



File: 1413647

November 7, 2012

Hul'qumi'num Treaty Group

Dear «Salutation» :

**Re: Notification of decision regarding application for the purpose of a private moorage facility at Brentwood Bay, Lands File #1413647
– Jill C. E. Wake, proponent.**

The purpose of this letter is to advise you that the province has completed consultation on the above-noted new application with the following Hul'qumi'num Treaty Group member First Nations:

- Stz'uminus
- Cowichan Tribes
- Halalt First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Penelakut Tribe

We have assessed the potential impact of this new application on First Nation's interests as being low, based on the following:

- The information reviewed indicates that the proposed application has minimal potential to significantly impact Aboriginal interests;
- First Nations consulted did not respond.
- This tenure is unlikely to result in any new impacts to registered or unrecorded archaeological sites.

Page 1 of 2

An archaeological site notice covenant will be placed on the tenure agreement which states that the tenure holder "must take all reasonable precautions to avoid disturbing or damaging any archaeological material found on or under the Land and, upon discovering any archaeological material found on or under the Land, must immediately notify the ministry responsible for administering the *Heritage Conservation Act*".

In consideration of our review based on information available to Ministry of Forests, Land and Natural Resource Operations, I am recommending approval of this Private Moorage tenure. If you require any additional information, please do not hesitate to contact me at (250) 751-3139.

Yours truly,

Kathryn Ryan-Wilson
Land Officer



November 8, 2012

File: 1413647
Malahat Indian Band, Trustees For The
Pauquachin First Nation
Tsartlip First Nation
Tseycum Indian Band
Te'mexw Treaty Association

Re: Status of New Application for Private Moorage facility in Brentwood Bay, Lands File # 1413647

Dear _____:

The purpose of this letter is to notify you of our decision with regard to a new application for a Private Moorage facility in Brentwood Bay, Lands File # 1413647.

The Ministry of Forests, Lands and Natural Resource Operations wrote you on August 18th 2011 and followed up by letter dated September 12, 2011 requesting comments on the application by Jill C. E. Wake for Private Moorage located at Brentwood Bay. No response was received.

During the adjudication process, the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) took into account all information available to us on the subject file. We have assessed the potential impact of these replacements on First Nations interests as being low, based on the following:

- None of the information reviewed indicates that this new application has the potential to significantly impact Douglas Treaty hunting and fishing rights.
- This tenure is unlikely to result in any new impacts to registered or unrecorded archaeological sites.

An archaeological site notice covenant will be placed on the tenure agreement which states that the tenure holder "must take all reasonable precautions to avoid disturbing or damaging any archaeological material found on or under the Land and, upon discovering any archaeological material found on or under the Land, must immediately notify the ministry responsible for administering the *Heritage Conservation Act*

In consideration of our review based on information available to Ministry of Forests, Lands and Natural Resource Operations, I am recommending approval of this Private Moorage tenure.

Page 1 of 2

[To]

If you require any additional information, please do not hesitate to contact me at 250-751-3139.

Yours truly,

Kathryn Ryan-Wilson
Land Officer



November 8, 2012

File: 1413647

Tsawout First Nation

Re: Status of New Application for Private Moorage Facility in Brentwood Bay, Lands File # 1413647

Dear _____:

The purpose of this letter is to notify you of our decision with regard to a new application for a Private Moorage facility in Brentwood Bay, Lands File # 1413647

Thank you for responding to the Ministry of Forests, Lands and Natural Resource Operations letters dated August 18, 2011 and September 12, 2011 requesting comments on the application by Jill C.E. Q Wake for Private Moorage located at Brentwood Bay

During the adjudication process, the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) took into account all information available to us on the subject file. The following summarizes the results of our review.

- None of the information reviewed indicates that this new application has the potential to significantly impact Douglas Treaty hunting and fishing rights.
- This tenure is unlikely to result in any new impacts to registered or unrecorded archaeological sites.

An archaeological site notice covenant will be placed on the tenure agreement which states that the tenure holder "must take all reasonable precautions to avoid disturbing or damaging any archaeological material found on or under the Land and, upon discovering any archaeological material found on or under the Land, must immediately notify the ministry responsible for administering the *Heritage Conservation Act*

In consideration of our review based on information available to Ministry of Forests, Lands and Natural Resource Operations, I am recommending approval of this Private Moorage tenure.

If you have any questions concerning this matter please call me at 250-751-3139.

Page 1 of 2

[To]

Yours truly,

Kathryn Ryan-Wilson
Land Officer

LAND USE REPORT

VI - LAND MGMNT - VANCOUVER ISLAND SERVICE REGION

File:	1413647	Inspected Date:	N/A
Reported By:	Kathryn Ryan-Wilson	Report Date:	November 8, 2012
Phone Number:	250-751-3139	Complexity Level:	2
Applicant:	JILL CHRISTINE ELEANOR WAKE 7046 Brentwood Dr Brentwood Bay, BC V8M 1B4		

Decision: The application is allowed.

Application Type:	New	LMM Policy:	Residential
Purpose:	Residential	Sub-Purpose:	Private Moorage
Type:	Permission	Sub-Type:	Specific Moorage
Commencement Date:	Determined by PA	Term:	indefinite
Purpose Statement:	Private Moorage: constructing, operating and maintaining private moorage facility consisting of a single dock, wharf or pier (including walkway ramp) or combination thereof, for personal, non-commercial moorage use		

BCGS Map Sheet:	92B053
Air Photo No.:	
Application Area:	0.034 Ha.
Recommended Area:	0.034 Ha.
Location:	Brentwood Bay

Legal Description:	Unsurveyed Crown foreshore or land covered by water being part of the bed Brentwood Bay, Cowichan District, shown outlined on sketch below, containing.....hectares, more or less
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Referral Agencies/ Analysis:

- Transport Canada-Navigable Waters. Rec'd letter of response/approval document dated March 7, 2012-approved, no conflicts
- Fisheries And Oceans Canada. Response received Sept. 8, 2011 providing best management
- Ministry Of Environment; Online FCBC data attached on file records Barn Owl, Apple moss, western Painted turtle Sharp -tailed snakes- no conflict. Insect observed in and abouts application area (Gorge Park).
- Corporation Of The District Of Central Saanich; Rec'd letter dated March 9, 2012 granting unconditional consent.
- **First Nations**
 1. Te'mexw Treaty Assoc. Consultation letters dated Aug. 18, and Sept 12th 2011. No response received
 2. Hul'qumi'num Treaty Group Consultation letters dated Aug. 18, and Sept 12th 2011. No response received
 3. Tseycum Indian Band Consultation letters dated Aug. 18, and Sept 12th 2011. No response received

s.16

- o. Isatup First Nation Consultation letters dated Aug. 18, and Sept 12th 2011. No response received
6. Penelakut First Nation Consultation letters dated Aug. 18, and Sept 12th 2011. No response received
7. Pauquachin First Nation Consultation letters dated Aug. 18, and Sept 12th 2011. No response received
8. Malahat Indian Band, Trustees For The Lyackson First Nation Consultation letters dated Aug. 18, and Sept 12th 2011. No response received
9. Lake Cowichan First Nation Consultation letters dated Aug. 18, and Sept 12th 2011. No response received
10. Halalt First Nation Consultation letters dated Aug. 18, and Sept 12th 2011. No response received
11. Cowichan Tribes Consultation letters dated Aug. 18, and Sept 12th 2011. No response received
12. Stz'uminus First Nation Consultation letters dated Aug. 18, and Sept 12th 2011. No response received

Clearance and Other Conflicts:

Encumbrance Type	Date	Interest Type/Description	Details	Under	Status	Relation	Resolved	Observed
Interest	1998 03 29	RIGHT-OF-WAY/TENURE	0312997	S	ACT	Intersects	<input type="checkbox"/>	2011 07 13
Interest	1995 06 26	RIGHT-OF-WAY/TENURE	0312998	S	ACT	No overlap	<input type="checkbox"/>	2011 07 13
Interest	1983 09 23	LEASE/TENURE	1400284	S	ACT	Unknown	<input type="checkbox"/>	2011 07 13
Interest	1983 04 28	LEASE/TENURE	1400410	S	ACT	Unknown	<input type="checkbox"/>	2011 07 13
Interest	2004 07 15	LICENCE/TENURE	1400911		ACT	Unknown	<input type="checkbox"/>	2011 07 13
Interest	2009 03 31	LEASE/TENURE	1404521		ACT	Unknown	<input type="checkbox"/>	2011 07 13
Interest	2004 03 17	RESERVE/NOTATION/TENURE	1412424		ACT	Unknown	<input type="checkbox"/>	2011 07 13
Interest	2011 03 28	LICENCE/TENURE	1413458		ACT	Unknown	<input type="checkbox"/>	2011 07 13
Interest	2010 10 21	LICENCE/APPLICATION	1413468		ACT	Unknown	<input type="checkbox"/>	2011 07 13

Details:

- Public advertising is complete. Response rec'd from s.22 indicated concerns with size and/or the addition of another dock in the area. These have been taken into consideration and have been addressed by reducing the parcel area. Original application size of .0565 ha reduced to .03398 ha. The walkway has been reduced in length from 61.50m to 45.25 m. There should be no impacts to the riparian rights of others. The addition of the dock falls within the local, regional and provincial *Acts and Regulations*.
- s.22 the only common property for this strata appears to be the shared driveway).
- #0312997 (R/W Sewer/effluent). Site intersects but no conflict as #0312997 has prior rights.
- #0312998 (R/W Sewer/effluent). No conflict as this is 'in vicinity' only.
- #1400284 - Licence of Occupation/Residential-Private Moorage. No conflict as this is 'in vicinity' only.
- #1400410- Licence of Occupation/Residential-Private Moorage. No conflict as this is 'in vicinity' only.
- #1400911-Licence of Occupation/Residential-Private Moorage No conflict as this is 'in vicinity' only.
- #1404521. Commercial Marina. No conflict as this is 'in vicinity only. Prior rights apply
- #1412424 Commercial Wharf. BC Transportation Authority. No conflict as this is 'in vicinity only. Prior rights apply
- #1413458-L.O.O Ferry Terminal. No conflict as this is 'in vicinity only. Prior rights apply
- #1413468-LOO Commercial Marina. No conflict as this is 'in vicinity only. Prior rights apply
- #1406729: Licence of Occupation/Residential-Private Moorage. Application site in close proximity (11 m apart)-Possible conflict but prior rights apply.
- #1405082-Lease Private Moorage. Application site in close proximity (approx. 35 m apart)-Possible conflict but prior rights apply.

Site Information:

- Crown foreshore extending from Strata Lot A Section 11, Range 2 West South Saanich District to encompass wharf and anchors. The upland owner is the applicant.
- The proposed private moorage structure consists of one 73.25 m wharf originating on clients upland property and extending seaward for a total of .03398 ha
- For more descriptive site information, please refer to the site maps

Commentary: Recommend approval of a Specific Permission.

Application for private moorage submitted on June 13 2011 from Jill Wake for constructing, operating and maintaining private moorage facility consisting of a single dock, wharf or pier (including walkway ramp) or combination thereof, for personal, non-commercial moorage use at Brentwood Bay. It involves the construction of a walkway and dock totaling 034 hectares

- indefinite term
- Annual Rental: N/A as per policy
- \$2,000,000 Insurance
- N/A Security - (as per policy)

Appraisal/Rental Calculations

Land Value: ~~\$1,220.00~~ Value type: In House Appraisal Date: November 6, 2012
 Rental Amount: \$0.00 per annum
 Next review date: N/A
 Rate: N/A
 Purchase Price: \$0.00
 Occupational Rent: \$0.00 for period from to
 # Communication uses: 0
 Royalty Rate (\$/m³): \$0.00 per cubic metre

Calculations/Comments: As Per Policy for Specific Permissions for Private Moorage, there is no rental rate

Disposition Requirements

- ☒ Insurance – Commercial General: \$2,000,000.00
- ☐ Sudden and Accidental Pollution
- ☐ Environmental Pollution Liability
- ☐ Aircraft Liability
- ☐ Airport Premises and Operations
- ☐ Watercraft Liability
- ☐ Survey Required - Client Pays for boundary survey. Survey due in 12 months.
- ☐ Removal required from Provincial Forest
- ☐ Upland Owner Consent required for
- ☐ Performance Bond: \$0.00 ☐ Management Plan required
- ☐ Prospectus required ☐ Contaminated Site Evaluation required
- ☐ A.L.R. inclusion ☒ Proof of Advertising required
- ☐ Agricultural Eligibility Report required ☐ Quit Claim required
- ☐ Archaeological Impact Assessment(AIA) required
- ☐ Rezoning to by (Local Government Name).
- ☐ Land Reserve Commission approval required for removal from Agricultural Land Reserve
- ☐ Other/Comments:

Covenants (Client must)

- ☐ Consolidate with
- ☒ Improvements per purpose
- ☐ Dispose of Raw Sewage
- ☐ Store Hazardous Products
- ☐ Use Toxic Construction Materials
- ☐ Aquatic – Not Deposit
- ☐ Public - River Bank/Water body:
- ☒ Archaeological Site Notice
- ☐ Fencing: No Fencing
- ☐ Changes to existing improvements

Comment [p1]: As per the Commercial Apline Ski Policy all fees are included in gross lift revenue.

Comment [c2]: Required when Land tenure activities that are subject to significant quantities of pollutants which might cause harm to 3rd parties if suddenly or accidentally spilled or released.

Comment [c3]: Land tenure activities that are subject to significant quantities of pollutants which cause harm if accidentally spilled or released or seep to neighbouring properties over a long period of time ... [1]

Comment [c4]: Land tenure activities that include the operation of aircraft (including helicopters) either owned ... [2]

Comment [c5]: Land tenure activities that involve the operation and maintenance of an airstrip, runway or airport.

Comment [c6]: Land tenure activities that include the operation of watercraft over 26 ft in length either owned or lease ... [3]

Comment [N7]: Enter legal description for upland private property.

Comment [N8]: If you are not requesting a bond, you must explain why in the comments section below.

Comment [N9]: In this section include other requirements not included in the list above. You should also include ... [4]

Comment [N10]: Enter legal description private property to be consolidated or bound.

Comment [N11]: IMPROVEMENTS PER MANAGEMENT PLAN - not construct, place or affix any ... [5]

Comment [N12]: DISPOSE OF RAW SEWAGE - dispose of raw sewage and refuse only in accordance with the ... [6]

Comment [N13]: STORE HAZARDOUS PRODUCTS - store bulk hazardous petroleum products at ... [7]

Comment [N14]: NOT USE TOXIC CONSTRUCTION MATERIALS ... [8]

Comment [N15]: AQUATIC - NOT DEPOSIT - not without prior written consent from us deposit on the L ... [9]

Comment [N16]: PUBLIC- INTERTIDAL ZONE - not interm ... [10]

Comment [N17]: ARCHAEOLOGICAL SITES NOTICE - during the course of land alteration or other activities ... [11]

Comment [N18]: NO FENCING - not fence the perimeter of the Land nor erect fencing on the Land. ... [12]

Comment [N19]: CHANGES TO EXISTING IMPROVEMENTS - not undertake any alterations, repair ... [13]

- ☐ Setback and Elevation Metric) -
☐ Floodplain setbacks m Hor. m Vert (water body)
☐ Must have a Guide Outfitter License
☐ Restore Surface Soil
☒ Survey may be required
☐ Health Covenant
☐ Access by Water Only
☐ Other/Comments:

Comment [p20]: MUST HAVE A VALID GUIDING LICENSE - obtain and keep in effect a valid registered guiding license during the term of this Agreement.
 MUST HAVE A VALID ANGLING GUIDE LICENSE - obtain and keep in good standing a valid registered angling guide license during the term of this Agreement.
 MUST HAVE A VALID TRAPLINE LICENSE - maintain a registered trapline license dur ... [14]

Limitations (Client agrees ...)

- ☒ Aquatic - Not Dredge
☒ Aquatic - No Diversion
☒ Aquatic - Pile Driver Only
☒ Temporary Shelter - Foul Weather
☒ Moorage - No Residence
☐ Notice - Access To Maintain
☐ Prohibition of Log Storage
☒ Waiver of claim for compensation
☐ Hydro Electric Project
☐ Flooding - Engineering Report
☒ Prior Rights - SRW Name: Works: File 0312997
☐ Prior Rights - Trapline Name: Period:
☐ Prior Rights - Works Name: Works:
☐ Prior Rights - Dyke Operator: Water body:
☐ Prior Rights - Generic Name
☐ Easement through
☐ Cross-cancellation binding tenures Legal:
☐ Other/Comments:

Comment [N21]: RESTORE SURFACE SOIL - if any soil is ... [15]

Comment [p22]: SURVEY MAY BE REQUIRED - DEADLINE FOR: ... [16]

Comment [N23]: ACCESS BY WATER ONLY - access to the l ... [17]

Comment [N24]: AQUATIC - NOT DREDGE - you will not dredge ... [18]

Comment [N25]: AQUATIC - NO DIVERSION - you will not interr ... [19]

Comment [N26]: AQUATIC - PILE DRIVER ONLY - you will not us ... [20]

Comment [N27]: TEMPORARY SHELTER - FOUL WEATHER ... [21]

Comment [N28]: MOORAGE-NO RESIDENCE - you will not moo ... [22]

Comment [N29]: NOTICE - ACCESS TO MAINTAIN - contact us ... [23]

Comment [N30]: PROHIBITION OF LOG STORAGE - not store log ... [24]

Comment [p31]: WAIVER OF CLAIM FOR COMPENSATION - you w ... [25]

Comment [N32]: HYDRO ELECTRIC PROJECT - notwithstanding ar ... [26]

Comment [N33]: PRIOR RIGHTS - SRW - This Agreement is subj ... [27]

Comment [N34]: PRIOR RIGHTS - TRAPLINE - This Agreement is ... [28]

Comment [N35]: PRIOR RIGHTS - WORKS - This agreement is sq ... [29]

Comment [N36]: PRIOR RIGHTS - DYKE - This Agreement is sub ... [30]

Comment [N37]: PRIOR RIGHTS - GENERIC - This Agreement is ... [31]

Comment [N38]: Enter legal description of property.

Comment [N39]: CROSS CANCELLATION - FEE SIMPL ... [32]

Comment [p40]: MUST HAVE A VALID GUIDING LICENSE - ob ... [33]

Comment [N41]: Covenants are "You must" and limitations a ... [34]

Comment [p42]: In this section include other information not listed above.

Client Responsibilities

- ☐ Health Approval
☐ N.W.P.A. Permit
☐ Mines/Reclamation Permit
☐ MOF Permit
☐ Water Act Approval
☐ Other/Comments:
- ☐ Waste Management Permit
☐ Access Permit from MOT
☒ Approval from Fisheries and Oceans Canada

Reminders

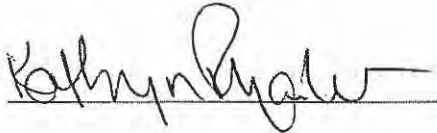
- ☐ Release security \$0.00
☐ Cancel previous tenure(s) on file(s):
☐ Initial and date Development Plan
☒ Complete and attach Reasons for Decision Report
☒ Complete Aboriginal Interest Assessment Report

- ☒ First Nations notification letter sent (letter attached)
☐ Nanwakolas Clearinghouse Agreement area
☒ Other:
Douglas Treaty

Attachments

- | | |
|---|--|
| <input checked="" type="checkbox"/> Sketch | <input checked="" type="checkbox"/> Reasons For Decision |
| <input checked="" type="checkbox"/> Aboriginal Interest Assessment Report | <input type="checkbox"/> Clearance |
| <input checked="" type="checkbox"/> Photograph(s) | <input type="checkbox"/> Air Photo(s) |
| <input checked="" type="checkbox"/> Referral(s) | <input type="checkbox"/> Fee appraisal |
| <input type="checkbox"/> Other | |

Signature:



Date:

Nov. 8. 2012

SE
Nov 14, 2012

Principle Based Decision making

Criterion:		Does not meet	Meets in some respects	Meets in all respects	Exceeds	Not applicable
		A	B	C	D	X
CRITERION 1 FISH, PLANT AND ANIMALS	Does not compromise the regional distribution of fish, plant and animals, the sustainability of their populations, or the integrity of their habitats		b			
CRITERION 2 – STEWARDSHIP	Ensures responsible uses and stewardship of natural resources					x
CRITERION 3 – ENCROACHMENT AND ALIGNMENT	Manages encroachment and optimises alignment with natural site conditions.		b			
CRITERION 4 OFF-SITE IMPACTS	Considers the range and extent of the proposed land use on off site land, air and water resources			c		
CRITERION 5 – “PUBLIC GOOD”	Demonstrates a clear need and purpose for the public “good”					x
CRITERION 6 – EXISTING PUBLIC INFRASTRUCTURE	Demonstrates the effective use of community resources and existing government infrastructure					x
CRITERION 7 – PUBLIC ACCESS	Considers the management of public access to Crown lands and the lands beyond.					x
CRITERION 8 – LOCAL PLANS AND ZONING	Considers approved local and regional plans			c		
CRITERION 9 – PROVINCIAL GOALS AND STRATEGIES	Consistent with provincial economic development goals and strategies		b			
CRITERION 10 – CROWN LAND RESOURCES	Demonstrates the efficient use of Crown land resources		b			
CRITERION 11 – MARKET NEUTRALITY	Produces market neutral and “best use” outcomes		b			
CRITERION 12 – PUBLIC BENEFIT	Provides economic benefits for the public		b			

Pages 14 through 18 redacted for the following reasons:

s.16

s.16, s.18

ADJUDICATION

File No.: 14734
141364 7

Company/Society No.: _____

☐ Tenant in Common ☐ Joint Tenants

Subject to Survey: ☐ Yes ☐ No

☐ Offer ☐ Mod Offer ☐ To Obtain Survey ☐ Delayed

Document Type: ☒ Permission ☐ License ☐ Lease ☐ Permit ☐ Stat RW ☐ SP Schedule A

Purpose: Private moorage

☐ Documents Received

Term: Three Years

Commencement Date: Jan. 1 2013

Security \$ 8 ☐ on file Blanket \$ _____ ☐ Received

Rental \$ 8 ☐ 1st Year ☐ Term

Client Day Rate \$ _____

Royalty Rate \$ _____ per cubic metre Nominal Rent Land Value \$ _____

Insurance: \$1,000,000.00 ☐ \$2,000,000.00 ☒ \$ _____ ☐ Received

Special Covenants/Limitations

☐ Survey may be required 90 days

☐ Survey required within 1 year

☐ Log Handling

☐ Management Plan on file

☐ Archaeological

☐ Other

Strata Lot A, Section 11, Range 2 West & South
Island District, Strata Plan V15 3919

Conditions Precedent - Fees

☐ Confirmed Amendment/Application Fee received: _____

☐ Rent \$ _____

☐ Occupational Rental \$ _____ (from _____ to _____) Per Diem \$ _____

☐ Green sheet for Occupational Rent ☐ Approved ☐ To Accounts

☐ Replacement Fee (excluding Aquaculture - 50% of Application Fee \$ _____

\$200.00, \$250.00, \$500.00, \$1,650.00

Reminders - upland owner consent, MoTI, blanket security clause, photographs, etc ☐ Received

CC's

☐ Regional District _____

☐ Islands Trust _____

☐ Shelley Meadows, DFO, Vancouver

☐ Rick Deegan, GeoBC, Victoria

☐ Other _____

☒ BC Assessment Capital

☐ Rick Deegan, Victoria

☐ District of _____

☐ Brent Magee, Transport Canada Vancouver

Adjudicated by PA: BS

Date: Nov 28/12

Approved by SPA: _____

Date: _____



Ministry of Forests, Lands and
Natural Resource Operations
Suite 142 - 2080 Labieux Road
Nanaimo, BC V9T 6J9

Telephone No: 250 751-7191
Facsimile No: 250 751-7224

HST Registration No: R107864738

Your contact is: Barbara Sorensen

Our file: 1413647

TENURE OFFER

November 28, 2012

JILL CHRISTINE ELEANOR WAKE
7046 Brentwood Dr
Brentwood Bay, BC V8M 1B4

Dear Madam:

Re: Your Application for a Tenure over Crown Land

Your application for a permission for private moorage purposes over:

Unsurveyed Crown foreshore or land covered by water being part of the bed
Brentwood Bay, Cowichan District, containing .034 hectares, more or less

(the "Land") has been accepted by us subject to fulfillment of certain requirements.
Accordingly, we are offering to you a permission on the terms and conditions set out in
this letter.

Please be aware that you are required under this permission to observe, abide by and
comply with all applicable laws, bylaws, orders, directions, ordinances and regulations
of any competent governmental authority which in any way affects your use and
occupation of the Crown land and any improvements made to that land. If you have
any concerns or questions regarding any such laws, bylaws, orders, directions,
ordinances and regulations you are encouraged to seek legal advice.

Deadline for Your Acceptance of this Offer

This offer may be accepted by you within 45 days of the date of this offer (unless this
deadline is extended in writing by us). To accept this offer, you must complete and
return to us the enclosed acceptance page by that time. If you do not wish to accept

this offer, please check the applicable box on the acceptance page and sign and return the page to us so that we may record your rejection of our offer.

1. Conditions of Offer

Enclosed are two copies of your permission. If you accept this offer by returning the acceptance page to us within the time set out above, you must then execute and return these documents to us within 45 days from the date of this letter together with all of the following:

Insurance

You must effect and keep in force a current Homeowner's Insurance Policy or other personal lines residential insurance policy, including Comprehensive Personal Liability in an amount of not less than \$2,000,000.00 per occurrence.

You must make your insurer aware of this Agreement within 30 days of signing this Agreement.

Please sign **all** of the enclosed tenure documents in the spaces provided on the signature page, and **return all copies to our office**.

If you sign the permission documents and return them to us within 45 days from the date of this letter (unless this deadline is extended in writing by us), together with each of the items listed in this section, the permission documents will be signed on behalf of the Province. We will then return an executed copy of the permission to you. If the permission documents and each of the items listed in this section are not returned to us within 45 days from the date of this letter, we will be under no further obligation to issue the permission to you and this offer will terminate.

2. Acknowledgments of the Applicant

By accepting this offer, you agree that:

- (a) This offer cannot be transferred to another person.
- (b) This offer and the permission do not guarantee that
 - (i) the Land is suitable for your proposed use,
 - (ii) the Land can be built on,
 - (iii) there is access to the Land, or
 - (iv) the Land is not susceptible to flooding or erosion.
- (c) This offer will survive the signing and issuance of the permission but if any contradiction exists between the terms of this offer and the permission, the terms of the permission will prevail.

- (d) This offer does not give you any right to use or occupy the Land for any purpose.
- (e) Under the *Land Act*, this offer is not binding upon the Province until the permission is signed by the Province.
- (f) Time is of the essence in this offer.

3. Your Representations

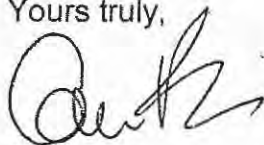
By accepting this offer, you confirm that:

- (a) You (or your authorized representative) have inspected the Land and are fully aware of its condition.
- (b) You have knowledge of all municipal and regional bylaws regulating the use and development of the Land.
- (c) You acknowledge that you have no right to use or occupy the Land unless and until the permission is issued to you under this offer.
- (d) You are the registered owner of the upland property adjacent to the Land.

Freedom of Information

Personal information is collected under the *Land Act* for the purpose of administering Crown land. Information on your application, and if issued, your tenure, will become part of the Crown Land Registry, from which information is routinely made available to the public under freedom of information legislation.

Yours truly,



Authorized representative

Acceptance of Offer of permission

File No. 1413647

Ministry of Forests, Lands and Natural Resource Operations
Suite 142 - 2080 Labieux Road
Nanaimo, BC V9T 6J9

Dear Barbara Sorensen:

Re: Application for permission

- ☐ I/We accept the offer of permission made to me/us by way of a letter dated November 28, 2012 from the Ministry of Forests, Lands and Natural Resource Operations and I/we agree to perform and abide by my/our covenants, acknowledgements and representations set out in that offer.
- ☐ I/We do not accept the offer of permission made to me/us by way of a letter dated November 28, 2012 from the Ministry of Forests, Lands and Natural Resource Operations.

DATED the ____ of _____, _____.

Applicant's signature/Applicant's
representative's signature

Applicant's signature/Applicant's
representative's signature

Print name of person signing

Print name of person signing

Acceptance of Offer of permission

File No. 1413647

Ministry of Forests, Lands and Natural Resource Operations
Suite 142 - 2080 Labieux Road
Nanaimo, BC V9T 6J9

Dear Barbara Sorensen:

Re: Application for permission

- ☒ I/We accept the offer of permission made to me/us by way of a letter dated November 28, 2012 from the Ministry of Forests, Lands and Natural Resource Operations and I/we agree to perform and abide by my/our covenants, acknowledgements and representations set out in that offer.
- ☐ I/We do not accept the offer of permission made to me/us by way of a letter dated November 28, 2012 from the Ministry of Forests, Lands and Natural Resource Operations.

DATED the 27th of December, 2012

JCWake
Applicant's signature/Applicant's
representative's signature

Applicant's signature/Applicant's
representative's signature

JILL CHRISTINE ELEANOR WAKE
Print name of person signing

Print name of person signing



SPECIFIC PERMISSION FOR PRIVATE MOORAGE

Permission No.:

File No.: 1413647

Disposition No.: 893086

THIS PERMISSION is dated for reference January 1, 2013 and is made under the *Land Act*.

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA, represented by the minister responsible for the *Land Act*, Parliament Buildings, Victoria, British Columbia

(the "Province")

AND:

JILL CHRISTINE ELEANOR WAKE

7046 Brentwood Dr
Brentwood Bay, BC V8M 1B4

(the "Owner")

WHEREAS:

- A. The Province has responsibility for the management of Crown land, including foreshore land and most submerged land;
- B. The Minister has the authority under section 11 of the *Land Act* to authorize the use of Crown land on terms and conditions which the Minister considers appropriate;
- C. The Minister wishes to provide a specific permission for the use of Crown land covered by water in British Columbia for Private Moorage Facility (as herein defined) purposes.

ACCORDINGLY, the Minister grants and the Owner accepts a specific permission for the construction and use of a Private Moorage Facility (as herein defined) on the following terms and conditions.

ARTICLE 1 - DEFINITIONS

1.1 In this document,

"Improvements" includes anything made, constructed, erected, built, altered, repaired or added to, in, on or under the Land, and attached to it or intended to become a part of it, and also includes any clearing, excavating, digging, drilling, tunnelling, filling, grading or ditching of, in, on or under the Land;

"Land" means that part or those parts of the following described land shown outlined by bold line on the schedule attached to this Permission entitled "Legal Description Schedule":

Unsurveyed Crown foreshore or land covered by water being part of the bed Brentwood Bay, Cowichan District, containing .034 hectares, more or less,

except for those parts of the land that, on the Commencement Date, consist of highways (as defined in the *Transportation Act*) and subject to any changes to the area or boundaries of the Land that may be made from time to time in accordance with the terms of this Permission;

"Minister" means the minister responsible for the *Land Act*;

"Management Plan" means the most recent management plan prepared by you in a form acceptable to us, signed and dated by the parties, and held on file by us;

"Permission" means the Minister's permission as recorded in this document;

"Private Moorage Facility" means a structure used for the purpose of mooring boats and for providing pedestrian access to and from the moored boats, and can consist of a single dock, wharf, or pier (including walkway ramp) that is permanently affixed to aquatic Crown land, and any ancillary structures such as a boat lift and anchor lines. It is for the personal and private use by one or a number of individuals or a family unit for boat moorage;

"Province" means Her Majesty the Queen in Right of the Province of British Columbia;

"Realty Taxes" means all taxes, rates, levies, duties, charges and assessments levied or charged, at any time, by any government authority having jurisdiction which relate to the Land, the Improvements or both of them and which you are liable to pay under applicable laws;

"Upland Property" means the parcel of non-aquatic land, being either privately owned or leased Crown land, which has riparian rights to the point at which the Private Moorage Facility is attached to land more particularly described as Strata Lot A, Section 11, Range 2 West, South Saanich District, Strata Plan VIS3919;

"we", "us" or "our" refers to the Province alone and never refers to the combination of the Province

and the Owner: that combination is referred to as **"the parties"**; and

"you" or **"your"** refers to the Owner.

ARTICLE 2 - CONDITIONS OF THIS PERMISSION

2.1 The rights granted in this Permission apply only under the following circumstances:

- (a) The Owner of the Private Moorage Facility is the owner of the Upland Property or is the holder of a Crown land lease for the Upland Property.
- (b) This Private Moorage Facility will be the only Private Moorage Facility on the frontage of the Upland Property.
- (c) Ownership of and liability for a Private Moorage Facility shall pass to and be binding upon your heirs, executors and assigns of the Owner.
- (d) You must not assign, mortgage or transfer this Permission, or permit any person to use or occupy the Land, without our prior written consent, which consent we may withhold.
- (e) A Private Moorage Facility shall be and shall remain your property unless you transfer the rights and obligations in a signed agreement with another person approved by us as per subsection 2.1(d).
- (f) There are no other laws, bylaws or local government zoning restrictions which prohibit the installation and use of the Private Moorage Facility.
- (g) You understand that this Permission does not grant exclusive use and occupancy of the Land.

ARTICLE 3 - SIZE

- 3.1 The Private Moorage Facility's size must be as set out in the Management Plan, and the Management Plan must disclose the length and width of the Private Moorage Facility, the height of any proposed structures, the length and width of any connecting walkways which will be placed on Crown land and any ancillary structures or Improvements which will be part of or used with the Private Moorage Facility.
- 3.2 No increase in any dimension of the Private Moorage Facility from the description in the Management Plan will be permitted unless you first obtain our written consent.

ARTICLE 4 - CONSTRUCTION

- 4.1 Do not interrupt or divert the movement of water or of beach materials by water along the shoreline.
- 4.2 No fill may be used in the construction or structure of the Private Moorage Facility.
- 4.3 Do not use mechanized equipment other than pile-driver during the construction, operation or maintenance of the Private Moorage Facility.
- 4.4 Riparian vegetation on Crown land shall not be unduly disturbed.
- 4.5 Do not use crib foundations or solid core structures made of cement or steel sheeting in Private Moorage Facility construction.
- 4.6 The Private Moorage Facility must be either floating or suspended above the water.
- 4.7 No dredging may occur on Crown land.
- 4.8 Do not use construction materials containing toxic substances.
- 4.9 Do not use construction materials containing toxic substances, except in marine waters where the use of a preservative-treated wood may be necessary.
- 4.10 Do not cut or remove timber on or from the Land without prior written consent and, being granted the right under the *Forest Act* to harvest Crown timber on the Land.

ARTICLE 5 - USE

- 5.1 The Private Moorage Facility shall be used for private, non-commercial moorage purposes only and the Owner of the Private Moorage Facility must not make the Private Moorage Facility available to others for a fee.
- 5.2 Do not moor or secure any boat or structure to the Private Moorage Facility for use as a live-aboard facility, whether permanent or temporary.

ARTICLE 6 - OTHER COVENANTS

- 6.1 You must
 - (a) pay, when due,

- (i) the Realty Taxes, and
- (ii) all charges for electricity, gas, water and other utilities supplied to the Land for use by you or on your behalf or with your permission;
- (b) take all reasonable precautions to avoid disturbing or damaging any archaeological material found on or under the Land and, upon discovering any archaeological material on or under the Land, you must immediately notify the ministry responsible for administering the *Heritage Conservation Act*;
- (c) provide without compensation temporary accommodation to any vessel that is disabled or that seeks shelter in weather conditions that would render it unseaworthy;
- (d) observe, abide by and comply with
 - (i) all applicable laws, bylaws, orders, directions, ordinances and regulations of any governmental authority having jurisdiction in any way affecting your use or occupation of the Land or the Private Moorage Facility, and with
 - (ii) the provisions of this Permission;
- (e) ensure that the Private Moorage Facility does not interfere with public access over land;
- (f) keep the Private Moorage Facility and the Land in a safe, clean and sanitary condition;
- (g) not commit any willful or voluntary waste, spoil or destruction on the Land, except for the lawful discharge of wastes and emissions, or do anything on the Land that may be or become a nuisance or annoyance to an owner or occupier of land in the vicinity of the Land provided that, for the purposes of your covenant in this subsection, the lawful construction and operation and maintenance of the Private Moorage Facility allowed under this Permission will be deemed not to be a nuisance or annoyance to an owner or occupier of land in the vicinity of the Land;
- (h) dispose of raw sewage and refuse only in accordance with the requirements and regulations of appropriate federal and provincial agencies;
- (i) store bulk hazardous petroleum products and other toxic substances in accordance with the provisions of the *Environmental Management Act*;
- (j) not store logs on the Land;
- (k) pay all accounts and expenses as they become due for work performed on or materials supplied to the Land at your request, on your behalf or with your permission, except for money that you are required to hold back under the *Builders Lien Act*; and

- (l) if any claim of lien over the Land is made under the *Builders Lien Act* for work performed on or materials supplied to the Land at your request, on your behalf or with your permission, you will immediately take all steps necessary to have the lien discharged, unless the claim of lien is being contested in good faith by you and you have taken the steps necessary to ensure that the claim of lien will not subject the Land under this Permission to sale or forfeiture.

- 6.2 You agree to develop the land in a diligent and workmanlike manner in accordance with the management plan held on file in this office.

ARTICLE 7 - TERMINATION OF PERMISSION

- 7.1 There is no term or predetermined end date for this Permission, and your responsibilities and duties under this Permission will continue until either we or you revokes or otherwise terminates the Permission.
- 7.2 We may revoke this Permission for the Private Moorage Facility at any time in our sole discretion without incurring any liability to you whatsoever and you must remove all parts of the Private Moorage Facility from the Land within a specified number of days as determined by us, leaving the Land in a safe, clean and sanitary condition.
- 7.3 If we revoke or terminate this Permission for any reason whatsoever, you shall have no right of compensation.
- 7.4 When you remove the Private Moorage Facility you must leave the Land in a safe, clean and sanitary condition acceptable by us. If you do not do so, we may clean and remediate the Land (including, if necessary, the removal of the Private Moorage Facility) and you will be responsible for the full cost of such cleaning and remediation.
- 7.5 If this Permission is terminated, all existing duties and responsibilities of yourself, your heirs, successors or assigns under this Permission will continue beyond the date of its termination.

ARTICLE 8 - OTHER DISPOSITIONS

- 8.1 You agree with us that
- (a) in addition to the other reservations and exceptions expressly provided in this Permission, this Permission is subject to the exceptions and reservations of interests, rights, privileges and titles referred to in section 50 of the *Land Act*;

- (b) other persons may hold or acquire rights to use the Land in accordance with enactments other than the *Land Act* or the *Ministry of Lands, Parks and Housing Act*, including rights held or acquired, under the *Coal Act*, *Forest Act*, *Geothermal Resources Act*, *Mineral Tenure Act*, *Petroleum and Natural Gas Act*, *Range Act* and *Water Act* (or any prior or subsequent enactment of the Province of British Columbia of like effect); such rights may exist when this Permission takes effect and may be granted or acquired after this Permission takes effect and may affect your use of the Land;
- (c) other persons may hold or acquire interests in or over the Land granted under the *Land Act* or the *Ministry of Lands, Parks and Housing Act*; such interests may exist when this Permission takes effect; after this Permission takes effect we may grant such interests (including fee simple interests, leases, statutory rights of way and licences) however we will not grant any such interest that would result in the need to amend the Management Plan unless we have first complied with the requirements of this Permission with regard to the amendment of the Management Plan; subject to this you acknowledge your use of the Land may be affected by such interests and the area or boundaries of the Land may change as a result of the granting of such interests;
- (d) you have no right to compensation from us and you release us from all claims, actions, causes of action, suits, debts and demands that you now have or may at any time in the future have against us arising out of any conflict between your use of the Land under this Permission and the exercise or operation of the interests, rights, privileges and titles described in subsections (a), (b), and (c);
- (e) this Permission does not limit any right to notice, compensation or any other benefit that you may be entitled to from time to time under the enactments described in subsection (b);
- (f) you will not commence or maintain proceedings under section 65 of the *Land Act* in respect of any interference with your use of the Land as permitted under this Permission as a result of the lawful exercise or operation of the interests, rights, privileges and titles described in subsections (a), (b) and (c).

ARTICLE 9 - LIABILITY AND INDEMNITY

- 9.1 You assume all responsibility and liability associated with the Private Moorage Facility and agree to indemnify us for any loss or expense incurred by us as a result of the existence or use of the Land or Private Moorage Facility by any person, including, without limitation,
- (a) any conflict between the existence or use of the Private Moorage Facility and the land use or riparian rights of any person;
 - (b) your breach or non-performance of any part of this Permission; and

(c) any personal injury (including death) or property damage caused in any way, wholly or partly, by the Private Moorage Facility or by your use of the Land.

9.2 Without limiting your obligations or liabilities under this Permission at your expense, effect and keep in force during the Term, a Homeowner's Insurance Policy or other personal lines residential insurance policy, including Comprehensive Personal Liability in an amount of not less than \$2,000,000 per occurrence.

9.3 You must make your insurer aware of this Permission within 30 days of signing this Permission.

The parties have executed this Permission as of the date of reference of this Permission.

SIGNED on behalf of **HER MAJESTY
THE QUEEN IN RIGHT OF THE
PROVINCE OF BRITISH COLUMBIA**
by the minister responsible for the *Land Act*
or the minister's authorized representative

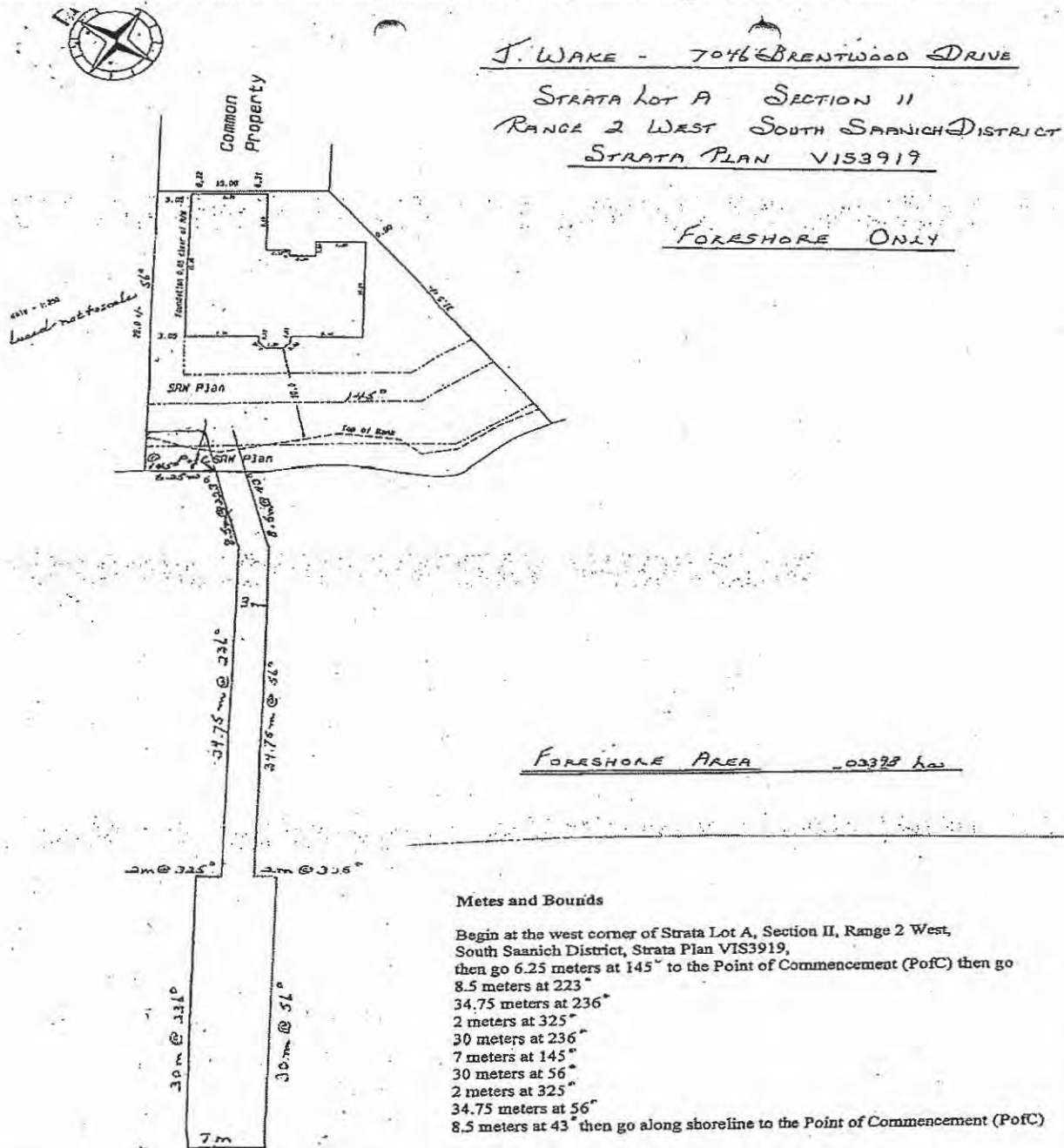


Minister responsible for the *Land Act*
or the minister's authorized representative

SIGNED BY
JILL CHRISTINE ELEANOR WAKE

LEGAL DESCRIPTION SCHEDULE

Unsurveyed Crown foreshore or land covered by water being part of the bed Brentwood Bay, Cowichan District, shown outlined on sketch below, containing .034 hectares, more or less





Applying for a Crown Land Tenure

All applications must include completed application form, general location map, local detail map, appropriate fees and attachments as indicated below.

INFORMATION REGARDING APPLYING FOR CROWN LAND AVAILABLE AT
www.al.gov.bc.ca/clad/land_prog_services/programs.html

PART 1. NAME(S) AND MAILING ADDRESS

Applicant Name:

FULL LEGAL NAME of Individual(s), Company or Society,
Ministry or Government Agency Your File: _____

JILL CHRISTINE ELEANOR WAKE

Contact Name for Company or Ministry Applicants:

Applicant Mailing Address:

7046 BRENTWOOD DRIVE

BRENTWOOD BAY BC

postal code s.22

Applicant Contact Numbers: Phone: s.22

Daytime Phone: s.22 Fax: s.22

Applicant Email: s.22

Are you an Agent submitting this application on behalf of your client?

☐ Yes ☒ No

Letter of Agency attached ☐ Yes ☐ No

Agent Name & Mailing Address:

postal code

Agent Contact Numbers:

Phone: Fax:

Agent Email Address:

For applications made by more than one individual: ☐ Joint Tenants or ☐ Tenants in Common

For your information: Joint Tenants: on the death of one tenant the interest passes to surviving tenant.

Tenants in Common: on the death of one tenant the interest passes to the beneficiaries of the estate.

BC Inc. #, BC Registration # or Society #:

HST Registration #:

Age: 19 or over s.22

Canadian Citizen or Permanent Resident s.22

Do you hold another Crown land tenure? ☐ Yes ☒ No If yes, provide File Number:

Period of Projected Use:

☐ Two years or less ☐ Two to five years ☐ Five to ten years ☒ Ten to thirty years ☐ More than thirty years

Application Type: ☒ new application ☐ replacement application – file number

☐ investigative permit application ☐ amendment application – file number

Proposed Use/Tenure Type: (e.g. powerline right of way, gravel quarry licence):

PRIVATE MOORAGE

FOR OFFICE USE ONLY

(date/time received)

RECEIVED
JUN 13 2011

Ministry of Forests, Lands
& Natural Resource Operations
West Coast Service Centre

File Number:

1413647

Disposition ID:

893086

Per # 912491

Project Number:

73087

Client I

s.22

PART 4. APPLICATION CERTIFICATION

All applications must be complete. Incomplete applications will be returned to applicant.

Please refer to the specific program requirements (e.g.: Aggregates, Commercial, Residential) for information that must be submitted with this application.

All of the following **must** be attached to or enclosed with this application form:

- ☒ **Fees** (in the amount indicated in Part 2) to **Minister of Finance** (cheque or credit card authorization form attached or pay in person with debit card or cash)
- ☒ **General Location Map(s)** at a scale of 1:50,000 to 1:250,000 indicating general location of the area under application and the location of access roads, watercourses and other major landmarks.
- ☒ **Detailed Site Map(s)** outlining in detail the area under application, showing the exact perimeter boundaries of the application area including the dimensions (in metre) and area (ha), including watercourses, district lots etc.
- ☐ **Program Specific Requirements** (i.e. communication site, agriculture, industrial, aquaculture). Program specific requirements can be confirmed at http://www.al.gov.bc.ca/clad/land_prog_services/programs.html

PLEASE NOTE: Additional items may be required (e.g. Advertising, Security Deposit, Proof Of Insurance, Letter Of Consent) Please consult Program Policies or contact FrontCounter BC for further information. Some items may have additional associated costs or require additional processing time.

Applicant or Agent signature(s):

s.22

Date: June 13, 2011

**PLEASE RETAIN A COPY OF THIS APPLICATION FOR YOUR RECORDS
- APPLICATIONS ARE NOT TRANSFERABLE -**

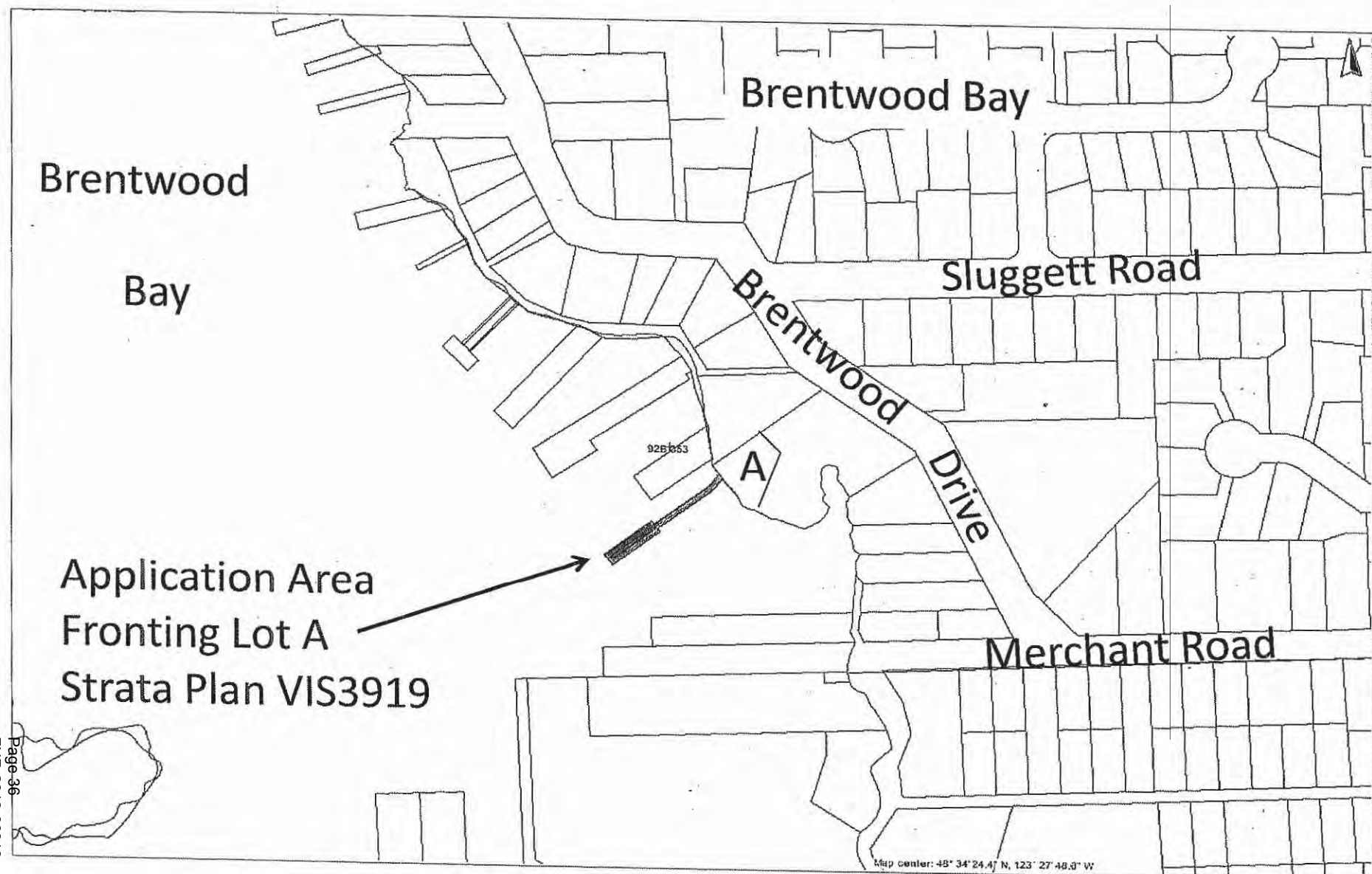
NOTE: The information you provide will be subject to the Freedom of Information and Protection of Privacy Act. If you have any questions regarding the treatment of your personal information, please contact the Manager, Privacy, Information Access and Records Management.

The submission of this form does not in any manner convey any rights to use or occupy Crown land.

FRONTCOUNTER BC OFFICE LOCATIONS

www.frontcounterbc.gov.bc.ca OR Call Toll-Free 1-877-855-3222

Cranbrook 1902 Theatre Road Cranbrook BC V1C 7G1	Fort St. John Ste 100, 10003 110 th Avenue Fort St John BC V1J 6M7	Kamloops 441 Columbia Street Kamloops BC V2C 2T3
Nanaimo Ste 142, 2080 Labieux Road Nanaimo BC V9T 6J9	Prince George 1044 5 th Ave Prince George, BC V2L 5G4	Smithers 1 st Floor, 3726 Alfred Avenue Smithers BC V0J 2N0
Surrey Ste 200, 10428 – 153 rd Street Surrey BC V3R 1E1	Williams Lake Ste 201, 172 North 2 nd Avenue Williams Lake BC V2G 1Z6	



Application Area
Fronting Lot A
Strata Plan VIS3919

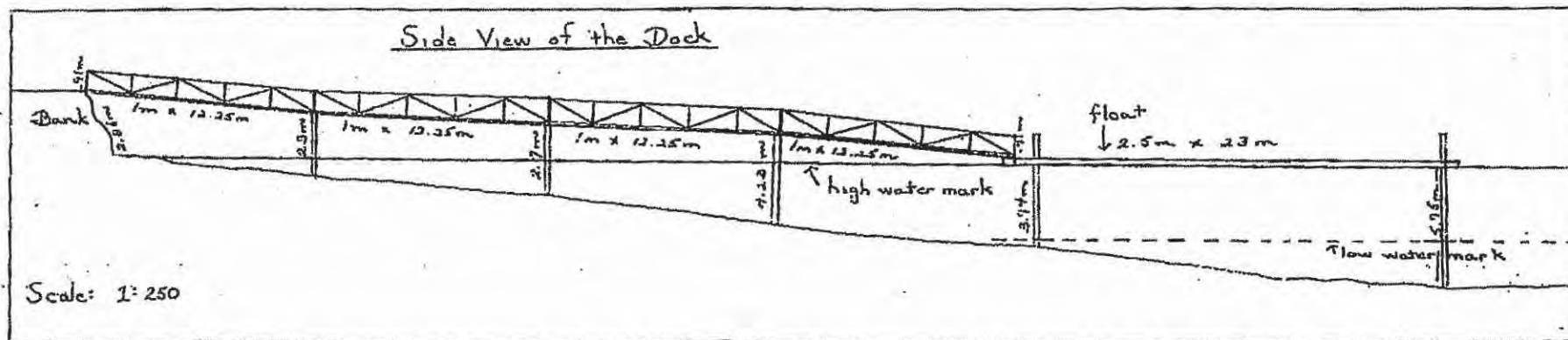
Map center: 48° 34' 24.4" N, 123° 27' 48.9" W

J. WAKE - 7046 BRENTWOOD DRIVE

STRATA LOT A SECTION 11

RANGE 2 WEST - SOUTH SAANICH DISTRICT

STRATA PLAN V153919



Strata Lot A, Section 11
Range 2 West, South Saanich District
Strata Plan VIS3919

Management Plan

Section A - Project Overview

Project and purpose: The project is to obtain a foreshore lease and to build a permanent walkway and floating dock. The purpose is to provide a dock for private use and for moorage of our boats.

Location, size and main features of project: The subject property is located at 7046 Brentwood Drive, Brentwood Bay, B.C. The foreshore application is for 576 square meters. The main features of the project are a 49 meter walkway and a 23 meter floating dock.

Access plans: The walkway will be accessed from the west corner of the lot at 7046 Brentwood Drive. The floating dock will be accessed from the walkway and, by boat, from the waters of Brentwood Bay.

Construction schedule: We hope to begin construction as soon as approval is received. Construction will also be dependent on the construction windows as specified from the local Department of Fisheries and Oceans staff.

Section B - Project Details

The site will be used for a walkway and a floating dock. This will provide us with space for the docking of our boats and better access to these boats.

There are no existing structures.

The walkway will be 1 meter wide and 49 meters long. It will be constructed of galvanized aluminum and wood. There will be three sets of two cement pilings, one set at 12.25 meters, one set at 24.5 meters and one set at 37 meters.

The floating dock will be 2.5 meters wide and 23 meters long. It will be constructed of plastic floats and wood decking. The floating dock will be anchored by two sets of wood pilings.

There are no areas that require dredging or the need for fill.

The walkway will commence from the top of the bank at the western corner on the property at 7046 Brentwood Drive.

The dock will start 47 meters from the bank at shore level.

Other docks that are located within 25 meters of the site plan are shown on the overhead view of the site area.

The sections of walkway will be at a height that will not constrict public access along the beach.

The floating dock will provide year-round dockage for family boats.

Section C - Additional information

I. Environmental

a. Land Impacts: There will be minimal impact to the land. No clearing is required, no buildings or infrastructures will be affected, and no adverse visual impact will occur. The land is owned by the applicant. The bank of the property, where the walkway will commence, is a fairly straight drop to the shoreline. The trees and shoreline vegetation will be retained. There are no archaeological sites on this property. The materials that will be used consist of: cement pilings, wood pilings, galvanized aluminum and wood walkway, plastic floats and wood decking for the floating dock. The pilings will be put in by a professional. The docks will be constructed elsewhere and floated into position. The work will be done according to the Department of Fisheries and Oceans guidelines to minimize adverse impacts.

b. Atmospheric Impacts: Atmospheric impact would be minimal. Sound, odour, gas or fuel emissions would be the same whether the boats were moored or docked. All boats are motored slowly out into the bay before the engines are more fully engaged.

c. Aquatic Impacts: The impact to the water or land covered by water will be minimal. There will be no need for fill or for dredging. The property bank has good drainage. Construction along the shore can be done with minimal sediment and/or contaminants entering the water. No diversion of water is required. This proposed project does not increase flood potential. Access to the walkway and the floating dock will be private, but public access to the beach will not be adversely affected. The height of the walkway will allow for public access to the beach. The walkway will be constructed so that the floating dock will be floating at all times, even at the lowest tides. The trees and shoreline vegetation will be retained. The quality of water should not be affected. There will be no sewage elimination into the waters, sewage services are available in Brentwood Bay. Neighbours to the northeast and east have a creek running through and by their properties. The proposed project will not interfere or have any adverse affect to this creek. The proposed project will not interfere with any neighbour's Riparian Rights.

d. Fish and Wildlife Habitat: There will be minimal disturbance to wildlife habitat. Not many bigger fish come into this area of Brentwood Bay. There are often small schools of fish. There are resident seals in the area, and some otters. Starfish are abundant, as are clams. There is very little aquatic vegetation. The floating dock will be located so that it is floating at all times, even at the lowest tides. The wood planking will provide for light to shine through the spaces and reach the habitat below.

II. Socio-Community

a. Land Use: The proposed project will not adversely affect existing land uses in the area. Most of the neighbours to this property have private moorage walkways and floating docks. The property is currently zoned W-1. The applicant will be applying for a development variance permit to allow for the construction of a permanent structure, and to allow for the walkway to be extended to allow the dock to be floating at all tides. Public recreational use of the water will not be affected. There is public access to the beach in several places in Brentwood Bay, the height of the walkway will allow for continued public access to the shore and beach.

b. Socio-Community Conditions: The proposed project will not adversely affect or influence existing community services or infrastructure (water supply, transportation, fire protection or emergency services, etc.) The proposed project does not require any transportation or access road changes, and will not affect any services to the property. Water navigation will not be adversely affected by this proposed project. The dock would be available for transportation and for emergency services, and is available to any boats in distress.

c. Public Health: The proposed project will not adversely affect public health. There will be no site contamination. There will be no sewage disposal from any of our boats. Sewage disposal services are available in Brentwood Bay.

d. First Nations: There has been no contact with the First Nations. There are no archaeological sites or any areas of First Nation cultural significance in the vicinity of the proposed project.

s.22

OCTOBER 22, 2007
DATE

7046 Brentwood Drive



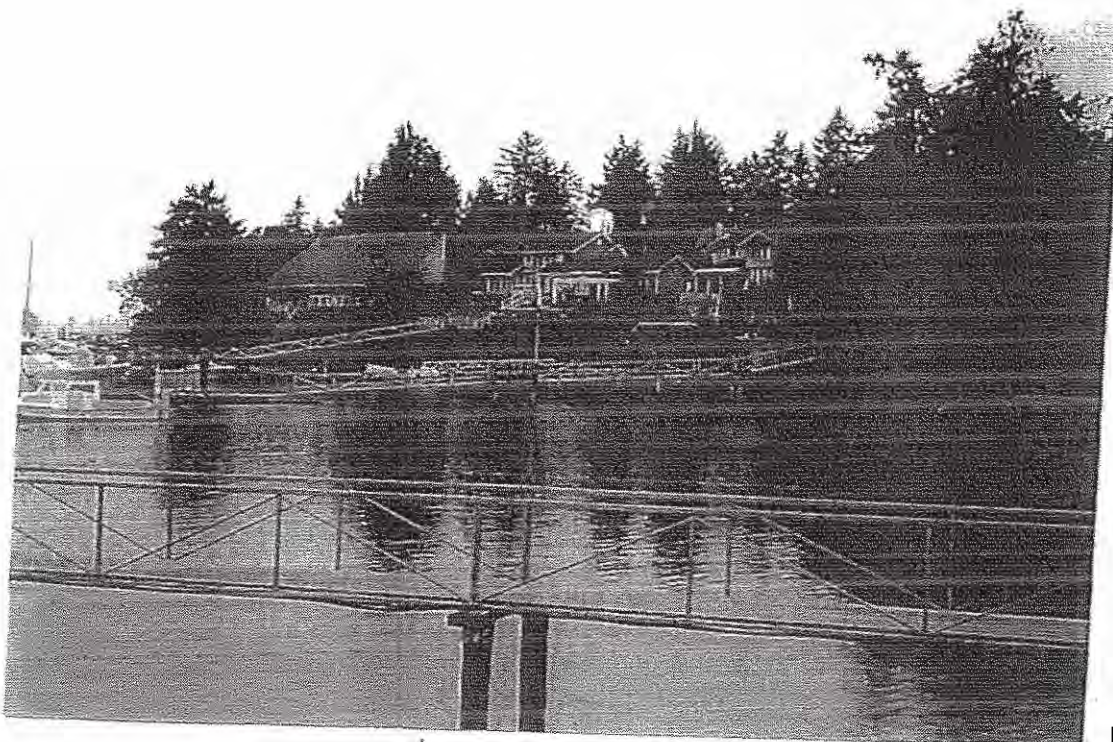
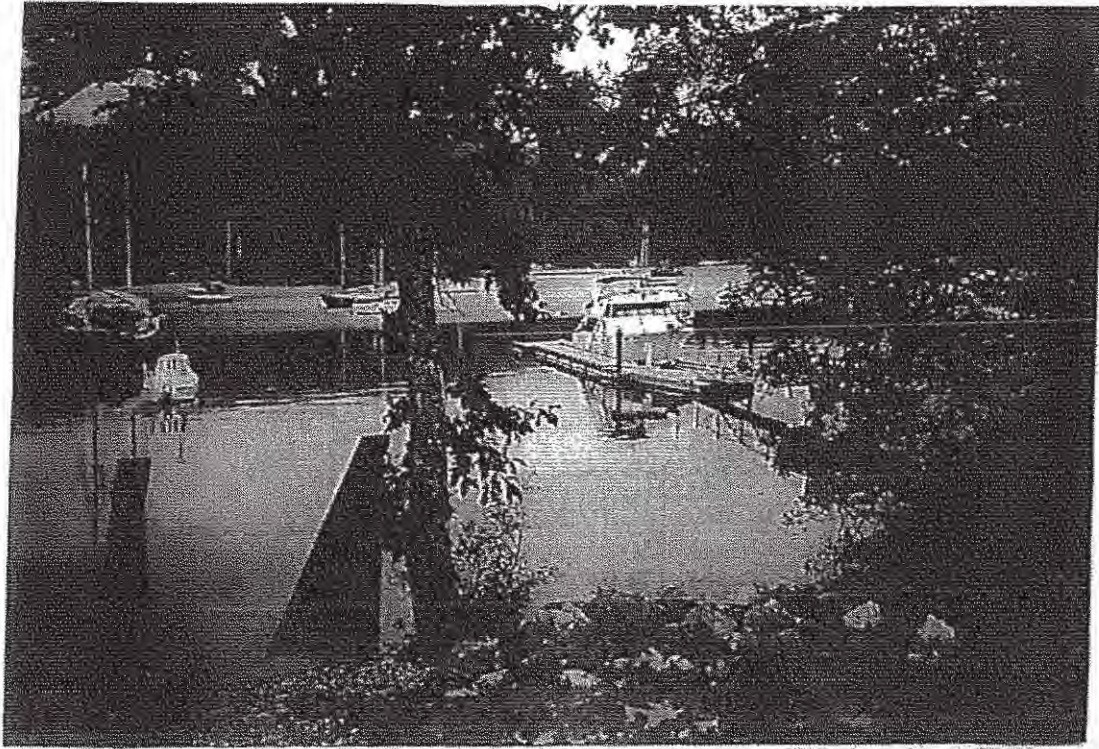
Legend

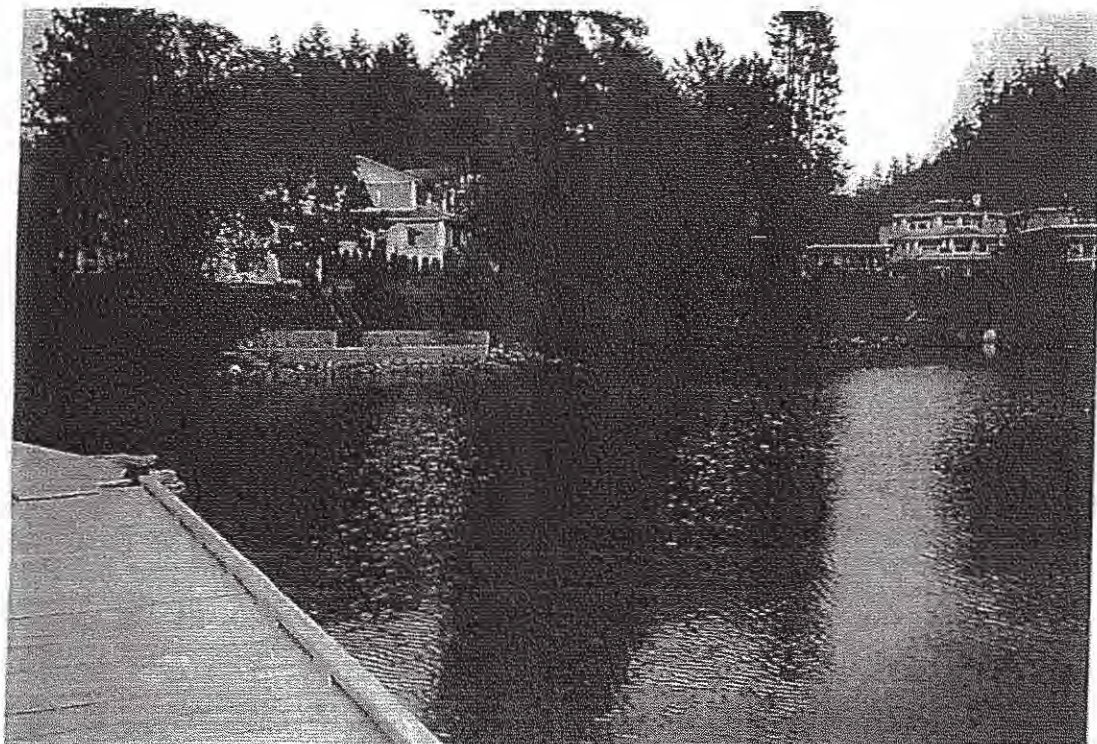
- Municipal Boundaries
- Highways
- Major Roads
- Roads
- Lot Boundaries
- Major Lakes
- Lakes and Rivers
- CRD Boundary

This map is a visitor generated site: output from the Capital Regional District's Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION. For more information please visit <http://www.crd.bc.ca/maps>.



Scale: 1:800
Created: October 21, 2007





To: Mark Harvey 250-751-7257
Natural Resource Operations

1413647

Email: mark.harvey@gov.bc.ca

Re: 7046 Brentwood Drive File #1413647

Mark,

I am emailing to you copies of photographs taken of my property at 7046 Brentwood Drive, Brentwood Bay, B.C.

The first photo shows the approximate location for the start of the proposed walkway. The walkway goes between two arbutus trees to the first set of pilings. This was done so that no trees would be adversely affected by the walkway or the dock.

The second photo shows approximately where the walkway will come from the lawn area. The bottom of the photo shows the bedrock of the bank.

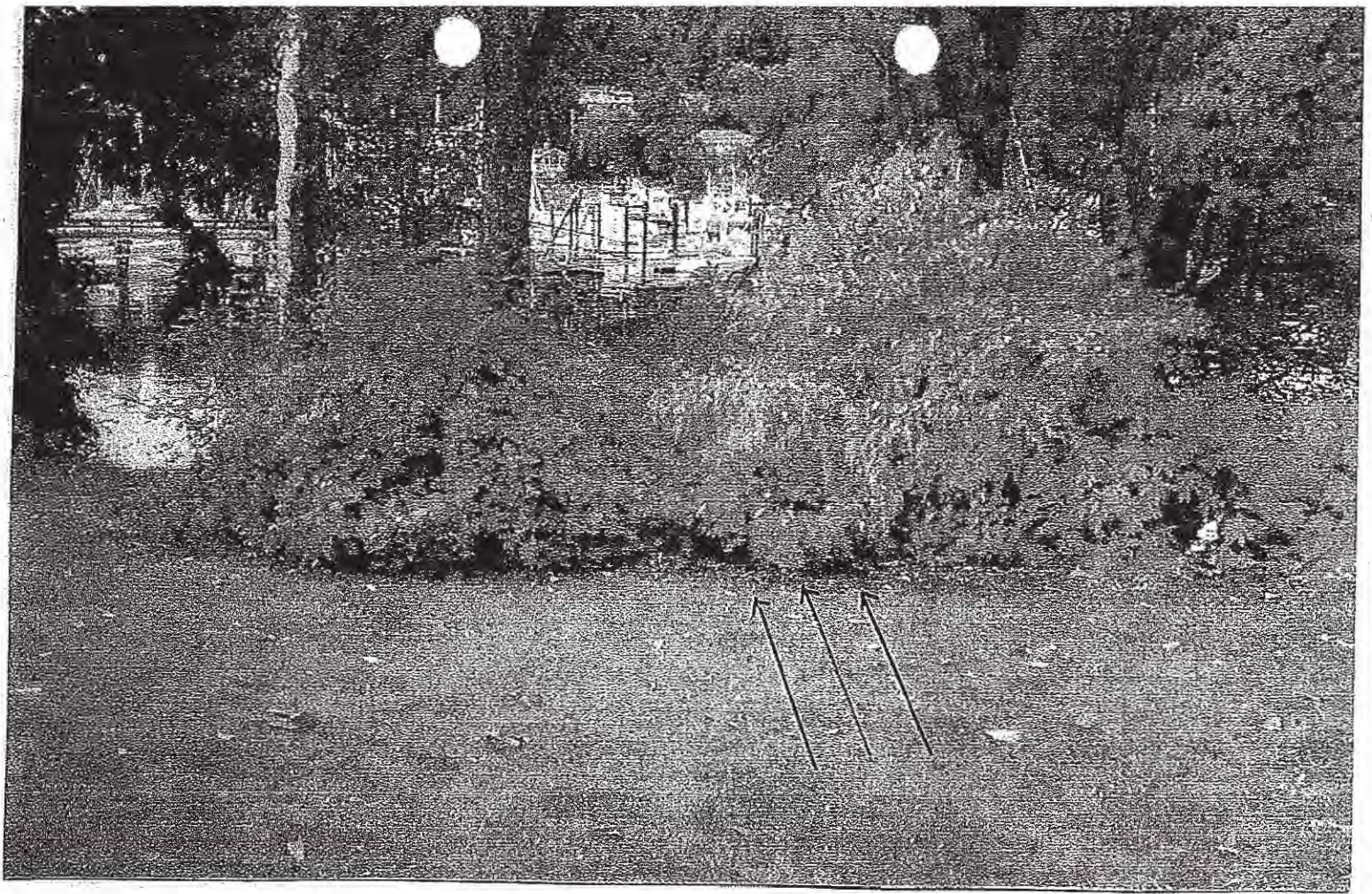
The third and fourth photos show the bank area and portions of the beach area at low tide. Both photos clearly indicate the amount of bedrock on the bank and beach.

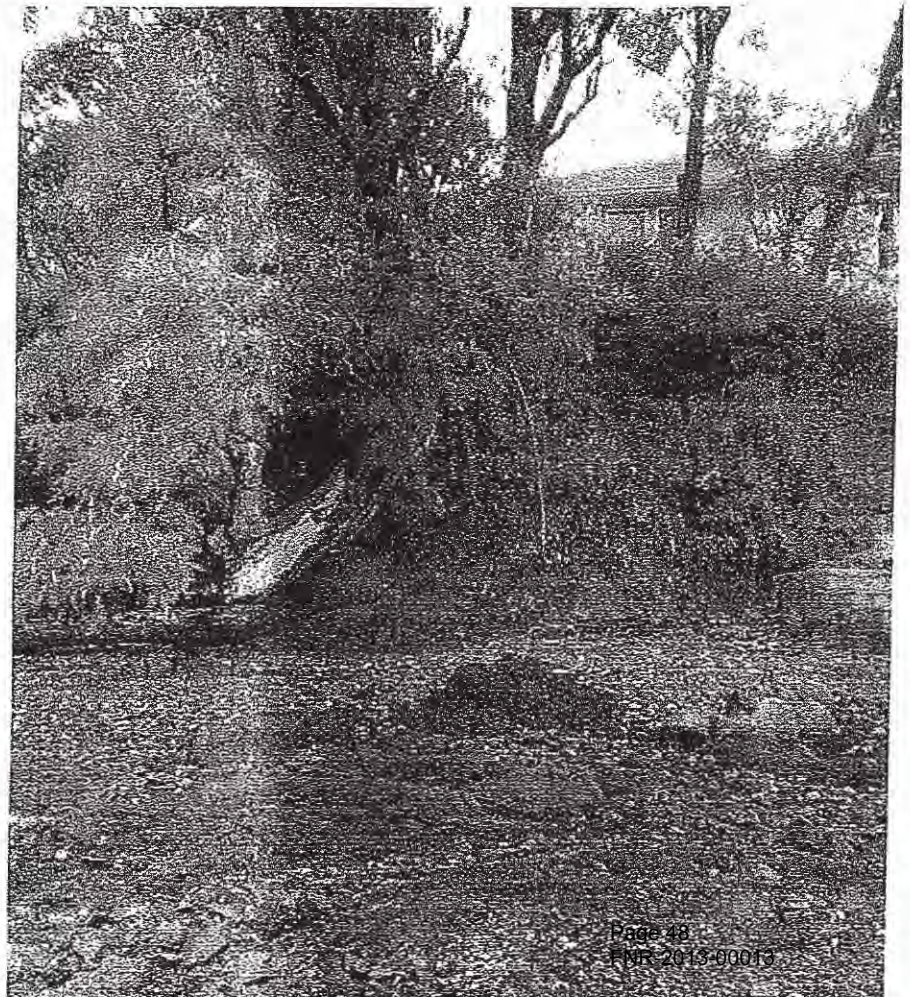
I am emailing to you a copy of the letter of April 23rd, 2008, and further information provided, from the Archaeology Branch. This letter was in response to a request from Central Saanich Council, and states that "The midden as mapped is certainly within adjacent Lot B (7040) but is not noted as extending onto your property."

I hope this information will be of use to you.

Please feel free to contact me if you have any further questions.

Jill Wake







Ministry of Tourism, Sport and the Arts

Mailing Address:
PO Box 9816 Stn Prov Govt
Victoria BC V8W 9W3
Location:
#3 - 1250 Quadra St, Victoria

ARCHAEOLOGY BRANCH - FAX COVER SHEET

DATE: April 23, 2008

TOTAL PAGES:

(Including Cover Page)

TO: JILL WAKE

s.22

FROM: James PIKE, Project Officer

Fax: (250) 953-3340 Phone: (250) 953-3345

Website: <http://www.tsa.gov.bc.ca/archaeology/>

SUBJECT: 7046 BRENTWOOD DRIVE & DDRU-054 ARCHAEOLOGICAL SITE RECORD

*Material contained in this fax transmission may be confidential, and should be delivered only to the addressee.
If all pages are not received, please call (250) 953-3334.*

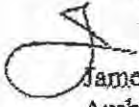
MESSAGE:

Thank you for your April 23 fax, including a May 3, 1994 Geotechnical Review by Levelton Associates which notes a small midden area observed "near the mouth of the estuary" (Slugget Creek) and mapping showing the locations of Lot A (your lot, 7046 Brentwood Drive), B (7040) and C.(7036). Also useful is the site plan for your lot showing the location of the sea wall (the re-building of which you advise has been completed).

I conclude that the known northern extent of the midden (DdRu-054) is the same as that referenced in the Levelton Report and indicated (as "MIDDEN AREA") on the Site Plan And Section Locations map (there are other annotations along the remainder of the shoreline, but no other reference to midden). The midden as mapped is certainly within adjacent Lot B (7040) but is not noted as extending onto your property. From the mapped location of your recently re-constructed sea wall, I concur that it is distant from the observed midden (you indicate 29 metres).

In my opinion, your fax has provided sufficient information for the Archaeology Branch to determine, without the requested site inspection by a professional archaeologist, that a post-impact assessment is not required. I will relay this information to the District of Central Saanich, Planning and Building Services office (copy to you).

Following, for your records is a copy of the (paper) site record for archaeological site DdRu-054 - the site referenced in Jane Warner's April 18 letter to you. Based solely on this information, I would have made a similar decision to my colleague. As mentioned, Ms. Warner is currently away from the office (hence my involvement in this matter) but on her return, I will discuss this with her, including your closing comment (I am unable to provide any information on this point).


James Pike, Project Officer
Archaeology Branch

Site No. DdRu 54

BRITISH COLUMBIA ARCHAEOLOGICAL SITE SURVEY FORM

1. Location and access. E shore Brentwood Bay at head of bay (south east corner)UTM 660798

Sec. _____ Lot _____ Plan _____ " N. _____ " W.

2. Site name _____ 19. Owner(s)/tenant(s) past and present _____

3. Previous designations DdRu 555 Anglers Anchorage4. Type shell midden5. Dimensions 200 x 20 meters 20. Attitude to excavation _____6. Depth of deposit up to 1 m 21. Camping facilities _____7. Elevation SL to 4 m8. Water _____ 22. Historically territory of Saanich9. Vegetation on site arbutus, douglas fir, (Coast Salish) Indians.grasses, maple

10. Surrounding vegetation _____ 23. Site was/was not occupied by Indians in historic

same times until _____ 24. Informants _____11. Fill of site crushed shell, dark soil, 25. Map 92B/11f.c.r. 26. Air photo _____12. Subsoil and surrounding soil light sandy 27. Photographs _____soil, gravel, sandstone, bedrock 28. Published references _____13. Burials _____ 1975-006

14. Habitations _____ 29. Remarks and recommendations _____

15. Other features _____ Only one small portion of site appears16. Present condition _____ intact at mouth of creek (towardpoor north end of site)

17. Possibility of future disturbance _____

definite - human activity

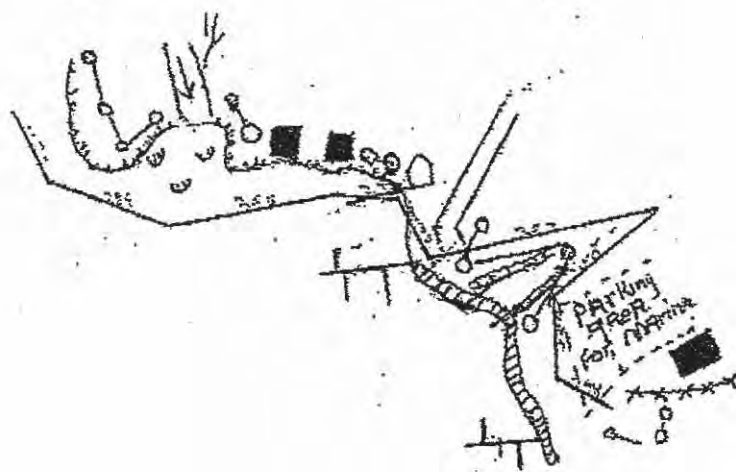
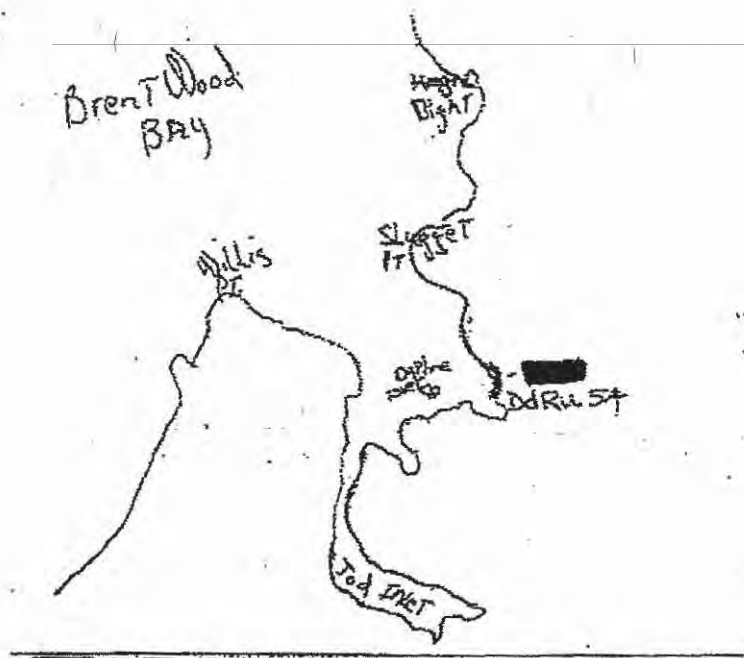
18. Known finds and present location _____ 30. Reported by _____

31. Observed by Acheson/Cassidy/Claxton32. Recorded by same33. Date Aug. 13/75

(Continue or expand on back if necessary. Sketch map is desirable.)

Map Form

site no **DDRU 54**



- BUILDING
- FOUNDATION
- ROAD
- RIVER/CREEK
- TRAIL
- WILWAY
- FENCE
- STEEP RISE
- SITE AREA

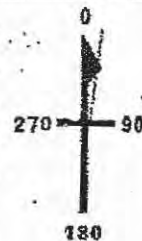
ADDITIONAL LEGEND

- = Marine Boat Docks
- = Marine Boat Repair
- = Mud

= mounds
Extent & scatter

MAP 92A 11
DEC. 23 36
LAT. _____
LONG. _____
UTM GRID 560798
SCALE: 1:2000
1" TO 20m

0 10 20 40 60 80
meters



ARCHAEOLOGY BRANCH

EX:

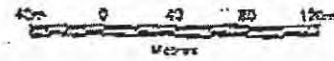
CONTEXT PLAN

DEVELOPMENT PERMIT APPLICATION

Port of Vancouver District and Lot 1 Plan 17569, Sec. 12, R2W, SSD
South half of Lot 14 and Lot 13, Plan 1824, Sec. 12, R2W, SSD



scale 1:4000





September 8, 2011

Land File: 1413647
BCE File: 58000-29/2011
Cliff/Ers: 95677

Mark Harvey
Land Officer
Ministry of Forests, Lands
and Natural Resource Operations
142 – 2080 Labieux Rd
Nanaimo BC V9T 6J9

Dear Mark Harvey:

Re: Jill C.E. Wake, Indefinite Term, Private Moorage – Specific Permission, Unsurveyed
Crown Foreshore or Land Covered by Water Being Part of the Bed of Brentwood
Bay, Cowichan District

Thank you for providing us with the opportunity to review the above moorage application. We have few concerns with the proposal providing Fisheries and Oceans Canada best management practices for constructing docks and floats in the south coast area are followed (copy enclosed).

Should you have any questions regarding our response, please do not hesitate to contact the undersigned at 250 751-3221.

Yours truly,

Dr. Grant A. Bracher, P.Ag., R.P.Bio.
Ecosystem Biologist
Resource Stewardship Division

Best Management Practices for Constructing Docks and Floats in the South Coast Area

- These BMP's apply to docks, floats and gangways proposed for the marine shoreline.
- The BMP's are designed so that a property owner can construct a dock or float that will not adversely affect fish habitat.
- If you are able to meet with the criteria set forth in these BMP's, you do not require further advice from DFO habitat staff. A notification to the local DFO office regarding the location and timing of works is all that is necessary.
- It is your responsibility to ensure that you have met the requirements of other levels of government and relevant agencies (Land and Water BC; Ministry of Water, Land and Air Protection; local government etc).

The focus of these BMP's is to protect fish habitat from the impacts of shading, fill placement and low tide grounding of both structures and vessels.

1. Access walkways should be 1.0 metres above the highest high water mark.
2. Walkways should be a maximum width of between 1.5 metres.
3. The lowest portion of floats should be 1.0 m above the seabed during the lowest tide of the year. This height will need to be increased if a large draft vessel is to be moored at the dock/float.
4. Grating incorporated into walkways will decrease shading to the seabed. If grating cannot be used, deck planks should be no wider than 15 cm (6 inches) and spaced at least 2.5 cm (1 inch) apart.
5. North/south dock alignments will further prevent shading to the seabed.
6. Concrete, steel, BMP treated or recycled timber piles are acceptable.
7. The dock/float structure and the vessel to be moored at the structure are not to come to rest on intertidal areas during the lowest tide of the year.
8. Construction must not include native beach materials (boulders, gravel, drift logs etc.).
9. Access to the beach for construction purposes is to be from the upland (property side). If heavy equipment is required to work on the beach or access is required along the beach, you should seek the advice of a professional biologist to ensure that fish habitat is not adversely affected during construction.
10. Filling, dredging or blasting below the High Water Mark is not permitted.
11. Works are to be conducted when the site is not wetted by the tide.
12. Refueling of machinery and washing of buckets and hand tools is not to take place on the marine foreshore.
13. Foreshore construction should take place between June 1 and December 1 of any calendar year.

Proponents are advised that works in and around fish habitat (the tidal foreshore) can negatively affect fish habitat. Section 35(1) of the Fisheries Act prohibits the harmful alteration, disruption or destruction of fish habitat. Provision of the Fisheries Act may be enforced if a HADD occurs during construction or maintenance of the structure.

DeProy, Joyce CSNR:EX

From: s.22
Sent: Monday, September 19, 2011 10:19 AM
To: Wallace, Bonita FLNR:EX
Subject: Re: File #1413647

Thank you for the clarification Bonita.

From: "Wallace, Bonita FLNR:EX" <Bonita.Wallace@gov.bc.ca>
Date: Mon, 19 Sep 2011 08:22:56 -0700
To: s.22
Subject: RE: File #1413647

s.22
Advertising is the responsibility of each individual applicant and sometimes errors occur or applicants are late in getting their advertising completed. This being said, each application is to be advertised twice and is open for public comment for a period of 30 days from the date the first application runs. It would appear that the applicant in this case was a little late in getting their advertisement in a paper, so we will accept public comments up to October 15, 2011.

Bonita Wallace
Land Technical Officer

Ministry of Forests, Lands and Natural Resource Operations
Crown Land Resources
West Coast Region

2080 Labieux Rd
Nanaimo BC V9T 6J9

Phone: (250) 751-7266
Fax: (250) 751-7224

From: ILMB, Nanaimo ILMB:EX
Sent: Monday, September 19, 2011 7:48 AM
To: Wallace, Bonita FLNR:EX
Cc: s.22
Subject: FW: File #1413647

Hi Bonita,

Could you answer s.22 question?

From: s.22
Sent: Thursday, September 15, 2011 4:23 PM
To: ILMB, Nanaimo ILMB:EX
Subject: File #1413647

Your notice in the Peninsula News Review newspaper stated a deadline for comments as October 15, 2011 but the application at <http://arfd.gov.bc.ca/ApplicationPosting/viewpost.jsp?PostID=23806> states that comments

will be received until 2011-09-23. Which is the correct date or do they refer to two different things?

Thanks in advance for your assistance,

s.22

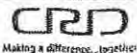


STRATA LOT A SECTION 11
RANGE 2 WEST SOUTH SARNICH DISTRICT
STRATA PLAN V153919



Begin at the west corner of Strata Lot A, Section II, Range 2 West,
South Saanich District, Strata Plan V183919,
then go 6.25 meters at 145° to the Point of Commencement (PofC) then go
8.5 meters at 223°
34.75 meters at 236°
2 meters at 325°
30 meters at 236°
7 meters at 145°
30 meters at 56°
2 meters at 325°
34.75 meters at 56°
8.5 meters at 43° then go along shoreline to the Point of Commencement (P

J. WAKE - 7046 BRENTWOOD DRIVE



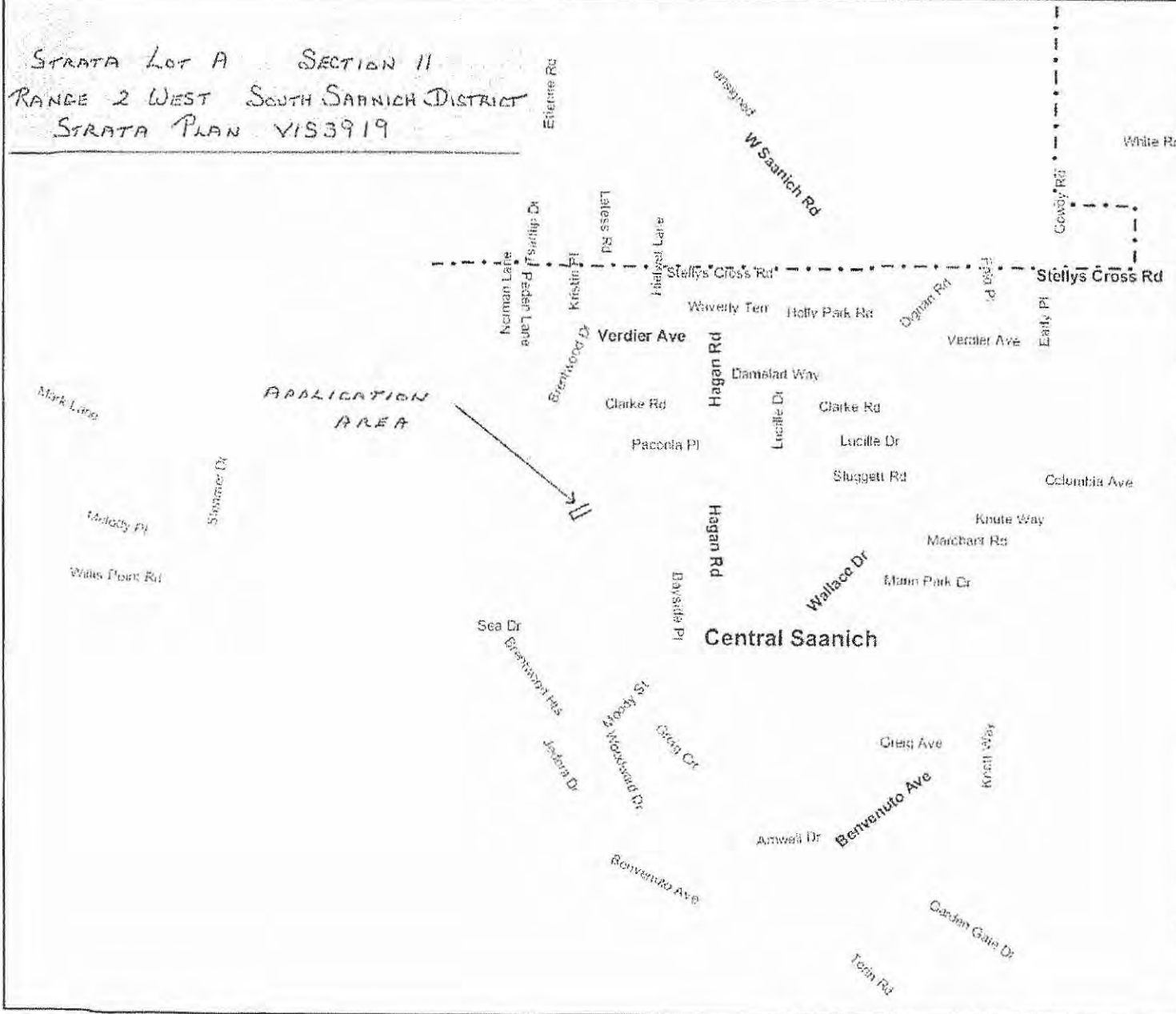
Capital Regional District Map



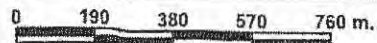
Legend

- Municipal Boundaries
- Highways
- Major Roads
- Roads
- Major Lakes
- Lakes and Rivers
- CRD Boundary

STRATA LOT A SECTION II
RANGE 2 WEST SOUTH SAANICH DISTRICT
STRATA PLAN V153919



Central Saanich



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Scale: 1:10,415
Created: October 2, 2007


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[Natural Resource Information Centre](#)
[Resource Information Management](#)

- [Base Mapping & Geomatics](#)
- [Corporate Data Management Services](#)
- [Integrated Registries](#)
- [Land & Resource Data Warehouse \(LRDW\)](#)
- [Land Use Planning](#)
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Applications and Reasons for Decision

[PENDING : APPLICATION UNDER REVIEW]

Client: Jill Wake

Purpose: RESIDENTIAL/PRIVATE MOORAGE

Region: Vancouver Island, Nanaimo

Agency: Crown Land Allocation

File: #1413647

Location: Brentwood Bay

Area (Hectares): .034 Ha +/-

BCGS Mapsheet: 92B.053

Legal Description: Unsurveyed Crown foreshore or land covered by water being part of the bed of Brentwood Bay, Cowichan District

Aug 24, 2011



1413647 Site Specific Map.pdf
[application/pdf]



1413647 Site General Map.pdf
[application/pdf]

DECISIONS

NOTICE: No decisions have been made for this application at this time.

END DECISIONS

Did this article contain the information you required? [[Yes](#) | [No](#) | [Cancel](#)]

[Top](#)

Thompson, Robyn FLNR:EX

From: s.22
Sent: Tuesday, September 20, 2011 11:33 AM
To: Front Counter BC ILMB:EX
Subject: Application for permit for private Dock Brentwood Bay #1413647

s.22
relative to the application noted above by Jill Wake.

there was an advertisement in the paper

s.22 to the south of this application that conceivably share the remaining pie shaped cove which has shallow waters which at low tide extends out some 100 metres to a depth suitable for moorage.

There is an existing dock to the north which handles up to a 70 foot yacht with sufficient depth. To the south there is also a large dock extending into the bay providing similar moorage/berthing.

There does not appear to be a physical reason why this application should need to extend beyond the connecting line of the two existing lease areas, especially by the distance noted on the sketch with the application.

Extending the permitted area beyond the alignment of the existing leases would undermine the ability of the remaining owners to seek access for similar usage of their riparian entitlement into waters suitable for berthage.

Please acknowledge receipt of s.22 concerns and advise as how s.22 can register same on a formal basis.

Thank You

s.22

s.22

Thompson, Robyn FLNR:EX

From: s.22
Sent: Friday, September 23, 2011 4:12 PM
To: West Coast Land Referrals ILMB:EX
Subject: RE: Application for permit for private Dock Brentwood Bay #1413647

Thank you, will provide a more graphically imaged submission before October 15th deadline.

s.22

From: West Coast Land Referrals ILMB:EX [<mailto:WestCoast.LandReferrals@gov.bc.ca>]
Sent: Friday, September 23, 2011 4:09 PM
To: s.22
Subject: RE: Application for permit for private Dock Brentwood Bay #1413647

Thank you for your email. You may send further correspondence to this office at the same email and it will be forwarded to the Land Officer for review.

FrontCounter BC
Ministry of Natural Resource Operations
Telephone: (250) 751-7220
Fax: (250) 751-7224
Toll Free: 1-877-855-3222

From: s.22
Sent: Tuesday, September 20, 2011 11:33 AM
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Please acknowledge receipt of s.22 concerns and advise as how s.22 can register same on a formal basis.

Thank You

s.22

Section Head, Ministry of Natural Resource Operations
142-2080 Labieux Rd.
Nanaimo, BC
V9T 6J9

Re: File #1413647

Without Prejudice

Oct-04-2011

Section Head,

Re: Application for specific permission for a Private Moorage Situated on Crown Land in Brentwood Bay, by Ms. Jill Christine Eleanor Wake of Brentwood Bay, BC:

We the undersigned hereby strongly object to any further erosion of our precious recreational water resources by special interest individuals or groups; particularly in the sensitive area situated so close to a natural fresh water spring and bird sanctuary. (Eagles, Herons, other seabirds, Seals and Otters frequent the area year round).

The area in question is regularly used by Kayakers, Canoeists and Beachcombers. Another private dock would only add to the already cluttered bay, restricting free navigation and the pleasure of many residents and visitors for the convenience of the applicant. *(It should be noted that the Municipality of Central Saanich has a very restrictive policy on Private Docks and without a variance to the local by-law, a permanent private dock would not be permitted.)*

s.22

We the undersigned hereby petition and strongly object to the approval of the application:

s.22



Important

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Printed Map, Oct 3, 2011

extension assuming neighbours extend 23 metres

Regional Community Atlas

Capital Regional District
gis@crd.bc.ca
<http://www.crd.bc.ca>

CRD
Making a Difference

Section Head, Ministry of Natural Resource Operations
142-2080 Labieux Rd.
Nanaimo, BC
V9T 6J9

Re: File #1413647

Without Prejudice

Oct-04-2011

Section Head,

Re: Application for specific permission for a Private Moorage Situated on Crown Land in Brentwood Bay, by Ms. Jill Christine Eleanor Wake of Brentwood Bay, BC:

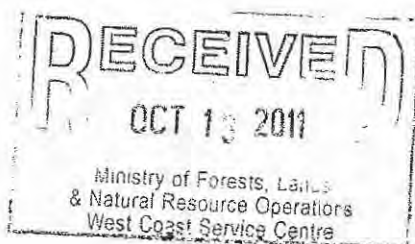
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s.22

We the undersigned hereby petition and strongly object to the approval of the application:

s.22



Elliott, Diane FLNR:EX

From: s.22
Sent: Tuesday, October 4, 2011 12:00 PM
To: Elliott, Diane FLNR:EX
Subject: FW: Application for disposition of Crown Land #1413647
Attachments: Appl. Priv. Moorage.pdf; App. Priv. Moorage.doc; J. Wake Application and neighbours ability to aquire 23M moorage.pdf; J. Wake application and moorable area west of red line.pdf

Diane,

I sent this email as was advertised in the paper, however it was bounced back to me. Please forward to the appropriate Section Head.

Thanks

s.22

From: s.22
Sent: Tuesday, October 04, 2011 10:00 AM
To: 'AuthorizingAgencyNanaimo@gov.bc.ca'
Subject: Application for disposition of Crown Land #1413647

Written Comments concerning this application are appended in attached letter and orthophotos.

s.22



October 4, 2011

Section Head
Ministry of Natural Resource Operations
#142 – 2080 Labieux Road
Nanaimo, BC V9T 6J9

Dear Sirs:

Re: Crown Land Application File No. 1413647
Application for Private Moorage
J. Wake – 7046 Brentwood Drive; File No. 1413647

Please be advised that s.22 believe the above noted application for private moorage extends too far into the waters suitable for moorage. The orthophoto (2005) from the application fairly represents the remaining moorage areas between existing licences to the north s.22 and to the south s.22

You will note there is only ± 50 metres remaining for six waterfront owners between the existing tenures. The application by Jill Wake uses 13.25 metres of that amount, leaving ± 36.75 metres for the s.22 By extending 23 metres into the moorable area, this application wipes out any opportunity of the immediate neighbour to the south of finding any area of moorage, and also prohibits the residence at 7024 Brentwood Drive of having any reasonable moorage area.

Because the available moorage area is pie-shaped, any tenure in the area should be limited to a more reasonable area such as 10 to 12 metres into the moorable area instead of 23 metres.

Attached are orthophotos showing the approximate area of the application in relation to the moorable (by water depth) line. The second attached orthophoto shows the extension and cross hatching that would happen if all other owners extend the same 23 metres. It simply cannot fit, and extending any application beyond that length undermines the accessibility to navigable water.

.../2

We do not object to the private moorage being approved, however we object to the moorage extending 23 metres into the remaining moorable areas and submit it should simply be limited to 10 to 12 metres and moved northward several metres so that limited remaining moorable area is utilized more efficiently.

Respectfully submitted

s.22

- Enclosure: - Orthophoto – Navigable area west of red line with proposed licence shown
- Orthophoto assuming Neighbours to south extended the same 23 metres into moorable area



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Printed March, Oct 1, 2011

Navigable Area west of red line

Regional Community Atlas

Capital Regional District
<http://www.crd.bc.ca>

CRD



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Printed Map, Oct 3, 2011

extension assuming neighbours extend 23 metres

Regional Community Atlas

Capital Regional District
gis@crd.bc.ca
<http://www.crd.bc.ca>



ILMB, Nanaimo ILMB:EX

From: s.22
Sent: Friday, October 7, 2011 1:46 PM
To: ILMB, Nanaimo ILMB:EX
Subject: comment on File # 1413647
Attachments: 1413647_comment.pdf

Dear Sir or Madam - please find attached a letter of comment on application File # 1413647. Please confirm receipt of this attachment.

Thank you in advance for your time and consideration,

s.22



s.22

October 7, 2011

Section Head
Ministry of Natural Resource Operations
142-2080 Labieux Rd.
Nanaimo, BC
V9T 6J9

Re: Crown Land Application File # 1413647
Specific Permission – Private Moorage On Provincial Crown Land

Dear Sir or Madam:

This letter is in response to application # 1413647 for private moorage on Provincial Crown land in Brentwood Bay.

s.22 are opposed to the size of the proposed wharf. Because
the applicant's property is located on the opening of a small bay, the crown land in question is situated directly in front of a number of other properties to the south.

s.22

The wharf must be limited in size so as to not infringe on other property owners future use and enjoyment of this common Crown property. We feel that permission to use Crown Land for private purposes must be granted in a way that ensures equality in access to the limited Crown land within the bay.

We are not opposed to the wharf itself but merely ask that the size and location be adjusted to minimize impact on the surrounding properties. A much shorter wharf, situated as far to the north as possible would ensure that an equal share to moorage opportunity is reserved for the other waterfront properties in that area. This would also help mitigate impacts on access to the navigable water and ensure that more of the structure stays in front of the applicant's own property and does not limit the view and enjoyment of the common space that we all pay a very high price to access.

Sincerely,

s.22



TSAWOUT FIRST NATION - LAND AND WATER REFERRAL CHECKLIST

Type of Referral: Land/Water TFN File #: TFN R 11-037

Referred from: Ministry of Forests, Lands and Natural Resource Operations

Reviewed by: Ken Cossey Their File #: 1413647

Date Received: August 18, 2011

Date of Review: SEPT 14/11

DECISION MAKING CHECKLIST:

REVIEW CRITERIA	POSITIVE IMPACT	NEGATIVE IMPACT	FURTHER STUDIES NEEDED
How will the proposed activity affect:			
Tsawout's connection to the land?	N/A		
Tsawout's connection to the water?		✓	
Tsawout Rights in the short or long-term?	N/A		
Tsawout First Nation's Sovereignty (self-reliance, capital assets and/or authority)?	↓		
Tsawout's capacity in education, skills, and overall knowledge?			
The growth and sustainability of plants, seeds, wildlife and any other traditional foods?		✓	
The sustainability of fish and marine life and any other aquatic foods?		✓	
Tsawout's ability to harvest traditional foods?		✓	
Tsawout's ability to create policies to guarantee Tsawout systems of land and resource tenure?	N/A		

REVIEW CRITERIA	POSITIVE IMPACT	NEGATIVE IMPACT	FURTHER STUDIES NEEDED
Will the proposed activity add to or detract from:			
The overall development of the Tsawout community?	N/A		
Tsawout Culture (traditions, stories, history, values and language)?	↓		
The basic needs of shelter, clothing or social assistance?			
The basic need of food and/or the Tsawout traditional way of producing and gathering it?			
The basic need for health?			
Employment or Training for Tsawout members (internships, apprenticeships, mentorships)?			
Involvement of Youth in Tsawout First Nation Affairs?	↓		
Involvement of Elders and other Band members in Tsawout First Nation Affairs?			
Relationship Building such as development of strategic or business partnerships?	✓		
Other Issues (List)			

Range of consultation required (Tick appropriate box):

- ☒ **Minor:** Weak, little or no impact. Agency to inform and hear from Tsawout.
- ☐ **Moderate:** Impacts will moderately affect Tsawout rights as identified by Tsawout – therefore there must be discussions on eliminating or minimizing the impacts, as agreed to by Tsawout. Compensation may be required.
- ☐ **Deep:** Impacts will seriously affect or interfere with Tsawout rights and title, therefore there must be no development allowed at this time. Extensive discussions and negotiations for joint decision-making and/or compensation are required.

OVERALL RECOMMENDATION:

While this project can be supported the BC government must ensure that Tsawout First Nation's rights to collect and harvest shellfish and other aquatic life from this area is not hampered nor interfered with.

Reviewer's Signature: K. Craig

Title: Lands Manager

ADMINISTRATIVE SECTION

Studies and/or assessments required (refer to Tsawout Community Impact Policy):

- ☐ Archaeological
- ☐ Legal
- ☐ Fisheries
- ☐ Biological
- ☐ Cumulative Impacts
- ☐ Socio-Economic
- ☐ Other

} N/A

Additional Notes:

The basis of Aboriginal rights and title, are derived from two key points

- 1/. Having lived in, occupied and or used a certain area for thousands of years, in what today has become British Columbia and Canada. This was achieved with the creation of distinct societies, the development of a certain way of life and the development and use of a governing system.
- 2/. The special relationship that exists with the land, in that it has defined one's identity, rights and responsibilities.

These rights are not granted through any mechanism of either the provincial or federal crown. These rights exist in perpetuity.

Harvey Indur
Chief's Signature

Alison L. Claxton
Councilor's Signature

Wallace, Bonita FLNR:EX

From: Wallace, Bonita FLNR:EX
Sent: Monday, October 17, 2011 1:36 PM
To: 'dhall@epgvictoria.com'
Subject: FW: Comments re your file #1413647

David:

Thank you for your comments and concerns. They will be considered in the decision making process.

Bonita Wallace

Land Technical Officer

Ministry of Forests, Lands and Natural Resource Operations
Crown Land Resources
West Coast Region

2080 Labieux Rd
Nanaimo BC V9T 6J9

Phone: (250) 751-7266
Fax: (250) 751-7224

From: ILMB, Nanaimo ILMB:EX
Sent: Thursday, October 13, 2011 8:03 AM
To: Harvey, Mark FLNR:EX; Wallace, Bonita FLNR:EX
Subject: FW: Comments re your file #1413647

FYI – kind of looks like a agency referral?

From: David Hall [<mailto:dhall@epgvictoria.com>]
Sent: Wednesday, October 12, 2011 11:00 AM
To: ILMB, Nanaimo ILMB:EX
Subject: Comments re your file #1413647

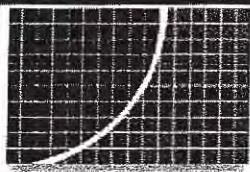
Good Day:

I am responding to your Notice of Intention to Apply for a Disposition of Crown Land, specifically the application to build a private wharf in Brentwood Bay, your file # 1413647. Comments are as follows:

1. Brentwood Bay is a compact and popular boating harbor. It contains four commercial marinas, numerous private wharfs, and many private mooring buoys. Adding another private dock will add to the congested nature of the bay's foreshore.
2. The shoreline in the area of the proposed dock is shallow and forms a shoal requiring a dock of considerable length to access deep water moorage. A dock of this length will further add to the congestion and restrict access to the foreshore in this area.
3. The properties immediately to the south are situated in a small bay. The alignment of the proposed dock in a southwest direction cuts across the viewscape of these properties.
4. This angled alignment will also restrict the marine access to this bay as long docks already exist a few lots to the south resulting in only a small opening.

5. Brentwood Bay has been experiencing a proliferation of unseaworthy and unsightly vessels and other structures tied to mooring buoys (legal and illegal) and floating docks (presumably illegal). The proposed dock could add to this problem.
6. There are currently two live-aboard vessels anchored in the vicinity of the proposed dock. A dock may encourage additional live-aboards and their associated marine pollution issues.

David Hall
Economic Planning Group
Ph: 250 652-6677
E-mail: dhall@epgvictoria.com



The **Economic Planning Group** of Canada

Victoria Office: Specializing in research and analysis in tourism, transportation and business development.

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The **ECONOMIC PLANNING GROUP** of Canada (EPG) is a small, national firm of research analysts. The firm has offices in Victoria, British Columbia; Toronto, Ontario; and Halifax, Nova Scotia. Founded in 1980, EPG has conducted projects in all Canadian provinces and territories, and internationally. Our research and planning services are provided to developers and business operators, as well as to governments and the not-for-profit sector. Our goal is to provide clients with the highest quality creative and analytical services.

The Victoria office (EPG Victoria) provides research and analysis services in tourism, transportation and business development. The key areas of focus are development planning advice and socio-economic impact assessments. Development planning services include market research and analysis, feasibility studies, and business plan preparation. Socio-economic impact assessments are undertaken for communities, and for development and transportation projects.

Victoria Partner: David Hall, P.Phys.

Telephone: 250 652-6677

Facsimile: 250 652-0647

Address: 765 Sea Drive, Brentwood Bay, BC
Canada, V8M 1B1

E-mail: dhall@epgvictoria.com



McCammon, Mike FLNR:EX

From: Bruce Greig [Bruce.Greig@csaanich.ca]
Sent: Tuesday, January 17, 2012 4:09 PM
To: McCammon, Mike FLNR:EX
Cc: s.22
Subject: RE: Crown Land Act Referral Request for 1413647 (Private Moorage Purposes) - Brentwood Bay
Attachments: 1096_001.pdf

1413647


Hi Mike;

Please see attached. Ms. Wake has also applied for a Development Variance Permit for this dock. Please don't hesitate to contact me if you have any questions or need further information.

Regards,

Bruce Greig, mcip, bcsla
Planning & Building Department
District of Central Saanich
1903 Mt. Newton Cross Road
Saanichton, B.C V8M 2A9
T: 250.544.4215

This e-mail and any attachments are for the use of the intended recipient only and must not be distributed, disclosed, used or copied by or to anyone else. This e-mail and any attachments may be confidential, privileged and/or subject to the Freedom of Information and Protection of Privacy Act. If you receive this message in error, please delete all copies and contact the sender. Thank you.

 Please consider the environment before printing this email.

From: McCammon, Mike FLNR:EX [mailto:Mike.McCammon@gov.bc.ca]
Sent: Monday, January 09, 2012 9:55 AM
To: Bruce Greig
Cc: s.22
Subject: FW: Crown Land Act Referral Request for 1413647 (Private Moorage Purposes) - Brentwood Bay

Good morning Bruce s.22

The attached referral was mistakenly sent to the District of Saanich in August, 2011. We would appreciate your earliest response to this proposal.

Mike McCammon
Land Officer
Ministry of Forests, Lands
& Natural Resource Operations
Suite 142, 2080 Labieux Rd
Nanaimo, BC V9T 6J9
Phone: (250) 751-7218 (direct)
(250) 751-7220 (reception)
Fax: (250) 751-7224



BRITISH COLUMBIA
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Ministry of Forests, Lands and
Natural Resource Operations
142 - 2080 Labeaux Road
Nanaimo BC V9T 6J9
Phone: 751-7220
Fax: 751-7224

Referral Request

JAN - 9 2012

TO: Ministry of Forests, Lands and Natural Resource Operations Nanaimo Transport Canada Fisheries and Oceans Canada, South Coast Ministry of Environment, BC Parks District of Central Saanich		Application: New <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> You are invited to comment on the following: Application for Crown land tenure. Copy of the application is attached. Referral responses must be received by this office 30 calendar days from date sent. PLEASE NOTE: If this is addressed to First Nations or First Nation Agency responses must be received by this office 45 calendar days from date sent. If we do not hear from you by that date, we will move forward with the adjudication process. If you require additional information on the proposal(s), please contact the applicant.
APPLICANT APPLICANT NAME Jill C. E. Wake		PHONE NUMBER s.22
ADDRESS 7046 Brentwood Drive Brentwood Bay BC V8M 1B4		EMAIL ADDRESS s.22
		DATE REFERRAL SENT August 24, 2011

LAND		
LAND CONTACT Mark Harvey/Bonita Wallace	CONTACT PHONE NUMBER (250) 751-7257/ 250 751 7266	LAND FILE NUMBER 1413647
LOCATION OF CROWN LAND Brentwood Bay	REF MAP No. 92B.053	PARCEL SIZE .034 Ha +/-
LEGAL DESCRIPTION Unsurveyed Crown foreshore or land covered by water being part of the bed of Brentwood Bay, Cowichan District		
INTENDED LAND USE Private Moorage		NOTES
LAND PROPOSED TENURE TYPE Specific Permission	LAND PROPOSED TERM Indefinite	LAND PURPOSE Residential

RESPONSE COMMENTS: Please forward a copy of any concerns/requirements directly to the applicant	
1. Does either proposal relate to your agency's legislated responsibilities? Land Application: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No .. Water Application: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please identify the relevant legislation (including section). CENTRAL SAANICH LAND USE BYLAW NO. 1309 SECTIONS 28(5) AND 38.(38) (ATTACHED).	
2. If the proposal proceeds, will the proponent require approval or a permit from your agency? Land Application: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Water Application: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No DOES NOT COMPLY WITH ZONING - DEVELOPMENT VARIANCE PERMIT REQUIRED APPLICATION FOR DVP UNDER CONSIDERATION BY COUNCIL.	
3. Will compliance monitoring be required by your agency if these proposals go ahead? Land Application: <input type="checkbox"/> Yes <input type="checkbox"/> No Water Application: <input type="checkbox"/> Yes <input type="checkbox"/> No	
4. If the Land application proposal is implemented, in your opinion, would public use of the area be impacted? Explain. W-1 ZONING PERMITS TEMPORARY, REMOVABLE SEASONAL PRIVATE MOORAGE.	
For Municipal/Regional Government Use Only: Is the area for the Land application zoned for the proposed purpose? If no, what is the current zoning? WATER AREA (W-1) ZONE. What is the estimated time required for a decision on an application to re-zone the area should the applicant wish to pursue this option? DVP APPLICATION ALREADY RECEIVED. AFTER NOTIFICATION REQUIRED BY LEGISLATION, COUNCIL MAY CONSIDER THE REQUESTED VARIANCES IN APPROXIMATELY SIX WEEKS.	
<input type="checkbox"/> Approval Supported <input type="checkbox"/> Approval Supported Subject To Conditions Outlined On Reverse <input checked="" type="checkbox"/> Approval Not Supported For Reasons Outlined On Reverse (Indicate what mitigation measures, if any, would address your concerns) EK 19472 (PLAN 62922). <input type="checkbox"/> Interests Unaffected DOES NOT MEET ZONING. DVP REQUIRED FIRST.	
Signed By:	Date: JAN. 17, 2012
Please Print: BRUCE GREIG	Phone No.: 250-544-4215

...SECTION 28:

lot abutting a parcel designated as Agricultural Land Reserve, the minimum yard requirements specified in Part 5 are increased by 5 metres to maintain a physical buffer between the residential use and the agricultural uses which may occur.

- (3) On a lot adjacent to or containing a watercourse, no person shall construct or place or erect a building or structure other than a fence or place fill material on the bed of the watercourse, nor on any portion of the lot that is within 15 metres measured horizontally from the natural boundary of the watercourse nor within 10 metres measured horizontally from the top of the bank of the watercourse. For the purposes of this section, the top of the bank is the point nearest the natural boundary of the watercourse where a break in the slope of the land occurs such that the grade inland of the break is less than 3:1 for a minimum distance of 15 metres measured perpendicularly to the watercourse.
- (4) Schedule 2 attached to and forming part of this Bylaw illustrates schematically the application of Section 28(3) of this Bylaw.
- * (5) No person shall construct, erect or place a building or structure other than a fence and geothermal heating and cooling systems within 10 metres measured horizontally inland from the natural boundary of the sea nor within 10 metres measured horizontally inland from the top of a slope of 3:1 or more adjacent to the sea. [Bylaw 1667]
- (6) No person shall construct or erect a building or structure for housing animals other than pets, or construct, erect or use any building, structure or area for the storage of manure, within 30 metres measured horizontally inland from the natural boundary of any watercourse or the sea.
- (7) For the purposes of sections 28(3) and (5) paved driveways and motor vehicle parking areas are "structures".

29. FENCES [Bylaw 1667]

- (1) No fence shall exceed 1.3 metres in height except:
 - (a) in an A, C, P or I zone where the height of a fence, in any part of the lot between the front yard setback line and the rear lot line, shall not exceed 2.5 metres;
 - (b) in a R zone where the height of a fence, in any part of the lot between the front yard setback line and the rear lot line, shall not exceed 1.9 metres; and;
 - (c) in the case of a corner lot in a R or P zone, where the height of a fence adjacent to the highway shall not exceed 1.3 metres.

(38) Water Area: W-1

Permitted Uses

Dredging operations
Private walkways
Public wharves, piers, walkways or floats
Public utility structures
Non-commercial loading and unloading facilities
Private float facilities used as temporary seasonal moorage facilities
Geothermal heating and cooling systems serving the adjacent upland property [Bylaw 1667]

Size of Buildings and Structures

Height	maximum of 4.5 m
Accessory Building	maximum of 60 m ² gross floor area

Other Regulations

- * (1) No private floats or walkways may be built on permanent structures, breakwaters, piers or pilings.
- * (2) All private floats and walkways must be capable of being removed for storage.
- * (3) No private float or walkway may be over 30 m in length or 3 m in width.
- (4) No structure, float, or walkway shall be constructed or placed so as to impede free pedestrian access along the waterfront.
- (5) No boat house, shed or shelter shall be erected within a W-1 zone.



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Ministry of Forests, Lands and
Natural Resource Operations
142 - 2080 Labieux Road
Nanaimo BC V9T 6J9
Phone: 751-7220
Fax: 751-7224

N.W.P.D.

AUG 24 2011

Referral Request RECEIVED

TO: Ministry of Forests, Lands and Natural Resource Operations Nanaimo Transport Canada Fisheries and Oceans Canada, South Coast Ministry of Environment, BC Parks District of Central Saanich		Application: New <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> You are invited to comment on the following: Application for Crown land tenure. Copy of the application is attached. Referral responses must be received by this office <u>30</u> calendar days from date sent. PLEASE NOTE: If this is addressed to First Nations or First Nation Agency responses must be received by this office <u>45</u> calendar days from date sent. If we do not hear from you by that date, we will move forward with the adjudication process. If you require additional information on the proposal(s), please contact the applicant.	
APPLICANT APPLICANT NAME Jill C. E. Wake		PHONE NUMBER s.22	DATE REFERRAL SENT August 24, 2011
ADDRESS 7046 Brentwood Drive Brentwood Bay BC V8M 1B4		EMAIL ADDRESS s.22	

LAND

LAND CONTACT Mark Harvey/Bonita Wallace	CONTACT PHONE NUMBER (250) 751-7257/ 250 751 7266	LAND FILE NUMBER 1413647
LOCATION OF CROWN LAND Brentwood Bay	REF MAP No. 92B.053	PARCEL SIZE .034 Ha +/-
LEGAL DESCRIPTION Unsurveyed Crown foreshore or land covered by water being part of the bed of Brentwood Bay, Cowichan District		
INTENDED LAND USE Private Moorage	NOTES	
LAND PROPOSED TENURE TYPE Specific Permission	LAND PROPOSED TERM Indefinite	LAND PURPOSE Residential

RESPONSE COMMENTS:

Please forward a copy of any concerns/requirements directly to the applicant

1. Does either proposal relate to your agency's legislated responsibilities? Land Application: <input type="checkbox"/> Yes <input type="checkbox"/> No Water Application: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please identify the relevant legislation (including section). <i>Navigable Water Protection Act</i>	
2. If the proposal proceeds, will the proponent require approval or a permit from your agency? Land Application: <input type="checkbox"/> Yes <input type="checkbox"/> No Water Application: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
3. Will compliance monitoring be required by your agency if these proposals go ahead? Land Application: <input type="checkbox"/> Yes <input type="checkbox"/> No Water Application: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
4. If the Land application proposal is implemented, in your opinion, would public use of the area be impacted? Explain.	
For Municipal/Regional Government Use Only: Is the area for the Land application zoned for the proposed purpose? If no, what is the current zoning? What is the estimated time required for a decision on an application to re-zone the area should the applicant wish to pursue this option?	

<input type="checkbox"/> Approval Supported <input checked="" type="checkbox"/> Approval Supported Subject To Conditions Outlined On Reverse <input type="checkbox"/> Approval Not Supported For Reasons Outlined On Reverse (Indicate what mitigation measures, if any, would address your concerns) <input type="checkbox"/> Interests Unaffected	<i>NWPA approval req'd</i>
---	----------------------------

Signed By: <i>Allen Endonhead</i>	Date: <i>Aug 31 11</i>	Phone No.: <i>604-775-8396</i>
-----------------------------------	------------------------	--------------------------------

Please indicate which agency you are responding on behalf of:

Transport Canada



Transport Canada Transports Canada

Navigable Waters Protection Program
Programme de protection des eaux navigables
Suite 820, 800 Burrard Street
Vancouver, B.C. V6Z 2J8

Your File Votre référence

1413647

Our File Notre référence

8200-2011-500426

PRIORITY COURIER

March 7, 2012

Jill C.E. Wake
7046 Brentwood Drive
Brentwood Bay, BC V8M 1B4

**Re.: Application under the *Navigable Waters Protection Act* by Jill C.E. Wake for
Approval of the Dock (residential) located at Brentwood Bay in the Province of
British Columbia**

Enclosed herewith is an Approval document signed on behalf of the Minister of Transport,
Infrastructure and Communities pursuant to subsections 5(1) and (3) of the *Navigable Waters
Protection Act* (R.S.C. 1985, c. N-22), as amended by Part 7 of the *Budget Implementation Act*,
2009, S.C. 2009, c. 2.

Please note Transport Canada has determined, that for the purposes of issuing the
aforementioned *Navigable Waters Protection Act* approval, Transport Canada is not required to
complete an environmental assessment pursuant to the *Canadian Environmental Assessment Act*
for the above-referenced project. Please note that your project may require other approvals and/or
authorizations which could be subject to an environmental assessment under the *Canadian
Environmental Assessment Act*.

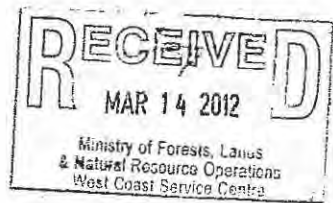
**NOTE: Should you neither start nor finish construction of your work by the dates
indicated in your Approval document, it will be necessary to notify this office immediately
at (604) 775-8867 or by facsimile transmission at (604) 775-8828 or by e-mail at PacNWP-
PENPac@tc.gc.ca so that alternate dates may be specified.**

Sincerely,

Ryan Breville
Navigable Waters Protection Officer
Navigable Waters Protection Program
Marine Safety
Transport Canada
Pacific

RG/td
Enclosure
cc: MFLNRO

Canada





NAVIGABLE WATERS PROTECTION ACT (R.S.C. 1985, c. N-22) as amended by Part 7 of the *Budget Implementation Act*, 2009, S.C. 2009, c. 2 (*Navigable Waters Protection Act*), PART I
Subsections 5(1) and (3) – Other than substantial interference

8200-2011-500426

Approval

APPLICANT: Jill C.E. Wake
7046 Brentwood Drive
Brentwood Bay, BC V8M 1B4

WORK: Dock (residential)

SITE LOCATION: Located at Approximately 48° 34' 22.62" N – 123° 27' 50.16" W, located on unsurveyed foreshore or land covered by water being part of the bed of Brentwood Bay, fronting Strata Lot A, Section 11, Range 2, West South Saanich District, Strata Plan V153919, civic address: 7046 Brentwood Drive, Vancouver Island, in the Province of British Columbia

IMPORTANT NOTICE: This document approves the work in terms of its effect on marine navigation under the *Navigable Waters Protection Act*. The work must be built, placed, maintained, operated, used and removed in accordance with the approved plans, the *Navigable Waters Protection Act*, its regulations and the terms and conditions in the Approval. It is the applicant's responsibility to obtain any other forms of approval, including building permits, under any applicable laws.

WHEREAS the above-named applicant has made application to the Minister of Transport, Infrastructure and Communities under the *Navigable Waters Protection Act* for approval of the above-described work at the above-referenced site in accordance with the attached plans(2);

WHEREAS it is considered advisable to approve the said work at the said site and plans(2)) thereof for a period of 30 years pursuant to the Schedule referred to in subsection 3(1) of the *Navigable Waters Works Regulations*.

THEREFORE, the Minister of Transport, Infrastructure and Communities, pursuant to subsections 5(1) and (3) of the *Navigable Waters Protection Act*, hereby approves the said work at the said site and plans thereof for the period of time aforesaid, providing:

1. The construction of the work is started within six (6) months and finished within three (3) years of the approval date.
2. In the event that the operation of the above works is terminated, it will be the proponent's responsibility to remove the works and associated equipment in its entirety including anchors and pilings.
3. The owner is responsible to ensure the works are designed and maintained to withstand local weather conditions and the wash of vessels transiting the area.

Vancouver, B.C.

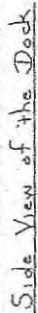
MAR 07 2012

Date: _____

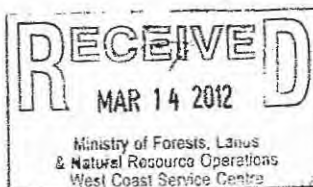
Ryan Greville
Navigable Waters Protection Officer
Navigable Waters Protection Program
Marine Safety
Transport Canada
Pacific Region

for the Minister of Transport, Infrastructure and Communities

RANGE 2 WEST SOUTH SARNICH DISTRICT
STRATA PLAN V153919



Scale: 1:250
Reduced - not to scale



Elliott, Diane FLNR:EX

From: Jill Wake s.22
Sent: Thursday, March 8, 2012 10:21 PM
To: Elliott, Diane FLNR:EX
Subject: File #1413647

Hi Diane,

I just wanted to let you know that my Dock application and the Development Variance Permit application have worked their way through the municipal procedures and were approved at the Central Saanich Council meeting on March 5th, 2012.

It was also passed, at that meeting, that Council is prepared to grant consent for the Province to issue a foreshore licence or lease for the proposed private moorage walkway and dock in front of an existing right-of-way held by the District.

You should be receiving notification from Central Saanich shortly.

Thanks for your help and your patience,

Jill Wake
7046 Brentwood Drive
Brentwood Bay, B.C.
V8M 1B4

s.22

Harvey, Mark FLNR:EX

From: Elliott, Diane FLNR:EX
Sent: Friday, March 9, 2012 7:43 AM
To: Harvey, Mark FLNR:EX; Wallace, Bonita FLNR:EX
Subject: FW: File #1413647

1413647

FYI

Diane Elliott
Natural Resource Specialist
FrontCounterBC

Ministry of Forests, Lands and Natural Resource Operations
142 - 2080 Labieux Rd
Nanaimo BC V9T 6J9

Direct: (250) 751-7227
Fax: (250) 751-7224
Toll Free: 1-877-855-3222

How Did We Do?

Clients of **FrontCounter BC** are invited to take our customer satisfaction survey. We'd appreciate your input

From: Jill Wake s.22
Sent: Thursday, March 8, 2012 10:21 PM
To: Elliott, Diane FLNR:EX
Subject: File #1413647

Hi Diane,

I just wanted to let you know that my Dock application and the Development Variance Permit application have worked their way through the municipal procedures and were approved at the Central Saanich Council meeting on March 5th, 2012.

It was also passed, at that meeting, that Council is prepared to grant consent for the Province to issue a foreshore licence or lease for the proposed private moorage walkway and dock in front of an existing right-of-way held by the District.

You should be receiving notification from Central Saanich shortly.

Thanks for your help and your patience,

Jill Wake
7046 Brentwood Drive
Brentwood Bay, B.C.
V8M 1B4

s.22



The Corporation of the District of Central Saanich

March 9th, 2012



Integrated Land Management Bureau
Ministry of Agriculture and Lands
Suite 142 - 2080 Labieux Road
Nanaimo, B.C. V9T 6J9


Attention: Barbara Biss, Portfolio Administrator


Dear Sirs/Mesdames:

Re: Application File no. 1413647

The District of Central Saanich being the upland owner of the property situated between the private parcel of Strata Lot A Section 11 Range 2 West South Saanich District Strata Plan VIS3919 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form 1 (7046 Brentwood Drive), registered in the name of Jill Christine Eleanor Wake, and the foreshore area, do hereby unconditionally consent to the owner's application for a licence or lease for the proposed private moorage walkway and dock in front of an existing statutory right-of-way (the District's).

**District of Central Saanich
by its authorized signatories:**


Alastair Bryson
Mayor

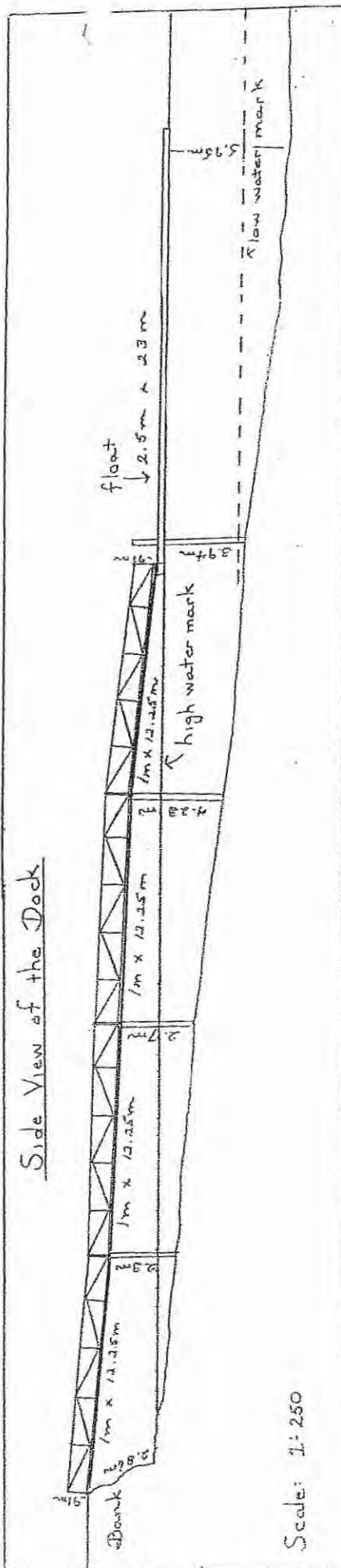

Susan Brown
Municipal Clerk

c. Jill Wake, Applicant

1903 Mount Newton Cross Road, Saanichton, B.C. V8M 2A9

Phone: (250) 652-4444 Fax: (250) 652-0135

J. WAKE - 7046 BRENTWOOD DRIVE
STRATA LOT A SECTION 11
RANGE 2 WEST SAANICH DISTRICT
STRATA PLAN V153919



RECEIVED
MAY 10 2011
The Corporation of the District
of Central Saanich
Planning Department

The Corporation of the
District of Central Saanich

☐ DEVELOPMENT PERMIT
☒ DEVELOPMENT VARIANCE PERMIT

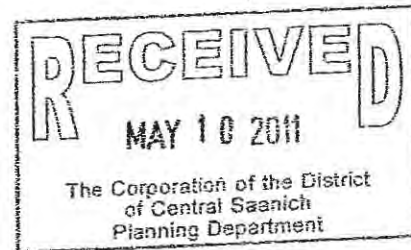
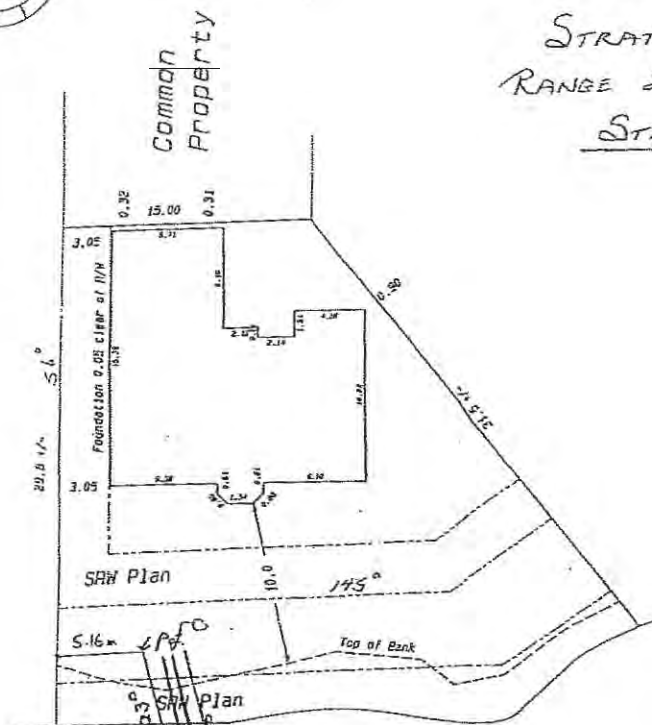
PERMIT HOLDER TO ENSURE THAT ALL WORK DONE
UNDER THIS PERMIT CONFORMS TO THE APPROVED
PLANS.

PERMIT NO. 3090-20-7/11
March 15, 2012 Don V. Burns
Date Authorized Signature



J. WAKE - 7046 LENTWOOD DRIVE

STRATA LOT A SECTION 11
RANGE 2 WEST SOUTH SAANICH DISTRICT
STRATA PLAN VIS3919



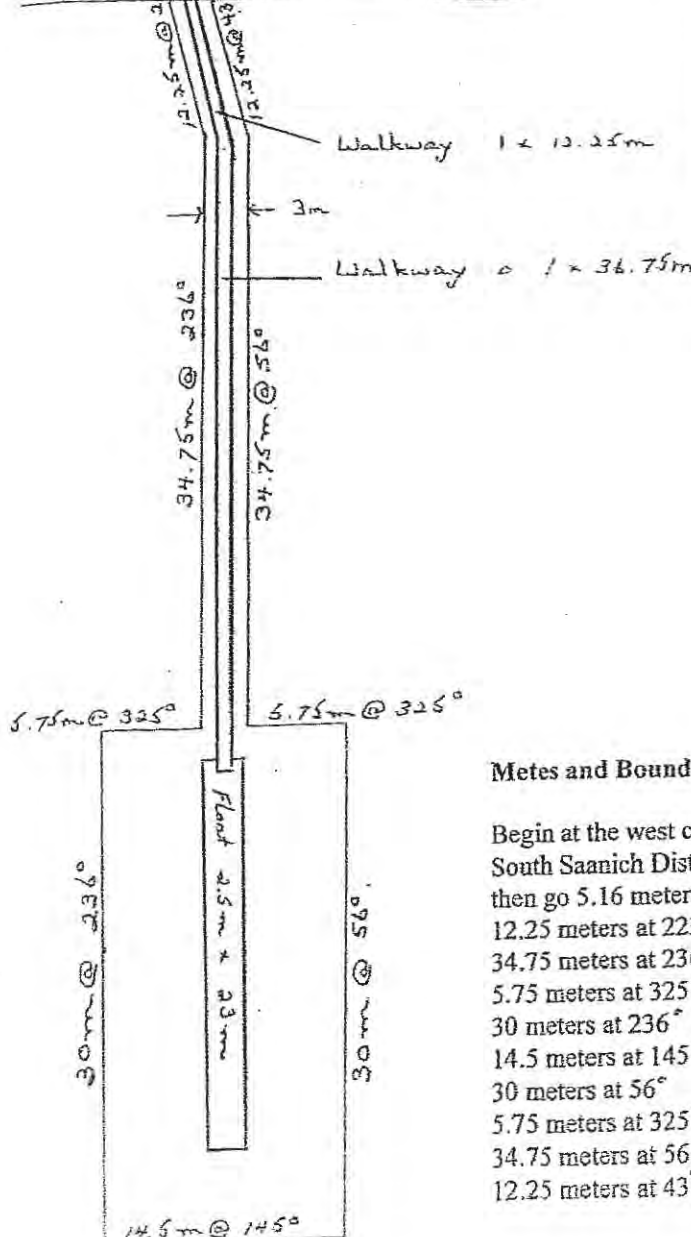
The Corporation of the District of Central Saanich

DEVELOPMENT PERMIT
☒ DEVELOPMENT VARIANCE PERMIT

PERMIT HOLDER TO ENSURE THAT ALL WORK DONE UNDER THIS PERMIT CONFORMS TO THE APPROVED PLANS.

PERMIT NO. 3090-20-7/11

Date March 15, 2012 Authorized Signature [Signature]



Area = .0575 ha

Metes and Bounds

Begin at the west corner of Strata Lot A, Section 11, Range 2 West, South Saanich District, Strata Plan VIS3919, then go 5.16 meters at 145° to the Point of Commencement (PofC) then go 12.25 meters at 223° 34.75 meters at 236° 5.75 meters at 325° 30 meters at 236° 14.5 meters at 145° 30 meters at 56° 5.75 meters at 325° 34.75 meters at 56° 12.25 meters at 43° then go along shoreline to the Point of Commencement (PofC)

Harvey, Mark FLNR:EX

From: Harvey, Mark FLNR:EX
Sent: Tuesday, May 1, 2012 4:07 PM
To: s.22
Subject: FW: File 1413647

Dear s.22

Please see the attached copy of a media Notice of this application. As the application has not yet been adjudicated there is still an opportunity for you to send us your comments, either by mail or via e-mail. Address details are contained in the Notice.

Regards,

Mark Harvey

Land Officer

Natural Resource Operations

Suite 142-2080 Labieux Road

Nanaimo BC V9T 6J9

Phone: (250) 751-7257

Fax: (250) 751-7224

email: mark.harvey@gov.bc.ca



20120501155921.p

df

Harvey, Mark FLNR:EX

From: Turlock, Jane FLNR:EX
Sent: Tuesday, May 1, 2012 11:00 AM
To: Harvey, Mark FLNR:EX
Subject: File 1413468

Hi Mark,

I got a call today from s.22 and would like to know when they can have their say on this application for a commercial moorage applied for s.22

s.22

thanks

Jane Turlock

FrontCounter BC

Ministry of Forests, Lands & Natural Resource Operations

Telephone: (250) 751-7242

Fax: (250) 751-7224

Toll Free: 1-877-855-3222

How Did We Do?

Clients of FrontCounter BC are invited to take our customer satisfaction survey. We'd appreciate your input.

Harvey, Mark FLNR:EX

From: Harvey, Mark FLNR:EX
Sent: Thursday, June 21, 2012 4:37 PM
To: Prenty, Pat A CSNR:EX
Subject: FW: responses to Notice

Pat,
This is regarding our file 1413947 which covers Jill Wakes application for a private moorage. There are a few letters of concern from s.22 on file.
Do we tell her that this is an FOI request ?

Mark Harvey
Land Officer
Natural Resource Operations
Suite 142-2080 Labieux Road
Nanaimo BC V9T 6J9
Phone: (250) 751-7257
Fax: (250) 751-7224
email: mark.harvey@gov.bc.ca

From: Jill Wake s.22
Sent: Wednesday, June 20, 2012 10:19 PM
To: Harvey, Mark FLNR:EX
Subject: responses to Notice

Hi Mark,

I was reading on the Notice of Intention to Apply for a Disposition of Crown Land that any responses to the advertisement will be considered part of the public record.
Can you please advise me as to where I would be able to access the public record and see what responses were received?

Thanks for your help,
Jill Wake

s.22