



**VILLAGE OF SAYWARD
REGULAR COUNCIL MEETING AGENDA
July 14, 2020 – 7:00 PM**

1. Call to Order

2. Public Input (maximum 30 minutes)

A) Questions from Darryl Lyons and Lee Ettinger

B) Mayor: "Public Input is for the purpose of permitting people in the gallery to provide input and shall be no longer than 30 minutes unless approved by majority vote of Council; each speaker may provide respectful comment on any topic they deem appropriate and not necessarily on the topics on the Agenda of the meeting; the public input opportunity is meant for input and questions and answers. Each speaker may not speak longer than 2 minutes but may have a second opportunity if time permits. Each speaker must not be allowed to speak regarding a bylaw in respect of which a public hearing has been held. For the record please state your name and address."

3. Introduction of Late Items – N/A

4. Approval of Agenda

That the agenda for the Regular meeting of July 14, 2020 be approved

5. Minutes of Previous Meetings –

That the regular meeting minutes from June 25, 2020 be approved

6. Petitions and Delegations – N/A

7. Correspondence – N/A

8. Council Reports – N/A

9. Reports of Committees – N/A

10. Mayor's Report – N/A

11. Unfinished Business

To discuss the Newcastle Dam project.

12. Staff Reports – N/A

13. Bylaws - N/A

14. New Business

1. To discuss the application for rezoning from Mike Adama

2. To discuss the reason for the vote of non-confidence for the removal of Bill Ives as acting mayor.

3. To discuss the hiring of an Elections Officer

15. Public Question Period (maximum 15 minutes) – N/A

Mayor: “The purpose of the public question period is to permit people in the gallery to ask questions about the issues discussed by Council during the meeting. Speakers will be allowed to ask one question each. If time permits, after everyone has had an opportunity to ask questions, speakers will be allowed to ask a second question. For the record, please state your name and address.”

16. In-Camera – Preparation to go in Camera

THAT in accordance with Section 92 of the *Community Charter*, this Council meeting will be closed to the public at this time in order that Council may give consideration to matters in accordance with Section 90 (1)(a) of the *Community Charter* personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality.

17. Adjournment

Recommended Resolution:

THAT the Meeting of Council for July 14, 2020 be adjourned.



**VILLAGE OF SAYWARD
MINUTES
REGULAR COUNCIL MEETING
June 25, 2020**

Present: Councillor Norm Kirschner
Councillor Wes Cragg
Acting Mayor Bill Ives

In Attendance: Mavis Alkenbrack, DAO/DFO Acting CO

1. Call to Order

Meeting was called to order at 7:33 PM.

2. Public Input - None

3. Introduction of Late Items

4. Approval of Agenda

MOTION R20/101

MOVED AND SECONDED

That the agenda for the Regular Meeting of Council for June 25, 2020 be approved.

CARRIED

5. Minutes of Previous Meetings

MOTION R20/102

That the Minutes for the Regular meeting of Council on June 9, 2020 be approved.

CARRIED

6. Petitions and Delegations – None

7. Correspondence - None

8. Council Reports - None

9. Reports of Committees - None

10. Mayor's Report - None

11. Unfinished Business – None

12. Staff Reports

13. Bylaws - None

14. New Business

1. Bylaw 469 – In regards to the delaying of Property Tax penalties to October 1, 2020
1st, 2nd and 3rd reading

Motion R20/103

CARRIED

4th reading

Motion R20/104

CARRIED

2. Open Council Meetings to the Public – Discussed that the meetings will be held in the Kelsey Center gymnasium, with seating for up to 50 people at 6 feet apart. To have someone at the door to make sure that village people are able to be in attendance and to count for only 50 people. Outside there will be spacing marked for social distancing. Village residents to arrive 15 minutes early and allowed in and then Valley residents to arrive 5 minutes early if seating is available.

Motion R20/105

CARRIED

3. Newcastle Dam Project – The letter from Selina Robinson identifies that we will not be receiving any more funding for the New Castle Dam project and that a loan would be in order.

Stating that approximately \$196,000.00 is needed after the draining of both reserves and that is not taking into consideration any short falls that could happen as it did last year.

Discussed the terms and conditions of a long or short term loan through MFA.

That the terms for the grant that was received for the project has a completion date of March 31, 2021. What is required if the project is not completed by that time?

Suggested to look into an extension on the grant requirements, and to reduce budget where applicable to be able put towards the project. Will discuss more at the next meeting as the funds will have to be secured before the go ahead.

Motion to table to a later date when more information can be available.

Motion R20/106

CARRIED

15. Public Question Period - Request from Mark Baker a Town Hall Meeting – Council has decided that it is not needed because the next meeting will be open to the public.

Motion R20/107

CARRIED

Request from Lisa Clark – Request for the meeting recordings – Council has stated that the written minutes are posted and that there is no requirement for the recordings to be posted. Request is denied.

Motion R20/108

CARRIED

16. In-Camera – Preparation to go in – Camera

THAT in accordance with Section 92 of the *Community Charter*, this Council meeting will be closed to the public at this time in order that Council may give consideration to matters in accordance with Section 90 (1)(a) of the *Community Charter* personal information about an

identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality

Motion R20/109

CARRIED

Meeting Adjourned at 8.09: pm

Mayor

June 15, 2020

Village of Sayward
652-A H'Kusam Way
Sayward, BC, V0P 1R0

Attention: Mavis Alkenbrack
Deputy Finance/Administration Officer

Sayward Road Proposed Rezoning to permit single family home and RV development

PROPOSAL

We are requesting the rezoning of a portion of PID: 000-568-309 (Sayward Rd) to enable a single-family subdivision and a RV campground/ Tourist Accommodation. The proposed rezoning includes:

- Rezoning a portion of the property from RU-1 to R-1; and,
- Rezoning a portion of the property from RU-1 to C-2 to enable the RV/Tourist Accommodation

We have included the following information in support of this application:

- 1) Letter of Authorization
- 2) Project summary
- 3) Complete application form
- 4) Draft Concept plan showing the proposed uses and delineating all known natural features, access points.
- 5) Proposed Zoning Map
- 6) Title Search
- 7) Servicing requirements report

SITE CONTEXT

The property is located at the end of Sayward Road directly west of the marina overlooking Kelsey Bay to the east. The surrounding properties to the south, and west are predominantly vacant rural property with a RV park located directly north (see Figure 1).



Figure 1: Subject Property and Surrounding lands

OFFICIAL COMMUNITY PLAN

The subject property is designated as Comprehensive Development Area 2 (CDA-2). The intent for the CDA-2 designation is to provide for mixed density residential uses and tourist accommodation such as RV parks. The OCP states (Pg. 10):

"Three Comprehensive Development Areas have been specifically established to provide for flexible land use planning, to take advantage of future opportunities in tourism, marine services, residential, industrial, and commercial ventures. The village seeks to attract responsible, sustainable, development to build on the considerable assets currently in place."

Further, the OCP CDA-2 specific policy support the proposal:

1. Development in the CDA-2 is intended to provide for mixed density residential, and tourist accommodation services.
2. Permitted uses in the CDA-2 may include mixed density residential development, senior's housing, and tourism accommodation, including RV parks.
3. The CDA-2 designation provides unique vistas across the Salmon Bay and Johnstone Strait; development should be oriented toward these views.

The proposed single detached residential subdivision and recreational vehicle campground was designed to meeting the CDA-2 policies and justifications listed above.

ZONING

The current zoning on the property is Rural One (RU-1). To enable the proposed development, the land needs to be rezoned to the following zones:

- Residential One (R-1)
- Commercial Two (C-2)

Residential One (R-1)

Residential One is a single-family dwelling zone. The minimum lot size is 668 m² with a lot coverage of 70%. This proposed zone is consistent with the Official Community Plan CDA-2 land use designation.

Commercial Two (C-2)

The Commercial Two zone is a mixed commercial zone with limited retail commercial with a focus on service commercial such as restaurants, pubs and tourist accommodation. This proposed zone is consistent with the Official Community Plan CDA-2 land use designation.

We look forward to working with you on this project. If you have any questions, please contact the undersigned.

Sincerely,
McElhanney Ltd.


Kevin Brooks, RPP, MPlan
kbrooks@mcelhanney.com | 778-560-2371





Application to Amend a Zoning Bylaw

LEGAL DESCRIPTION

(see your Tax Assessment Notice or Certificate of Infeasible Title)

See attached. for legal.

Name of Street:	Sayward Rd.	Street Number (if known):	
-----------------	-------------	---------------------------	--

OWNER

Name:	Mike Adama / 094704 BC Ltd., Inc No. 0947204		
Mailing Address:	PO Box 3657, Courtenay, BC.	Postal Code:	V9N 7P1
Home Phone:		Business Phone:	
		FAX:	

AGENT

(NOTE : A LETTER OF AGENCY IS REQUIRED IF THE AGENT IS ACTING ON BEHALF OF THE PROPERTY OWNER)

Name:	Kevin Brooks		
Mailing Address:	1196 Dogwood st., Campbell River, BC	Postal Code:	V9W 3A2
Home Phone:		Business Phone:	778-560 2371
		FAX:	

Present Zone: RU-1 Proposed Zone: R-1 and C-2

Existing Use: (describe the age, condition, and use of any buildings, and natural features such as existing vegetation, watercourses, wetlands, steep slopes, etc. Plot their location on a scaled site plan noting various setback distances of existing structures. Photographs would be of assistance. If space is insufficient, please attach separate sheet)

Please see the attached Project Summary.

Proposed Use: (describe the proposed use of the property, include a tentative site plan showing buildings, landscaping, natural features, the location of any signs, parking lots, access etc. If space is insufficient, please attach separate sheet)

Proposing a single family home subdivision and a RV campsite as illustrated on the attached plan.

	June 15/2020
Signature of Owner or Authorized Agent	Date

PLEASE NOTE THAT WHERE AN AUTHORIZED AGENT ACTS ON THE PROPERTY OWNERS BEHALF, A LETTER OF AUTHORIZATION IS REQUIRED.

PID:	Folio:
Site Declaration: ☐	Site Profile: ☐ Sent to Site Registry? ☐ Sent to Regional Manager? ☐

Letter of Agent Authorization

I, MIKE ADAMA (Name of Corporate Signatory) declare that **Kevin Brooks** of McElhanney (Consultant) is authorized to act on behalf of Mike Adama (094704 BC LTD) to submit a rezoning application in the Village of Sayward for portions of the following properties:

Parcel Identifier: 000-568-309

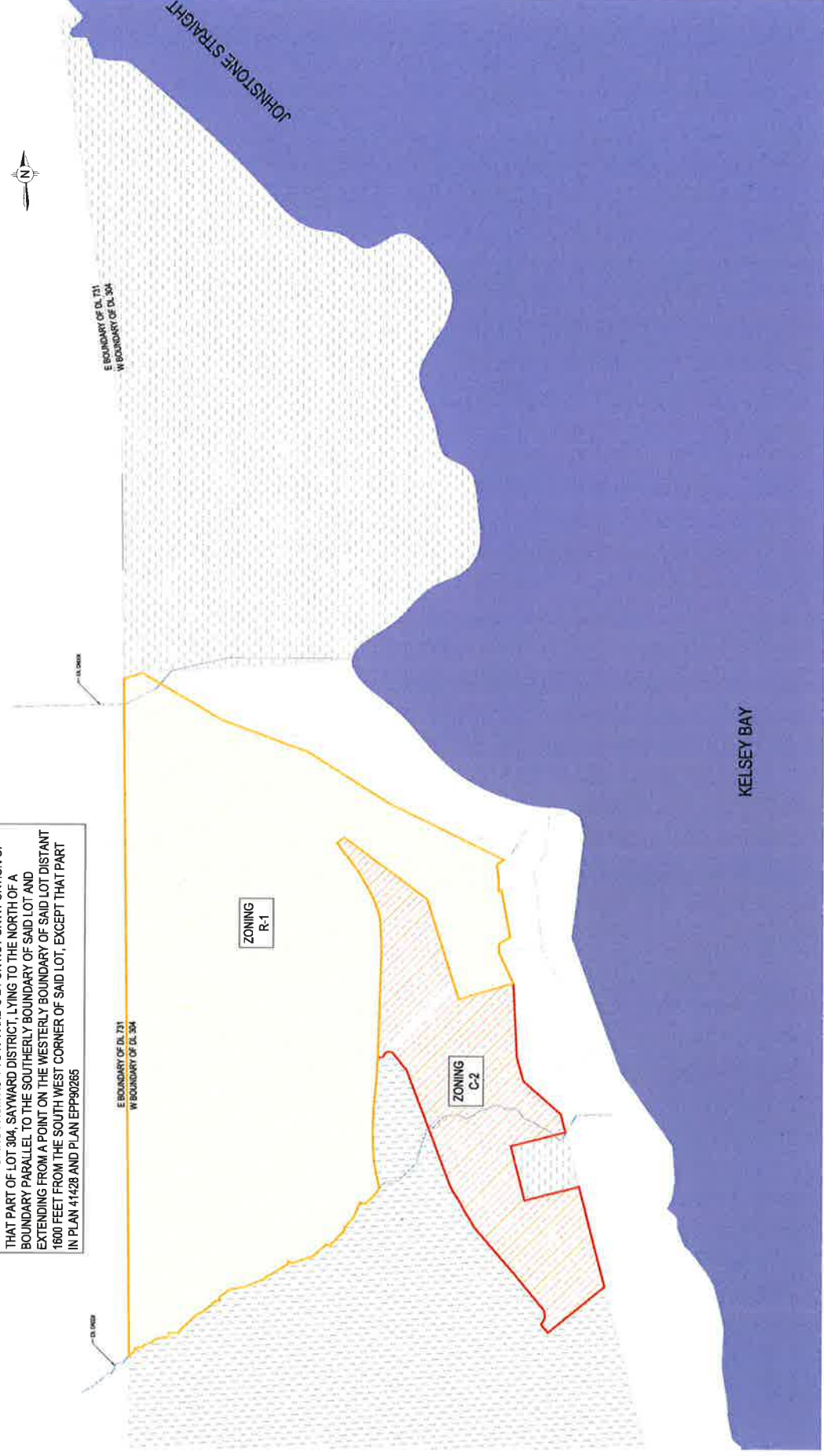
Legal Description:

THAT PART OF LOT 304, SAYWARD DISTRICT, LYING TO THE NORTH OF A BOUNDARY PARALLEL TO THE SOUTHERLY BOUNDARY OF SAID LOT AND EXTENDING FROM A POINT ON THE WESTERLY BOUNDARY OF SAID LOT DISTANT 1600 FEET FROM THE SOUTH WEST CORNER OF SAID LOT, EXCEPT THAT PART IN PLAN 41428 AND PLAN EPP90265

I hereby declare that the foregoing information is true and proper and I make this declaration knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Signature 
Date APRIL 23 2020
Print Name MIKE ADAMA

PROPOSED REZONING FROM RU-1 TO R-1 AND C-2 FOR NOT OR A PORTION OF THAT PART OF LOT 304, SAYWARD DISTRICT, LYING TO THE NORTH OF A BOUNDARY PARALLEL, TO THE SOUTHERLY BOUNDARY OF SAID LOT, AND EXTENDING FROM A POINT ON THE WESTERLY BOUNDARY OF SAID LOT, DISTANT 1600 FEET FROM THE SOUTH WEST CORNER OF SAID LOT, EXCEPT THAT PART IN PLAN 41428 AND PLAN EPP98265

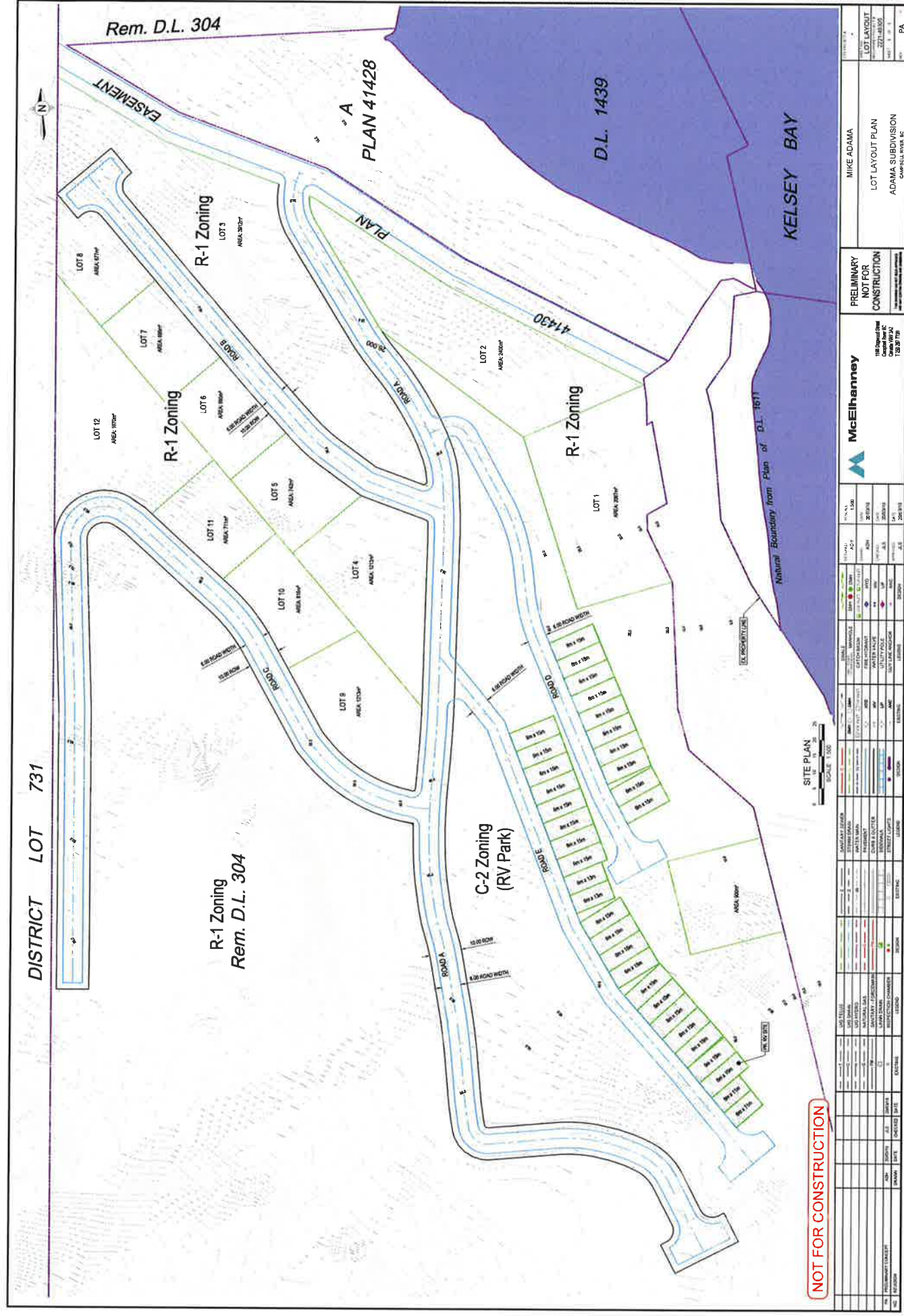


SITE PLAN

0 10 20 30 40 50

SCALE 1"=100'

[illegible]



TECHNICAL MEMO

To Mike Adama, Owner	From John Sorenson, Division Manager Campbell River Branch
Re Kelsey Bay Multi-Phase Development	Date June 12, 2020

McElhanney Ltd. has been retained by Mike Adama to complete a preliminary servicing review of the water, sanitary, and storm systems with respect to the proposed multi-phase single-family strata and campground development located near Kelsey Bay in Sayward BC. The intent of this design review is to confirm the capacity within the existing systems and make recommendations as to required upgrades to accommodate the proposed subdivision.

A preliminary layout of the subdivision is provided in **Figures 1 and 2** overleaf. Please note that the layout is preliminary and may be subject to revisions moving forward. As such, the analyses within are based on a preliminary subdivision layout and may need to be revised should the layout change.

This technical memorandum summarizes the results of the waterworks, sanitary and stormwater systems and are highlighted below.

1. Waterworks

The existing water distribution system consists of a reservoir located south of the village with the terminal end and low point at the Port of Kelsey Bay as shown on **Figure 3** below. Please note that the diameters and lengths of the water piping was based on available record drawings as well as follow up discussions with the Town's Operations Staff.

The system was modeled to confirm the existing capacity and to determine if there is adequate capacity to accommodate the estimated domestic and fire flows associated with the proposed multi-phase development.



Figure 3: Existing Sayward Water System

1.1. DOMESTIC AND INDUSTRIAL DEMANDS

The existing and proposed average Annual Daily Demand (ADD), Maximum Day Demand (MDD), and Peak Hour Demand (PHD) for Sayward were estimated based on the demands outlined in the MMCD Design Guidelines. These MMCD demands are shown according to the land use type in **Table 1** below. It should be noted that MMCD does not provide design ADD and PHD flow rates for non-residential properties.

Table 1: MMCD Water Demand Design Rates

Land Use Type	Annual Daily Demand (ADD)	Maximum Day Demand (MDD)	Peak Hour Demand (PHD)
Residential	450 litres/capita/day	900 litres/capita/day	1350 litres/capita/day
Commercial or Institutional*	NA	22,500 litres/hectare/day	NA
Industrial*	NA	10,000 – 100,000 litres/hectare/day	NA

*MMCD Non- Residential design flow rates only provided for Maximum Day Demand

Given the above per capita/area demand rates, the estimated results for the Village's existing and proposed demands are summarized in **Table 2** below. Note that for the Island Timberlands log sort facility, an estimated per hectare flow rate of 50,000 litres/hectare/day was assumed. This was based on the fact that they are a moderately heavy water user in the Town.

Table 2: Sayward Estimated Existing and Proposed Water System Domestic Demands

Land Use Type	Dwellings / Area	ADD (L/s)	MDD (L/s)	PHD (L/s)
Residential Dwellings	167 Dwellings	1.54	3.08	4.62
Non-Residential Sites	23.73 ha	NA	10.86	NA
Proposed North & South Dwellings and Campsites	64	0.83	1.67	2.50

1.2. FIRE FLOW

As per the MMCD design criteria, the system must have the capacity to provide the peak hour demands with a residual pressure of between 300 to 850 kPa while providing the required fire flow with max day demands and a pressure of 150 kPa.

A summary of the required fire flows as per the MMCD are summarized in **Table 3** below.

Table 3: MMCD Minimum Fire Flow Requirements

Developments	Minimum Fire Flow (L/s)
Single Family Residential	60
Apartments / Townhouses	90
Commercial	150
Institutional	150
Industrial	225

As this proposed development is a single-family development, a fire flow of 60 litres/second was required while maintaining a minimum residual pressure target of 150 psi under maximum day demand.

To verify the available fire flow and residual pressures in the existing system, a hydrant flow test was conducted by Sayward Public Works staff in late May 2020. An average flow of **61.4 litres/second (974 gal/min)** was reported at the hydrant adjacent to the Kelsey Bay Government Marina, and a residual pressure of **552 kPa (80psi)** was measured in the system at the upstream hydrant across the 40 Sayward Road.

The hydrant flow and pressure test results were used as means of model verification, which are discussed in the subsequent section.

Please note that prior to construction, an additional flow test should be performed to verify the results provided by the Village.

1.3. WATER MODEL VERIFICATION

Record drawings, field data, and flow & pressure test results, provided by Sayward Public Works staff, were used to develop, and verify the *WaterCAD* computer model. According to the Public Works department, the Village's water tank reservoir typically remains at 90% full. Given the tank is approximately 11m deep with a base elevation at 69.3m, the water surface elevation at 90% full is estimated at **79.2m**. This water surface elevation was entered into the model to set the static head in the system.

To verify the model, the reported hydrant flow and the estimated existing demands were assigned to their respective nodes and a steady state simulation was ran. The result was an estimated residual pressure of **529 kPa (77 psi)** at the hydrant near 40 Sayward Road. The percent difference comparing the measured and estimated pressures is 4.3% which is acceptable and will result in the model estimates being slightly conservative. **Table 4** highlights the model verification results.

Table 4: Model Verification with Residual Pressures at Hydrant Adjacent to 40 Sayward Road

	Measured	Model Result	Percent Difference
Residual Pressure	552kPa	529 kPa	4.3%

1.4. WATER MODELING RESULTS

Available topographical data was used to establish a preliminary design and layout for the on-site water system. This data was entered into the computer model. The computer water model was then used to confirm the available flows for the proposed development and establish which of the proposed lots could be serviced by the existing Village reservoir.

Based on a cursory review of the elevations of the proposed development, it was established that the lower portions of the development could be serviced by the existing reservoir while upper portions of the development would require the addition of a private booster pump to ensure adequate fire flows.

As a result, it was established that with the installation of a 50m section of 200mm diameter watermain in Sayward Road as well as a proposed 200mm diameter watermain on-site and 3 proposed hydrants, 10 of the proposed lots of the southern parcel and 5 of the proposed lots of the northern parcel could be serviced without an additional booster pump. Essentially, lots with fire protection provided by a hydrant installed at a maximum elevation of 35m can be serviced by the reservoir. The proposed lots (shown with white hatching) and hydrants are illustrated in **Figures 4 & 5**. The red circles around the hydrants represent the 75m radius coverage as required in the MMCD.

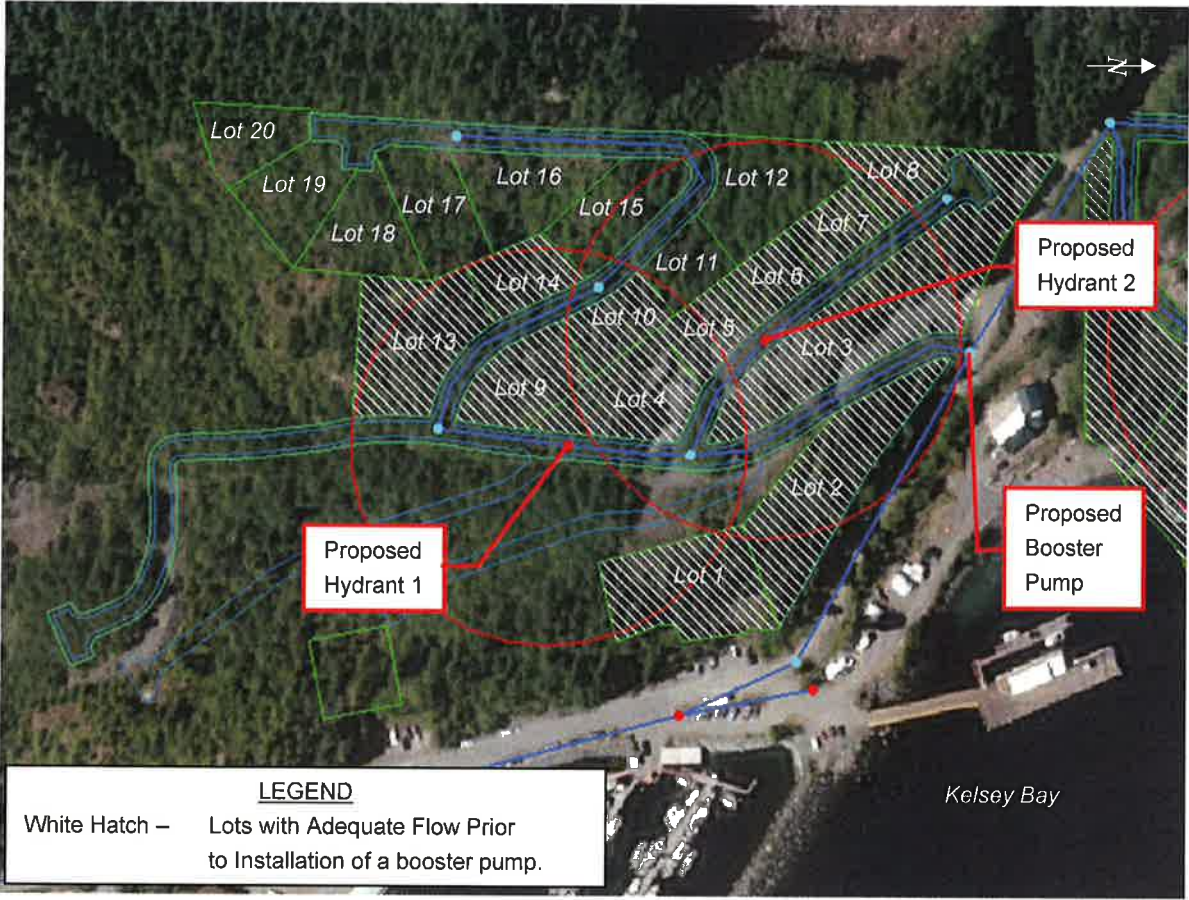


Figure 4: Southern Development Proposed Servicing Without Booster Pumps

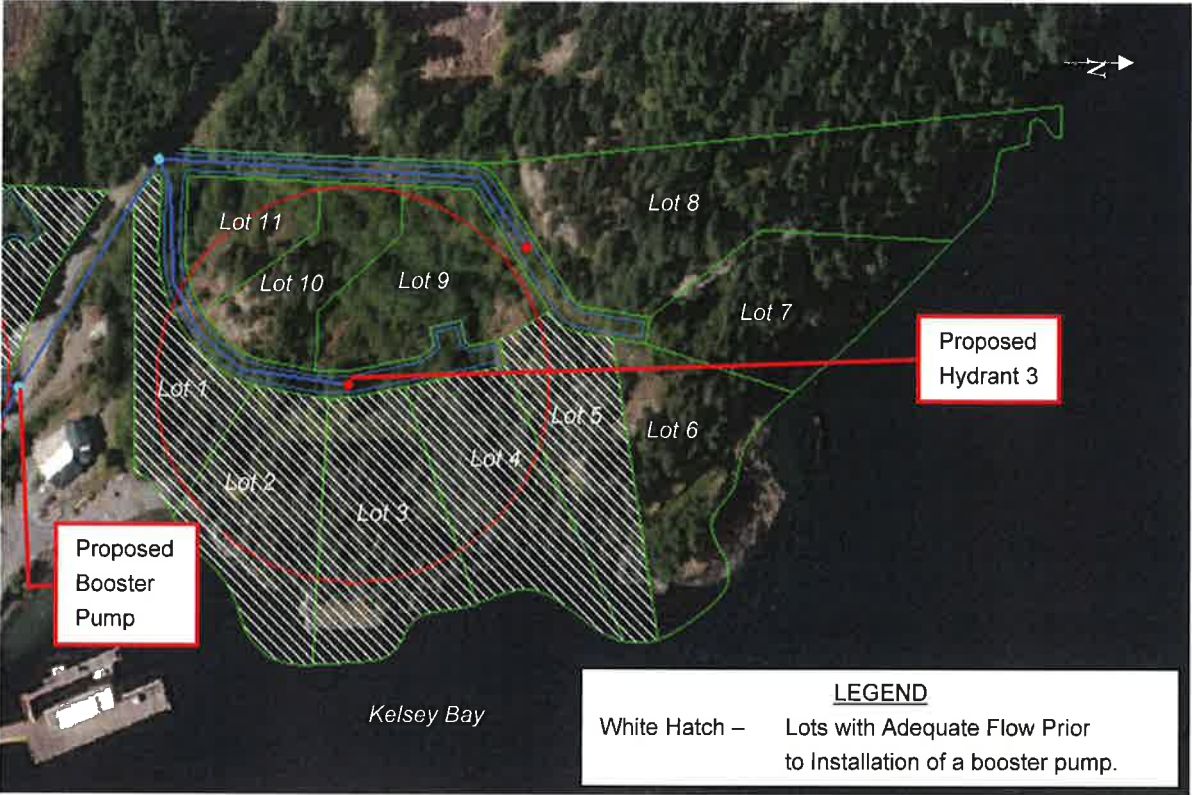


Figure 5: Northern Development Proposed Servicing Without Booster Pumps

To service the remaining proposed lots on the north and south parcels, booster pumps will need to be installed to ensure adequate fire and domestic flows are provided. The location of the potential booster pump is illustrated on **Figures 4 & 5**. Pump options will be explored at the detailed design stage.

2. Sanitary Analysis

The existing sanitary system was analyzed to establish if there is capacity to handle the additional flows from the proposed development. The HDPE force main system, as shown on the **Figure 6** below, consists of two lift stations. Lift Station 1 is located along Sayward Road at Kelsey Lane and services 3 existing residential properties on the lane. Lift Station 2 is located on the east side of Sayward Road near the government marina and services the primarily non-residential properties north from 40 Sayward Road including the marina, RV campsites and the Port of Kelsey Bay Dock.



Figure 6: Existing Sanitary Force Main System

2.1. SANITARY DESIGN FLOWS

The existing and proposed estimated sanitary design flow rates were based on MMCD design guidelines. The estimated Peak Wet Weather Flows are used for design purposes. The estimated existing sanitary flows coming into Lift Station 1 are outlined in **Table 5**.



Table 5: Lift Station 1 Estimated Existing Sanitary Flow Rates

Parameter	Value
Total Residential Area	0.78 ha
Dwellings	3
People per Dwelling*	1.8
Dry Weather Demand**	350 litres/capita/day
Average Dry Weather Flow	0.022 litres/second
Peaking Factor**	3.2
Peak Dry Weather Flow	0.070 litres/second
Inflow and Infiltration Allowance**	0.12 litres/second/hectare
Wet Weather Flow	0.094 litres/second
Peak Wet Weather Flow	0.16 litres/second

*Based on the 2016 Canada Census Profile for Sayward
**Based on MMCD Design Guidelines 2014

The existing non-residential sanitary demands, factors, and calculated flows contributing to Lift Station 2 are listed in **Table 6**.

Table 6: Lift Station 2 Existing Sanitary Flow Rates

Parameter	Value
Total Non-Residential Area	5.88 ha
Dry Weather Demand*	25000 litres/ha/day
Average Dry Weather Flow	1.7 litres/second
Peaking Factor*	3.2
Peak Dry Weather Flow	5.4 litres/second
Inflow and Infiltration Allowance*	0.12 litres/second/hectare
Wet Weather Flow	0.71 litres/second
Peak Wet Weather Flow	6.2 litres/second

*Based on MMCD Design Guidelines 2014

The additional flows from all phases of the development were estimate and the results are shown in **Table 7**.



Table 7: Lift Station 2 Proposed Sanitary Flow Rates

Parameter	Value
Development Area	7.3 ha
Dwellings	56
People per Dwelling	2.5
Dry Weather Demand	350 litres/capita/day
Average Dry Weather Flow	0.57 litres/second
Peaking Factor	3.2
Peak Dry Weather Flow	1.81 litres/second
Inflow and Infiltration Allowance	0.12 litres/second/hectare
Wet Weather Flow	0.88 litres/second
Peak Wet Weather Flow	2.7 litres/second

Therefore, combining the existing and proposed estimated flows, the total design sanitary flow for Lift Station 2 is **8.8 litres/second**.

2.2. SANITARY LIFT STATION AND FORCE MAIN MODELING

Analyzing a force main system with multiple lift stations is relatively complicated, and as such, *PCSMM* computer modelling software was utilized. Record drawings, manufacturer supplied pump information, and field data were used to create the model. The design flows were inputted, and a steady state simulation was ran.

Figure 7 below shows the pumping capacity of lift station 2. As noted, the pump station starts with an initial pumping rate of **9.5 litres/second** which decreases to **9.0 litres/second** as the level in the wet well drops.

The reduced pumping rates which range between **8.4 to 9.3 litres/second** are shown as small dips in the curve and coincide with lift station 1 & 2 pumping simultaneously.

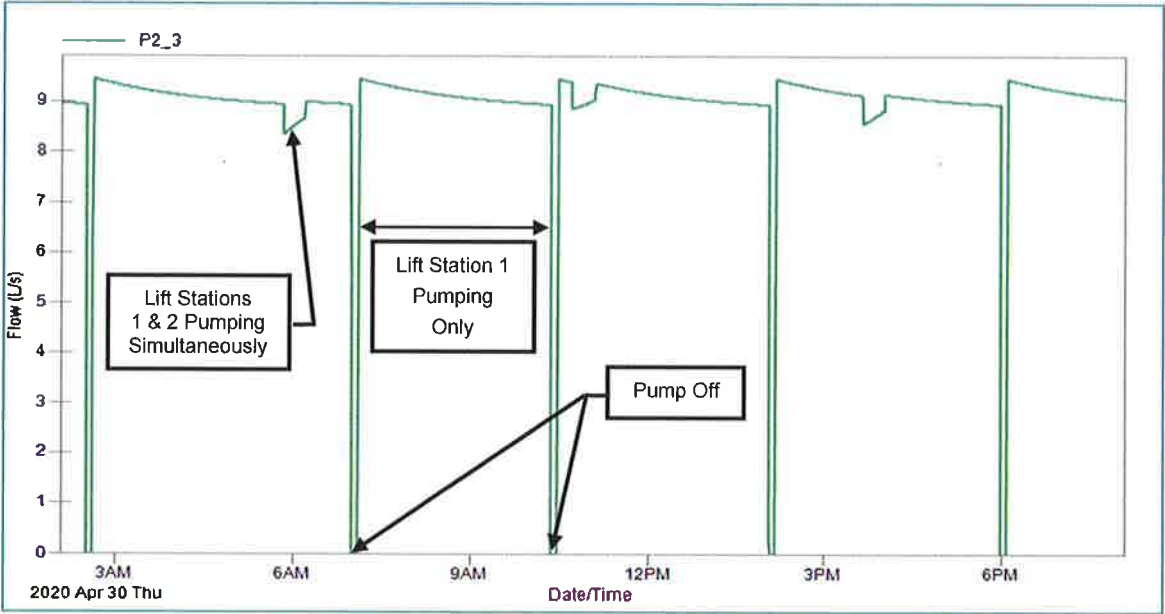


Figure 7: Lift Station 2 Flow vs Time Graph

It should be noted that a steady state analysis assumes a constant peak inflow which is very conservative compared to the more realistic variable rates of a diurnal demand curve. Given real world conditions, the pump-off periods would have a much greater duration. Based on this, it is safe to say the existing system has ample capacity to handle the additional flows from the proposed development.

2.3. FORCE MAIN MODEL VERIFICATION

To ensure the model was producing accurate estimates, an analysis of Lift Station 2 operating independently of Lift Station 1 was performed manually. The Hazen-Williams equation was used in the manual calculation to confirm the model results.

The model reports a peak pumping rate at Lift Station 2 of 9.5 litres/second with a total dynamic head (TDH) head of 20.4m. When the flow rate of 9.5 litres/second is entered into the Hazen-Williams analysis, the resulting TDH is estimated at 21.0m. The percent difference between the TDH of the model and the Hazen-Williams Equation is 2.9% which is acceptable and verifies that the model is operating correctly.

Table 8: Sanitary Model Verification Results

	Excel Result	Model Result	Percent Difference
System Head at 9.5 L/s	21.0 m	20.4 m	2.9%

3. Stormwater Management

Due to the fact that the site has a direct discharge to the ocean, the site is rocky and does not promote infiltration, we are proposing that targets related to on-site detention be exempted. This said, due to the proximity to the ocean, we would recommend that targets pertaining to water quality be implemented.

As there is no formal stormwater conveyance system in the area, stormwater will be discharged to the Kelsey Bay marine environment. As such, permitting and approvals will be acquired based on a subsequent environmental assessment as part of the detailed design.

4. Conclusion and Recommendations

Based on the established fire flows and domestic demands, the existing water system (without the addition of a booster pump) has adequate capacity to provide fire protection to lots within 75m of the proposed hydrants shown on **Figures 4 & 5**. Additionally, 3 proposed hydrants will be required. For the higher elevations of the development, booster pumps will be needed to provide the necessary fire flows.

A review of sanitary lift stations and the force main determined the peak inflow including the proposed development is 8.8 litres/second and the capacity of existing Lift Station 1, near the marina, ranges from 9.0 to 9.5 litres/second. When Lift Station 2, near Kelsey Lane, is pumping concurrently, pumping rates are reduced to 8.4 litres/second, but these are relatively short durations which do not limit the overall system capacity. Therefore, there is adequate capacity to handle the additional demands from the proposed development.

The stormwater system will be designed to MMCD Standards and adhere to best management practices pertaining to water quality. Given the necessary permits and approvals, runoff will be safely conveyed and ultimately, discharged via an ocean outfall into Kelsey Bay.

As this is based on a preliminary lot layout, the number and location of the lots are subject to change. Therefore, we confirm that the municipal system can handle an additional 5 lots, above what is currently proposed. Should the number of lots increase by greater than 5, further analysis will be required to confirm if there is adequate capacity. We trust that this meets the Village's requirements. Please contact the undersigned if you have any questions.

Sincerely, McElhanney Ltd.

Prepared by



Dwayne Cybak, EIT
Project Engineer

Reviewed by



June 15, 2020

John Sorenson, P.Eng.
Division Manager

TITLE SEARCH PRINT

File Reference: 2221-49305

2020-06-15, 16:24:52

Requestor: Brooks Kevin

CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN

Title Issued Under	SECTION 189 LAND TITLE ACT
Land Title District	VICTORIA
Land Title Office	VICTORIA
Title Number	BB3057817
From Title Number	CA2762460
Application Received	2019-05-09
Application Entered	2019-05-09
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	0947204 B.C. LTD., INC.NO. 0947204 PO BOX 3657 COURTENAY, BC V9N 7P1
Taxation Authority	Courtenay Assessment Area Sayward, Village of
Description of Land	
Parcel Identifier:	000-568-309
Legal Description:	THAT PART OF LOT 304, SAYWARD DISTRICT, LYING TO THE NORTH OF A BOUNDARY PARALLEL TO THE SOUTHERLY BOUNDARY OF SAID LOT AND EXTENDING FROM A POINT ON THE WESTERLY BOUNDARY OF SAID LOT DISTANT 1600 FEET FROM THE SOUTH WEST CORNER OF SAID LOT, EXCEPT THAT PART IN PLAN 41428 AND PLAN EPP90265
Legal Notations	NONE
Charges, Liens and Interests	
Nature:	RIGHT OF WAY
Registration Number:	293337G
Registration Date and Time:	1964-05-28 14:20
Registered Owner:	BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
Remarks:	INTER ALIA

Nature:	EASEMENT
Registration Number:	N68906
Registration Date and Time:	1984-09-10 12:51
Remarks:	PART IN PLAN 41430 APPURTENANT TO LOT 1378, SAYWARD DISTRICT
Nature:	UNDERSURFACE RIGHTS
Registration Number:	FB403790
Registration Date and Time:	2011-03-10 14:35
Remarks:	INTER ALIA PURSUANT TO MINERAL LAND TAX ACT, MINERALS HEREIN, FORFEITED AND VESTED IN THE CROWN
Nature:	MORTGAGE
Registration Number:	CA2762461
Registration Date and Time:	2012-09-10 16:47
Registered Owner:	ANTRIM BALANCED MORTGAGE FUND LTD. INCORPORATION NO. BC0793420
Transfer Number:	CA5187231

Duplicate Infeasible Title	NONE OUTSTANDING
Transfers	NONE
Pending Applications	NONE

N 68906

APPLICATION - FORM 17

NATURE OF CHARGE: Easement

TRUE VALUE: Nominal

HEREWITH FEE: \$10.00

NAME, ADDRESS AND PHONE NUMBER OF PERSON
PRESENTING APPLICATION:

Chicalo, Young & Associates
B. C. Land Surveyors
1330 Elm Street
Campbell River, B. C.
V9W 3A6

B. Op de Beek

THIS AGREEMENT made the 3rd day of October, 1983.

BETWEEN:

MARJORIE JOAN FERSCH, Kelsey Bay, British Columbia,
Executrix of the Will of Annie Louisa Smith,
Deceased, DD 72882.

(hereinafter called "the Grantor")

OF THE FIRST PART

EVELYN MAY SACHT, Businesswoman, of
Box 89, Kelsey Bay, British Columbia
VOP 1R0

(hereinafter called "the Grantee")

FORM 1 (Section 36)
MEMORANDUM OF REGISTRATION
Registered on application received on
the day and time written hereon
R. E. HOOPER, Registrar of the
Victoria Land Title Office

OF THE SECOND PART
09/10/84 AB800 CHG NOM 10.00

GRANT OF EASEMENT

WHEREAS the Grantor is the registered owner of all and singular
those certain lands and premises in the Comox Assessment District and Village
of Sayward more particularly known and described as:-

That part of Lot 304, Sayward District, lying to
the North of a boundary parallel to the Southerly
boundary of said Lot and extending from a point
on the Westerly boundary of said Lot distant 1600
feet from the South West Corner of said Lot, Except
Part included in Plan 41428

(hereinafter called "the Servient Tenement")

WHEREAS the Grantee is the registered owner of all and singular those
certain lands and premises lying and being in the Comox Assessment District,

RECEIVED
LAND TITLE OFFICE
VICTORIA B.C.
10 SEP 84 12 51

2

- 2 -

in the Province of British Columbia and more particularly known and described
as:

Lot 1378, Sayward District

(hereinafter called "the Dominant Tenement")

NOW THEREFORE in consideration of the premises and of the sum of ONE (\$1.00)
DOLLAR now paid by the Grantee to the Grantor (the receipt whereof is hereby
acknowledged) the parties do covenant and agree as follows:-

1. The Grantee has required of the Grantor an easement over that part
shown in the certain Reference Plan of Easement registered in the Victoria
Land Title Office under No.: 41430 for the special purposes and privileges
as hereinafter set forth, that is to say:-

A free and uninterrupted right-of-way, ingress to and egress
from, in common with others entitled thereto, for persons,
animals and vehicles of the Grantee, his servants, agents,
invitees, workmen, and other lawfully authorized, throughout,
along and over the aforesaid lands.

2. It is agreed that the Grantee will be responsible for the upkeep,
construction, maintenance and repair of the easement and the Grantee hereby
covenants to keep and maintain the same in a reasonable condition and repair.

3. The Grantor hereby covenants with the Grantee not to make, place,
erect or maintain, subsequent to the date hereof, any building, structure,
excavation, pile of material or obstruction in, under or upon the easement,
or to park vehicles thereon, without the written consent of the Grantee
first had and obtained.

4. It is mutually agreed between the Grantor and the Grantee as
follows:-

(a) That the right-of-way shall be construed as running with the

3

Page Three

land, that no part of the fee of the soil shall pass
to or be vested in the Grantee under or by these presents
and that the Grantor may use and enjoy the said easement,
subject only to the rights and restrictions provided herein;
(b) That the expressions of the Grantor and the Grantee herein
contained shall be deemed to include the executors, administrators,
successors and assigns of such parties wherever the context so
admits.

5. Each of the parties shall and does hereby release and agree to indemnify
and save harmless each of the other parties of and from any and all manner of claims,
demands, damages, loss, costs, and charges arising out of or in connection with
the use by that party or persons claiming under him or her of the easement, except
insofar as the same may be due to the willful act or neglect of another party.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals
as at the day and year first above written.

SIGNED, SEALED AND DELIVERED)
in the presence of:)
WITNESS JULY LEE)
4167 Orange Point Road)
ADDRESS Campbell River, B.C.)
V9W 6H9)
OCCUPATION Secretary)

Marjorie Joan Ferch
MARJORIE JOAN FERCH

SIGNED, SEALED AND DELIVERED)
in the presence of:)
WITNESS MICHAEL A. McVEA)
Barrister, Solicitor & Notary Public)
ADDRESS #1-918 ISLAND HIGHWAY)
CAMPBELL RIVER, B.C. V9W 2G3)
PHONE: 287-8355)
OCCUPATION)

Evelyn May Sacht
EVELYN MAY SACHT

MacKinnon and Stinsons Ltd. Vancouver, B.C.
Law and Commercial Services Form No. 11A.2

LAND TITLE ACT

FORM 2
(Sections 43 (a) and 44 (a))

AFFIDAVIT OF WITNESS

I, Judy Lee, of Campbell River

in British Columbia, make oath and say:

1. I was present and saw this instrument duly signed and executed by Marjorie Joan Fersch the party(ies) to it, for the purposes named in it.
2. The instrument was executed at Campbell River, B.C.
3. I know the party(ies), who is(are) 19 years old or more.
4. I am the subscribing witness to the instrument and am 16 years old or more.

Sworn before me at Campbell River

in British Columbia, this 4th

day of October, 1983

A Commissioner for taking Affidavits for British Columbia

*Write name and qualifications under section 43, e.g., A Commissioner for Taking Affidavits for British Columbia.
NOTE — This affidavit must be sworn by a witness who is not a party to the instrument.MICHAEL A. MOYEA
A Commissioner for taking Affidavits
Within British ColumbiaMacKinnon and Stinsons Ltd. Vancouver, B.C.
Law and Commercial Services Form No. 11A.2

LAND TITLE ACT

FORM 2
(Sections 43 (a) and 44 (a))

AFFIDAVIT OF WITNESS

I, , of

in British Columbia, make oath and say:

1. I was present and saw this instrument duly signed and executed by the party(ies) to it, for the purposes named in it.
2. The instrument was executed at
3. I know the party(ies), who is(are) 19 years old or more.
4. I am the subscribing witness to the instrument and am 16 years old or more.

Sworn before me at

in British Columbia, this

day of , 19

*Write name and qualifications under section 43, e.g., A Commissioner for Taking Affidavits for British Columbia.
NOTE — This affidavit must be sworn by a witness who is not a party to the instrument.

DEPOSITED
N 68906

PLAN OF EASEMENT THROUGH
DISTRICT LOT 304, SAYWARD DISTRICT PURSUANT TO SEC. 99(1)(e) L.T.A.

SCALE 1:750



LEGEND

- Bearings are Astronomic and are derived from Plan 1617 R/W
 - OIP indicates standard pipe post found
 - OIP indicates standard iron survey post found
 - IP indicates standard iron survey post set
- All distances are in metres
This Plan lies within the Regional District of Comox-Strathcona

BOOK OF REFERENCE	
D.L. 304	1280 m ²

REGISTRAR

Deposited in the Land Title Office at Victoria, B.C.
this day of , 198

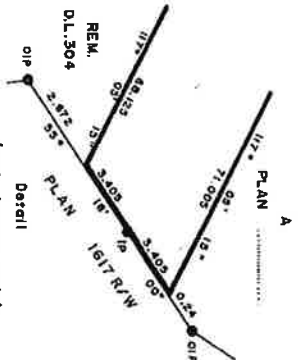
PLAN

D.L. 731

REM. D.L. 304

REM. D.L. 304

PLAN A



OWNER
Chen Thompson & Frank

Witness

Occupation

Address

CHICALD, YOUNG & ASSOCIATES
B.C. LAND SURVEYORS
SUITE 4, 1330 ELM STREET
CAMPELLE RIVER, B.C.
V9W 3A6

FILE NO. 80134

I, A.O. YOUNG, British Columbia Land Surveyor
of Campbell River, in British Columbia certify
that I was present at and personally supervised
the survey represented by the plan and that the
survey and plan are correct. The survey was
completed on the 22 day of AUGUST, 1983.

B.C.L.S.

July 10, 2020

Sayward Village,
Attn: Acting Mayor and Council,

Sirs,

We, the undersigned request answers to the following questions and request that the answers be made available at the next council meeting on July 14, 2020.

1/ At the March 17 council meeting Mr Mike Marsh enquired if council meetings could be held via teleconference. The then councillor Ellis responded by saying that council would look into this. Why was this not acted upon? We know that this is not a difficult concept and could have easily been implemented.

2/ There have been requests for the recordings of the council meetings and as yet have not been made available to the residents. If these recordings are not available then it can safely be determined that they have either been lost or deleted. If they have, in fact, been deleted then a full investigation is needed.

3/ Where is the new CAO. It has cost us \$10,000.00 and there is still no sign of him or her.

4/ When is a by-election going to be called and is the current council and acting mayor going to resign and run in a subsequent by-election.

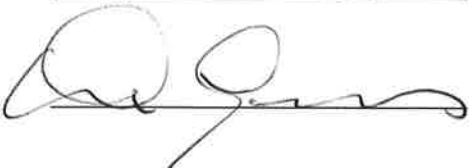
5/ Why is the RCMP report to the village not being published in the Sayward News. This practise was agreed to by the previous mayor.

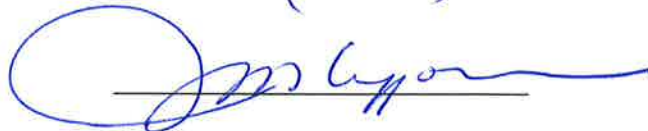
6/ A full investigation into the demise of the village sanding truck should be initiated. Several village residents witnessed the truck break-down. This information was shared with a village councillor and is available upon request.

7/ At the March 3, 2020 council meeting I requested information on the replacement snow truck and why the old truck was not repaired. Information was also requested for maintenance/daily inspection reports on all village owned vehicles. As this information was not supplied I am once again requesting this information.

We look forward to your timely response at the next council meeting.

Sincerely,

DARRYL W. LYONS


JACALYEN (JACKIE) M. LYONS


Darryl Lyons	Requested information on the replacement snow truck and the repair of the old truck. Requested information on maintenance records for all Village owned vehicles.	
--------------	---	--

MARCH 3, 2020

COUNCIL MEETING

July 9, 2020

**Sayward Village
Attn: Acting Mayor & Council**

Sirs:

We, the undersigned, request answers to the following questions and ask that the questions/answers be made available as agenda items in time for the next Council meeting, July 14, 2020 :

1) (As regards real estate development at 18 Sayward Rd.M.K. Adama Enterprises)

- Blasting on the site has rattled windows and shaken house foundations in the Village. What liability insurance is carried by either the developer or the municipality against damage to Village residences?**
- Have DEVELOPMENT PERMITS for this site been APPLIED FOR and have they been GRANTED? When? Where would they be available for public viewing?**
- WHY has there been no public signage posted?**
- Have the required environmental/engineering surveys been completed to assess impact on wildlife, salmon-bearing streams running through the property, slope stability and erosion control. (It appears that a salmon bearing stream has**

been diverted thru a road culvert and the previous roadside stream bulldozed shut.) Is the Dept. Of Fisheries aware of this?

- Has any application for subdivision been made by the property owner?
- What consultation has been done with Sayward residents regarding the Village's ability to provide/extend public services to the proposed development? And.....Who is acting for the Village in negotiating Development Cost Charges to the developer for providing these services. WHAT background in development and municipal planning does this person have?
- Have other development projects within the municipality also had permits issued?

2) RE: Building Code Bylaws

A point of clarification is sought as regards the necessity of obtaining building permits for homeowner projects that involve **NO ALTERATION OR INTERFERENCE** with structural or "load bearing" walls, are not outside the **EXISTING BUILDING ENVELOPE**, and include no **PLUMBING** or **ELECTRICAL** work. Are we now required to obtain permits for projects such as hanging curtains or changing paint colors?

3)

WHAT PROGRESS has been made on the implementation of a comprehensive bylaw regulating the use of fireworks in the Village? What amount of liability insurance is being carried by the Village for failure to protect homeowners from damages and injuries resulting from the unregulated use of fireworks? For **OVER TWO YEARS** citizens have requested the implementation of fireworks controls, and have

(several times) provided Council with a comprehensive municipal fireworks bylaw document from Comox which clearly outlines necessary steps to implement meaningful controls, and to ameliorate municipal liability. This document is virtually turn- keyclearly outlining sound practices AND legal liabilities. For OVER TWO YEARS, this issue has been STALLED, and DOWN PLAYED as "low priority" by Council.

4)

What assurance can Village ratepayers be given that the Village of Sayward will enforce it's ZERO TOLERANCE policy as regards elected officials and municipal employees operating municipally insured vehicles or attending Council meetings while under the influence of various intoxicants?

We look forward to your timely response at the next Council meeting.

Sincerely,
..... the undersigned.....


LEE ETTINGER


Irene Callaghan


DARRYL O'JARKIE LYONS.


Jim Lyons