







Moore, Jeffrey TRAN:EX

From: Glover, Dan [SC] <Dan.Glover@vch.ca>
Sent: Tuesday, December 1, 2015 4:08 PM
To: Moore, Jeffrey TRAN:EX
Subject: Texada Island subdivision # 2014-02749

Jeff;

As a further follow-up to this subdivision in process I was hoping for an update and to pose some questions to you. VCH continues to work towards resolving the long-standing drinking water issues associated with this property, hence our interest in the status of the proposal.

Am I correct in assuming this proposed subdivision is progressing towards completion? Are there any further details VCH can provide regarding the "water lot" to be created (proposed lot 2) by this proposal?

At this point it appears if this proposal is granted a PLA, the water lot would be owned initially by the present landowner; there could be a revision clause put in place that states if the PRRD requests the land it would revert to them for \$1. If another legal entity took ownership of the "water lot" I would expect all covenants and conditions would follow to the new owner.

One consideration that has come up is the need for all existing (unapproved) waterlines to be removed where they cross the adjacent lot (proposed lot 3) once the new lots are created. This would help prevent possible future expropriation efforts which may be used to justify the existing water line locations, and would instead direct water systems to install proper water service lines onto the right of way in a timely fashion. Does this seem appropriate to you at this point?

Please let me know if there is anything outstanding from VCH.
Thanks for your attention to this matter.
Yours truly,

Dan Glover C.P.H.I.(C)

DWO/EHO

Vancouver Coastal Health - Powell River

604-485-3335 604-485-3305 (fax)

"This E-mail message, including any attachments, contains confidential information and is intended solely for the use of the individual or entity to whom it is addressed. Any distribution, copying, disclosure, or other use is strictly prohibited. If you have received this E-mail in error, please notify the sender immediately and permanently delete this message. Thank you"

Derkson, Debra TRAN:EX

From: Moore, Jeffrey TRAN:EX
Sent: Wednesday, August 26, 2015 2:08 PM
To: Monson, Clint TRAN:EX
Cc: Braun, Michael TRAN:EX
Subject: RE: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

Good afternoon Clint,

The covenant should be held by an agency with jurisdiction over the issue. VCHA would be a good fit as safe drinking water fails under their mandate.

s.13

Thanks.

Jeffrey Moore, ASCT
Provincial Approving Officer
BC Ministry of Transportation and Infrastructure
Lower Mainland District

Address: 310 – 1500 Woolridge Street, Coquitlam, BC V3K 0B8
Telephone: (604) 527-2233
Facsimile: (604) 527-2222

From: Monson, Clint TRAN:EX
Sent: Monday, August 24, 2015 10:36 AM
To: Moore, Jeffrey TRAN:EX
Cc: Braun, Michael TRAN:EX
Subject: FW: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

FYI, maybe Health can hold the covenant on files like these?

Clint Monson, C.E.T.

Area Manager, Development Tech
BC Ministry of Transportation and Infrastructure (MoT)
6953 Alberni Street, Powell River, BC V8A 2B8
Office: (604) 485-3610
Mobile: (604) 483-1189



From: Glover, Dan [SC] [<mailto:Dan.Glover@vch.ca>]
Sent: Friday, August 21, 2015 11:18 AM
To: Monson, Clint TRAN:EX
Cc: 'emeryrae@telus.net'
Subject: RE: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

Clint;

It appears MOTI is unsure about the creation of this lot since it has not demonstrated the necessary conditions for development. However, it has been clearly stated that the creation of this lot is entirely for the purpose of water source provision. s.13
s.13 I would anticipate this could happen soon.

Over the past 8+ years we have been able to create momentum with the public to correct these long-outstanding issues including several Boil Water Notices. The public has most recently overwhelmingly given approval for local government to proceed with creation of a plan, water system engineering, source assessment, etc. and to apply for grant monies to install the necessary treatment works. s.13 We have the potential to solve a significant issue and we have both support of the public and interest by local government. What can be done to keep this moving forward in the interests of the public?

Dan Glover

DWO/EHO

Vancouver Coastal Health - Powell River

604-485-3335 604-485-3305 (fax)

"This E-mail message, including any attachments, contains confidential information and is intended solely for the use of the individual or entity to whom it is addressed. Any distribution, copying, disclosure, or other use is strictly prohibited. If you have received this E-mail in error, please notify the sender immediately and permanently delete this message. Thank you"

From: Laura Roddan [<mailto:laura.rodan@powellriverrd.bc.ca>]

Sent: Friday, August 21, 2015 10:48 AM

To: Monson, Clint TRAN:EX

Cc: Glover, Dan [SC]; 'Emery and Rae Land Surveying Ltd.'; Al Radke

Subject: RE: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

Hi Clint – I have run your question through Al Radke, CAO for the Powell River Regional District (PRRD). The PRRD is not in a position to hold a covenant on Lot 2 as we have no direction from the electorate to do so. As you may or may not be aware, Regional District services are only provided when the electorate approve through assent voting. There are relatively few services that a Board can enable on their own and given the circumstances this is not one of them. So, until a service is established, the Regional District is not prepared to hold a covenant.

Regards,

Laura

Laura Roddan, MA, MCIP

Manager of Planning Services



**POWELL RIVER
REGIONAL DISTRICT**

CALL US WE ARE YOUR LOCAL GOVERNMENT

Powell River Regional District
#202 – 4675 Marine Avenue
Powell River, BC V8A 2L2
T. 604.485.2260
F. 604.485.2216
www.powellriverrd.bc.ca

The information herein is confidential and may contain privileged information. It is intended solely for the person or entity to whom it is addressed. Any review, re-transmission, dissemination, taking of any action in reliance upon, or other use of this information by persons or entities other than the intended recipient is prohibited. If you believe this message was not intended for you, please notify the sender and delete or destroy all digital and printed copies.

From: Monson, Clint TRAN:EX [<mailto:Clint.Monson@gov.bc.ca>]
Sent: August-17-15 1:15 PM
To: Jason Gow; Laura Roddan
Cc: 'Glover, Dan [SC]'; 'Emery and Rae Land Surveying Ltd.'; Moore, Jeffrey TRAN:EX; Braun, Michael TRAN:EX
Subject: RE: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

Hi Jason,

Can you confirm that the Powell River Regional District would be willing to hold the covenant controlling the use of Lot 2 until the land is transferred into the RD's name? At that time the covenant could be discharged if need be. The Ministry needs to ensure that the land is used as intended since there is a variance from standard requirements and this would help ensure that throughout the process.

Thanks,

Clint Monson, C.E.T.

Area Manager, Development Tech
BC Ministry of Transportation and Infrastructure (MoT)
6953 Alberni Street, Powell River, BC V8A 2B8
Office: (604) 485-3610
Mobile: (604) 483-1189



From: Glover, Dan [SC] [<mailto:Dan.Glover@vch.ca>]
Sent: Tuesday, July 14, 2015 9:40 AM
To: Monson, Clint TRAN:EX; 'Emery and Rae Land Surveying Ltd.'
Cc: 'Jason Gow (planning@powellriverrd.bc.ca)'
Subject: RE: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

I can answer many of these points.

- Currently there are 12 springs (although 1 appears to not be in use and 2 service a single residence each) servicing approximately 40 homes in total. They form 7 active "water supply systems" under the Drinking Water Protection Act, and 2 inactive at present. The largest system has 14 connections and utilizes a concrete reservoir; the majority of systems have no reservoir in place, but consist of open sources connected to water lines primarily on the ground surface. Although most of the wells (springs) are operating under individual water licences issued over the years by MOE, the water licences typically allow for only 500 gpd to be extracted (1 single family dwelling), therefore many non-compliances exist. There are no CPCN's in place. Water agreements in place are only verbal as far as I can tell. Essentially all systems are privately operated and with very loose structures at present with the exception of one WUC formed in recent years.
- Since the source water is obtained on private land at present, this has made it very difficult to enforce the DWPA and very difficult for upgrades to occur. There are currently 6 Boil Water Advisories in place and resolution has been stymied due to the many existing issues. In short, the current situation with a group of independent but related water systems with inadequate infrastructure and no treatment cannot be continued. After working on this situation for over 8 years we are at a point where the land on which the sources are located has been offered to an organized local body (most likely local government), which would allow for the required upgrades to be planned and completed. We have been encouraging the formation of a single user group and a single water supply system and the local

residents now appear to be onside with this. The lot in question has no significant development potential and is ideally suited to being designated as a water supply lot. We believe effective controls can be put in place to ensure this lot is not available for any use other than water supply system-related. This is a huge improvement over the current situation where there are few controls over the land use.

- We would not encourage easements to be put in place for the existing water lines, as they are substandard in every way; these will be replaced with a properly engineered water supply line if this proposal proceeds.

I have made it clear that the current situation cannot continue and that a single water supply system must be formed to service the properties. This is necessary for a number of reasons including ongoing administration, wellhead protection, security and access to the sources. The PRRD has undertaken an engineering study which outlined the most appropriate servicing option for this area. The proposed plan was supported at a recent public meeting. Therefore I think it is safe to say the PRRD is in line to become the holder of the parcel. Perhaps a covenant could be put in place which would restrict use of the lot to water service only, by whoever is administering the lot.

I hope this answers your questions. Feel free to contact me today if you have further questions.

Dan Glover

DWO/EHO

Vancouver Coastal Health - Powell River

604-485-3335 604-485-3305 (fax)

"This E-mail message, including any attachments, contains confidential information and is intended solely for the use of the individual or entity to whom it is addressed. Any distribution, copying, disclosure, or other use is strictly prohibited. If you have received this E-mail in error, please notify the sender immediately and permanently delete this message. Thank you"

From: Monson, Clint TRAN:EX [<mailto:Clint.Monson@gov.bc.ca>]

Sent: Monday, July 13, 2015 3:42 PM

To: 'Emery and Rae Land Surveying Ltd.'

Cc: Glover, Dan [SC]; 'Jason Gow (planning@powellriverrd.bc.ca)'

Subject: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

Hi Rick,

Sorry for the delay in getting back to this file.

The ministry requires additional info regarding the water supply situation:

Both the PRRD and the ALC have indicated that the Proposed Lot 2 is to be transferred to a local body for the provision of water to the neighbouring properties. We need a better understanding of what is currently happening and how the water is being supplied:

1. Is the water being sent to each lot via a private line from a well or is everything going to the reservoir and then being sent to the lots?
2. If it is being handled as one large system, are they operating under a CPCN and is there one individual or company acting as the water purveyor?
3. There are no charges on the title relating to the water so what agreement are they currently operating under?
4. Are easements necessary to protect the existing water lines?

The ministry is not sure at this point how the issue of transferring the Proposed Lot 2 will be resolved. Knowing more about the current water supply situation will help answer that. If there is a water purveyor operating under

a CPCN, they become the obvious choice as the owner. If that isn't the case and we don't know who will ultimately own the lot, perhaps the solution becomes restricting the use of the lot as envisioned by the ALC and the PRRD by the registration of a covenant. The next question becomes who holds the covenant?

Could you please provide additional information on the water supply?

Thanks,

Clint Monson, C.E.T.

Area Manager, Development Tech

BC Ministry of Transportation and Infrastructure (MoT)

6953 Alberni Street, Powell River, BC V8A 2B8

Office: (604) 485-3610

Mobile: (604) 483-1189



From: Emery and Rae Land Surveying Ltd. [<mailto:emeryrae@telus.net>]

Sent: Friday, June 12, 2015 3:39 PM

To: Monson, Clint TRAN:EX

Subject: 2014-02749 Sitzler

Hi Clint,

This file have been responded to by PRRD and VCHA. The ALC approval is attached. Can you give me an indication when a PLA might be issued for this proposal.

Richard Rae, B.C. Land Surveyor

Emery and Rae Land Surveying Ltd.

4507 Manson Avenue,

Powell River, B.C.

V8A 3N3

Phone-604 485-4203

Derkson, Debra TRAN:EX

From: Glover, Dan [SC] <Dan.Glover@vch.ca>
Sent: Friday, August 21, 2015 11:18 AM
To: Monson, Clint TRAN:EX
Cc: 'emeryrae@telus.net'
Subject: RE: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

Clint;

It appears MOTI is unsure about the creation of this lot since it has not demonstrated the necessary conditions for development. However, it has been clearly stated that the creation of this lot is entirely for the purpose of water source provision. s.13

s.13 I would anticipate this could happen soon.

Over the past 8+ years we have been able to create momentum with the public to correct these long-outstanding issues including several Boil Water Notices. The public has most recently overwhelmingly given approval for local government to proceed with creation of a plan, water system engineering, source assessment, etc. and to apply for grant monies to install the necessary treatment works. This is in the works but approval has not been received yet. We have the potential to solve a significant issue and we have both support of the public and interest by local government.

What can be done to keep this moving forward in the interests of the public?

Dan Glover

DWO/EHO

Vancouver Coastal Health - Powell River

604-485-3335 604-485-3305 (fax)

"This E-mail message, including any attachments, contains confidential information and is intended solely for the use of the individual or entity to whom it is addressed. Any distribution, copying, disclosure, or other use is strictly prohibited. If you have received this E-mail in error, please notify the sender immediately and permanently delete this message. Thank you"

From: Laura Roddan [mailto:laura.rodan@powellriverrd.bc.ca]
Sent: Friday, August 21, 2015 10:48 AM
To: Monson, Clint TRAN:EX
Cc: Glover, Dan [SC]; 'Emery and Rae Land Surveying Ltd.'; Al Radke
Subject: RE: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

Hi Clint – I have run your question through Al Radke, CAO for the Powell River Regional District (PRRD). The PRRD is not in a position to hold a covenant on Lot 2 as we have no direction from the electorate to do so. As you may or may not be aware, Regional District services are only provided when the electorate approve through assent voting. There are relatively few services that a Board can enable on their own and given the circumstances this is not one of them. So, until a service is established, the Regional District is not prepared to hold a covenant.

Regards,

Laura

Laura Roddan, MA, MCIP
Manager of Planning Services



POWELL RIVER REGIONAL DISTRICT

Call US We are **YOUR** Local Government

Powell River Regional District
#202 – 4675 Marine Avenue
Powell River, BC V8A 2L2
T. 604.485.2260
F. 604.485.2216
www.powellriverrd.bc.ca

Save a tree. Do not print this e-mail unless it is really necessary.

The information herein is confidential and may contain privileged information. It is intended solely for the person or entity to whom it is addressed.

Any review, re-transmission, dissemination, taking of any action in reliance upon, or other use of this information by persons or entities other than the intended recipient is prohibited.

If you believe this message was not intended for you, please notify the sender and delete or destroy all digital and printed copies.

From: Monson, Clint TRAN:EX [<mailto:Clint.Monson@gov.bc.ca>]

Sent: August-17-15 1:15 PM

To: Jason Gow; Laura Roddan

Cc: 'Glover, Dan [SC]'; 'Emery and Rae Land Surveying Ltd.'; Moore, Jeffrey TRAN:EX; Braun, Michael TRAN:EX

Subject: RE: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

Hi Jason,

Can you confirm that the Powell River Regional District would be willing to hold the covenant controlling the use of Lot 2 until the land is transferred into the RD's name? At that time the covenant could be discharged if need be.

The Ministry needs to ensure that the land is used as intended since there is a variance from standard requirements and this would help ensure that throughout the process.

Thanks,

Clint Monson, C.E.T.

Area Manager, Development Tech

BC Ministry of Transportation and Infrastructure (MoT)

6953 Alberni Street, Powell River, BC V8A 2B8

Office: (604) 485-3610

Mobile: (604) 483-1189



From: Glover, Dan [SC] [<mailto:Dan.Glover@vch.ca>]
Sent: Tuesday, July 14, 2015 9:40 AM
To: Monson, Clint TRAN:EX; 'Emery and Rae Land Surveying Ltd.'
Cc: 'Jason Gow (planning@powellriverrd.bc.ca)'
Subject: RE: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

I can answer many of these points.

- Currently there are 12 springs (although 1 appears to not be in use and 2 service a single residence each) servicing approximately 40 homes in total. They form 7 active “water supply systems” under the Drinking Water Protection Act, and 2 inactive at present. The largest system has 14 connections and utilizes a concrete reservoir; the majority of systems have no reservoir in place, but consist of open sources connected to water lines primarily on the ground surface. Although most of the wells (springs) are operating under individual water licences issued over the years by MOE, the water licences typically allow for only 500 gpd to be extracted (1 single family dwelling), therefore many non-compliances exist. There are no CPCN’s in place. Water agreements in place are only verbal as far as I can tell. Essentially all systems are privately operated and with very loose structures at present with the exception of one WUC formed in recent years.
- Since the source water is obtained on private land at present, this has made it very difficult to enforce the DWPA and very difficult for upgrades to occur. There are currently 6 Boil Water Advisories in place and resolution has been stymied due to the many existing issues. In short, the current situation with a group of independent but related water systems with inadequate infrastructure and no treatment cannot be continued. After working on this situation for over 8 years we are at a point where the land on which the sources are located has been offered to an organized local body (most likely local government), which would allow for the required upgrades to be planned and completed. We have been encouraging the formation of a single user group and a single water supply system and the local residents now appear to be onside with this. The lot in question has no significant development potential and is ideally suited to being designated as a water supply lot. We believe effective controls can be put in place to ensure this lot is not available for any use other than water supply system-related. This is a huge improvement over the current situation where there are few controls over the land use.
- We would not encourage easements to be put in place for the existing water lines, as they are substandard in every way; these will be replaced with a properly engineered water supply line if this proposal proceeds.

I have made it clear that the current situation cannot continue and that a single water supply system must be formed to service the properties. This is necessary for a number of reasons including ongoing administration, wellhead protection, security and access to the sources. The PRRD has undertaken an engineering study which outlined the most appropriate servicing option for this area. The proposed plan was supported at a recent public meeting. Therefore I think it is safe to say the PRRD is in line to become the holder of the parcel. Perhaps a covenant could be put in place which would restrict use of the lot to water service only, by whoever is administering the lot.

I hope this answers your questions. Feel free to contact me today if you have further questions.

Dan Glover

DWO/EHO

Vancouver Coastal Health - Powell River

604-485-3335 604-485-3305 (fax)

“This E-mail message, including any attachments, contains confidential information and is intended solely for the use of the individual or entity to whom it is addressed. Any distribution, copying, disclosure, or other use is

strictly prohibited. If you have received this E-mail in error, please notify the sender immediately and permanently delete this message. Thank you"

From: Monson, Clint TRAN:EX [<mailto:Clint.Monson@gov.bc.ca>]
Sent: Monday, July 13, 2015 3:42 PM
To: 'Emery and Rae Land Surveying Ltd.'
Cc: Glover, Dan [SC]; 'Jason Gow (planning@powellriverrd.bc.ca)'
Subject: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

Hi Rick,
Sorry for the delay in getting back to this file.

The ministry requires additional info regarding the water supply situation:
Both the PRRD and the ALC have indicated that the Proposed Lot 2 is to be transferred to a local body for the provision of water to the neighbouring properties. We need a better understanding of what is currently happening and how the water is being supplied:

1. Is the water being sent to each lot via a private line from a well or is everything going to the reservoir and then being sent to the lots?
2. If it is being handled as one large system, are they operating under a CPCN and is there one individual or company acting as the water purveyor?
3. There are no charges on the title relating to the water so what agreement are they currently operating under?
4. Are easements necessary to protect the existing water lines?

The ministry is not sure at this point how the issue of transferring the Proposed Lot 2 will be resolved. Knowing more about the current water supply situation will help answer that. If there is a water purveyor operating under a CPCN, they become the obvious choice as the owner. If that isn't the case and we don't know who will ultimately owned the lot, perhaps the solution becomes restricting the use of the lot as envisioned by the ALC and the PRRD by the registration of a covenant. The next question becomes who holds the covenant?

Could you please provide additional information on the water supply?

Thanks,

Clint Monson, C.E.T.

Area Manager, Development Tech

BC Ministry of Transportation and Infrastructure (MoT)

6953 Alberni Street, Powell River, BC V8A 2B8

Office: (604) 485-3610

Mobile: (604) 483-1189



From: Emery and Rae Land Surveying Ltd. [<mailto:emeryrae@telus.net>]
Sent: Friday, June 12, 2015 3:39 PM
To: Monson, Clint TRAN:EX
Subject: 2014-02749 Sitzler

Hi Clint,

This file have been responded to by PRRD and VCHA. The ALC approval is attached.Can you give me an indication when a PLA might be issued for this proposal.

Richard Rae, B.C. Land Surveyor
Emery and Rae Land Surveying Ltd.
4507 Manson Avenue,
Powell River, B.C.
V8A 3N3
Phone-604 485-4203

Derkson, Debra TRAN:EX

From: Moore, Jeffrey TRAN:EX
Sent: Monday, July 20, 2015 2:14 PM
To: Monson, Clint TRAN:EX
Subject: RE: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

Good afternoon Clint,

This information helps with understanding what is currently in place, but I don't know if it has fully resolved how the lot should be treated through the subdivision process.

Controlling the use of Lot 2 by placing a covenant on the property looks like what is needed and it seems from Dan's e-mail that it should be in the name of the PRRD. Ownership of the lot by the PRRD (if that is the way it goes) won't happen until after the subdivision is registered so the covenant is the only thing that can be done as part of the subdivision registration.

We should get an update from the PRRD and get them to confirm that they will hold the covenant on Lot 2. Should things go the way Dan has outlined and ownership does transfer to the PRRD, we could discharge the covenant later if that is what they want to do.

Thanks.

Jeffrey Moore, ASCT
Provincial Approving Officer
BC Ministry of Transportation and Infrastructure
Lower Mainland District

Address: 310 – 1500 Woolridge Street, Coquitlam, BC V3K 0B8
Telephone: (604) 527-2233
Facsimile: (604) 527-2222

From: Monson, Clint TRAN:EX
Sent: Friday, July 17, 2015 12:57 PM
To: Moore, Jeffrey TRAN:EX
Subject: FW: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

Hi Jeff,
Does this answer your questions?

Clint Monson, C.E.T.
Area Manager, Development Tech
BC Ministry of Transportation and Infrastructure (MoT)
6953 Alberni Street, Powell River, BC V8A 2B8
Office: (604) 485-3610
Mobile: (604) 483-1189



From: Glover, Dan [SC] [<mailto:Dan.Glover@vch.ca>]
Sent: Tuesday, July 14, 2015 9:40 AM
To: Monson, Clint TRAN:EX; 'Emery and Rae Land Surveying Ltd.'

Cc: 'Jason Gow (planning@powellriverrd.bc.ca)'

Subject: RE: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

I can answer many of these points.

- Currently there are 12 springs (although 1 appears to not be in use and 2 service a single residence each) servicing approximately 40 homes in total. They form 7 active "water supply systems" under the Drinking Water Protection Act, and 2 inactive at present. The largest system has 14 connections and utilizes a concrete reservoir; the majority of systems have no reservoir in place, but consist of open sources connected to water lines primarily on the ground surface. Although most of the wells (springs) are operating under individual water licences issued over the years by MOE, the water licences typically allow for only 500 gpd to be extracted (1 single family dwelling), therefore many non-compliances exist. There are no CPCN's in place. Water agreements in place are only verbal as far as I can tell. Essentially all systems are privately operated and with very loose structures at present with the exception of one WUC formed in recent years.
- Since the source water is obtained on private land at present, this has made it very difficult to enforce the DWPA and very difficult for upgrades to occur. There are currently 6 Boil Water Advisories in place and resolution has been stymied due to the many existing issues. In short, the current situation with a group of independent but related water systems with inadequate infrastructure and no treatment cannot be continued. After working on this situation for over 8 years we are at a point where the land on which the sources are located has been offered to an organized local body (most likely local government), which would allow for the required upgrades to be planned and completed. We have been encouraging the formation of a single user group and a single water supply system and the local residents now appear to be onside with this. The lot in question has no significant development potential and is ideally suited to being designated as a water supply lot. We believe effective controls can be put in place to ensure this lot is not available for any use other than water supply system-related. This is a huge improvement over the current situation where there are few controls over the land use.
- We would not encourage easements to be put in place for the existing water lines, as they are substandard in every way; these will be replaced with a properly engineered water supply line if this proposal proceeds.

I have made it clear that the current situation cannot continue and that a single water supply system must be formed to service the properties. This is necessary for a number of reasons including ongoing administration, wellhead protection, security and access to the sources. The PRRD has undertaken an engineering study which outlined the most appropriate servicing option for this area. The proposed plan was supported at a recent public meeting. Therefore I think it is safe to say the PRRD is in line to become the holder of the parcel. Perhaps a covenant could be put in place which would restrict use of the lot to water service only, by whoever is administering the lot.

I hope this answers your questions. Feel free to contact me today if you have further questions.

Dan Glover

DWO/EHO

Vancouver Coastal Health - Powell River

604-485-3335 604-485-3305 (fax)

"This E-mail message, including any attachments, contains confidential information and is intended solely for the use of the individual or entity to whom it is addressed. Any distribution, copying, disclosure, or other use is strictly prohibited. If you have received this E-mail in error, please notify the sender immediately and permanently delete this message. Thank you"

From: Monson, Clint TRAN:EX [<mailto:Clint.Monson@gov.bc.ca>]

Sent: Monday, July 13, 2015 3:42 PM

To: 'Emery and Rae Land Surveying Ltd.'

Cc: Glover, Dan [SC]; 'Jason Gow (planning@powellriverrd.bc.ca)'

Subject: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

Hi Rick,

Sorry for the delay in getting back to this file.

The ministry requires additional info regarding the water supply situation:

Both the PRRD and the ALC have indicated that the Proposed Lot 2 is to be transferred to a local body for the provision of water to the neighbouring properties. We need a better understanding of what is currently happening and how the water is being supplied:

1. Is the water being sent to each lot via a private line from a well or is everything going to the reservoir and then being sent to the lots?
2. If it is being handled as one large system, are they operating under a CPCN and is there one individual or company acting as the water purveyor?
3. There are no charges on the title relating to the water so what agreement are they currently operating under?
4. Are easements necessary to protect the existing water lines?

The ministry is not sure at this point how the issue of transferring the Proposed Lot 2 will be resolved. Knowing more about the current water supply situation will help answer that. If there is a water purveyor operating under a CPCN, they become the obvious choice as the owner. If that isn't the case and we don't know who will ultimately owned the lot, perhaps the solution becomes restricting the use of the lot as envisioned by the ALC and the PRRD by the registration of a covenant. The next question becomes who holds the covenant?

Could you please provide additional information on the water supply?

Thanks,

Clint Monson, C.E.T.

Area Manager, Development Tech

BC Ministry of Transportation and Infrastructure (MoT)

6953 Alberni Street, Powell River, BC V8A 2B8

Office: (604) 485-3610

Mobile: (604) 483-1189



From: Emery and Rae Land Surveying Ltd. [<mailto:emeryrae@telus.net>]

Sent: Friday, June 12, 2015 3:39 PM

To: Monson, Clint TRAN:EX

Subject: 2014-02749 Sitzler

Hi Clint,

This file have been responded to by PRRD and VCHA. The ALC approval is attached. Can you give me an indication when a PLA might be issued for this proposal.

Richard Rae, B.C. Land Surveyor
Emery and Rae Land Surveying Ltd.
4507 Manson Avenue,
Powell River, B.C.
V8A 3N3
Phone-604 485-4203

Derkson, Debra TRAN:EX

From: Monson, Clint TRAN:EX
Sent: Monday, July 13, 2015 3:42 PM
To: 'Emery and Rae Land Surveying Ltd.'
Cc: 'Dan Glover (dan.glover@vch.ca)'; 'Jason Gow (planning@powellriverrd.bc.ca)'
Subject: 2014-02749 - Sitzler - 4 Lot Shelter Pt Rd (Texada)

Hi Rick,
Sorry for the delay in getting back to this file.

The ministry requires additional info regarding the water supply situation:
Both the PRRD and the ALC have indicated that the Proposed Lot 2 is to be transferred to a local body for the provision of water to the neighbouring properties. We need a better understanding of what is currently happening and how the water is being supplied:

1. Is the water being sent to each lot via a private line from a well or is everything going to the reservoir and then being sent to the lots?
2. If it is being handled as one large system, are they operating under a CPCN and is there one individual or company acting as the water purveyor?
3. There are no charges on the title relating to the water so what agreement are they currently operating under?
4. Are easements necessary to protect the existing water lines?

The ministry is not sure at this point how the issue of transferring the Proposed Lot 2 will be resolved. Knowing more about the current water supply situation will help answer that. If there is a water purveyor operating under a CPCN, they become the obvious choice as the owner. If that isn't the case and we don't know who will ultimately owned the lot, perhaps the solution becomes restricting the use of the lot as envisioned by the ALC and the PRRD by the registration of a covenant. The next question becomes who holds the covenant?

Could you please provide additional information on the water supply?

Thanks,

Clint Monson, C.E.T.

Area Manager, Development Tech
BC Ministry of Transportation and Infrastructure (MoT)
6953 Alberni Street, Powell River, BC V8A 2B8

Office: (604) 485-3610
Mobile: (604) 483-1189



From: Emery and Rae Land Surveying Ltd. [<mailto:emeryrae@telus.net>]
Sent: Friday, June 12, 2015 3:39 PM
To: Monson, Clint TRAN:EX
Subject: 2014-02749 Sitzler

Hi Clint,

This file have been responded to by PRRD and VCHA. The ALC approval is attached. Can you give me an indication when a PLA might be issued for this proposal.

Richard Rae, B.C. Land Surveyor
Emery and Rae Land Surveying Ltd.
4507 Manson Avenue,
Powell River, B.C.
V8A 3N3
Phone-604 485-4203

POWELL RIVER REGIONAL DISTRICT

REPORT

TO: Planning Committee
FROM: Jason Gow, Planner
DATE: July 15, 2014
SUBJECT: Subdivision, Section 14, Shelter Point Road, Texada Island

ACTION/RECOMMENDATION

THAT the Committee recommend the Board advise the Ministry of Transportation and Infrastructure that the Powell River Regional District supports the proposed subdivision of Section 14, Texada Island District, except Plan BCP35231, located along Shelter Point Road into 4 lots ranging in size from 5.8 to 194 hectares as per the subdivision plan submitted by Emery & Rae Land Surveying dated April 24, 2014, provided that proposed Lot 2 is to be granted, sold, or otherwise conveyed to a qualified regulatory authority for its use in administering the provision of water to neighbouring properties.

PURPOSE

To consider recommendations to Ministry of Transportation and Infrastructure regarding a referral of a 4 lot conventional subdivision application for a property located along Shelter Point Road in Electoral Area D.

BACKGROUND

The property in question is part of the Agricultural Land Reserve (ALR). As such, an application was first made to the Agricultural Land Commission (ALC). Part of that application process involved the proposal being submitted to the Powell River Regional District (PRRD) for review and to make recommendations to the ALC. After being supported by the PRRD's Agricultural Advisory and Planning Committees, on April 25, 2013, the Board adopted the following resolution:

THAT the Board concur with the recommendation of the Planning Committee that the Agricultural Land Commission be advised that the Powell River Regional District supports the application for a 4 lot subdivision of Section 14, Texada Island District, except Plan BCP35231, located in the vicinity of Shelter Point Road, as per the subdivision plan submitted by Emery & Rae Land Surveying dated December 18, 2012, provided that proposed Lot 2 is to be granted, sold, or otherwise conveyed to a qualified regulatory authority for its use in administering the provision of water to neighbouring properties along with the caveat that the boundaries of proposed Lot 2

may need to be marginally altered to meet the requirements of the upgraded water system(s).

On January 8, 2014, the PRRD received notification from the ALC stating they had approved the proposed subdivision. In order to complete the subdivision, however, the applicant must now receive approval from the Ministry of Transportation and Infrastructure (MOTI). On June 13, 2014, the PRRD received a referral from MOTI for this subdivision proposal. It is this referral that will be addressed in the following sections.

STRATEGIC PRIORITY

Provincial referral.

DISCUSSION

The subject property is located on Texada Island in Electoral Area D along Shelter Point Road near Shelter Point Park. Attached to this report as Appendices A and B are a locator map and an orthographic image. The property is legally described as Section 14, Texada Island District, except Plan BCP35231.

The application has been submitted by Emery Rae Land Surveyors on behalf of Fritz and Sieglinde Sitzler. The application proposes a 4 lot conventional subdivision with parcels of 5.8, 16.9, 22.4, and 194 hectares in size. Attached to this report as Appendix C is the proposed subdivision plan dated April 24, 2014.

Proposed lot 2 contains numerous wells that serve the surrounding properties. The condition of many of the wells has been identified by Vancouver Coastal Health (VCH) as problematic. Orders to remedy the situation have been given by VCH. As part of this process and a condition of the ALC's approval, the applicant is required to grant, sell, or otherwise convey proposed lot 2 to a qualified regulatory authority for its use in administering the provision of water to neighbouring properties.

While proposed lot 2 will be smaller than the recommended parcel size for land designated as *Agricultural* in the Texada Island Official Community Plan, staff believe that its agricultural viability has been limited due to the numerous wells located on it. Therefore, staff recommend supporting this subdivision application.

FINANCIAL IMPLICATIONS

Not applicable.

STAFF TIME/INPUT

This report was prepared by the PRRD's Planner in consultation with the Manager of Planning Services. Approximately 2.0 hours of staff time was used to research and develop this report.

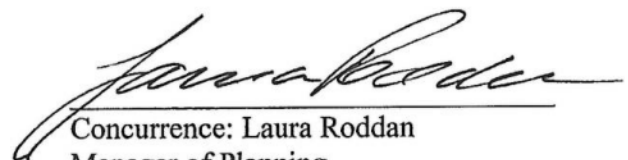
PUBLIC CONSULTATION AND/OR STAKEHOLDER ENGAGEMENT


This is a Provincial referral. Public consultation and stakeholder engagement is the responsibility of the Province.

ALTERNATIVES

1. Approve the recommendation contained herein.
2. Propose an alternative course of action.



Jason Gow
Planner

Concurrence: Laura Roddan
Manager of Planning

Concurrence: Al Radke
Chief Administrative Officer

Derkson, Debra TRAN:EX

From: Moore, Jeffrey TRAN:EX
Sent: Tuesday, December 16, 2014 2:50 PM
To: Monson, Clint TRAN:EX
Cc: Braun, Michael TRAN:EX
Subject: RE: 2014-02749 - Rick Rae - 4 Lot Shelter Pt Rd (Texada)

Good afternoon Clint,

I have been working away at this one and a couple of questions have come to mind that I need to have addressed before I can finish my review.

Both the PRRD and the ALC have indicated that the Proposed Lot 2 is to be transferred to a local body for the provision of water to the neighbouring properties. I need a better sense of what is currently happening and how the water is being supplied:

1. Is the water being send to each lot via a private line from a well or is everything going to the reservoir and then being sent to the lots?
2. If it is being handled as one large system, are they operating under a CPCN and is there one individual or company acting as the water purveyor?
3. There are no charges on the title relating to the water so what agreement are they currently operating under?
4. Are easements necessary to protect the existing water lines?

I am not sure at this point how the issue of transferring the Proposed Lot 2 will be resolved. Knowing more about the current water supply situation will help answer that. If there is a water purveyor operating under a CPCN, they become the obvious choice as the owner. If that isn't the case and we don't know who will ultimately owned the lot, perhaps the solution becomes restricting the use of the lot as envisioned by the ALC and the PRRD by the registration of a covenant. The next question becomes who holds the covenant?

Could you please get in touch with the applicant and see if they can provide additional information on the water supply.

Thanks.

Jeffrey Moore, ASCT
Provincial Approving Officer
BC Ministry of Transportation and Infrastructure
Lower Mainland District

Address: 310 – 1500 Woolridge Street, Coquitlam, BC V3K 0B8
Telephone: (604) 527-2233
Facsimile: (604) 527-2222

From: Monson, Clint TRAN:EX
Sent: Tuesday, December 2, 2014 12:43 PM
To: Moore, Jeffrey TRAN:EX
Cc: Braun, Michael TRAN:EX
Subject: 2014-02749 - Rick Rae - 4 Lot Shelter Pt Rd (Texada)

Hi Jeff,
See attached prelim report for this Texada island subdivision.
Thanks,

Clint Monson, C.E.T.

Area Manager, Development Tech

BC Ministry of Transportation and Infrastructure (MoT)

6953 Alberni Street, Powell River, BC V8A 2B8

Office: (604) 485-3610

Mobile: (604) 483-1189





MoT File 2014-02749

Date Nov/05/2014

PRELIMINARY REPORT

Re: Proposed Conventional Subdivision Application for: Section 14 Texada Island District, Except part by Plan BCP35231, PID 011-774-134

Comments:

Note: This application is to establish 4 lots (3 plus remainder). One of the lots (proposed lot 2) will be donated to the community water system.

PAO's;

(2014 07-17) email comments:

From: Moore, Jeffrey TRAN:EX
Sent: Thursday, July 17, 2014 2:36 PM
To: Monson, Clint TRAN:EX
Subject: Subdivision File 2014-02749

Good afternoon Clint,

I have taken a look at the application and offer the following comments.

Overall the layout looks good but I am not sure what roads are proposed to be constructed. I am guessing that the applicant is proposing to dedicate the two half-roads but not to construct them. Is the proposal to construct the extension of Carter Road and the proposed road to create the link to Shelter Point Road? Please ensure that any construction meets Ministry requirements and that the applicant is provided with a Design Criteria Sheet and the Engineer of Record requirements.

- Proposal is to construct roads from Shelter Point Rd up to proposed lot 1. (Clint)

With the size of the lots, finding a suitable area for a septic system should be easy to deal with but I don't see anything in the file stating how water supply will be achieved. The application mentions that Lot 2 is being donated for a community water so I am wondering if the community system is their proposed supply.

- Water to each lot to be provide by drilled wells on property. (Clint)

Thanks.

Jeffrey Moore, ASCT

Provincial Approving Officer

PRRD;

(2014 07-24) Board decision:

Local District Address
Powell River Office - Lower Mainland District 6953 Alberni Street Powell River, BC Telephone: (604) 485-3610 Facsimile: (604) 485-3611

THAT the Board concur with the recommendation of the Planning Committee to advise the Ministry of Transportation and Infrastructure that the Powell River Regional District supports the proposed subdivision of Section 14, Texada Island District, except Plan BCP35231, located along Shelter Point Road into 4 lots ranging in size from 5.8 to 194 hectares as per the subdivision plan submitted by Emery & Rae Land Surveying dated April 24, 2014, provided that proposed Lot 2 is to be granted, sold, or otherwise conveyed to a qualified regulatory authority for its use in administering the provision of water to neighbouring properties.

VCHA;

(2014 07-24) letter:

Sewage disposal

1. Proposed Lot 1 – the applicant has demonstrated the presence of suitable soils and area for the installation of an on-site sewerage system and a reserve sewerage system on this property. Due to the large lot size, a restrictive covenant does not appear to be necessary for these purposes. However, due to the presence of a number of spring-fed wells on proposed lot 2 immediately south of this proposed lot we would recommend no sewage disposal systems be installed within 300 feet (100 metres) of the south property line. This should not present any challenges given the large lot size.
2. Proposed Lot 2 is intended to be created for the sole purpose of providing an ongoing domestic water source for the adjacent community. Therefore, the applicant has not attempted to demonstrate suitable conditions and area on this proposed lot for a primary and a reserve sewerage system. We fully support the creation of this lot provided it is deemed to be only suitable for the purpose of providing a domestic water supply and would thus not be eligible for any development other than that related to the provision of domestic water from the date of approval forward.
3. Proposed Lot 3 - the applicant has demonstrated the presence of suitable soils and area for the installation of an on-site sewerage system and a reserve sewerage system on this property. Due to the large lot size, a restrictive covenant does not appear to be necessary for these purposes.
4. Remainder of Section 14 – a single family residence is present on this property and is serviced by an on-site sewage disposal system installed under health permit in 1997. The sewage disposal system appears to be functioning adequately. The applicant has demonstrated suitable soil conditions and area for a reserve sewerage system to be installed on this property.

Water supply system

The applicant is proposing lots 1 and 3 would be serviced by an individual drinking water well. The remainder of Section 14 is presently serviced with an individual drinking water well and would continue to be.

Proposed Lot 2 would not be developed and would therefore not require a drinking water supply as such, although it is intended and appears capable of supplying a significant volume of water to other adjacent lots. Individual water supplies are not under our jurisdiction. The following comments are provided as information only, and will not be further followed up by VCH. It is recommended that the applicant consider the following:

- The wells should be constructed with best engineering practices and to comply and the Ground Water Protection Regulation (BC Reg. 299/2004).

- It should be demonstrated that the wells are capable of providing a minimum of 2720 liters/day (500 gallons/day) on a sustained basis throughout the year.
- A complete chemical/mineral and bacteriological analysis of the water should be performed by an accredited lab.
- If required, professional recommendations should be provided on the type of *point of use* or *point of entry* treatment device required to treat any unacceptable parameters identified in the water analysis.

We would therefore have no objection to this subdivision proceeding at this time.

Yours truly,

Dan Glover, C.P.H.I.(C)

Registered Environmental Health Officer/Drinking Water Officer

BC Hydro;

N/A

Telus;

N/A

Canada Post (for large developments);

N/A

Slammon FN (Tla'Amin);

N/A

ALC (Agriculture Land Commission);

The ALC has given preliminary approval which expires October 02, 2016

Any other affected Agencies (Title Results);

N/A

My evaluation:

1. State title encumbrances:
 - ALC land reserve.
2. Topography:
 - Sloping East to West towards the ocean, I did not notice any rockfall/cliff hazards. Creek meanders onto and off of the property along the North boundary
3. Site regraded:
 - No
4. Road/Land drainage:
 - Did not notice any issues. Property mostly undeveloped, most precipitation would go to ground.
5. Natural hazards (flooding, erosion, landslip, rockfall, avalanche, wildfire):
 - Forested area so possible wildfire potential.
6. Contaminated site:
 - No

7. Surrounding land use:
 - Mostly residential.
8. Conform with OCP:
 - N/A
9. ALC comments/approval:
 - Approval granted
10. Archaeology / First Nations interests:
 - None
11. Environmental value (riparian zone, wildlife, sensitive ecosystem):
 - Creek along North boundary
12. Roads adequate for additional traffic:
 - Yes
13. Posted speed limit:
 - 70 km/h
14. Access to all lots:
 - Yes
15. Off street parking:
 - Yes
16. Access to lands beyond:
 - Yes, along West and East boundary. No dedication proposed along the North boundary.
17. Access to water:
 - N/A
18. Alternate access:
 - Yes, road to the West.
19. Crossings (Pipeline, Hydro/Tel, Railroad) require covenants:
 - N/A
20. Other:
 - N/A

Recommendations:

PLA subject to the following conditions;

1. Road construction requirements
 - a. EOR policy compliance
 - b. Road designs to be provided for approval (must be sealed).
 - c. Permit for road intersection with Shelter Pt Rd works.
 - d. 10m, 75mm thick, paved asphalt apron required for new intersection with Shelter Pt Rd.

December 17, 2015

- e. Hammer head turn-around required at end of half cul-de-sac.
- 2. Creek return to Crown.
- 3. Confirmation that all concerns with VCHA have been addressed.
- 4. Confirmation that all concerns with PRRD have been addressed.
- 5. Hard surfaced 6m apron required at Rem. Existing residential access since accessing paved road (Shelter Pt Rd).
- 6. Assurance that the proposed lot 2 will become property of community water provider.

Clint Monson, CET

Area Manager, Development Technician

Clint.Monson@gov.bc.ca

Office: (604) 485-3610

Derkson, Debra TRAN:EX

From: Jason Gow <planning@powellriverrd.bc.ca>
Sent: Tuesday, July 29, 2014 3:09 PM
To: Monson, Clint TRAN:EX
Subject: Sitzler Subdivision
Attachments: 20140724 LETTER TO MOTI.pdf; 20140724 BOARD RESOLUTION.pdf; 20140715 MEMO TO PC - Appendix C.pdf; 20140715 MEMO TO PC - Appendix B.pdf; 20140715 MEMO TO PC - Appendix A.pdf; 20140715 MEMO TO PC.pdf

Hi Clint

Please see attached.

Cheers.

Jason Gow
Planner



**POWELL RIVER
REGIONAL DISTRICT**

Call **US** We Are **YOUR** Local Government

Powell River Regional District
#202 – 4675 Marine Avenue
Powell River, BC V8A 2L2
T. 604.485.2260
F. 604.485.2216
www.powellriverrd.bc.ca

Save a tree. Do not print this e-mail unless it is really necessary.

The information herein is confidential and may contain privileged information. It is intended solely for the person or entity to whom it is addressed.

Any review, re-transmission, dissemination, taking of any action in reliance upon, or other use of this information by persons or entities other than the intended recipient is prohibited.

If you believe this message was not intended for you, please notify the sender and delete or destroy all digital and printed copies.



POWELL RIVER REGIONAL DISTRICT

#202 - 4675 Marine Avenue, Powell River, BC V8A 2L2
Telephone: 604-485-2260 Fax: 604-485-2216
Email: administration@powellriverrd.bc.ca
Website: www.powellriverrd.bc.ca

"Genetically Engineered Free Crop Area"

July 29, 2014

Clint Monson
Area Manager / Development Technician
Ministry of Transportation and Infrastructure
6953 Alberni Street,
Powell River BC.
V8A 2B8

Dear Mr. Monson,

Re: 4 Lot Subdivision of Section 14, Texada Island District, Except Plan BCP35321

On July 24, 2014, the Board of the Powell River Regional District adopted the attached motion regarding the subdivision of the above mentioned property.

A copy of the Planning Department's land use report pertaining to this application is enclosed for your information.

If you have any questions please do not hesitate to contact the Planning Department.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. Gow', written over a horizontal line.

Jason Gow
Planner

Encls.

POWELL RIVER REGIONAL DISTRICT

RESOLUTION

July 24, 2014

MOVED "Director Murphy"

SECONDED "Director Brabazon"

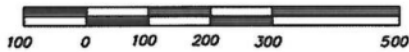
THAT the Board concur with the recommendation of the Planning Committee to advise the Ministry of Transportation and Infrastructure that the Powell River Regional District supports the proposed subdivision of Section 14, Texada Island District, except Plan BCP35231, located along Shelter Point Road into 4 lots ranging in size from 5.8 to 194 hectares as per the subdivision plan submitted by Emery & Rae Land Surveying dated April 24, 2014, provided that proposed Lot 2 is to be granted, sold, or otherwise conveyed to a qualified regulatory authority for its use in administering the provision of water to neighbouring properties.

I hereby certify the above to be a true
and correct copy of a resolution adopted by the
Board of the Powell River Regional District
at its meeting dated July 24, 2014.


Brenda Paquin, Manager of Administrative Services

Dated this 25th day of July, 2014.

SCALE 1:7500



• **DENOTES WELL**



A L R

**REMAINDER
SECTION 14**
194 ha

D.L. 308

SEC 17

1
5537

RESIDENTIAL

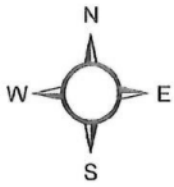
1
BCP35231
RESIDENTIAL

SECTION 15
VACANT

**EMERY AND RAE
LAND SURVEYING LTD.
B.C. AND CANADA
LAND SURVEYORS.
4507 Manson Avenue
POWELL RIVER, B.C.
V8A 3N3
Telephone (604) 485-4203
E-MAIL: emeryrae@telus.net
FILE: 9344-10**

THIS PLAN LIES WITHIN THE
POWELL RIVER
REGIONAL DISTRICT

OWNER/SUBDIVIDER
PETER AND SIEGUNDE SITZLER,
GILLIES BAY, B.C.



Section 14, TID, Except Plan BCP35231 - Appendix B



DISCLAIMER

This mapping data has been compiled by the Powell River Regional District using data derived from a number of different sources with varying levels of accuracy. The Powell River Regional District disclaims all responsibility for the accuracy or completeness of this information.

POWELL RIVER REGIONAL DISTRICT

REPORT

TO: Planning Committee
FROM: Jason Gow, Planner
DATE: July 15, 2014
SUBJECT: Subdivision, Section 14, Shelter Point Road, Texada Island

ACTION/RECOMMENDATION

THAT the Committee recommend the Board advise the Ministry of Transportation and Infrastructure that the Powell River Regional District supports the proposed subdivision of Section 14, Texada Island District, except Plan BCP35231, located along Shelter Point Road into 4 lots ranging in size from 5.8 to 194 hectares as per the subdivision plan submitted by Emery & Rae Land Surveying dated April 24, 2014, provided that proposed Lot 2 is to be granted, sold, or otherwise conveyed to a qualified regulatory authority for its use in administering the provision of water to neighbouring properties.

PURPOSE

To consider recommendations to Ministry of Transportation and Infrastructure regarding a referral of a 4 lot conventional subdivision application for a property located along Shelter Point Road in Electoral Area D.

BACKGROUND

The property in question is part of the Agricultural Land Reserve (ALR). As such, an application was first made to the Agricultural Land Commission (ALC). Part of that application process involved the proposal being submitted to the Powell River Regional District (PRRD) for review and to make recommendations to the ALC. After being supported by the PRRD's Agricultural Advisory and Planning Committees, on April 25, 2013, the Board adopted the following resolution:

THAT the Board concur with the recommendation of the Planning Committee that the Agricultural Land Commission be advised that the Powell River Regional District supports the application for a 4 lot subdivision of Section 14, Texada Island District, except Plan BCP35231, located in the vicinity of Shelter Point Road, as per the subdivision plan submitted by Emery & Rae Land Surveying dated December 18, 2012, provided that proposed Lot 2 is to be granted, sold, or otherwise conveyed to a qualified regulatory authority for its use in administering the provision of water to neighbouring properties along with the caveat that the boundaries of proposed Lot 2

may need to be marginally altered to meet the requirements of the upgraded water system(s).

On January 8, 2014, the PRRD received notification from the ALC stating they had approved the proposed subdivision. In order to complete the subdivision, however, the applicant must now receive approval from the Ministry of Transportation and Infrastructure (MOTI). On June 13, 2014, the PRRD received a referral from MOTI for this subdivision proposal. It is this referral that will be addressed in the following sections.

STRATEGIC PRIORITY

Provincial referral.

DISCUSSION

The subject property is located on Texada Island in Electoral Area D along Shelter Point Road near Shelter Point Park. Attached to this report as Appendices A and B are a locator map and an orthographic image. The property is legally described as Section 14, Texada Island District, except Plan BCP35231.

The application has been submitted by Emery Rae Land Surveyors on behalf of Fritz and Sieglinde Sitzler. The application proposes a 4 lot conventional subdivision with parcels of 5.8, 16.9, 22.4, and 194 hectares in size. Attached to this report as Appendix C is the proposed subdivision plan dated April 24, 2014.

Proposed lot 2 contains numerous wells that serve the surrounding properties. The condition of many of the wells has been identified by Vancouver Coastal Health (VCH) as problematic. Orders to remedy the situation have been given by VCH. As part of this process and a condition of the ALC's approval, the applicant is required to grant, sell, or otherwise convey proposed lot 2 to a qualified regulatory authority for its use in administering the provision of water to neighbouring properties.

While proposed lot 2 will be smaller than the recommended parcel size for land designated as *Agricultural* in the Texada Island Official Community Plan, staff believe that its agricultural viability has been limited due to the numerous wells located on it. Therefore, staff recommend supporting this subdivision application.

FINANCIAL IMPLICATIONS

Not applicable.

STAFF TIME/INPUT

This report was prepared by the PRRD's Planner in consultation with the Manager of Planning Services. Approximately 2.0 hours of staff time was used to research and develop this report.

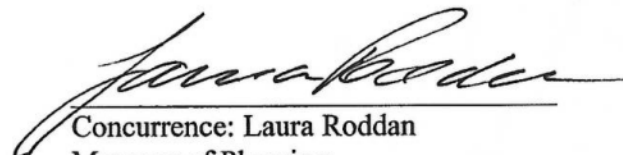
PUBLIC CONSULTATION AND/OR STAKEHOLDER ENGAGEMENT


This is a Provincial referral. Public consultation and stakeholder engagement is the responsibility of the Province.

ALTERNATIVES

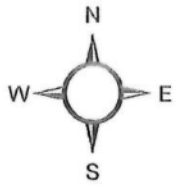
1. Approve the recommendation contained herein.
2. Propose an alternative course of action.



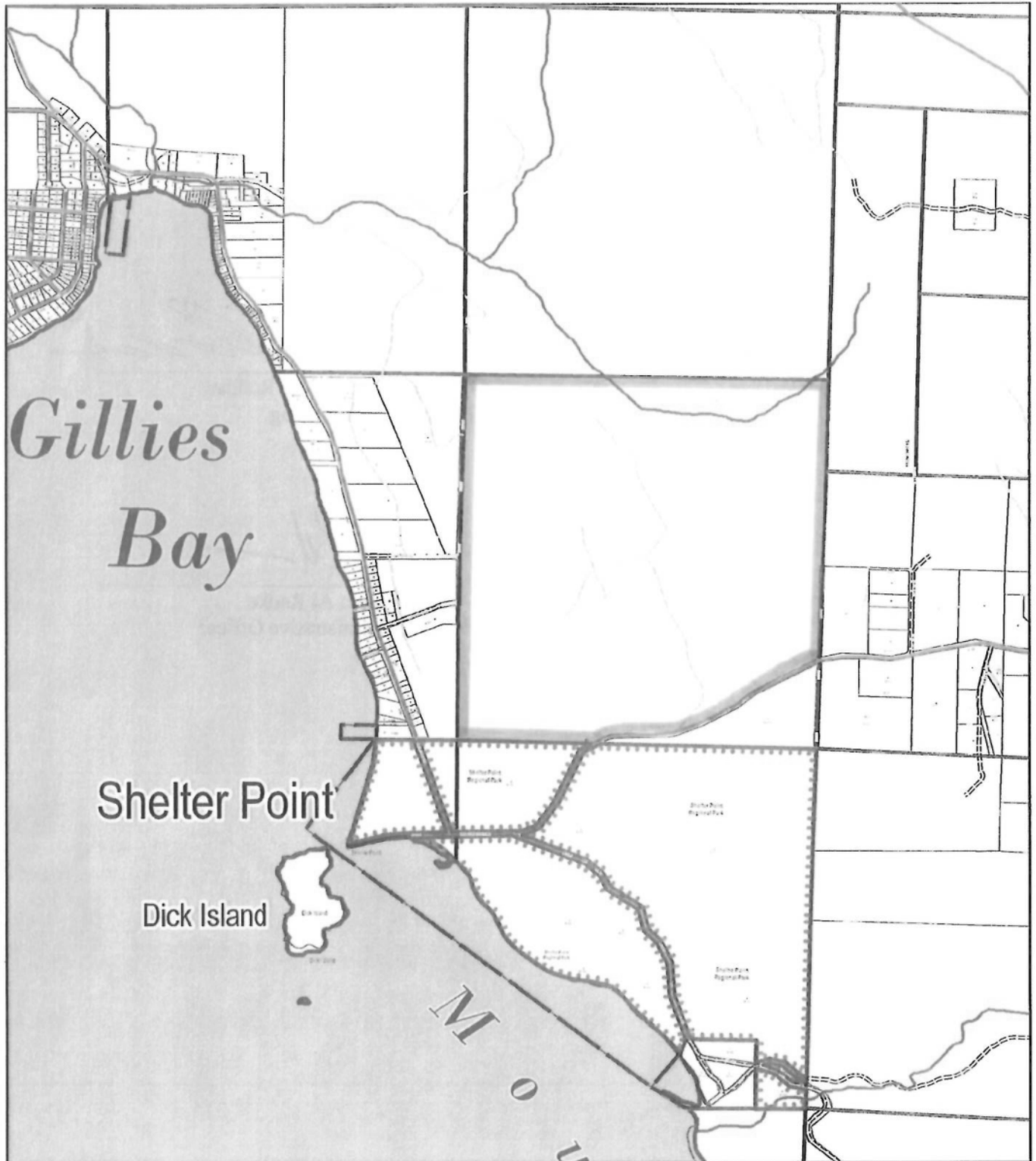
Jason Gow
Planner

Concurrence: Laura Roddan
Manager of Planning

Concurrence: Al Radke
Chief Administrative Officer



Section 14, TID, Except Plan BCP35231 - Appendix A



DISCLAIMER

This mapping data has been compiled by the Powell River Regional District using data derived from a number of different sources with varying levels of accuracy. The Powell River Regional District disclaims all responsibility for the accuracy or completeness of this information.

Derkson, Debra TRAN:EX

From: Glover, Dan [SC] <Dan.Glover@vch.ca>
Sent: Thursday, July 24, 2014 4:12 PM
To: Monson, Clint TRAN:EX
Subject: RE: 2014-02749 - Rick Rae - 4 Lot Shelter Pt Rd (Texada)
Attachments: 2014 subdiv Sitzler Texada.doc

From: Monson, Clint TRAN:EX [<mailto:Clint.Monson@gov.bc.ca>]
Sent: 13 June, 2014 3:42 PM
To: Molder, Darren [SC]; Glover, Dan [SC]
Subject: 2014-02749 - Rick Rae - 4 Lot Shelter Pt Rd (Texada)

Hi Dan / Darren,
See attached referral cover and link for this development on Texada Island;
Files: <https://app.box.com/s/h1id4hmgcvock1kcu7ot>
Location: <http://goo.gl/maps/UOex0>
Thanks,

Clint Monson, C.E.T.
Area Manager, Development Tech
BC Ministry of Transportation and Infrastructure (MoT)
6953 Alberni Street, Powell River, BC V8A 2B8
Office: (604) 485-3610
Mobile: (604) 483-1189



Environmental Health

Ministry of Transportation and Infrastructure,
Powell River Area Office,
6953 Alberni St., Powell River, BC
V8A 2B8
Attn.: Clint Monson

July 24, 2014

Dear Clint Monson;

**RE: Proposed Conventional Subdivision Application for: Map: 1111595.43,517803.974
Section 14 Texada Island District, Except part by Plan BCP35231, PID 011-774-134
(eDAS file # 2014-02749)**

This proposal and has been reviewed from the viewpoint of our policies and regulations and the following is offered:

Sewage Disposal:

- 1) Proposed Lot 1 – the applicant has demonstrated the presence of suitable soils and area for the installation of an on-site sewerage system and a reserve sewerage system on this property. Due to the large lot size, a restrictive covenant does not appear to be necessary for these purposes. However, due to the presence of a number of spring-fed wells on proposed lot 2 immediately south of this proposed lot we would recommend no sewage disposal systems be installed within 300 feet (100 metres) of the south property line. This should not present any challenges given the large lot size.
- 2) Proposed Lot 2 is intended to be created for the sole purpose of providing an ongoing domestic water source for the adjacent community. Therefore, the applicant has not attempted to demonstrate suitable conditions and area on this proposed lot for a primary and a reserve sewerage system. We fully support the creation of this lot provided it is deemed to be only suitable for the purpose of providing a domestic water supply and would thus not be eligible for any development other than that related to the provision of domestic water from the date of approval forward.
- 3) Proposed Lot 3 - the applicant has demonstrated the presence of suitable soils and area for the installation of an on-site sewerage system and a reserve sewerage system on this property. Due to the large lot size, a restrictive covenant does not appear to be necessary for these purposes.
- 4) Remainder of Section 14 – a single family residence is present on this property and is serviced by an on-site sewage disposal system installed under health permit in 1997. The sewage disposal system appears to be functioning adequately. The applicant has demonstrated suitable soil conditions and area for a reserve sewerage system to be installed on this property.

Drinking Water:

The applicant is proposing lots 1 and 3 would be serviced by an individual drinking water well. The remainder of Section 14 is presently serviced with an individual drinking water well and would continue to be.

Environmental Health

Proposed Lot 2 would not be developed and would therefore not require a drinking water supply as such, although it is intended and appears capable of supplying a significant volume of water to other adjacent lots. Individual water supplies are not under our jurisdiction. The following comments are provided as information only, and will not be further followed up by VCH. It is recommended that the applicant consider the following:

- The wells should be constructed with best engineering practices and to comply and the Ground Water Protection Regulation (BC Reg. 299/2004).
- It should be demonstrated that the wells are capable of providing a minimum of 2720 liters/day (500 gallons/day) on a sustained basis throughout the year.
- A complete chemical/mineral and bacteriological analysis of the water should be performed by an accredited lab.
- If required, professional recommendations should be provided on the type of *point of use* or *point of entry* treatment device required to treat any unacceptable parameters identified in the water analysis.

We would therefore have no objection to this subdivision proceeding at this time.

Yours truly,

Dan Glover, C.P.H.I.(C)
Registered Environmental Health Officer/Drinking Water Officer

cc Fritz Peter and Sieglinde Sitzler c/o Emery & Rae Land Surveying Ltd.

Derkson, Debra TRAN:EX

From: Moore, Jeffrey TRAN:EX
Sent: Thursday, July 17, 2014 2:36 PM
To: Monson, Clint TRAN:EX
Subject: Subdivision File 2014-02749

Good afternoon Clint,

I have taken a look at the application and offer the following comments.

Overall the layout looks good but I am not sure what roads are proposed to be constructed. I am guessing that the applicant is proposing to dedicate the two half-roads but not to construct them. Is the proposal to construct the extension of Carter Road and the proposed road to create the link to Shelter Point Road? Please ensure that any construction meets Ministry requirements and that the applicant is provided with a Design Criteria Sheet and the Engineer of Record requirements.

With the size of the lots, finding a suitable area for a septic system should be easy to deal with but I don't see anything in the file stating how water supply will be achieved. The application mentions that Lot 2 is being donated for a community water so I am wondering if the community system is their proposed supply.

Thanks.

Jeffrey Moore, ASCT
Provincial Approving Officer
BC Ministry of Transportation and Infrastructure
Lower Mainland District

Address: 310 – 1500 Woolridge Street, Coquitlam, BC V3K 0B8
Telephone: (604) 527-2233
Facsimile: (604) 527-2222

Derkson, Debra TRAN:EX

From: Jason Gow <planning@powellriverrd.bc.ca>
Sent: Monday, June 16, 2014 8:45 AM
To: Monson, Clint TRAN:EX; Laura Roddan
Subject: RE: 2014-02749 - Rick Rae - 4 Lot Shelter Pt Rd (Texada)

Hi Clint,

Can we have an extension until the end of July to accommodate our Board's schedule?

Cheers.

Jason.

From: Monson, Clint TRAN:EX [<mailto:Clint.Monson@gov.bc.ca>]
Sent: June 13, 2014 3:40 PM
To: Jason Gow; Laura Roddan
Subject: 2014-02749 - Rick Rae - 4 Lot Shelter Pt Rd (Texada)

Hi Jason / Laura,
See attached referral cover and link for this development on Texada Island;
Files: <https://app.box.com/s/h1id4hmgcvock1kcu7ot>
Location: <http://goo.gl/maps/UOex0>
Thanks,

Clint Monson, C.E.T.

Area Manager, Development Tech
BC Ministry of Transportation and Infrastructure (MoT)
6953 Alberni Street, Powell River, BC V8A 2B8

Office: (604) 485-3610
Mobile: (604) 483-1189



Derkson, Debra TRAN:EX

From: Monson, Clint TRAN:EX
Sent: Friday, June 13, 2014 3:46 PM
To: Rick Rae and Fred Emery (emeryrae@telus.net)
Cc: Jason Gow (planning@powellriverrd.bc.ca); Dan Glover (dan.glover@vch.ca); Bednard, Gordon ALC:EX; Watson, Eamonn ALC:EX
Subject: 2014-02749 - Rick Rae - 4 Lot Shelter Pt Rd (Texada)

Hi Rick,

I have processed your application and sent our referrals to the following agencies for comments;

- PRRD
- VCHA
- ALC

I have asked for comments by July 14th.

Thanks,

Clint Monson, C.E.T.

Area Manager, Development Tech

BC Ministry of Transportation and Infrastructure (MoT)

6953 Alberni Street, Powell River, BC V8A 2B8

Office: (604) 485-3610

Mobile: (604) 483-1189





Applicant File #: 9344-10
eDAS File #: 2014-02749
Date: Jun/13/2014

Agricultural Land Commission

133-4940 Canada Way
Burnaby, BC V5G 4K6

Attention: Gordon Bednard / Eamonn Watson,

**Re: Proposed Conventional Subdivision Application for: Map: 1111595.43,517803.974
Section 14 Texada Island District, Except part by Plan BCP35231, PID 011-774-134**

Enclosed is a copy of a proposed Conventional Subdivision Application regarding the above noted location(s) on Arnold Rd., Carter Rd, Shelter Point Rd..

It would be appreciated if you would examine this application from the viewpoint of your regulations and policies and give us your comments. Please send your reply to this office, with a copy to the applicant:

Fritz Peter and Sieglinde Sitzler;
c/o Emery and Rae Land Surveying, Rick Rae
4507 Manson Avenue
Powell River, British Columbia V8A 3N3

The applicant has been advised of this referral and might contact you to discuss their proposal. In order to expedite the processing of the application, your agency's response would be appreciated (by July 14, 2014) after which we will prepare recommendations for the Approving Officer's decision.

Contact the applicant for any additional information you may require. If you have any questions please feel free to call Clint Monson at (604) 485-3610.

Please quote file number 2014-02749 when contacting this office.

Yours truly,

Clint Monson
Area Manager / Development Technician

Attachment

Local District Address
Powell River Area Office 6953 Alberni Street Powell River, British Columbia V8A 2B8 Canada Phone: (604) 485-3610 Fax: (604) 485-3611

Derkson, Debra TRAN:EX

From: Monson, Clint TRAN:EX
Sent: Friday, June 13, 2014 3:43 PM
To: Bednard, Gordon ALC:EX; Watson, Eamonn ALC:EX
Subject: 2014-02749 - Rick Rae - 4 Lot Shelter Pt Rd (Texada)
Attachments: 2014 06-13 - Referral Cover - ALC.pdf

Hi Gordon / Eamonn,
See attached referral cover and link for this development on Texada Island;
Files: <https://app.box.com/s/h1id4hmgcvock1kcu7ot>
Location: <http://goo.gl/maps/UOex0>
Thanks,

Clint Monson, C.E.T.

Area Manager, Development Tech
BC Ministry of Transportation and Infrastructure (MoT)
6953 Alberni Street, Powell River, BC V8A 2B8

Office: (604) 485-3610

Mobile: (604) 483-1189





Applicant File #: 9344-10

eDAS File #: 2014-02749

Date: Jun/13/2014

Agricultural Land Commission

133-4940 Canada Way
Burnaby, BC V5G 4K6

Attention: Gordon Bednard / Eamonn Watson,

**Re: Proposed Conventional Subdivision Application for: Map: 1111595.43, 517803.974
Section 14 Texada Island District, Except part by Plan BCP35231, PID 011-774-134**

Enclosed is a copy of a proposed Conventional Subdivision Application regarding the above noted location(s) on Arnold Rd., Carter Rd, Shelter Point Rd..

It would be appreciated if you would examine this application from the viewpoint of your regulations and policies and give us your comments. Please send your reply to this office, with a copy to the applicant:

Fritz Peter and Sieglinde Sitzler;
c/o Emery and Rae Land Surveying, Rick Rae
4507 Manson Avenue
Powell River, British Columbia V8A 3N3

The applicant has been advised of this referral and might contact you to discuss their proposal. In order to expedite the processing of the application, your agency's response would be appreciated (by July 14, 2014) after which we will prepare recommendations for the Approving Officer's decision.

Contact the applicant for any additional information you may require. If you have any questions please feel free to call Clint Monson at (604) 485-3610.

Please quote file number 2014-02749 when contacting this office.

Yours truly,

Clint Monson
Area Manager / Development Technician

Attachment

Local District Address
<p>Powell River Area Office 6953 Alberni Street Powell River, British Columbia V8A 2B8 Canada Phone: (604) 485-3610 Fax: (604) 485-3611</p>

Derkson, Debra TRAN:EX

From: Monson, Clint TRAN:EX
Sent: Friday, June 13, 2014 3:42 PM
To: 'Darren Molder (Darren.Molder@vch.ca)'; 'Dan Glover (dan.glover@vch.ca)'
Subject: 2014-02749 - Rick Rae - 4 Lot Shelter Pt Rd (Texada)
Attachments: 2014 06-13 - Referral Cover - VCHA.pdf

Hi Dan / Darren,
See attached referral cover and link for this development on Texada Island;
Files: <https://app.box.com/s/h1id4hmgcvock1kcu7ot>
Location: <http://goo.gl/maps/UOex0>
Thanks,

Clint Monson, C.E.T.

Area Manager, Development Tech
BC Ministry of Transportation and Infrastructure (MoT)
6953 Alberni Street, Powell River, BC V8A 2B8
Office: (604) 485-3610
Mobile: (604) 483-1189





Applicant File #: 9344-10
eDAS File #: 2014-02749
Date: Jun/13/2014

Vancouver Coastal Health Authority
5571 Inlet Avenue
PO Box 1040
Sechelt, BC V0N 3A0

Attention: Dan Glover,

**Re: Proposed Conventional Subdivision Application for: Map: 1111595.43,517803.974
Section 14 Texada Island District, Except part by Plan BCP35231, PID 011-774-134**

Enclosed is a copy of a proposed Conventional Subdivision Application regarding the above noted location(s) on Arnold Rd., Carter Rd, Shelter Point Rd..

It would be appreciated if you would examine this application from the viewpoint of your regulations and policies and give us your comments. Please send your reply to this office, with a copy to the applicant:

Fritz Peter and Sieglinde Sitzler;
c/o Emery and Rae Land Surveying, Rick Rae
4507 Manson Avenue
Powell River, British Columbia V8A 3N3

The applicant has been advised of this referral and might contact you to discuss their proposal. In order to expedite the processing of the application, your agency's response would be appreciated (by July 14, 2014) after which we will prepare recommendations for the Approving Officer's decision.

Contact the applicant for any additional information you may require. If you have any questions please feel free to call Clint Monson at (604) 485-3610.

Please quote file number 2014-02749 when contacting this office.

Yours truly,

Clint Monson
Area Manager / Development Technician

Attachment

Local District Address
<p>Powell River Area Office 6953 Alberni Street Powell River, British Columbia V8A 2B8 Canada Phone: (604) 485-3610 Fax: (604) 485-3611</p>

Derkson, Debra TRAN:EX

From: Monson, Clint TRAN:EX
Sent: Friday, June 13, 2014 3:40 PM
To: 'Jason Gow (planning@powellriverrd.bc.ca)'; 'Laura Roddan (Laura.Roddan@powellriverrd.bc.ca)'
Subject: 2014-02749 - Rick Rae - 4 Lot Shelter Pt Rd (Texada)
Attachments: 2014 06-13 - Referral Cover - PRRD.pdf

Hi Jason / Laura,
See attached referral cover and link for this development on Texada Island;
Files: <https://app.box.com/s/h1id4hmgcvock1kcu7ot>
Location: <http://goo.gl/maps/UOex0>
Thanks,

Clint Monson, C.E.T.
Area Manager, Development Tech
BC Ministry of Transportation and Infrastructure (MoT)
6953 Alberni Street, Powell River, BC V8A 2B8
Office: (604) 485-3610
Mobile: (604) 483-1189





Applicant File #: 9344-10
eDAS File #: 2014-02749
Date: Jun/13/2014

Powell River Regional District
5776 Marine Avenue
Powell River, BC V8A 2M4

Attention: Jason Gow / Laura Roddan,

**Re: Proposed Conventional Subdivision Application for: Map: 1111595.43,517803.974
Section 14 Texada Island District, Except part by Plan BCP35231, PID 011-774-134**

Enclosed is a copy of a proposed Conventional Subdivision Application regarding the above noted location(s) on Arnold Rd., Carter Rd, Shelter Point Rd..

It would be appreciated if you would examine this application from the viewpoint of your regulations and policies and give us your comments. Please send your reply to this office, with a copy to the applicant:

Fritz Peter and Sieglinde Sitzler;
c/o Emery and Rae Land Surveying, Rick Rae
4507 Manson Avenue
Powell River, British Columbia V8A 3N3

The applicant has been advised of this referral and might contact you to discuss their proposal. In order to expedite the processing of the application, your agency's response would be appreciated (by July 14, 2014) after which we will prepare recommendations for the Approving Officer's decision.

Contact the applicant for any additional information you may require. If you have any questions please feel free to call Clint Monson at (604) 485-3610.

Please quote file number 2014-02749 when contacting this office.

Yours truly,

Clint Monson
Area Manager / Development Technician

Attachment

Local District Address
<p>Powell River Area Office 6953 Alberni Street Powell River, British Columbia V8A 2B8 Canada Phone: (604) 485-3610 Fax: (604) 485-3611</p>



Applicant File #: 9344-10

eDAS File #: 2014-02749

Date: Jun/13/2014

Vancouver Coastal Health Authority
5571 Inlet Avenue
PO Box 1040
Sechelt, BC V0N 3A0

Attention: Dan Glover,

**Re: Proposed Conventional Subdivision Application for: Map: 1111595.43,517803.974
Section 14 Texada Island District, Except part by Plan BCP35231, PID 011-774-134**

Enclosed is a copy of a proposed Conventional Subdivision Application regarding the above noted location(s) on Arnold Rd., Carter Rd, Shelter Point Rd..

It would be appreciated if you would examine this application from the viewpoint of your regulations and policies and give us your comments. Please send your reply to this office, with a copy to the applicant:

Fritz Peter and Sieglinde Sitzler;
c/o Emery and Rae Land Surveying, Rick Rae
4507 Manson Avenue
Powell River, British Columbia V8A 3N3

The applicant has been advised of this referral and might contact you to discuss their proposal. In order to expedite the processing of the application, your agency's response would be appreciated (by July 14, 2014) after which we will prepare recommendations for the Approving Officer's decision.

Contact the applicant for any additional information you may require. If you have any questions please feel free to call Clint Monson at (604) 485-3610.

Please quote file number 2014-02749 when contacting this office.

Yours truly,

Clint Monson
Area Manager / Development Technician

Attachment

Local District Address
<p>Powell River Area Office 6953 Alberni Street Powell River, British Columbia V8A 2B8 Canada Phone: (604) 485-3610 Fax: (604) 485-3611</p>



Applicant File #: 9344-10

eDAS File #: 2014-02749

Date: Jun/13/2014

Powell River Regional District
5776 Marine Avenue
Powell River, BC V8A 2M4

Attention: Jason Gow / Laura Roddan,

**Re: Proposed Conventional Subdivision Application for: Map: 1111595.43, 517803.974
Section 14 Texada Island District, Except part by Plan BCP35231, PID 011-774-134**

Enclosed is a copy of a proposed Conventional Subdivision Application regarding the above noted location(s) on Arnold Rd., Carter Rd, Shelter Point Rd..

It would be appreciated if you would examine this application from the viewpoint of your regulations and policies and give us your comments. Please send your reply to this office, with a copy to the applicant:

Fritz Peter and Sieglinde Sitzler;
c/o Emery and Rae Land Surveying, Rick Rae
4507 Manson Avenue
Powell River, British Columbia V8A 3N3

The applicant has been advised of this referral and might contact you to discuss their proposal. In order to expedite the processing of the application, your agency's response would be appreciated (by July 14, 2014) after which we will prepare recommendations for the Approving Officer's decision.

Contact the applicant for any additional information you may require. If you have any questions please feel free to call Clint Monson at (604) 485-3610.

Please quote file number 2014-02749 when contacting this office.

Yours truly,

Clint Monson
Area Manager / Development Technician

Attachment

Local District Address
<p>Powell River Area Office 6953 Alberni Street Powell River, British Columbia V8A 2B8 Canada Phone: (604) 485-3610 Fax: (604) 485-3611</p>



Applicant File #: 9344-10

eDAS File #: 2014-02749

Date: Jun/13/2014

Agricultural Land Commission

133-4940 Canada Way
Burnaby, BC V5G 4K6

Attention: Gordon Bednard / Eamonn Watson,

**Re: Proposed Conventional Subdivision Application for: Map: 1111595.43,517803.974
Section 14 Texada Island District, Except part by Plan BCP35231, PID 011-774-134**

Enclosed is a copy of a proposed Conventional Subdivision Application regarding the above noted location(s) on Arnold Rd., Carter Rd, Shelter Point Rd..

It would be appreciated if you would examine this application from the viewpoint of your regulations and policies and give us your comments. Please send your reply to this office, with a copy to the applicant:

Fritz Peter and Sieglinde Sitzler;
c/o Emery and Rae Land Surveying, Rick Rae
4507 Manson Avenue
Powell River, British Columbia V8A 3N3

The applicant has been advised of this referral and might contact you to discuss their proposal. In order to expedite the processing of the application, your agency's response would be appreciated (by July 14, 2014) after which we will prepare recommendations for the Approving Officer's decision.

Contact the applicant for any additional information you may require. If you have any questions please feel free to call Clint Monson at (604) 485-3610.

Please quote file number 2014-02749 when contacting this office.

Yours truly,

Clint Monson
Area Manager / Development Technician

Attachment

H1162-eDAS (2013/05)

Local District Address
<p>Powell River Area Office 6953 Alberni Street Powell River, British Columbia V8A 2B8 Canada Phone: (604) 485-3610 Fax: (604) 485-3611</p>

Page 1 of 1

Derkson, Debra TRAN:EX

From: Emery and Rae Land Surveying Ltd. <emeryrae@telus.net>
Sent: Thursday, April 24, 2014 10:34 AM
To: Monson, Clint TRAN:EX
Subject: Proposed subdivision of Part of Section 14, Teada Island District
Attachments: 9344-10-PROPOSAL.pdf; 9344-10-MOTI application.pdf; 9344-10-letter of authorization.pdf; 9344-10-site profile dec.pdf; 9344-10-VCH application.pdf; 9344-ALC APPROVAL.pdf; 9344-10-search.pdf; 9344-10-RURAL TAX.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Clint,

Please find the attached documents for the above proposal. Let me know if you need any more information. A cheque for the \$1400.00 application fee will be dropped off later today.

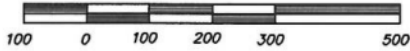
Plan of proposal dated April 24, 2014.
MoTI application form.
Owner letter of authorization.
Site profile declaration.
Title search.
VCH application form.
Rural tax.
ALC approval letter.

Richard Rae, B.C. Land Surveyor
Emery and Rae Land Surveying Ltd.
4507 Manson Avenue,
Powell River, B.C.
V8A 3N3
Phone-604 485-4203
Fax-604 485-9287

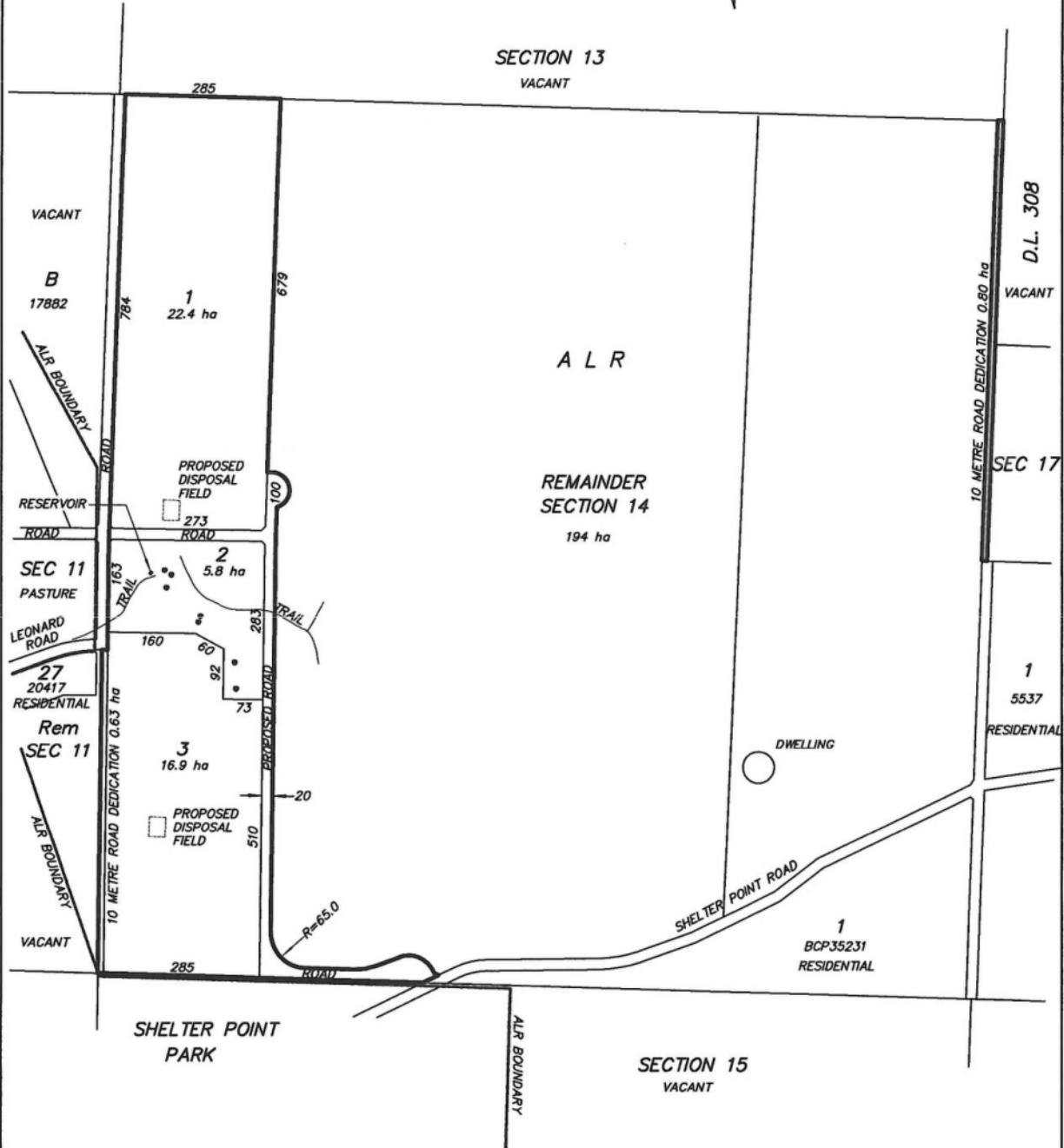
PLAN OF PROPOSED SUBDIVISION OF PART
OF SECTION 14, TEXADA ISLAND DISTRICT.

DATE OF PROPOSAL
APRIL 24, 2014

SCALE 1:7500



• DENOTES WELL



EMERY AND RAE
LAND SURVEYING LTD.
B.C. AND CANADA
LAND SURVEYORS.
4507 Manson Avenue
POWELL RIVER, B.C.
V8A 3N3
Telephone (604) 485-4203
E-MAIL: emeryrae@telus.net
FILE: 9344-10

THIS PLAN LIES WITHIN THE
POWELL RIVER
REGIONAL DISTRICT

OWNER/SUBDIVIDER
PETER AND SIEGLINDE SITZLER,
GILLIES BAY, B.C.



Submit this application to the Ministry of Transportation District Office or a Front Counter BC office in your area.

A. PROPOSAL		This is an application for preliminary layout approval for all properties involved	
Applicant File Number		Ministry File Number	
9344-10			
Subdivision Type	<input checked="" type="checkbox"/> Conventional Subdivision	<input type="checkbox"/> Sec 946 Local Government Act	<input type="checkbox"/> Bare Land Strata
	Other (Specify)		No. of Lots
		4	
Full Legal Description(s) per State of Title Certificate(s)	Section 14, except Plan BCP35231 Tuxedo Island District		
Full Civic Address	4550 Shelter Point Road		
Property Location	2 Kilometers <input type="checkbox"/> North <input checked="" type="checkbox"/> South <input checked="" type="checkbox"/> East <input type="checkbox"/> West from <u>Sillie Bay</u> Local Gov't <u>PRRD</u>		
	Access Road		Property Zoning
	St Leonard Road		
Surrounding Land Use	Existing Land Use		Intended Land Use
	Vacant		Residential
Proposed Sewage Disposal	North	South	East
	Vacant	Park	Res
Proposed Water Supply	East		West
	Res		Res
Proposed Sewage Disposal	<input checked="" type="checkbox"/> Septic Tank <input type="checkbox"/> Community System <input type="checkbox"/> Other (specify)		
Proposed Water Supply	<input type="checkbox"/> Well <input type="checkbox"/> Community System <input type="checkbox"/> Water Licenses <input type="checkbox"/> Other (specify)		

B. APPLICATION INFORMATION

Required Items Include:

- ☐ Subdivision application form.
- ☐ The Preliminary Subdivision Application fee.
- ☐ An authorization letter from the owner if someone else, such as an agent, is applying on the owner's behalf.
- ☐ Original plus five copies of a scaleable sketch plan of proposed layout.

Properly engineered drawings will be required for final approval. The sketch should contain:

- ☐ the date it was drawn
- ☐ the scale
- ☐ north arrow
- ☐ legal description of the property being subdivided, and its adjacent properties
- ☐ outline of the subdivision in red or heavy black line
- ☐ all proposed lots, remainders, parks, rights of way, easements and roads showing dimensions and areas
- ☐ any existing property lines or roads proposed to be removed, closed or relocated
- ☐ all steep banks or slopes exceeding 2 m high and all slopes of 25% or greater, within or adjacent to the proposal area
- ☐ location of existing buildings and structures on the property and adjacent properties within 30m of property boundaries
- ☐ location of any onsite water sources to be developed
- ☐ approximate location of all existing and proposed utility services
- ☐ existing access roads and other roads and trails on the property (state names of roads)
- ☐ site locations of the soil inspection test holes and the percolation tests on each parcel
- ☐ approximate extent of area available for sewage disposal surrounding the test holes
- ☐ location of sewage disposal system and wells on adjacent properties within 30 m of property boundaries

The sketch must include the approximate grades and widths of roads and a design profile, preferably including a cross-section of the proposed road.

- ☐ One copy of the current State of Title Certificate so that property encumbrances can be checked.
- ☐ Copies of any covenants, easements, rights-of-way or other charges registered against the title. These are available through the Land Title Office.

Include these items as well, where applicable

- ☐ A copy of the Provincial Agricultural Land Commission application (if located within ALR). While a developer can apply for subdivision approval before he or she receives permission to proceed from the Agricultural Land Commission or the local government if it has been delegated the authority, the Provincial Approving Officer can only give approval if the property has cleared the Land Commission process in the meantime.
- ☐ A copy of Contaminated Sites Profile form or Contaminated Sites declaration statement, duly completed and signed.
- ☐ One copy of any test required by the Regional Health Authority.
- ☐ A Development Permit and plan where applicable.
- ☐ A copy of BC Assessment Authority Tax Notice showing property tax classification.

SUBDIVISION APPLICATION FEES

PAYABLE UPON

Initial Layout Application	\$350.00	Per lot or shared interest, including remainders, to a maximum of \$70,000	Application
Initial Conventional Plan Exam	\$50.00	Per examination	Final Subdivision Plan Submission
	\$100.00	Per lot on the final plan	
3. Final Strata Plan Examination	\$100.00	Per examination	
	\$100.00	Per lot on the final plan	
4. Other Strata Fees	\$100.00	To examine Form E for any phased development	Application
	\$100.00	To issue a Certificate of Approval for each phase of a building strata development	Certificate Issuance

Note: These fees may change without notice or amendment on this form. There may be other provincial and local government fees associated with your subdivision. To find out more, contact the local government in which the land is located, or contact the Islands Trust if located on the Gulf Islands.

D. FURTHER INFORMATION AND COMMENTS (Attach a separate sheet if more space is required)

lot 2 is being donated for community water system

E. OWNER(S)/APPLICANT INFORMATION

Property Owner(s) Full Name(s) <i>Peter and Sieglinde Sitzler</i>		Home Telephone <i>486 0010</i>
Address <i>Box 203 Gillies Bay B.C.</i>		Business Telephone
E-Mail		Fax
Agent Full Name <i>Emery E Rae Land Surveying</i>		Home Telephone <i>485-4203</i>
Address <i>4507 Manson Avenue</i>		Business Telephone
E-Mail <i>Powell River, BC</i>		Fax <i>emeryrae@telus.net</i>

I certify that all the information about and on all plans and other attachments is true, correct and complete.
I understand that this submission constitutes a preliminary application only.
No approvals are implied prior to receipt of written preliminary approval from the Ministry of Transportation.

Owner/Authorizing Signature <i>[Signature]</i>	Date (yyyy/mm/dd) <i>2014/04/14</i>	Applicant/Agent Signature <i>[Signature]</i>	Date (yyyy/mm/dd) <i>April 14/14</i>
---	--	---	---

Collection of Information:

The personal information on this form is collected under the authority of the Land Title Act. The information collected will be used to process your preliminary subdivision application, and it may be necessary for the ministry to provide this information to other agencies. If you have any questions about the collection, use and disclosure of this information, contact the District Development Technician at the nearest Ministry of Transportation office.

Date (Month/Day/Year): April 14, 2014

LETTER OF AUTHORIZATION

BC Ministry of Transportation and Infrastructure

6953 Alberni Street

Powell River, B.C.

V8A 2B8

Attention:

Clint Munson
Ministry Representative

Reason:

Subdivision

Legal Description:

Section 14, except Plan BCP35231

Texada Island District

Civic Address:

4550 Sheller Point Rd.

I (We) hereby authorize Emery and Rae to act as my (our) agent and on my (our) behalf, with respect to the above noted application.

Sincerely,

Owner:

F. PETER SITZLER

Print Name

[Signature]

Signature

Owner:

Print Name

Signature

Mailing address:

Box 203, Gillies Bay, B.C.

V0N 1W0

Page 64

Withheld pursuant to/removed as

s.3



Ministry of
Transportation

Lower Mainland District
Sechelt Area Office
300-5710 Teredo Street
Sechelt BC V0N 3A0
Phone: (604)740-8986
Fax: (604)740-8988

Provincial Approving Officer
Ministry of Transportation

Date: April 14, 2014
File: 9344-10

I, Peter Sitzler, hereby acknowledge that the *Environmental Management Act*, 2003, is effective as of March 31st, 2005.

Based on my personal knowledge of the property in question, I do not believe that it is or has been used for any of the industrial or commercial purposes and activities specified in Schedule 2 of the regulations. Accordingly, I elect not to complete and submit a 'site profile', as outlined in Section 40.(1) of the Act.

I further acknowledge that this election does not remove any liability, which may otherwise be applicable under the legislation.

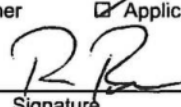

Applicant/Agent
April 15/2014
Date


Witness

Page 66

Withheld pursuant to/removed as

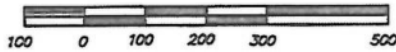
s.3

Owner Information	Name Of Owner: (Please Print) <i>Peter Sitzler</i>	Phone: s.22	Email:
	Mailing Address: <i>Box 203, Gillies Bay, BC V0H 1W0</i>		
Applicant Information (if different from above)	Name Of Applicant (Surveyor/Agent) As Above: <input type="checkbox"/> or: <i>Emery & Rae Land Surveyors</i>	Phone: <i>485-4203</i>	Email: <i>emeryrae@telus.net</i>
	Mailing Address: <i>4507 Meason Avenue Powell/River, V8A3H3</i>		
Property Information	Legal Description Of Property: <i>Section 14, Texada Island District</i>		
	Street Address/General Location: <i>4550 Shelter Point Road.</i>		
Site Information	Submit the Plot Plan, Site Report and other relevant data with this application. Is the subdivision plot plan complete as per Page 12, #2? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
Number of Proposed Lots	Number of lots proposed (including the remainder): <u>4</u>		
Water Information	Proposed domestic water supply: <input checked="" type="checkbox"/> Individual wells <input type="checkbox"/> Connection to an existing community water system. Name of system- _____ <input type="checkbox"/> Water system to be constructed, if yes, contact Regional Public Health Engineer for more information <input type="checkbox"/> Other (explain): _____		
Zoning	Zoning classification: _____ Number of dwellings permitted per lot: _____ Other development permitted: _____ Is a zoning change proposed: _____		
Restrictive Covenants	Are there any restrictive covenants/easements on any of the proposed lots which could affect the design or location of a sewerage system? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please explain: _____		
Signature	The information on this application and other information provided by me in support of this application is accurate and true to the best of my knowledge. <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Applicant or Agent <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  Signature </div> <div style="text-align: center;"> <i>Rick Rae</i> Print Name </div> <div style="text-align: center;"> <i>April 23/14</i> Date </div> </div>		
<ul style="list-style-type: none"> • Attach the Site Report (Appendix 2), Plot Plan and other relevant data to this application (e.g. engineering reports). • Incomplete applications will not be processed. • The subdivision assessment fee is \$200 per lot. Vancouver Coastal Health will invoice the applicant after receipt of a referral from the Approving Officer (Municipality or Ministry of Transportation). • Do not send the assessment fee with this application form. 			

PLAN OF PROPOSED SUBDIVISION OF PART
OF SECTION 14, TEXADA ISLAND DISTRICT.

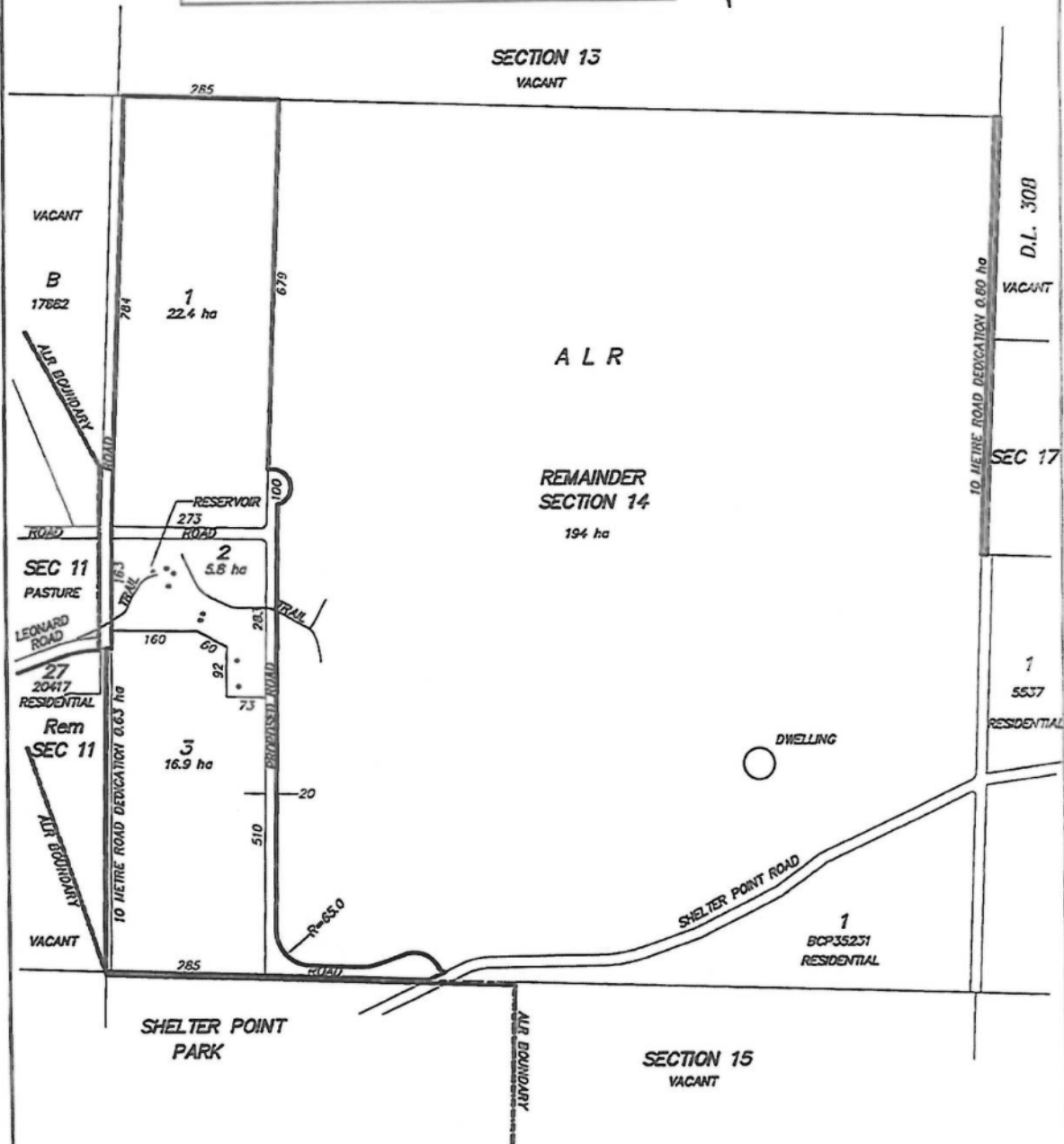
DATE OF PROPOSAL
DECEMBER 18, 2012

SCALE 1:7500



• DENOTES WELL

Approved ALC Subdivision
ALC #53229 (Sitzler)
Resolution #324/2013



EMERY AND RAE
LAND SURVEYING LTD.
B.C. AND CANADA
LAND SURVEYORS.
4507 Manson Avenue
POWELL RIVER, B.C.
V8A 3N3
Telephone (604) 485-4203
E-MAIL: emeryrae@telus.net
FILE: 9344-10

THIS PLAN LIES WITHIN THE
POWELL RIVER
REGIONAL DISTRICT

OWNER/SUBDIVIDER
PETER AND SIEGLINDE SITZLER,
GLINES BAY, B.C.

Site Information	Lot Number <u>1</u>		Lot Number <u>2</u>		Lot Number <u>3</u>	
Lot Size	<u>22.4 ha</u>		<u>5.8 ha</u>		<u>16.9 ha</u>	
Lot Dimension	<u>273 x 734</u>		<u>200 x 273</u>		<u>285 x 525</u>	
Covenant Info	PRIMARY	RESERVE	PRIMARY	RESERVE	PRIMARY	RESERVE
Slope Within Covenant Area (%)	<u>Level</u>		<u>water source</u>		<u>Level</u>	
Covenant Area (m ²)	<u>1110</u>		<u>for Gillies Bay</u>		<u>1110</u>	
Covenant Dimensions	<u>30 x 37</u>		<u>residents</u>		<u>30 x 37</u>	
Depth of Native Mineral Soil	PRIMARY	RESERVE	PRIMARY	RESERVE	PRIMARY	RESERVE
Observation Hole #1	<u>0.6 m</u>				<u>0.6 m</u>	
Observation Hole #2	<u>1 m</u>				<u>0.6 m</u>	
Permeability Test Results	PRIMARY	RESERVE	PRIMARY	RESERVE	PRIMARY	RESERVE
Test #1	<u>15 to 20 min/m</u>				<u>15 to 20 min/m</u>	
Test #2						

****Attach description of the soil profile from the observation holes to this report****

Describing conditions: - soils; e.g. loam, gravel, sand, clay, silt, colour and depth
 - depth of root system
 - depth of water table or limiting layer such as hardpan or rock

Date(s) of Observations/Tests: _____

Observations and testing performed by: _____

Signature: _____ **Seal:** _____

Site Information	Lot Number <u>2011/100/1</u>	Lot Number _____	Lot Number _____
Lot Size	<u>194 ha</u>		
Lot Dimension	<u>1314 x 1460</u>		
Covenant Info	PRIMARY	RESERVE	PRIMARY RESERVE PRIMARY RESERVE
Slope Within Covenant Area (%)	<u>Level</u>		
Covenant Area (m ²)	<u>existing septic</u>		
Covenant Dimensions	<u>field</u>		
Depth of Native Mineral Soil	PRIMARY	RESERVE	PRIMARY RESERVE PRIMARY RESERVE
Observation Hole #1			
Observation Hole #2			
Permeability Test Results	PRIMARY	RESERVE	PRIMARY RESERVE PRIMARY RESERVE
Test #1			
Test #2			

****Attach description of the soil profile from the observation holes to this report****

Describing conditions: - soils; e.g. loam, gravel, sand, clay, silt, colour and depth
 - depth of root system
 - depth of water table or limiting layer such as hardpan or rock

Date(s) of Observations/Tests: April 15/14

Observations and testing performed by: Emery & Ray Land Surveying

Signature: R R Seal:



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

December 28, 2013

ALC File: #53229

Emery & Rae Land Surveying
4507 Manson Ave
Powell River, BC
V8A 3N3

Dear Sir/Madam:

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #324/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly. The Commission has also attached a sketch plan depicting the decision.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Further correspondence with respect to this application is to be directed to Liz Sutton.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #324/2013
Sketch Plan

cc: Powell River Regional District
#202 - 4675 Marine Avenue, Powell River, BC V8A 2L2
Attention: Mr. Jason Gow, Planner

53229d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 2, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53229.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner

COMMISSION STAFF PRESENT:

Liz Sutton	Land Use Planner
Brian Underhill	Executive Director

PROPOSAL: (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

To subdivide the 242.8 ha parcel into one 5.8 ha, one 16.9 ha, one 22.4 ha and a 194 ha remainder.

PROPERTY INFORMATION:

Owner: Fritz and Sieglinde Sitzler

Legal: PID: 011-774-134
Section 14, Texada Island District, Except Part Subdivided By Plan BCP35231

Location: Texada Island

Size: 242.8 ha

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

COMMISSION CONSIDERATION

The Commission reviewed two previous applications involving the subject property:

Application #38985 To subdivide the property into 11 parcels ranging in size from 2 to 9 ha
(Sitzler, 2009) and a 194 ha remainder.

The Commission believed the proposal as presented would impact existing or potential agricultural use of surrounding lands by the creation of lots which would be considered too small to support agricultural operations. However, the Commission recognizes the underlying reason for the application is the provision of a lot to contain the wells supplying much of the domestic water needs of the area residents. While the Commission is not prepared to allow residential sized lots to be created, it would be supportive of a few larger lots along the western boundary of the subject property, subject to one of these lots being made available for some level of government authority to regulate and control the water supply systems in the area.

Refused as proposed but allowed a four lot subdivision: one 6 ha lot, one 16.9 ha lot, one 22 ha lot and 194 ha remainder – Resolution #1025/2009, dated September 15, 2009.

Note: Resolution #1025/2009 had a three-year time limit which expired and as such, precipitated the present application.

Application #35834 To subdivide the 258 ha property along Shelter Point Road to create one
(Sitzler, 2005) lot of 15 ha and a remainder of 243 ha. The applicant stated at the time
that the property is divided by the road and cannot be accessed by his
machinery and is therefore not used.

Allow subdivision and second dwelling as requested - no impact on agriculture. Resolution #271/2005, dated May 11, 2005.

After considering the information the Commission concluded that the proposed subdivision is consistent with the Commission's 2009 approval.

IT WAS

MOVED BY: **Commissioner Johnson**
SECONDED BY: **Commissioner Pranger**

THAT the proposal to subdivide the 242.8 ha parcel into one 5.8 ha, one 16.9 ha, one 22.4 ha and a 194 ha remainder be approved.

AND THAT approval is subject to:

1. The subdivision be in substantial compliance with the plans submitted with the application;

2. Proposed Lot 2 is to be granted, sold, or otherwise conveyed to a qualified regulatory authority for its use in administering the provision of water to neighbouring properties; and
3. The subdivision plan must be completed within three (3) years from the date of the Commission's letter conveying this decision.

AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED
Resolution #324/2013

Page 75

Withheld pursuant to/removed as

s.3