

# Natural State Covenants

## **What is a Natural State Covenant?**

A Natural State Covenant is a legal agreement that is permanently registered against property. Generally, Natural State Covenants require the land within the covenant area to be kept in its natural state. Natural State Covenants are different from Tree Covenants because they protect all plants and natural features, not just trees. Both of these covenants are also referred to as Restrictive Covenants.

## **Why is there a Natural State Covenant on my property?**

Natural State Covenants are used in Saanich as a method of protecting natural areas that may be negatively impacted by development. It is likely that when your property was subdivided, a natural feature was identified such as a forest, a nesting site, rare plant or animal habitat, a wildlife corridor, or part of a rare ecosystem such as a Garry oak meadow.

## **Where is the Natural State Covenant on my property?**

If you don't know where the covenant is, you should obtain a copy of the covenant document, which includes a map, from the Planning Department. During site development, the Natural State Covenant area is usually temporarily fenced off to protect it from various construction activities. Sometimes, permanent open-rail fencing is required to indicate the covenant area.

## **What happens if there is a breach in the covenant agreement?**

Occasionally, covenant areas are damaged during the construction and servicing of a development site and require restoration before the covenant is legally registered. Covenant areas may also have non-native plant species removed at the time of registration. If the covenant agreement is breached, the landowner will be requested to stop any damaging activities and to restore the damage. There are also fines which can be applied when vegetation is damaged.

## **Does this mean I can not use the covenant area?**

No, it means that you are limited in the changes you make to the covenant area. You should read your covenant document to see what is permitted, what is not permitted, and what requires prior approval. In general, most covenants allow to remove non-native plants, such as blackberries and Scotch broom, and to plant native plants, such as flowering red current and kinniknick.

Most covenants do not permit blasting, filling, tree cutting, tree damaging activities, native vegetation removal, building, and other activities to occur. Some of these activities may be permitted with previous written consent from Saanich. If you are in doubt, please call Saanich Environmental Services.

## **Covenant Monitoring**

Saanich monitors Natural State Covenant areas. By conducting routine checks and photographing the covenant area, there is a basis for assessing damage or responding fairly to complaints.

### **Where can I get more information?**

There are many resources available to you from Saanich Environmental Services:

- a copy of the covenant agreement
- a list of native plant and seed suppliers
- a list of native plant gardeners
- details of the Native Plant Salvage Program
- Naturescape BC

Please contact Saanich Environmental Services at 475-5494, local 3556 to obtain resources, ask questions or request permission for making changes within the covenant area.

If you have questions about Tree Covenants, please call the Parks Department at 744-5340.