

From: Alister Toma^{s.22}
To: Moore, Jeffrey MOTI:EX (Jeffrey.Moore@gov.bc.ca)
To: John Tynan (jtynan@webstereng.ca)
Subject: Fwd: Priestland - Redline Layout Revisions - For Discussion Purposes
Sent: 08/08/2023 19:11:33
Attachments: DP-1 Development Plan - REDLINE REVISIONS - 2023-08-08.pdf

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello jeff

Hope you had a good long weekend ... john has drafted a red line along the lines of what we discussed. Here it is for your review and comment

Alister Toma

Director
Halfmoon Waterfront Properties inc

Bayview Hills at Halfmoon Bay

null

W: www.bvhills.com
T: s.22
IG: @bayviewhills

Suite 710, 939 Homer st
Vancouver BC V6B2W6

Begin forwarded message:

From: John Tynan <jtynan@webstereng.ca>
Date: August 8, 2023 at 9:45:32 PM GMT+3
To: "Alister Toma ^{s.22}
Subject: Priestland - Redline Layout Revisions - For Discussion Purposes

Hi Alister,

We have prepared the redline revisions to the Priestland development to eliminate the upper creek crossing. This is issued for discussion purposes and is by no means intended to be a final draft of the revisions. It is intended to have preliminary conversations for:

1. Impacts on deleting the upper crossing
2. Maintaining accessing to Parcel B
3. Revisions to shared access and panhandles for the lots south of Kitchener Creek.

Welcome comments or this can be taken to MOTI for informal discussions with Geoff.

Regards,

John Tynan, P.Eng.
Principal

Webster Engineering Ltd.
#212-828 Harbourside Drive
North Vancouver V7P 3R9
Office: 604-983-0458
Cell: 778-968-5947

From: Alister Toma^{s.22}
To: Moore, Jeffrey MOTI:EX (Jeffrey.Moore@gov.bc.ca)
To: John Tynan (jtynan@webstereng.ca)
Subject: Re. South Priestland
Sent: 08/08/2023 19:48:50

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Jeff,

I wanted to confirm our conversation regarding South Priestland. We discussed the possibility of leaving it in its current raw state but paving it with Chipseal starting from the intersection. I just wanted to make sure we're on the same page regarding this plan.

Alister Toma

Director
Halfmoon Waterfront Properties inc

Bayview Hills at Halfmoon Bay

null

W: www.bvhills.com

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IG: @bayviewhills

Suite 710, 939 Homer st
Vancouver BC V6B2W6

From: Alister Toma^{s.22}
To: Moore, Jeffrey MOTI:EX (Jeffrey.Moore@gov.bc.ca)
To: John Tynan (jtynan@webstereng.ca)
Subject: Re: SCRD comments
Sent: 08/09/2023 23:36:56
Attachments: 2023-July-31 SD000022 Planning Application Requirements Letter (Response to June 28, 2023 MoTI Referral 2017-04710).pdf, PastedGraphic-7.tiff, 2023-July-31 SD000022 Planning Application Requirements Letter (Response to June 28, 2023 MoTI Referral 2017-04710).pdf

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Jeff

I wanted to have a discussion with you about section 2.2 of the SCRD comments. They are now requesting that a portion of Priestland Road be designated as a service road adjacent to their land (which basically covers most of Priestland Road). This is another unexpected twist and turn.

What's frustrating is that the SCRD originally approved this PLA, and now they're seemingly changing their stance. It seems like the new directors, who are known for their anti-development / anti- Bayview Hills perspective in Halfmoon Bay, are influencing the SCRD to throw all these curve balls at us. It feels like they are acting in bad faith. These new directors are direct neighbours to the property, and are acting out of self interest using their elected position to make all these outrageous bad faith demands, They are acting with a conflict of interest the BC Ombudsperson needs to setp in as this is truly an outrage and a disgrace what is going on

I'd like to discuss on how we can address this issue. When are you available to discuss further?

Alister Toma

Operations Director
Cove Bay Developments

W: www.covebay.ca
T: s.22

Suite 710, 939 Homer st
Vancouver BC V6B2W6

Begin forwarded message:

From: Chris Humphries <Chris.Humphries@scrd.ca>

Subject: RE: Updated Referral for Subdivision 2017-04710 - Alister Toma, Cove Bay Developments Inc.

Date: August 1, 2023 at 12:06:09 AM GMT+3

To: "Moore, Jeffrey MOTI:EX" <Jeffrey.Moore@gov.bc.ca>

Cc: Jonathan Jackson <Jonathan.Jackson@scrd.ca>, Julie Clark <Julie.Clark@scrd.ca>,

"Newton, Brad MOTI:EX" <Brad.Newton@gov.bc.ca>, "Alister Toma

s.22

s.22

"planning-redirected@contact.scrd.ca"

<planning-redirected@contact.scrd.ca>



Requirements Letter

July 31, 2023

SCRD File(s): SD000022
REM00018
MoTI File(s): 2017-04710

SENT VIA EMAIL TO: jeffrey.moore@gov.bc.ca
EMAIL Cc TO: alistertoma@mac.com

Dear Mr. Moore:

RE: Planning Project Application Requirements Letter – Proposed 29-Lot Subdivision at Priestland Road, PID 015-931-901 (Application # SD000022, 2017-04710)

Staff have completed the formal review of a second submission containing a revised plan for subdivision application SD000022, and comments are summarized in and/or attached to this letter. Comments are based on Ministry of Transportation and Infrastructure (MoTI) referral 2017-04710 from the applicant's revised subdivision proposal, received by SCR D June 28, 2023. The referral package included the following:

- Cover Letter from Jeffrey Moore, dated June 28, 2023
- Subdivision Plans (Webster Engineering) dated April 7, 2021;
- BCLS Survey Plans (Bennett Land Surveying Ltd.) dated June 14, 2023; and
- Project Details Sheet (included in referral package, no date)

The purpose of this Requirements Letter is to provide SCR D requirements to MOTI and the applicant in response to the referral package. SCR D notes that there are several issues with this resubmission, including bylaw non-conformance, parkland dedication requirements, and establishment of Kitchen Creek SPEA that should be resolved to inform subdivision design prior to re-issuance of a Preliminary Layout Review (PLR). To advance this proposal, SCR D requires a complete updated referral package (a single, full resubmission) that addresses the requirements contained in this letter.

Highlights of Key Issues

- A. Conformance with Zoning Bylaw 722 – Section 1.1
- B. Frontage Waiver Requirements – Section 1.2
- C. Development Permit and Site Design Issues –Section 1.3
- D. Parks dedication requirements – Section 2.1
- E. Protection of Adjacent SCR D Park Assets – Section 2.2
- F. SCR D Infrastructure comments cannot be finalized until a proposed subdivision plan is provided meeting all SCR D Zoning Bylaw 722 requirements and addressing Development Permit requirements related to Kitchen Creek SPEA.

Resubmission Requirements

A revised subdivision application referral package is required. A Response Letter is to be included, explaining how each of the items raised in this letter have been addressed. An editable MS Word version of this review letter will be provided for this purpose. An additional copy of the subdivision plan should also be provided, detailing the changes made to address the subject requirements, using red bubbling and callouts to identify changes and new information. Changes to professional reports should similarly be noted in the resubmission response letter with references to associated page numbers and sections. This will help expedite SCRD's review of the resubmission.

Once an amended application package, containing all required information, has been received by the Ministry of Transportation and Infrastructure, it will be redistributed to SCRD for confirmation that the revisions made address the issues and comments noted in this letter. Piecemeal or incomplete application package resubmissions will not be accepted.

Property Information

Property Legal Description:	Block A (Reference Plan 1657), District Lot 1427, Group 1, NWD, Except Portions in Plans 7134, 7360, 7481 and 7697		
Civic Address/ Location:	Priestland Road, PID: 015-931-901		
Electoral Area:	B - Halfmoon Bay	Subdivision District:	D
Land Use Zone:	R2	Minimum Parcel Size:	Minimum 2,800 m ² , with 3,500 m ² average parcel size.
Size of Parent Parcel(s):	10.93 Hectares	Parcels Proposed (incl. remainder):	29
Smallest Parcel Size:	2,803 square metres	Average Parcel Size:	3,538.8 square metres

SCRD Requirements:

1. Planning & Development

1.1. Zoning Bylaw 722 Review

(All noted sections, below, are from Zoning Bylaw 722)

- 1.1.1. Continuous Developable Area Requirements Not Demonstrated:** This parcel is zoned for Subdivision District D, whereas required by Section 4.2.1, a minimum parcel of 2800 m² is required and minimum average parcel size of 3500 m².

Further to Section, 4.2.1, Section 4.3.2 states in cases where a proposed parcel is equal to or greater than 3500 m² in area, it shall have a minimum of 2000 m² of continuous developable area which is not included within:

- a) a panhandle; or
- b) a right-of-way, hydro transmission corridor or an area restricted by covenant where the effect of the restriction imposed by the right-of-way or covenant prohibits the placement of a structure; or
- c) a streamside protection and enhancement area where the effect of the restriction imposed by the streamside protection and enhancement area prohibits the placement of a structure.

And further to Section 4.2.1 and Section 4.3.2, Section 4.3.3 states in cases where a proposed parcel is less than 3500 m² (and in this case not less than 2800 m² per Subdivision District D), it shall have a minimum of 1000 m² of continuous developable area which is not included within:

- a) a panhandle; or
- b) a right-of-way, hydro transmission corridor or an area restricted by covenant where the effect of the restriction imposed by the right-of-way or covenant prohibits the placement of a structure; or
- c) a streamside protection and enhancement area where the effect of the restriction imposed by the streamside protection and enhancement area prohibits the placement of a structure.

Action Required:

To demonstrate bylaw compliance, the applicant is required to provide:

- i. A copy of all proposed and any existing legal plans (easements, reference plans, rights-of-way, hazard and protection areas [i.e. Streamside Protection and Enhancement Area], etc.) required for this subdivision for review by the SCRD.
- ii. A subdivision plan that clearly displays total parcel area and continuous developable area (in square metres), to demonstrate compliance with the above noted Zoning Bylaw sections for minimum parcel size and continuous developable area. *Staff note establishment of the Streamside Protection and Enhancement Area (SPEA) must first be determined through the Provincial approval of riparian Condition and Impact Assessment and RAPR Report to demonstrate bylaw compliance.*

1.1.2. Hooked Parcels (parcels physically separated by a highway or another legal parcel) are **not permitted** per Section 4.4.1, unless the parcel falls under one of the following exemptions:

- a) Each physically separated portion has an area sufficient to satisfy the minimum and average parcel area requirements of the applicable subdivision district; or
- b) Each non-conforming part of the parcel is restricted to uses that do not generate sewage, and a covenant is registered on title to restrict the uses and prohibit the construction of a building or structure or further subdivision.

Action Required:

The proposed Subdivision Plan contains hooked parcels that are not in compliance with Section 4.4.1, as noted above, and the applicant is required to provide the following:

- i. A new submission is required that demonstrates conformance with Section 4.4.1.

1.2. Other Subdivision Requirements

1.2.1. Frontage Waivers per Section 512 of the *Local Government Act (LGA)*.

Section 512 of the *LGA* requires that when a parcel being created by subdivision fronts along a highway, the minimum frontage on the highway must be greater than 10% of the perimeter of the lot that fronts on the highway. It further states that a local government may consider an exemption to this statutory minimum frontage. SCRD's process for consideration of an exemption to this minimum statutory requirement is by means of a Frontage Waiver Application.

Based on the proposed Subdivision Plans, staff have identified several parcels that appear to require consideration of an exemption through a Frontage Waiver Application.

Action Required:

If the applicant wishes to have SCRD consider an exemption to the minimum statutory frontage, the following is required:

- i. A Frontage Waiver Application is required. This application would be presented to SCRD Board for consideration. If an application is made, the applicant is to provide a written rationale for each requested waiver to the minimum statutory frontage, along with a plan clearly identifying parcels subject to proposed frontage waivers and the proposed frontage, expressed in both metres and as a percent of the total parcel perimeter. Staff note the written rationales should speak to how each requested frontage waiver will comprehensively enhance the proposed subdivision layout (i.e. promote riparian enhancements, transportation safety).

1.3. Development Permit Areas

1.3.1. Remediation Pre-Application Process

Staff note this property has been subject to unauthorized land alterations, resulting in the requirements of SCRD's Remedial Pre-Application process, as well as the requirement for Provincial approval of a riparian Condition and Impact Assessment and *RAPR* Report. The outcome of these approval processes will inform ultimate subdivision layout design.

Action Required:

The applicant is required to complete the following:

- i. A Condition and Impact Assessment is required to determine remediation measures for unpermitted land alterations completed within the Riparian Assessment Area on the parcel, to the satisfaction of the Province's Ministry of Water, Land & Resource Stewardship, *RAPR* Division;
- ii. A Streamside Protection and Enhancement Area (SPEA) must be established by a Qualified Environmental Professional, meeting the requirements of *Riparian Areas Protection Regulation (RAPR)*; and
- iii. A Remedial Pre-Application (REM00018) must be paid for and completed to determine the subdivision's compliance with SCRD DPA 2A and DPA 4 Guidelines, which will inform ultimate subdivision layout.

Staff recognize, some of the above may be in progress, but a comprehensive overview of requirements is provided for clarity.

1.3.2. DPA 2A (Creek Corridor) Requirements

See: Halfmoon Bay Official Community Plan, Part 29, Development Permit Guidelines

DPA 2A applies to all creeks extending 30 metres from the streamside natural boundary. Flood, debris flow and debris flow hazard assessments will be required within this development permit area.

Action Required:

The applicant is to have their qualified Professional Engineer or Professional Geoscientist prepare a report addressing the following:

- i. Recommendations for the land located within the DPA, based on an analysis of the proposed subdivision, including, but not limited to, implications of future building footprint, septic fields, and land alteration, including tree removal. Given that trees were removed without authorization within this assessment area, the analysis must consider tree replanting in coordination with the Qualified Environmental Professional engaged for analysis of DPA 4.
- ii. Recommendations and hydrologic investigation related to risks of flooding and associated creek processes for the proposed subdivision and/ or land alterations. The assessment and investigation shall include a survey of the natural boundary of the creek, and the degree of confinement (e.g. typical cross-sections) and shall consider upstream channels and floodways, debris dams, culverts, sources of debris (channels and eroded banks) and related hydrologic features.
- iii. Recommendations that ensure the proposed subdivision is safe based on an analysis of the estimated 200-year return period peak flow and corresponding flood elevation. In addition, consideration shall be given to potential for overbank flooding due to blockages in the creek, such as at upstream road crossings, or areas where debris accumulates.
- iv. Compliance with Engineers and Geoscientists of BC (EGBC) Guidelines.

Staff recognize the applicant has submitted a report intended to address DPA 2A; however, this section has been provided for convenience and to ensure the report is updated to reflect consideration of tree replanting and risk threshold increase to the 200-year return period per EGBC, in coordination with RAPR and recommendations from the applicant's Qualified Environmental Professional.

1.3.3. DPA 4 Requirements

See: Halfmoon Bay Official Community Plan, Part 29, Development Permit Guidelines and *Riparian Areas Protection Regulations (RAPR)*.

DPA 4 requires establishment of a Streamside Protection and Enhancement Area (SPEA) for Kitchen Creek as part of the subdivision and further that the applicant's Qualified Environmental Professional (QEP) determine necessary measures to protect the SPEA both during and after construction, in compliance with RAPR and SCRD's DPA 4.

Staff note that the last time this application was officially referred to SCRD by MoTI for comment, the applicant's previous RAPR Assessment was rejected by the Province's Ministry of Water, Land & Resource Stewardship, *RAPR* Division. A new QEP has since been retained and established that Kitchen Creek supports fish habitat and is a protected watercourse under RAPR. These updated preliminary comments reflect this new information and the change in required protection measures under DPA4 and RAPR.

Action Required:

The applicant is to complete the Condition and Impact Assessment process, and establish a SPEA acceptable under RAPR, which will collectively help inform revised subdivision layouts and protection, restoration and enhancements plans for Kitchen Creek in compliance with SCRD's DPA 4 guidelines. The guidelines require consideration of the following:

- i. Ensuring that areas of land related to the long-term protection of the Kitchen Creek SPEA must remain free of development;
- ii. Demonstration that specified natural features or areas are proposed to be preserved, protected, restored and enhanced;
- iii. Ensuring that required works are proposed to be constructed to preserve, protect, restore and enhance the Kitchen Creek SPEA or other specified natural features of the environment that contribute to the long-term health of Kitchen Creek;
- iv. Demonstration that protection measures will be followed, including retaining and planting of vegetation to preserve, protect, restore and enhance fish habitat/riparian areas, and to control drainage or erosion or to protect banks; and that
- v. A reference plan be prepared by a BC Land Surveyor, in conjunction with a subdivision plan to delineate the identified SPEA.

Staff note that in consideration of Development Permit approval, key considerations to meet the above noted DPA 4 Guidelines are as follows:

- i. Full restoration of the Kitchen Creek SPEA to pre-land alteration state, including replanting of native trees and vegetation to reflect its original natural biodiversity state;

-
- ii. Removal of invasive species;
 - iii. Replacement and Enhancement of culvert in the existing Priestland road allowance, in compliance with *RAPR* and *WSA* standards, and QEP recommendations;
 - iv. A revised subdivision design that informs protection, restoration and enhancement of Kitchen Creek with no new creek crossings for roadways or other SPEA encroachments proposed;
 - v. Consideration of removal of any existing built structures, barriers or non-native materials within Kitchen Creek or its SPEA, as determined appropriate by a QEP;
 - vi. Consideration of other restorative enhancements that facilitate betterment of fish habitat; and
 - vii. Fencing of the SPEA in compliance with *RAPR* standards.

2. SCRD Parks

2.1. Required Park Dedication under Section 510 of the *Local Government Act* (LGA)

2.1.1. SCRD Parks Department has determined that based on the updated information contained in this application package resubmission, specifically the environmental significance of Kitchen Creek and its surrounding area, statutory 5% parkland dedication will be required at time of subdivision. This parkland dedication will be subject to input from Halfmoon Bay Advisory Planning Commission, and SCRD Board endorsement. This requirement upholds SCRD policies, as follows:

Halfmoon Bay Official Community Plan:

- Policy 13.1: To recognize the need for park opportunities at neighbourhood, community, regional and provincial levels to fulfill the recreational needs of residents and visitors of all ages and abilities.
- Policy 13.4: To enhance public access and use of water resources in a manner that minimizes detrimental effect on the environment and adjacent land uses.
- Policy 13.13: Continue to provide for water-oriented recreation opportunities at Coopers Green Park and expand upland conservation opportunities.

Coopers Green Management Plan:

- Connect Coopers Green Park with the broader trails and recreation network east of the park boundary.

2.1.2. The estimated amount of parkland dedication is 5,463 m² or 1.35 acres, based on 5% of the parent parcel size. The area identified as candidate for parkland dedication includes lands southwest of the Kitchen Creek SPEA, connecting from Priestland Road to the crown parcel immediately east of the subject parcel. The northeast side of Kitchen Creek SPEA may alternatively be considered if trail grades and protection of environmental assets is proven more desirable. It is expected that the width of this linear park dedication along the SPEA will average 25 metres in width, using the entire 5% dedication. In keeping with SCRD's Parks and Recreation Master Plan, 5% parkland dedication acquisitions from subdivision should be suitable for active recreation and not normally include environmentally sensitive or hazard lands. Once the Kitchen Creek SPEA is approved and accepted under *RAPR*, SCRD can work with the applicant to determine the ultimate location and alignment of the linear parkland dedication.

2.2. Protection of Adjacent SCRD Park Assets

2.2.1. SCRD has concern over the portion of Priestland Road abutting SCRD lands forming part of Coopers Green Park, which contain sensitive ecosystems. SCRD anticipates numerous impacts on the property as Priestland Road undergoes road works and potential grading to meet highway standards, as well as ongoing impacts associated with vehicular traffic such as low-lying vehicle pollutants, and runoff from road surfacing. SCRD requests one of two measures be taken by the proponent and Ministry to mitigate impacts of road works and ongoing road usage on adjacent SCRD assets:

- i. **PREFERRED OPTION:** Convert the portion of Priestland Rd abutting SCRD property to a utility's corridor for electrical and water services, restricted to pedestrian and utility vehicle traffic only; or
- ii. Employ current best practices through hard and soft scaping to protect the SCRD amenity space and sensitive ecosystem from impacts of initial road works, water runoff, and ongoing vehicular traffic-related pollutants.

3. Infrastructure Services (Water & Liquid Waste)

3.1. SCRD Water Service

3.1.1. The subject property is located within the SCRD Regional Water Service Area and the SCRD is able to provide water for the proposed development. SCRD Utility Services Division will provide infrastructure related guidance and specifics only after a subdivision plan has been submitted that meets all requirements of Zoning Bylaw 722, any proposed frontage waivers have received approval or been adjusted to comply with Section 512 of the *LGA*, and all site layout issues related to the issuance of a Development Permit (refer to Section 1.3 of this letter) have been resolved.

3.1.2. In the interim, and in accordance with Subdivision Servicing Bylaw No. 320, SCRD Infrastructure can confirm the following preliminary requirements:

- i. The developer is responsible for any water infrastructure upgrades required to support the proposed development;
- ii. Any upgrades to existing or proposed water infrastructure required to support the proposed development is to be as per SCRD standards and approval and made at the developer's expense;
- iii. The developer shall work with the SCRD Utilities department to determine the best and most efficient overall method of upgrading the Halfmoon Bay water system to service the proposed development with final approval by the SCRD; and
- iv. Fire flow and residual pressures will need to be determined for the larger Halfmoon Bay water system to determine the impact of the proposed development. Fire flow credits cannot be considered when determining fire flow as per the FUS guidelines.
- v. Fire Hydrant distancing and water flow rates must meet current best practices, such as those recommended by the National Fire Protection Association.

3.2. Liquid Waste

3.2.1. Wastewater design must comply with SCRD infrastructure and planning regulations, as well as VCH and RAPR regulations.

4. Protective Services

4.1. Fire Services

4.1.1. Road Design

New roads must meet or exceed current best practices in road design for the movement of fire apparatuses, such as those recommended by the National Fire Protection Association. Currently, fire apparatuses in Halfmoon Bay are up to 32 feet (9.75 metres) long.

4.1.2. Fire Hydrants

Hydrant distancing and water flow rates must meet current best practices, such as those recommended by the National Fire Protection Association.

4.1.3. FireSmart Measures

Staff request the requirement that BC FireSmart measures be incorporated into further development and construction, enforced through covenant.

5. Other Considerations

5.1. Stormwater Management

Stormwater management is a concern on this parcel. SCRD requests that the applicant and MoTI give consideration to stormwater management in relation to water accumulation and runoff in and around parcels, roadway infrastructure, and existing wetlands. Efforts to mitigate the effects of land clearing, hardscaping, and road surfaces through mechanisms such as tree retention/replanting, vegetative planting and protective covenants should be considered to ensure the long-term management of stormwater.

Standard Fees, Charges, and/or Contributions

6.1. Estimated Application Fees :

6.1.1. Payment of Remediation Pre-Application Fee

- Estimated fee (2023 fees): \$2,500.00 (file REM00018) **Note: past due**

6.1.2. Development Permit Application

- Estimated fee (2023 fees): \$3,600.00. Note: due following completion of the Remediation Pre-Application stage, along with submittal of a complete DP Application.

6.1.3. Frontage Waiver Application

- Estimated application fee (2023 fees): \$2,200.00. Note: due if a frontage waiver application is pursued.

6.2. Development Cost Charges: The proposed development will be subject to SCRD Development Cost Charges (DCCs). The table below outlines the current rates per Bylaw No. 693, Schedule A. Note that these rates are subject to change and the final values are determined and payable at the time of subdivision approval, should your application proceed to this stage.

Charge	Rate	Credit
DCCs	\$3,632 per parcel	N/A

-
- 6.3. Subdivision Parkland Fees:** As noted above in Section 2.1, the provision of five percent parkland dedication is required prior to final approval of the proposed subdivision pursuant to Section 510 of the *Local Government Act*.

7. Construction Practices and Site Maintenance

7.1. Good Neighbour Development Policy:

The SCR D has a Good Neighbour Development Policy. Please review the policy and the SCR D Webpage to ensure that the expectations are understood. The policy can be found at the following hyperlink:

<https://www.scrd.ca/files/File/Administration/News/2019-SCRD-%20Good%20Neighbour%20Guidelines%20for%20web.pdf>

7.2. General Site Development Requirements:

The applicant must ensure that development sites are properly maintained to be clean, secure, and safe. All Development Permit Areas must be adhered to. Failure to do so could result in bylaw enforcement action from SCR D, as well as increased application fees. Photos of the development site may be requested to confirm that it is being maintained in good condition.

8. Guidelines: Landscaping

8.1. Drought Tolerant Planting:

Please design landscaping to be drought tolerant. The Regional District is currently facing a water supply deficit and annual drought. While there are several projects underway to increase the available supply of water, conservation measures are a key component of our water supply management plan. As such, the SCR D encourages all developments to consider low impact development landscaping principles, xeriscaping and rainwater harvesting, to mitigate demand for irrigation water.

8.2. Bear Attractants:

Please ensure that all proposed landscaping is non-bear attractant. Your assistance in using non-bear attractant plants will help reduce human-wildlife conflict in developed areas.

8.3. Invasive Species:

Please ensure that no invasive species are proposed.

- 9. Marketing:** Section 10 of the *Real Estate Development Marketing Act* only permits early marketing of a development if the developer has obtained both approval in principle to construct from the appropriate local government or ministry and has obtained permission to begin marketing from the Superintendent of Real Estate.

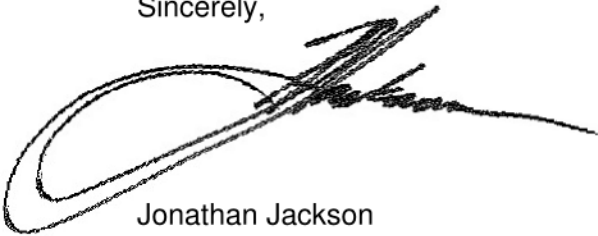
10. Changes in Legislation, Policies, Bylaws: Applicants are responsible for making themselves aware of changing legislation, bylaws and policies and how their applications are accordingly impacted. In most cases, there are legislated or bylaw requirements that guide how such changes impact different types of applications. When SCRD is aware of pending legislation, bylaw or policy changes during an ongoing application, reasonable effort will be made to communicate such regulation changes to applicants.

Once SCRD has received a complete resubmission package we will be able to advise on target timelines for consideration of approval

Comments valid for 1 year from issuance of PLR.

If you have any questions or wish to discuss your application with your file manager, please contact Chris Humphries at 604-885-6800 or chris.humphries@scrd.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jonathan Jackson', with a large, stylized loop at the beginning.

Jonathan Jackson
Manager, Planning & Development

Attachments:

1. Subdivision Review Checklist
2. Subdivision Plans (Webster Engineering) dated April 7, 2021;

Attachment 1**SCRD Subdivision Review Checklist**

Checklist Item	Yes	No
Is the subdivision within the ALR?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Proposal complies with density requirement of zoning bylaw Note: The proposed hooked parcels are not permitted and as proposed skew minimum lot areas.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Zoning Land Use Designation:</i>	Residential 2	
Proposal complies with land use requirements of zoning bylaw	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Minimum parcel size area exceptions apply	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Frontage Waiver approval required (Sec. 512, <i>Local Government Act</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Subdivision proposal (res. For relative) as per Sec. 514, <i>Local Government Act</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Information Meeting required as per Sec. 24 of Bylaw 522	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Provision of Park Land (Section 510, <i>Local Government Act</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community water system required (Schedule A, Bylaw 320)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Regional District water supply is available	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Water main extension required	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Water connection and meters required at time of subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Development Cost Charges apply	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Development Cost Charges Bylaw:</i>	Bylaw No. 693	
<i>Number of lots affected</i>	~29	
<i>Current Total DCC amount to be paid</i>	\$3,632.00 per parcel	
Latecomer's agreement for SCRD water servicing apply	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sewage Disposal method	<input checked="" type="checkbox"/> On-site <input type="checkbox"/> Community System	
Required off-street parking	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Within Official Community Plan boundary	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>OCP Land Use Designation</i>	Residential B	
Proposed subdivision complies with OCP	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parcel fronting a major or main road as per OCP	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Proposed subdivision within a Development Permit Area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Presence of Watercourses or waterbodies	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Department comments/concerns	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Additional drainage comments/concerns	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Registered Archaeological Site	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Attachment 2

Subdivision Plans (Webster Engineering) dated April 7, 2021

Copyright

From: Alister s.22
To: Moore, Jeffrey MOTI:EX (Jeffrey.Moore@gov.bc.ca)
Subject: Fwd: Priestland - Redline Layout Revisions - For Discussion Purposes
Sent: 08/14/2023 19:52:39
Attachments: DP-1 Development Plan - REDLINE REVISIONS - 2023-08-08.pdf

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello Jeff

Please find attached redline as per our discussion about 2 weeks ago. Can we discuss this sometime later today?

Begin forwarded message:

From: John Tynan <jtynan@webstereng.ca>
Subject: Priestland - Redline Layout Revisions - For Discussion Purposes
Date: August 8, 2023 at 9:45:15 PM GMT+3
To: "Alister Toma s.22" s.22

Hi Alister,

We have prepared the redline revisions to the Priestland development to eliminate the upper creek crossing. This is issued for discussion purposes and is by no means intended to be a final draft of the revisions. It is intended to have preliminary conversations for:

1. Impacts on deleting the upper crossing
2. Maintaining accessing to Parcel B
3. Revisions to shared access and panhandles for the lots south of Kitchen Creek.
4. Revisions to Strata lots to add another lot

Welcome comments or this can be taken to MOTI for informal discussions with Geoff.

Regards,

John Tynan, P.Eng.
Principal
Webster Engineering Ltd.
#212-828 Harbourside Drive
North Vancouver V7P 3R9
Office: 604-983-0458
Cell: 778-968-5947

From: Hanson, Thomas(thanson@watsongoepel.com)
To: jonathan.jackson@scrd.ca; chris.humphries@scrd.ca
To: Moore, Jeffrey MOTI:EX (Jeffrey.Moore@gov.bc.ca); Samuelson, Dorean (dsamuelson@watsongoepel.com)
Subject: SCRD Conditions - MOTI file 2017-04710
Sent: 08/14/2023 22:26:44
Attachments: LT SCRD, August 14, 2023 (01700521xB8FE6).PDF

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon,

Please see the attached correspondence regarding the above-noted matter, sent on behalf of Cove Bay Developments Inc.

Regards,



Thomas Hanson, Associate

D 604 609 3067 | **F** 604 484 0040

E thanson@watsongoepel.com

1200-1075 West Georgia St., Vancouver, BC V6E 3C9

Vancouver | West Vancouver

[View my bio](#)

This message may contain privileged and or confidential information. Any unauthorized use is strictly prohibited. If you receive this e-mail in error, please contact me immediately.

L'information apparaissant dans ce message électronique est de nature légalement privilégiée et confidentielle. Si ce message vous est parvenu par erreur et que vous n'êtes pas le destinataire visé, vous êtes par les présentes avisé que tout usage, copie ou distribution de ce message est strictement interdit. Vous êtes donc prié de nous informer immédiatement de cette erreur et de détruire ce message.

Thomas Hanson
Direct: 604-609-3067
thanson@watsongoepel.com

Legal Assistant: Doreen Samuelson
Direct: 604-609-3078
dsamuelson@watsongoepel.com

File No.: 231548-0
August 14, 2023

BY E-MAIL - jonathan.jackson@scrd.ca
chris.humphries@scrd.ca
cc: jeffrey.moore@gov.bc.ca

Sunshine Coast Regional District
1975 Field Road, Sechelt

Attn: Jonathan Jackson

Dear Sirs/Mesdames:

Re: Planning Project Application Requirements Letter – Proposed 29-Lot Subdivision at Priestland Road, PID 015-931-901 (Application # SD000022, 2017-04710)

**SCRD File(s): SD000022
REM00018
MoTI File(s): 2017-04710**

We are counsel to Cove Bay Developments Inc. (“**Cove Bay**”). We write with respect to the above-noted subdivision application, and in particular, the Requirements Letter from the SCRD dated July 31, 2023.

While our client intends to submit a complete updated referral package as required, it wishes to address one of the issues identified in the Requirements Letter in advance of that submission. At section 2.1 of the requirements letter, the SCRD has indicated that it will require a 5% parkland dedication at the time of subdivision, pursuant to section 510 of the *Local Government Act*.

However, section 510 of the *Local Government Act* provides that it is the landowner’s option whether to provide park land, or pay in lieu of park land:

Requirement for provision of park land or payment for parks purposes

510(1) Subject to this section and section 516 (3) (h) and (4) [phased development agreement rules], an owner of land being subdivided must, at the owner's option [emphasis added],

(a) provide, without compensation, park land of an amount and in a location acceptable to the local government, or

(b) pay to the municipality or regional district an amount that equals the market value of the land that may be required for park land purposes under this section as determined under subsection (6) of this section.

Furthermore, we note that the SCRD's requirement for a park land dedication is in direct contradiction to the SCRD Conditions for Preliminary Layout Approval dated December 21, 2017, which provides that "[t]he SCRD has determined that money in lieu of park lands is the preferred option". Cove Bay has already prepared preliminary layouts, entered into pre-sale agreements with purchasers, and undertaken significant other preliminary work in reliance on the SCRD's representations regarding the park land requirements in the SCRD's Conditions for Preliminary Layout Approval. The SCRD's purported requirement for a park land dedication at this late stage would require a complete re-design of the development and significantly increased costs to Cove Bay.

Accordingly, Cove Bay is electing to pay the SCRD cash in lieu of land required for park purposes, being 5% of the market value at the time of the PLA, as is its option pursuant to section 510(1) of the *Local Government Act*.

We trust that this addresses the issue of park land raised in the SCRD's Requirement Letter.

Yours truly,

WATSON GOEPEL LLP

per:

A handwritten signature in black ink, appearing to be 'Z' followed by a stylized 'S' and a horizontal line.

Thomas Hanson

:th

From: Moore, Jeffrey MOTI:EX(Jeffrey.Moore@gov.bc.ca)
To: Randle, Susan J MOTI:EX (Susan.Randle@gov.bc.ca)
Subject: RE: 2017-04710 Road Design
Sent: 08/18/2023 21:46:00

Hello Susan,

I have made several suggestions to the developer over the past few months to try and steer him in a better direction and he has finally realized that there are several issues with the current proposal that make it unlikely that approval can be obtained. I have had discussions with him regarding a shift in how access could be achieved.

One of the major issues raised by the SCRD is the environmental impacts resulting from another crossing of Kitchen Creek as proposed by the current design. Thoughts discussed so far include removing the creek crossing and treating the lands north and south of Kitchen Creek as separate areas. Making changes to the layout north of Kitchen Creek to address the concerns raised seems relatively straightforward, but the lands south of Kitchen Creek could be more difficult due to grades and the need to ensure access to lands beyond.

Would you be available for a call sometime next week to discuss the area and some potential options that could be provided to the developer for him and his engineering team to explore? I currently have Monday afternoon and Tuesday afternoon open.

I am hoping that by having the developer take a step back and think about his proposal a little differently, many of the current deficiencies can be cleaned up.

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: (236) 468-1920

From: Randle, Susan J MOTI:EX <Susan.Randle@gov.bc.ca>
Sent: Monday, July 31, 2023 10:08 AM
To: Development Services LMD TRAN:EX <Development.Services.LMD@gov.bc.ca>
Cc: Sun, Louis MOTI:EX <Louis.Sun@gov.bc.ca>; Moore, Jeffrey MOTI:EX <Jeffrey.Moore@gov.bc.ca>
Subject: 2017-04710 Road Design

Hello,

I have been asked to provide feedback on the design drawings for the above mentioned subdivision.

As a total aside, I note that the three public roads proposed in this design all have similar names, with two roads being identically named (one being 'road' and one being 'close'). Preference is for all roads to have distinct names in order to facilitate emergency services and navigation.

Additional to this, I question why lots with strata road access are accessing to the public road (two via panhandles from a very long distance – why!). There are no Strata Road design drawings included in this package – I understand this is under purview of the PAO. **Jeff** – if you'd like my feedback on the Strata Road design, let me know and I'll be happy to review geometrics on that!

There are a number of design deficiencies in these roads, and I'm going to give some general feedback that applies to the whole design instead of each individual element (because I'd be repeating myself in many

cases).

I offer the following feedback:

Design Criteria Sheet:

- We need a separate DCS for each road being constructed.
- DCS is required to use MOTI Functional and Design Classifications.
- Subdivision roads are not Low Volume Roads. Please revise classification.
- MOTI will not accept a 30km/h design speed. Roads may not be arbitrarily posted at a lowered speed than what is established through formal processes at MOTI.
- Approach to a stop sign is not a valid reason for reducing design values below design speed.
- Design vehicle designation should conform with TAC standards. BC Supplement recommends intersections and road designs accommodate, at minimum, an I-BUS. Conformance with this design vehicle should be confirmed.
- It looks like there will be further phases of this subdivision – with a lot of upslope area to be developed in future. This means it's more important that Priestland road operate as a collector, rather than a local. This includes ensuring design elements meet a 50km/h design speed to ensure safety.

Road Design:

- In various places, cut/fill slopes terminate outside of dedicated ROW. In most places, the cut/fill slope is too close to the property line. ROW should be expanded in locations to include top of cut/toe of fill plus 3m (per BC Supplement).
- Utilities need to be checked for conformance with the Utility Policy Manual. Most utilities are within the road, which is undesirable from MOTI's perspective.
- It appears that a stormwater detention pond is draining into the "South Priestland Road" ROW (again, road name needs to be distinct from Priestland Road). This is not acceptable. They need to find a way to discharge directly to the drainages on site.
- Construction notes cite MMCD. MOTI roads are required to be constructed to the Standard Specifications for Highway Construction.
- K values are too small in almost all cases, and do not meet 50km/h design speeds.
- Horizontal curves are too small for design speed. Design should not combine maximum grades with minimum horizontal curves. Grade should be reduced by 1% (from 10%) for each 30m of radius below 150m. Design currently proposed 50m radius curves within a 12% grade. MOTI will not accept this.
- Construction notes on geometric drawings reference SCRD general specifications and the need to meet approval by SCRD. MOTI is the approving authority, and construction must meet MOTI specifications.
- Dimensions for cul-de-sac aren't given. Cul-de-sac must be designed per figure 1420.G of the BC Supplement
- Given horizontal and vertical curves through intersections, sight triangles and sight distances need to be confirmed.
- South Priestland Road terminates with no turnaround... does it connect to a previously constructed stub? If not, the road needs to be constructed all the way to Red Roofs Road, OR a suitable to-standard turnaround needs to be provided.

Feel free to let me know if you'd like to call to discuss!

Susan Randle, P.Eng.

Senior Highway Design Engineer

Ministry of Transportation and Infrastructure

2100 Labieux Road, Nanaimo, BC, V9T 6E9

Phone: 250-734-4805 Email: Susan.Randle@gov.bc.ca

From: Moore, Jeffrey MOTI:EX(Jeffrey.Moore@gov.bc.ca)
To: Randle, Susan J MOTI:EX (Susan.Randle@gov.bc.ca)
Subject: DCS Documents for 2017-04710
Sent: 08/22/2023 22:23:08
Attachments: MOTI - Project Design Criteria Sheet - 2023-02-17 - S&S.pdf, MOTI - Design Criteria Sheet - Climate Change Resilience - 2023-02-17 - S&S.pdf

Hello Susan,

I dug through the file and found the attached DCS documents for this project. Brad Newton sent them to Louis Sun on July 13, but I guess they never got to you. The road DCS is on the wrong form, and I assume that you need to see it updated to the subdivision road DCS for a 50 km/h design.

We have received a geotechnical report which was reviewed by Scott Cosman and comments were sent back to the applicant in March. The requirement for a hydrotechnical assessment for the culverts was included in the reply. An updated report has not been submitted.

A drainage report has been requested a few times but is still on the list of things not received.

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: (236) 468-1920

Project Design Criteria

Highway Engineering

Ministry of Transportation and Infrastructure

Project: 30-LOT SUBDIVISION, Project #2017-04710
Type of work: ROAD DESIGN
Location: PRIESTLAND ROAD, SUNSHINE COAST, BC
Length: 850 m

- all Projects involving highway geometrics

ACCEPTED BY:

Senior Highway Design Engineer

Date

- minor exceptions to standards
- ambient standards or context sensitive guidelines

ACCEPTED BY:

Senior Engineering Manager, Highway Design Services

Date

- Major Projects
- Partnership Projects
- highway corridor standards

ACCEPTED BY:

Director, Highway Design and Survey Engineering

Date

- major exceptions to standards

ACCEPTED BY:

Chief Engineer

Date

- Notes:**
- 1) All projects require acceptance at the Senior Highway Design Engineer level. Where minor exceptions to standards are proposed for a project, or where Ambient Standards or Context Sensitive Guidelines are proposed, the Senior Engineering Manager, Highway Design Services must accept. For Major Projects or Partnership Projects, and for corridor-wide standards, the Director, Highway Design and Survey Engineering must accept. Where there are major exceptions to prevailing standards, the Chief Engineer's acceptance will be required.
 - 2) The following page(s) set out more detailed design criteria for this project.

Project Design Criteria

Highway Engineering

Ministry of Transportation and Infrastructure

Project: 30-LOT SUBDIVISION, Project #2017-04710
 Type of work: ROAD DESIGN
 Location: PRIESTLAND ROAD, SUNSHINE COAST, BC
 Length: 850 m

Design Element ^(a)	Present Conditions	Adjacent Project Conditions	MoTI/TAC Guidelines Criteria	Proposed Project Criteria	Achieved Project Criteria	Comments/Notes ^(c)
Functional Classification ^(b)				L		
Design Classification ^(b)				LVR		
Posted Speed	km/h	km/h	-	30 km/h	km/h	
Design Speed	km/h	km/h	50 km/h	30 km/h	km/h	
Basic # of Lanes				2		
Minimum Horizontal Radius	m	m	30 m	30 m	m	
Min. "K" factor..... Sag V.C.			6	2		
Min. "K" factor..... Crest V.C.			2	2		
Max. Grade	%	%	10%	12%	%	
Max. Superelevation	%	%	2%	2%	%	
Minimum S.S.D.	m	m	35 m	35 m	m	
Lane Width	m	m	3.50 m	3.50 m	m	
Shoulder Width Outside	m	m	0.50 m	2.0 m	m	
Shoulder Width Inside	m	m	0.50 m	0.50 m	m	
Clear Zone - Offset Width	m	m	m	2.0m	m	
Recovery Slope (X:1)	:1	:1	:1	-2%	:m	
Median Width	m	m	m	N/A	N/A	
Catchment Width in Rock Cuts	m	m	3.0 m	1.50 m	m	Low rock cuts only
Current Traffic Volume: SADT				0		
Design SADT / Design Hourly Vol.				30 Lots		
Level of Service (to year 20xx)				2045		
Design Vehicle				Fire truck		

- Notes:**
- a) The list of Design Elements will not necessarily be the same for all projects; therefore, items may be deleted or added as appropriate.
 - b) For clarification regarding Functional and Design Classifications, refer to Section 100.11.1.3 of the *BC Supplement to TAC*.
 - c) **Explanatory Notes / Discussion:** On the following pages, provide a brief scope statement, purpose of project and what is being achieved. Enter comments for clarification where appropriate and provide justification and evidence of engineering judgment used for items where deviations are noted in the design parameters listed above or any other deviations from TAC or *BC Supplement to TAC* which are not noted in the table above.

Project Design Criteria

Highway Engineering

Ministry of Transportation and Infrastructure

Project: 30-LOT SUBDIVISION, Project #2017-04710
Type of work: ROAD DESIGN
Location: PRIESTLAND ROAD, SUNSHINE COAST, BC
Length: 850 m

Explanatory Notes / Discussion:

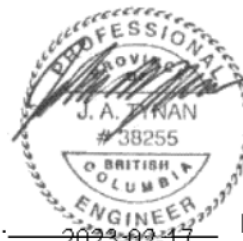
The proposed road is designed to provide access to the new 30-lot subdivision. The design complies with the majority of the design parameters outlined in the Supplement to TAC Geometric Design Guide for Subdivision Roads.

One design parameter we deviated from is the design speed. The guidelines require a design speed of 50 km/h for Local roads. The design speed selected is 30 km/h because the road is serving a relatively small subdivision of 30 lots on a steep slope.

Another Design Guideline parameter to be relaxed is the K-value for sag vertical curve of 6. At the intersection of Redroofs Road and Priestland Road, we used a K value of 2 because the traffic coming down on Priestland Road will have a STOP sign before entering the Redroofs Road.

The maximum slope for Local Roads required by the Design Guidelines is 10%. For 2 sections of Priestland Road we propose a slope of 12% to minimize the rock blasting and also to comply with the paragraph 1420.05 where it's stated that grades of up to 2% steeper can be acceptable if the overall grade is less than the appropriate maximum desirable grade of 10%. All the adjacent sections have a maximum slope of 4.70%.

The catchment width in rock cuts of 1.50m for heights of up to 4.50m is based on the Preliminary Geotechnical Assessment by Kontur Geotechnical Consultants Inc., dated November 04, 2022.



RECOMMENDED BY: Engineer of Record: John Tynan, P.Eng. 2023-02-17 Date: 2023-02-17
(Print Name / Provide Seal & Signature)

Engineering Firm: Webster Engineering Ltd. _____
(Print Name)

Design Criteria Sheet for Climate Change Resilience

Highway Infrastructure Engineering Design and Climate Change Adaptation
BC Ministry of Transportation and Infrastructure
(Separate Criteria Sheet per Discipline)
(Submit all sheets to the Chief Engineers Office at:
BCMoTI-ChiefEngineersOffice@gov.bc.ca)

Project: *Proposed 30-Lot Phased Subdivision*
Type of work: *Proposed Culverts*
Location: *Block A Group 1 NWD Except Portions in Plan 7134, 7360, 7481 and 7697 District Lot 1427*
Priestland Road, Halfmoon Bay, Sunshine Coast Regional District, BC
Discipline: *Civil Engineering*

Design Component	Design Life or Return Period	Design Criteria + (Units)	Design Value Without Climate Change	Change in Design Value from Future Climate	Design Value Including Climate Change	Adaptation Cost Estimate (\$)	Comments / Notes / Deviations / Variances
Culvert CC-1 1200 x 1800	200 yr RP	Rainfall Intensity (mm/h)	40.80	+40%	57.12	\$0	- See work including climate projections
Culvert CC-2 1200 x 2100	200 yr RP	Rainfall Intensity (mm/h)	38.40	+40%	53.76	\$0	- See work including climate projections
Culvert CULV-1 675mmø	200 yr RP	Rainfall Intensity (mm/h)	43.00	+40%	60.20	\$0	- See work including climate projections
Culvert CULV-2 750mmø	200 yr RP	Rainfall Intensity (mm/h)	41.50	+40%	58.10	\$0	- See work including climate projections
Culvert CULV-3 750mmø	200 yr RP	Rainfall Intensity (mm/h)	40.50	+40%	56.70	\$0	- See work including climate projections
Culvert CULV-4 750mmø	200 yr RP	Rainfall Intensity (mm/h)	40.30	+40%	56.42	\$0	- See work including climate projections

Explanatory Notes / Discussion:

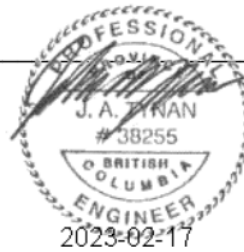
WEL was retained to design the Civil part of the 30-Lot subdivision, including the road design for Priestland Road. The road is crossing Kitchen Creek in two locations. There are additional culverts crossing the roads and driveways.

The sizing of the culverts was done by determining the maximum flow using the Rational Method for a storm frequency of 200 years plus the 1.40 change in design value for future climate change as per Ministry of Transportation and Infrastructure requirements.

The IDF Curve used is for Sechelt, BC and because does not provide information for a return period of 200 years, we multiplied the 100-year rainfall intensity with 1.20 factor.

The future climate change factor as per PCIC is 1.369 and was rounded up to 1.40.

Recommended by: Engineer of Record: John Tynan, P.Eng.
(Print Name / Provide Seal & Signature)



Date: February 17, 2023

Engineering Firm: Webster Engineering Ltd.

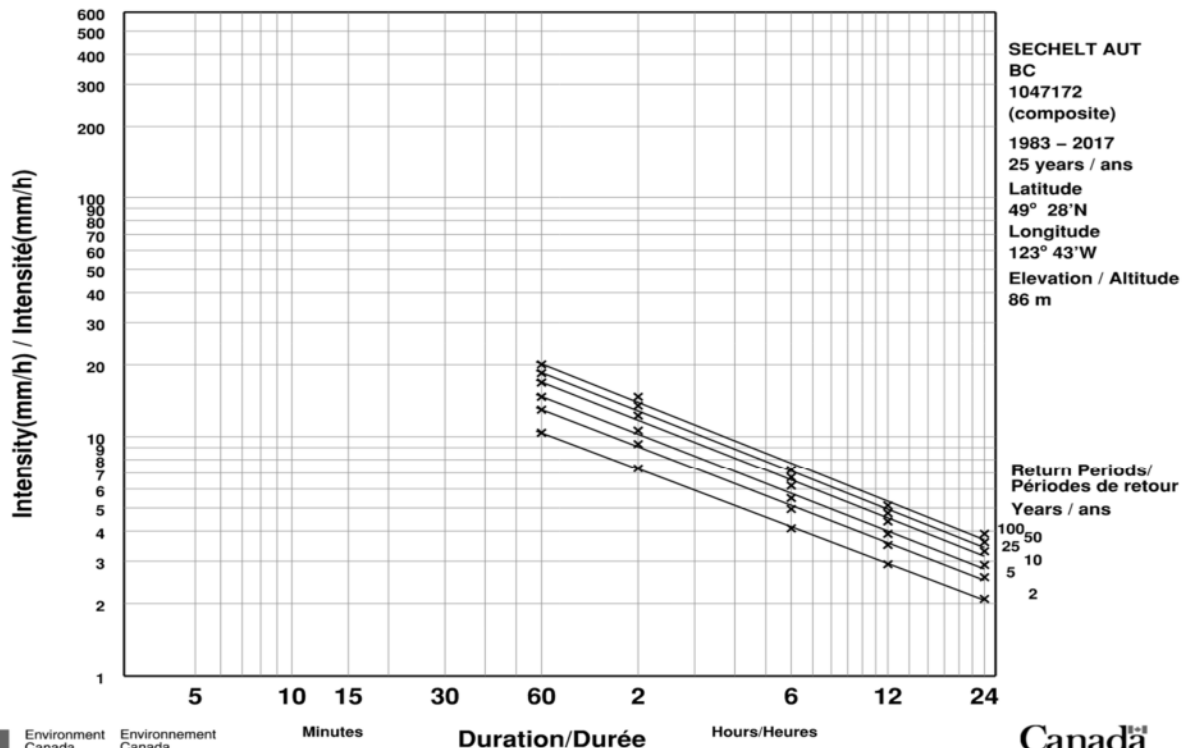
Accepted by BCMoTI Consultant Liaison: _____
(For External Design)

Deviations and Variances Approved by the Chief Engineer: _____
Program Contact: Chief Engineer BCMoTI

Short Duration Rainfall Intensity–Duration–Frequency Data

2021/03/26

Données sur l'intensité, la durée et la fréquence des chutes de pluie de courte durée



Page 33 of 60

Withheld pursuant to/removal as

Copyright

From: Randle, Susan J MOTI:EX(Susan.Randle@gov.bc.ca)
To: Moore, Jeffrey MOTI:EX (Jeffrey.Moore@gov.bc.ca)
Subject: RE: DCS Documents for 2017-04710
Sent: 08/22/2023 22:26:53

Hi Jeff,

I actually prefer the "official" project DCS over the subdivision one that seems to be a fairly new addition. I don't think the subdivision DCS properly addresses some things and the approval levels are definitely off.

I took a VERY quick look at the DCS, and note they're designing as an LVR which is inappropriate. It should be classified as a Rural Local, and correct, should be designed to 50km/h.

For the rest... definitely it sounds like water will be a point we want to pay attention to. A separate hydrological report for the creek crossing is required, in addition to the stormwater management plan for the conventional and strata subdivisions.

Thanks!

Susan Randle, P.Eng.

Senior Highway Design Engineer

Ministry of Transportation and Infrastructure
2100 Labieux Road, Nanaimo, BC, V9T 6E9
Phone: 250-734-4805 Email: Susan.Randle@gov.bc.ca

From: Moore, Jeffrey MOTI:EX <Jeffrey.Moore@gov.bc.ca>
Sent: Tuesday, August 22, 2023 3:23 PM
To: Randle, Susan J MOTI:EX <Susan.Randle@gov.bc.ca>
Subject: DCS Documents for 2017-04710

Hello Susan,

I dug through the file and found the attached DCS documents for this project. Brad Newton sent them to Louis Sun on July 13, but I guess they never got to you. The road DCS is on the wrong form, and I assume that you need to see it updated to the subdivision road DCS for a 50 km/h design.

We have received a geotechnical report which was reviewed by Scott Cosman and comments were sent back to the applicant in March. The requirement for a hydrotechnical assessment for the culverts was included in the reply. An updated report has not been submitted.

A drainage report has been requested a few times but is still on the list of things not received.

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: (236) 468-1920

From: Moore, Jeffrey MOTI:EX(Jeffrey.Moore@gov.bc.ca)
To: Alister Toma s.22
To: John Tynan (jtynan@webstereng.ca)
Subject: RE: Priestland - Redline Layout Revisions - For Discussion Purposes
Sent: 08/24/2023 15:38:39

Good morning, Alister,

I have reviewed the redline drawing to modify the subdivision layout to remove the upper crossing of Kitchen Creek and have the following comments.

Lands North of Kitchen Creek

- The highway design for Priestland Road needs to follow the requirements in Section 1400 of the BC Supplement to TAC for a 50 km/h local road. The DCS submitted with the design indicates a 30 km/h low volume road which is not acceptable to MOTI. An updated design and DCS must be submitted.
- The drawing shows a hammerhead turnaround at the end of the public highway. This needs to be changed to a cul-de-sac following Figure 1420.G of the BC Supplement to TAC. This will improve the frontage and access for Proposed Lots 4 and 5 and allow for a future link to the Crown land east of the property.
- Proposed Lots 4 and 5 will not have 10% frontage on a public highway and will require a frontage waiver from the SCR D board.
- Adding the area on the north side of the new highway as an additional lot within the bare land strata subdivision is acceptable.

Lands South of Kitchen Creek

- The proposed highway connection from Priestland Road to Block B, Reference Plan 1658 to the south may not be required. Block B has highway frontage on Priestland Road, and potential access from Cannon Road (9-metre-wide lane) and Cutlass Road (20-metre-wide highway). A review of the potential of constructing a public highway into Block B from the Priestland Road at a location along the highway frontage should be undertaken and if a viable location is confirmed, access through Block A does not need to be provided.
- Proposed Lots 11 and 12 have legal access from Priestland Road by way of 6-metre-wide panhandles and contour mapping indicates that construction of an access within the panhandle for Proposed Lot 12 may not be possible. The viability of the panhandle needs to be investigated further.
- Proposed Lots 7 and 8 have legal access from the proposed new highway by way of 6-metre-wide panhandles and a shared 10-metre-wide access easement is proposed for access. The easement would also be shared with Proposed Lots 10, 11, and 12. While consolidation of access to a single location is desirable, the function, operation and maintenance of the easement may be problematic in the long term. The design of the access and the terms of the easement agreement need to be reviewed. The need to obtain input from the local fire department has already been identified; however, discussions with the SCR D about servicing and house addressing need to occur.
- Proposed Lot 6 does not have any means of access. A potential solution would be to seek relief from s.75(1)(a) of the *Land Title Act* using an easement under B.C. Reg. 334/79. This could be an interim step with access to a public highway being provided when Block B develops.
- If access to Block B is not required as part of this subdivision, the preliminary layout could be altered to use one of the following:

- Develop the lands as a bare land strata subdivision (either separately or merged with the other bare land strata subdivisions) with a private strata road from Priestland Road. The strata road does not need to meet MOTI requirements and can be designed in accordance with good engineering practice suited to the intended use. Access to the strata road for all proposed lots is required.
 - Access to the proposed development could be achieved by using a common lot under B.C. Reg. 334/79. Like the strata road, the private road does not need to meet MOTI requirements and can be designed in accordance with good engineering practice suited to the intended use. The common lot is not given a title and ownership is shared among the lots benefiting from access. The common lot use would be limited to access and utilities by way of a covenant. Access to the private road for all proposed lots is required.
- The proposed lots do not appear to have 10% frontage on a public highway and will require a frontage waiver from the SCRD board.
 - As access to the lands will be from Priestland Road, the improvements shown on the drawing will need to be extended to the new access location. The requirement is that a hard surface be provided and while asphalt paving is preferred by MOTI, an alternative such as chip seal could be proposed. MOTI Engineering has noted that this could be acceptable as additional improvements to Priestland Road will be required when Block B develops, and asphalt paving could be undertaken then.

Other Issues

- The SCRD has identified that the SPEA area of Kitchen Creek meets the requirements for acquiring parkland within the OCP. The SCRD board may direct staff to initiate the process of obtaining the area. Should parkland be acquired, the subdivision layout will need significant alteration.

While the drawing submitted is a reasonable starting point, additional consideration must be given to addressing the above comments before the preliminary layout is finalized.

If you have any questions, let me know.

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: (236) 468-1920

From: Alister Toma s.22
Sent: Wednesday, August 23, 2023 1:20 PM
To: Moore, Jeffrey MOTI:EX <Jeffrey.Moore@gov.bc.ca>
Cc: John Tynan <jtynan@webstereng.ca>
Subject: Re: Priestland - Redline Layout Revisions - For Discussion Purposes

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Jeff,

I hope you're doing well. We are eagerly awaiting your feedback regarding the email below. We are hopeful that we can find a solution for lot 12 by utilizing the panhandle and the driveway. John is currently working on a detailed response to SCRD. We would greatly appreciate receiving your comments today or tomorrow.

Thank you in advance for your support.

Best,

Alister Toma

Director
Bayview Hills at Halfmoon Bay



W: www.bvhill.com
T: 604-770-8844
IG: @bayviewhills

Suite 710, 939 Homer st
Vancouver BC V6B2W6

On Aug 19, 2023, at 1:00 AM, Moore, Jeffrey MOTI:EX <Jeffrey.Moore@gov.bc.ca> wrote:

Good afternoon, Alister, and John,

Further to our video call on Tuesday regarding the above, I have been looking into alternatives for the lands south of Kitchen Creek that could be considered and possible changes in the requirements for Priestland Road like using chip seal instead of asphalt, and there are a few items that I need to discuss with MOTI's engineering group before I can finalize comments for you.

I am working to have those discussions either Monday or Tuesday and will have comments for you shortly after.

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: (236) 468-1920

From: Karlene Ostrosky(karlene@ostroskylawcorp.com)
To: Alister Toma s.22
To: Chris.Humphries@scrd.ca; Moore, Jeffrey MOTI:EX (Jeffrey.Moore@gov.bc.ca); Jonathan Jackson (Jonathan.Jackson@scrd.ca)
Subject: Re: Updated Referral for Subdivision 2017-04710 - Alister Toma, Cove Bay Developments Inc.
Sent: 08/30/2023 21:29:35

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon Chris,

Alister sent me a copy of the letter sent June 28, 2023. Despite the fact that I am not Alister's litigation lawyer and I am not assisting Alister with any issues between him and the SCRD, I did file the Disclosure Statement and therefore I need to better understand why you have raised the issue of marketing in your letter.

Alister was issued a PLR and SCRD preliminary approval conditions all which were within his control therefore complying with the requirements of REDMA.

Please explain why the SCRD believes marketing cannot continue and why the SCRD is claiming that Alister does not have "approval in principle"? We need the SCRD to provide clarity on this because when the Disclosure Statement was filed the SCRD had assured us that all zoning requirements and related had been met and the conditions were within the control of the developer. The SCRD further confirmed that the proposed development conformed with the zoning.

The disclosure statement was filed based on the assurances from the SCRD and the PLR.

Thank you,

Karlene Ostrosky, Lawyer

OSTROSKY LAW CORPORATION

201-1001 Gibsons Way

Gibsons B.C. V0N 1V8

P 604 886 5361 F 604 677 5482

E karlene@ostroskylawcorp.com

Begin forwarded message:

From: Chris Humphries <Chris.Humphries@scrd.ca>
Subject: RE: Updated Referral for Subdivision 2017-04710 - Alister Toma, Cove Bay Developments Inc.
Date: August 1, 2023 at 12:06:09 AM GMT+3
To: "Moore, Jeffrey MOTI:EX" <Jeffrey.Moore@gov.bc.ca>
Cc: Jonathan Jackson <Jonathan.Jackson@scrd.ca>, Julie Clark <Julie.Clark@scrd.ca>, "Newton, Brad MOTI:EX" <Brad.Newton@gov.bc.ca>, "Alister Toma s.22" <planning-redirected@contact.scrd.ca>
s.22 <planning-redirected@contact.scrd.ca>

<2023-July-31 SD000022 Planning Application Requirements Letter (Response to June 28, 2023 MoTI Referral 2017-04710).pdf>

From: Alister s.22
To: Moore, Jeffrey MOTI:EX (Jeffrey.Moore@gov.bc.ca)
Subject: Updated red line plan and comments
Sent: 09/08/2023 05:55:05
Attachments: DP-1 Development Plan - REDLINE REVISIONS - 2023-09-11 copy 4.pdf,
PastedGraphic-4.tiff

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Jeff,

Please find the latest red line plan attached. I've incorporated a modification to John's plan, and I'd like to propose a shift in the upper cul-de-sac's location, relocating it to the intersection of Cliff Road. This adjustment would involve providing lots 5, 4, and 13 with panhandles leading to the cul-de-sac, along with a dedicated panhandle walking path to Valley Road. This approach aims to create a more rural setting for a pedestrian pathway to the crown land, which appears to align with the residents' preferences.

In preparation for our meeting with the SCRD scheduled for this Wednesday, we've also put together a comprehensive response to the SCRD's letter dated July 31st. By minimizing the construction of extensive highways and proposing an alternative path to the crown land, we hope to foster a more rural atmosphere. I recall you mentioning that there's room to adjust the location of Valley Road. You may recall that we implemented a similar approach in Cove Beach in the past. Looking forward to discussing these proposed changes further.

We will engage in a discussion with the SCRD regarding their request for residents to have access to the SPEA for use as a natural walking path to the crown land. Our objective is to explore the possibility of them accepting an easement of the right of way over it, ensuring that the path can be established with minimal intrusion and privacy concerns for the parcels of land that border the SPEA.

I'd also like to highlight the enhanced layout of Lot 12 as well. John has mentioned that the new panhandle can accommodate a driveway for Lot 12, addressing the concern you previously raised.

Would you have a chance today to tomorrow to review this plan and discuss?

Best

Alister Toma

Director
Bayview Hills at Halfmoon Bay

W: www.bvhills.com
T: s.22
IG: @bayviewhills

Suite 710, 939 Homer st
Vancouver BC V6B2W6

Page 42 of 60

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Copyright

From: Alister s.22
To: Moore, Jeffrey MOTI:EX (Jeffrey.Moore@gov.bc.ca)
To: John Tynan (jtynan@webstereng.ca); Stephen Sims (steve@sartorienv.com)
Subject: Summary of discussion and moving forward
Sent: 09/25/2023 23:22:57
Attachments: CC-2 CULVERT CROSSING - KITCHEN CREEK (2021-12-13).pdf

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Jeff,

It was a pleasure speaking with you last week and making progress on our Halfmoon Bay Bayview Hills project. I'd like to confirm that we are eagerly awaiting your feedback on the following topics:

- Regarding the relocation of Valley Road to Lot B, near the proposed reservoir location, with a connecting road.
- The possibility of creating a walking trail that leads to the existing Valley Road walking path.
- Implementing a walking trail along the creek, as recommended by the SCRD.

I also have two additional inquiries:

- South Priestland Culvert Upgrade: Originally, John explored the idea of designing a culvert composed of three smaller culverts in one unit (see attached). This approach is believed to be more environmentally friendly, less intrusive, and feasible to install during the wet season. We're uncertain about who's the authority to review the design for this culvert upgrade but John suggests it might fall under MOTI. In 2021, WSA expressed a preference for a single large culvert, which could be a complex process involving the removal of the existing culvert and addressing water flow. John is considering sending you a sketch for further discussion.
- Parcel B PLA: We submitted a PLA application for Parcel B in late 2021. However, it has come to my attention that the PLA process has been stalled primarily due to the unresolved water situation on Parcel B. Currently, we have this property, Parcel B, under contract, but due to recent developments, we are in the process of renegotiating the terms and have had to reopen discussions with the seller. In light of these circumstances, I would like to inquire about the possibility of withdrawing the PLA application. If we proceed with this withdrawal, is it feasible to obtain a refund for the application fee? I made the payment for this fee using a Cove Bay Developments check. In the event of a refund, would it be issued to Cove Bay Developments or the registered property owner?

Thanks in advance for your support and collaboration
Alister

From: [Alister Toma](#)
To: [Moore, Jeffrey MOTI:EX](#)
Cc: [John Tynan](#)
Subject: Re: Updated red line plan and comments
Date: October 1, 2023 4:22:00 PM
Attachments: [PastedGraphic-4.tiff](#)

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello Jeff,

I appreciate your ongoing correspondence, and I'm excited to share some promising developments with you. It appears that we have finally arrived at a reasonable and workable solution for potable and firewater with the SCRD. I'm hopeful that John will be able to integrate your valuable comments, as well as those from the SCRD, into our plans. As we are stepping away from Lot B due to various disagreements with the seller and their failure to meet contractual obligations, we are now focused on installing a reservoir on Parcel A, with no further considerations for Parcel B's future development.

On the topic of future development for Parcel B, I'd like to express some thoughts the entrance to Lot B would be closer to the Redroofs Road and South Priestland intersection from the other side, so it is unlikely someone would drive from Priestland BVH entrance all the way to the other side if they intended to enter Lot B as they would most likely enter from the other wide of Priestland / Redroofs. Additionally, what if a developer for Parcel B chooses to develop it from the Welcome Beach side (and do it in phases like we are looking at doing on Parcel A which is more feasible ? Considering these factors, it's possible that Priestland may ultimately become a local road rather than a collector road, as the two parcels are now entirely independent of each other.

Here are a few key points to highlight their independence:

- They no longer share any septic facilities, although they did when Lot B's current owners initially applied for the PLA for Lot A.
- Access points between the two parcels are no longer shared.
- They have separate water reservoirs and water systems. Lot B will need its own reservoir, especially since most of its parcels lie above the 65-meter elevation, while nearly all of Parcel A's lots lie below this elevation. The current reservoir will only provide the required flow rate that the SCRD demands up to the 80-meter mark and the necessary pressure up to the 58-meter mark. Therefore, Parcel B would need to construct its own reservoir when someone eventually takes over its development. Furthermore, it would require rezoning to fully utilize its subdivision potential. Currently, it can only be subdivided into approximately the same number of parcels as Parcel A due to Parcel A's higher density.
- Regarding Valley Road access, there are already roughed-in roads on Parcel B, as the owners extensively logged the parcel in 2018, which can be verified on Google Earth. This suggests that driving through Parcel B and utilizing the new Valley Road should be a feasible option.

I hope this information provides you with a clearer understanding of the current situation and

our evolving plans. Your insights and feedback are always appreciated as we navigate these developments. Ill be discussing with John the other points you raised in regards to the highway design and we should hopefully have an update for you early this week
Best regards,

Alister Toma

Director
Bayview Hills at Halfmoon Bay



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IG: @bayviewhills

Suite 710, 939 Homer st
Vancouver BC V6B2W6

On Sep 26, 2023, at 3:55 PM, Moore, Jeffrey MOTI:EX
<Jeffrey.Moore@gov.bc.ca> wrote:

Good afternoon, Alister and John,

Further to our Teams meeting on September 20, 2023, below are my comments on the items discussed.

Access to Lands Beyond

As we discussed, the current highway alignment connects to an area on the adjacent Crown lands where the topography is not conducive to the construction of a public highway. The potential future development of Parcel B to the south provides a significantly better option for vehicular access to the Crown lands and I agree that this is a better option. I have no objections to vehicular access being delayed until Parcel B develops, and access can be provided in the vicinity of the reservoir proposed on Parcel B.

We also discussed pedestrian access to the Crown lands and the SCRD's intent for park

dedication to allow for a pedestrian trail giving access from Coopers Green Regional Park to the Crown land. A trail as proposed by the SCRCD would be suitable for pedestrian access and highway dedication may not be required. Once the park dedication has been resolved, we can discuss pedestrian access further.

Highway Design

As vehicular access to the Crown lands is not necessary and reasonable as noted above, the relocation of the cul-de-sac west closer to Priestland Road can be considered. You can propose any alternate design you want; however, please keep in mind that access by a public highway to the proposed strata road and to the lots on the north side of Kitchen Creek must be provided.

The previous highway design was reviewed by MOTI Engineering and comments that are applicable to your redesign are as follows:

- *Design Criteria Sheet*
 - We need a separate DCS for each road being constructed (i.e., one for Priestland Road, one for the cul-de-sac and one for the new proposed road south of Kitchen Creek connecting to Parcel B).
 - DCS is required to use MOTI Functional and Design Classifications.
 - Subdivision roads are not Low Volume Roads. Please revise classification.
 - MOTI will not accept a 30km/h design speed for Priestland Road. Roads may not be arbitrarily posted at a lowered speed than what is established through formal processes at MOTI. As discussed, a 30 km/h design may be accepted for the cul-de-sac due to the short length.
 - Approach to a stop sign is not a valid reason for reducing design values below design speed.
 - Design vehicle designation should conform with TAC standards. BC Supplement recommends intersections and road designs accommodate, at minimum, an I-BUS. Conformance with this design vehicle should be confirmed.
 - There will be further development of Parcel B in future. This means it's more important that Priestland road operate as a collector, rather than a local. This includes ensuring design elements meet a 50km/h design speed to ensure safety.
- *Highway Design*
 - In various places, cut/fill slopes terminate outside of the dedicated highway. In most places, the cut/fill slope is too close to the property line. Highway dedication should be expanded in locations to include top of cut/toe of fill plus 3m (per BC Supplement).
 - Utilities need to be checked for conformance with the Utility Policy Manual.

Most utilities are within the road, which is undesirable from MOTI's perspective.

- Construction notes cite MMCD. MOTI roads are required to be constructed to the Standard Specifications for Highway Construction.
- K values are too small in almost all cases, and do not meet 50km/h design speeds.
- Horizontal curves are too small for design speed. Design should not combine maximum grades with minimum horizontal curves. Grade should be reduced by 1% (from 10%) for each 30m of radius below 150m. Design currently proposed 50m radius curves within a 12% grade. MOTI will not accept this.
- Construction notes on geometric drawings reference SCRDC general specifications and the need to meet approval by SCRDC. MOTI is the approving authority, and construction must meet MOTI specifications.
- Dimensions for cul-de-sac aren't given. Cul-de-sac must be designed per figure 1420.G of the BC Supplement
- Given horizontal and vertical curves through intersections, sight triangles and sight distances need to be confirmed.
- South Priestland Road terminates with no turnaround. Does it connect to a previously constructed stub? If not, the road needs to be constructed all the way to Redroofs Road, or a suitable to-standard turnaround needs to be provided.

As discussed, the portion of Priestland Road from Redroofs Road to the cul-de-sac and the cul-de-sac itself must have asphalt pavement, but you can propose an alternative hard surface material for the other part of Priestland Road and the new proposed road south of Kitchen Creek connecting to Parcel B as an interim step until development of Parcel B occurs. MOTI will need to agree with the reduced pavement standard proposed.

We also discussed the potential to change the intersection alignment between Priestland Road and the cul-de-sac. Placing emphasis on Priestland Road does make sense as another through highway further east is no longer contemplated.

Highway Names

As discussed, the existing dedicated public highway is named Priestland Road in MOTI's inventory. This includes the section named on the drawings as South Priestland Road. The existing highway name must be retained, and new names established for the cul-de-sac and the other new road proposed. You can propose up to three names for each highway for consideration by MOTI. The names should be different than Priestland Road to ensure no confusion for emergency response in the future.

Lot Layout

As you noted during the meeting, the lots on the north side of Kitchen Creek will need to be reconfigured once details of the SCRD park dedication are finalized. We will provide additional comments once a revised design for these lots has been submitted.

The lot configuration for the lands south of Kitchen Creek is generally acceptable; however, as we discussed, access to Parcel B may not be required and if the intent is to reconfigure these lots, please ensure that all lots proposed have access available from Priestland Road.

Phasing

If your intent is still to complete the development using multiple plans, the preliminary layouts previously provided will need to be updated to match the revised overall layout.

I have also considered the questions raised in your email from yesterday.

The Kitchen Creek culvert must meet MOTI requirements for flow capacity and structural design; however, MOTI's infrastructure is also subject to environmental requirements for works within a stream. Appropriate environmental approvals must be obtained, no matter what design option is chosen.

With respect to the subdivision application for Parcel B (MOTI file 2021-06674), I note that the applicant is Kevin Healy with Creus Engineering, and the owner is Cliff Grandison. We can close the file should they request it, but subdivision fees are non-refundable so we cannot provide a refund. You may want to discuss this issue with them further as you paid the preliminary subdivision fee and have an interest in being the applicant/owner for this application once you purchase Parcel B. A subdivision file can be reassigned to the purchaser by the seller as part of a land purchase agreement, but we would need written authorization from the seller to make that change in our system.

If you have any questions regarding the above, let me know.

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: (236) 468-1920

From: Alister Toma s.22

Sent: Thursday, September 7, 2023 10:55 PM

To: Moore, Jeffrey MOTI:EX <Jeffrey.Moore@gov.bc.ca>

Subject: Updated red line plan and comments

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Jeff,

Please find the latest red line plan attached. I've incorporated a modification to John's plan, and I'd like to propose a shift in the upper cul-de-sac's location, relocating it to the intersection of Cliff Road. This adjustment would involve providing lots 5, 4, and 13 with panhandles leading to the cul-de-sac, along with a dedicated panhandle walking path to Valley Road. This approach aims to create a more rural setting for a pedestrian pathway to the crown land, which appears to align with the residents' preferences.

In preparation for our meeting with the SCRD scheduled for this Wednesday, we've also put together a comprehensive response to the SCRD's letter dated July 31st. By minimizing the construction of extensive highways and proposing an alternative path to the crown land, we hope to foster a more rural atmosphere. I recall you mentioning that there's room to adjust the location of Valley Road.

You may recall that we implemented a similar approach in Cove Beach in the past. Looking forward to discussing these proposed changes further.

We will engage in a discussion with the SCRD regarding their request for residents to have access to the SPEA for use as a natural walking path to the crown land. Our objective is to explore the possibility of them accepting an easement of the right of way over it, ensuring that the path can be established with minimal intrusion and privacy concerns for the parcels of land that border the SPEA.

I'd also like to highlight the enhanced layout of Lot 12 as well. John has mentioned that the new panhandle can accommodate a driveway for Lot 12, addressing the concern you previously raised.

Would you have a chance today to tomorrow to review this plan and discuss?

Best

Alister Toma

Director
Bayview Hills at Halfmoon Bay

W: www.bvhill.com

T: 604.22

IG: @bayviewhills

Suite 710, 939 Homer st
Vancouver BC V6B2W6

From: Alister s.22
To: Moore, Jeffrey MOTI:EX (Jeffrey.Moore@gov.bc.ca)
To: John Tynan (jtynan@webstereng.ca)
Subject: Proposal for Strata parcels approvals in phase 1
Sent: 10/12/2023 21:06:26

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Jeff,

Hope all is well. Things are making progress with SCRD, and VCH. We're currently in the process of adding a pathway along the creek to meet SCRD requirements.

Now, we're considering changes to Phase 1, as reflected in the red line draft, with the aim of closing sales for Parcels 16 and 17, and possibly SL A and SL B.

There's also a plan for a water reservoir located at the upper part of SL D, as this is a requirement to meet the necessary water flow standards set by SCRD. The idea is to use a 150 mm HDPE pipe to bring fill water from Priestland through the proposed driveway that passes through Lots 18 and 19, up to the reservoir. Then, we'd run a distribution water main down to service Lots 16 and 17, along with Lots 19 and 20, SL A, and SL B and possibly other strata lots

While more detailed red lines are on their way, We believe this approach aligns with the SCRD's request to minimize disruption on Priestland Road, especially considering their land borders it to the west.

The question I wanted to ask you is: if we make Cliff Road drivable (accessible with a fire truck) and only pave Priestland Road (for phase 1) up to lot 16 (as shown in the draft red line) would that be sufficient from MOTi to give subdivision approval for the strata lots (if SCRD gives approval once they are serviced by water from the reservoir?) given the rest of Priestland Road (which would be roughed in and drivable up to Cliff Road and Cliff road roughed in and drivable

Our current objective is to finalize the sale of pre-sold lots that can be easily made available to satisfy our buyers, enhance the project's reputation which has compromised due to all the 18 months challenges and delays we've experienced)

Thanks in advance for your support and collaboration
Alister

From: Alister s.22
To: Moore, Jeffrey MOTI:EX (Jeffrey.Moore@gov.bc.ca)
To: John Tynan (jtynan@webstereng.ca)
Subject: Re: Proposal for Strata parcels approvals in phase 1
Sent: 10/18/2023 20:10:52
Attachments: DP-1 Development Plan - REDLINE REVISIONS - 2023-08-08 copy SOLD phase 1.pdf

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Jeff just following up on my email from last weel

It appears I didn't attach the draft red line plan with the draft stage so here it is. Perhaps we can schedule a time to discuss this over the phone to walk you through it ...

Are you available Friday?

Regards,
Alister

On Oct 13, 2023, at 12:06 AM, Alister Toma s.22

wrote:

Hi Jeff,

Hope all is well. Things are making progress with SCRD, and VCH. We're currently in the process of adding a pathway along the creek to meet SCRD requirements.

Now, we're considering changes to Phase 1, as reflected in the red line draft, with the aim of closing sales for Parcels 16 and 17, and possibly SL A and SL B.

There's also a plan for a water reservoir located at the upper part of SL D, as this is a requirement to meet the necessary water flow standards set by SCRD. The idea is to use a 150 mm HDPE pipe to bring fill water from Priestland through the proposed driveway that passes through Lots 18 and 19, up to the reservoir. Then, we'd run a distribution water main down to service Lots 16 and 17, along with Lots 19 and 20, SL A, and SL B and possibly other strata lots

While more detailed red lines are on their way, We believe this approach aligns with the SCRD's request to minimize disruption on Priestland Road, especially considering their land borders it to the west.

The question I wanted to ask you is: if we make Cliff Road drivable (accessible with a fire truck) and only pave Priestland Road (for phase 1) up to lot 16 (as shown in the draft red line) would that be sufficient from MOTi to give subdivision approval for the strata lots (if SCRD gives approval once they are serviced by water from the reservoir?) given the rest of Priestland Road (which would be roughed in and drivable up to Cliff Road and Cliff road roughed in and drivable

Our current objective is to finalize the sale of pre-sold lots that can be easily made available to satisfy our buyers, enhance the project's reputation which has compromised due to all the 18 months challenges and delays we've experienced)

Thanks in advance for your support and collaboration
Alister

Page 55 of 60

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Copyright

From: [Alister Toma](#)
To: [Moore, Jeffrey MOTI:EX](#)
Cc: [John Tynan](#)
Subject: Re: Lot 6
Date: October 25, 2023 6:57:49 AM

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Jeff

Thanks for the prompt response ... Ill discuss this with SCRD in this case ...

On Oct 24, 2023, at 8:19 PM, Moore, Jeffrey MOTI:EX
<Jeffrey.Moore@gov.bc.ca> wrote:

Hello Alister,

When considering access for your Proposed Lot 6, the relevant legislative requirements are as follows.

Under s.75(1)(a) of the Land Title Act, necessary and reasonable access to all new parcels must be provided. Where a public highway that meets the requirements cannot be provided, relief under s.76(1) of the Land Tital Act can be requested. In considering a request for relief, s.76(2) of the Land Title Act requires that regulations relating to subsection (1) be followed.

The Land Title Act Regulation (B.C. Reg. 334/79) has been established and Part 2, Division 1 covers the alternatives to providing public highway. To be considered, s.8 of the Regulation requires that the subdivision be consistent with good land use planning and is not contrary to the public interest. Input from the regional district is typically sought to confirm that the proposal aligns with their land use bylaws. Consideration will be given to the future use of the lot, subdivision potential and servicing. Should the proposal be found consistent with good land use planning, consideration can then be given to the alternatives in the Regulation.

Access by easement is covered by s.9 of the Regulation. Relief can be considered where the subdivision creates a single parcel that does not abut a public highway and the subdivider proposes to grant an access easement to the new parcel from a public highway.

While the possibility of replacing access by easement with a future access by public highway will be considered, it is not required and the intent of the review under the Regulation is to determine if the new parcel can function with access by easement only.

As you note, a future access from a public highway may never be established.

Your revised site layout can propose access by easement for one lot and details why the easement is being proposed should be included in the application. An updated referral with your revised layout will be sent to the SCRD. You may want to discuss the intent to request access by easement for one lot with the SCRD beforehand to determine if such a proposal is consistent with their land use plans.

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: (236) 468-1920

From: Alister Thomas
Sent: Friday, October 20, 2023 9:26 AM
To: Moore, Jeffrey MOTI:EX <Jeffrey.Moore@gov.bc.ca>
Cc: John Tynan <jtynan@webstereng.ca>
Subject: Re: Lot 6

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello Jeff,
I'm not certain if you're back yet, but I'm reaching out regarding Lot 6. I just wanted to clarify. My understanding was that MOTI can make 1 exception for a parcel to having a highway frontage in a subdivision, provided there's a potential connection to a highway in the distant future through another means, such as if it adjoins another subdivision site, as Lot 6 does. However, I am not obligated to guarantee this. For example, we are uncertain about how and when Lot B might be developed in the future.

Thanks

Alister

From: Alister Tomas.22
To: Moore, Jeffrey MOTI:EX (Jeffrey.Moore@gov.bc.ca)
To: John Tynan (jtynan@webstereng.ca)
Subject: Project Update and Request for MOTI Approval: Proposed Phasing for Lots 16-19
Sent: 11/06/2023 23:58:38
Attachments: DP-1 Development Plan - Phase 1 REDLINE REVISIONS - 2023-10-19 - Baseline copy 2.pdf

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Jeff

Hello Jeff,

I hope you're well. Thank you for responding to my query in regards to parcel 6. I wanted to provide you with an update on our current project phasing. Given the presale status of parcels 16 and 17, along with potential interest in parcel 18, we are proposing to the SCR D that phase 1 be dedicated to lots 16-19. VCH has expressed their willingness to approve the subdivision for these lots, on the condition that no occupancy permit is granted without the finalized VCH system or a VCH covenant in place. We are also actively collaborating with the SCR D water department to ensure that the Redroofs water main can deliver sufficient fire flow, which we believe it might at the required pressure.

I wanted to share this information with you and inquire if, upon confirming our capability to meet the required water fire flow, the last step of the approval process would involve MOTI granting us permission to work and develop the Priestland right-of-way up to the designated lots (which is about the first 180-200 meter of Priestland as per attached draft plan). Are we close to getting an approval on Priestland ?

Looking forward to your response

Alister

On Oct 24, 2023, at 8:19 PM, Moore, Jeffrey MOTI:EX <Jeffrey.Moore@gov.bc.ca> wrote:

Hello Alister,

When considering access for your Proposed Lot 6, the relevant legislative requirements are as follows.

Under s.75(1)(a) of the Land Title Act, necessary and reasonable access to all new parcels must be provided. Where a public highway that meets the requirements cannot be provided, relief under s.76(1) of the Land Title Act can be requested. In considering a request for relief, s.76(2) of the Land Title Act requires that regulations relating to subsection (1) be followed.

The Land Title Act Regulation (B.C. Reg. 334/79) has been established and Part 2, Division 1 covers the alternatives to providing public highway. To be considered, s.8 of the Regulation requires that the subdivision be consistent with good land use planning and is not contrary to the public interest. Input from the regional district is typically sought to confirm that the proposal aligns with their land use bylaws. Consideration will be given to the future use of the lot, subdivision potential and servicing. Should the proposal be found consistent with good land use planning, consideration can then be given to the alternatives in the Regulation.

Access by easement is covered by s.9 of the Regulation. Relief can be considered where the subdivision creates a single parcel that does not abut a public highway and the subdivider proposes to grant an access easement to the new parcel from a public highway.

While the possibility of replacing access by easement with a future access by public highway will be considered, it is not required and the intent of the review under the Regulation is to determine if the new parcel can function with access by easement only. As you note, a future access from a public highway may never be established.

Your revised site layout can propose access by easement for one lot and details why the easement is being proposed should be included in the application. An updated referral with your revised layout will be sent to the SCRD. You may want to discuss the intent to request access by easement for one lot with the SCRD beforehand to determine if such a proposal is consistent with their land use plans.

Thanks.

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

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From: Alister Toma^{s.22}
Sent: Friday, October 20, 2023 9:26 AM
To: Moore, Jeffrey MOTI:EX <Jeffrey.Moore@gov.bc.ca>
Cc: John Tynan <jtynan@webstereng.ca>
Subject: Re: Lot 6

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Hello Jeff,

I'm not certain if you're back yet, but I'm reaching out regarding Lot 6. I just wanted to clarify:. My understanding was that MOTI can make 1 exception for a parcel to having a highway frontage in a subdivision, provided there's a potential connection to a highway in the distant future through another means, such as if it adjoins another subdivision site, as Lot 6 does. However, I am not obligated to guarantee this. For example, we are uncertain about how and when Lot B might be developed in the future.

Thanks

Alister

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