surface or subsurface water flows can affect the whole ecosystem.
- Encourage the use of site-appropriate native plants in landscaping and prohibit the use of invasive plants.
- Encourage the removal of invasive plants during construction (see Sheet 7 for sources of information).
- Encourage developers to prepare a management plan for the long-term protection of the Garry oak areas, and to provide future homeowners with information on the unique values of this ecosystem and ways they can help to maintain these values. GOERT has materials that may be helpful.

For further details please talk to the Garry Oak Ecosystems Recovery Team or see the Ministry of Environment's *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia*.



**Garry Oak  
Ecosystems  
Recovery Team**

Download the latest version and find more  
information at:  
**www.goert.ca**

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