



BOWEN ISLAND MUNICIPALITY

April 30, 2013

Sent by Email to: [don@\[REDACTED\]](mailto:don@[REDACTED])

Don and Isabel Ho
[REDACTED] Street
[REDACTED]
[REDACTED]

Dear Mr. Ho

Subject: Proposed Private Moorage Construction, Lot 13, 1830 Cape Drive, Cape Roger Curtis

This letter is in response to your letter dated April 23, 2013 and the accompanying submission regarding the proposed construction of a private moorage on Lot 13, 1830 Cape Drive. The submission consists of:

- Drawings (eight sheets) by Wakefield Hanson Maine Services dated March 17, 2013;
- Balanced Environmental Habitat Dive Study dated April 13, 2012; and
- A letter review of design drawings and environmental assessment from Pottinger Gaherty Environmental Consultants dated April 23, 2013.

Our letter to you dated March 25, 2013, stated that construction was **not** to proceed until Bowen Island Municipality (BIM) had an opportunity to review your complete submission package and to determine and confirm that it meets all applicable bylaws, regulations and covenants. This is consistent with the requirements of provincial approval of your lease. Contrary to this direction, in responding to a complaint it was determined that construction of pilings was underway on April 26, 2013.

Municipal staff spoke with the Ryan Daley, General Manager, Wakefield Hanson, who assured the municipality that prior to pouring concrete for deck footings, the deck platform is scaled back meet the required setback from the north water lease boundary lines as required by the WG1 – Water Uses Zone-Coastal zone of Bowen Island's Land Use Bylaw. Please submit revised drawings that illustrate that the minimum 1.5 metre setback has been met.

Having now reviewed the submission, we advise as follows:

1. You must clarify the location of the proposed construction with respect to the eastern license of occupation boundary.
2. Please dimension the height of the eastern steel pipe pile to concrete footing (bent 0) on sheet six to confirm that the approach-ramp will not limit the use of or divide the beach. Dimension the width of the area where individuals can pass under the deck platform at high tide.
3. The drawing notes on sheet six state that walkways shown are conceptual and that approach and gangway engineering drawings are to be provided. Please submit the final engineered

drawings so that they can be reviewed for compliance. Insure that these drawings specify how they meet or exceed the environmental consultant's mitigation measures. For example, specify the width of the proposed timber decking as well as the ½" spacing between boards to illustrate the measures being taken to ensure that light can pass through the structure.


4. Submit certification from the wood manufacture/provider that the wood that to be used for the proposed development shall have the BMP certification mark as required by the LUB.

The Land Use Bylaw requires that the proposed construction will not negatively impact eelgrass meadows, kelp beds, clam beds or mussel beds. The Balanced Environmental and the Pottinger Gaherty submissions both state that Best Management Practices (BMPs) can be employed to avoid and mitigate impacts to kelp beds, clam beds and mussel beds. Both submissions identified specific mitigation measures and BMPs to be applied to the proposed construction. The following documentation is needed:

- Explanation from Wakefield Hanson as to how the mitigation measures and BMPs identified by Balanced Environmental and the Pottinger Gaherty submissions will be met through the proposed construction and provide assurance that these mitigation measures and BMPs will be undertaken;
- Confirmation of engagement of an environmental professional to provide onsite environmental monitoring, as recommended by Pottinger Gaherty, to ensure compliance with the Balanced Environmental and the Pottinger Gaherty BIMs and mitigation measures over the duration of the proposed construction; and
- The Environmental Construction Management Plan recommended by Pottinger Gaherty.

This documentation is to be submitted prior to construction. Please contact Keith Wahlstrom, Manager of Development and Operations or Judy McLeod, Contract Planner at 604 947-4255 if you have further questions.

Sincerely,


Kathy Lalonde, CAO

Bowen Island Municipality

cc: Keith Wahlstrom, Manager of Development and Operations
Judy McLeod, Contract Planner
Annie Dempster, Island Community Planner
Bonny Brokenshire, Bylaw Services Officer