



## REPORT TO COUNCIL

**To:** Mayor and Council  
**From:** Keltie Chamberlain, MCIP, RPP  
Land Use Planner II, Community Services  
Strathcona Regional District  
**And:** Andrew Young, MCIP, RPP  
Chief Administrative Officer  
**Subject:** **Development Variance Permit Application for 400 MacMillan Drive**  
**Meeting date:** May 26, 2026

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### PURPOSE

To consider a proposed variance to the Village of Sayward Zoning Bylaw, 2000, Bylaw 309, to reduce the minimum width of a building from 7.0 m to 4.2 m to facilitate the construction of a new timber-framed single-family dwelling unit at 400 MacMillan Drive.

### BACKGROUND

The applicant has previously brought a variance application forward on June 3, 2025, for the proposed placement of a single-wide mobile home on the property requesting variances to building width and for the building type (mobile home) that was denied at the July 15, 2026, Council meeting (Attachment #1). The applicant has returned with a revised plan to build a single-family dwelling unit on the property, which significantly changes the proposal and variance request.

The property has a land use designation within the Official Community Plan (OCP) of Residential and is zoned Residential One (R-1). The existing R-1 zone (Attachment #2) requires a minimum dwelling unit width of 7.0 metres. The intention of this regulation is to avoid the placement of single-wide mobile homes on properties within the zone. The zoning bylaw also prohibits the placement of single-wide mobile homes, including Z-240 certified homes, as a whole or as a part of a building.

Prior to 2024, at which time the lot was cleared and a gravel drive installed on the north side of the property, the parcel was forested and undisturbed. The work undertaken in 2024 was done in absence of a Riparian Areas Protection Regulation (RAPR) assessment as required by the Ministry of Water, Land and Resource Stewardship. Although some development (land alteration) has occurred, there are currently no structures established on the lot.

There is a channelized stream on the site as shown in Figure 1 and a Condition Impact Assessment (CIA) has been completed (Attachment #3) as a RAPR assessment cannot be completed after development has taken place retroactively; it is intended to be applied prior to construction. Recommendations have been made within the CIA for remediation of the environmentally sensitive area and to address unapproved development (vegetation removal) and restoration (replanting), as well as measures to protect the Streamside Protection and Enhancement Area (SPEA).

## DISCUSSION

### Proposed Variances

The applicant proposes to reduce the minimum width of a building from 7.0m to 4.2m (Attachment #4) and construct a single-family dwelling unit in accordance with B.C. Building Code (BCBC) as shown in Figure 2. The proposed building has been designed and is intended to be within the narrow buildable area of the site and outside of the recommended SPEA as shown in Figure 2. The width is similar to that of single-wide mobile homes, which can be as narrow as 4.2 m (14 ft) wide.

Originally, the applicant intended to place a mobile home on the property (prohibited in the R-1 zone) to address the small buildable area available on the site but has now revised the proposal to include a narrow building footprint to build with the site conditions and outside of the recommended SPEA. Due to the existing site constraints, the applicant will be required to provide a survey to show the proposed siting and width measurement of the single-family dwelling unit.

Zoning Bylaws have historically had a provision to restrict the minimum dwelling unit width. The restriction is related to a desire that placement of mobile homes does not take place within residential areas that have been built out with traditional timber-frame construction methods

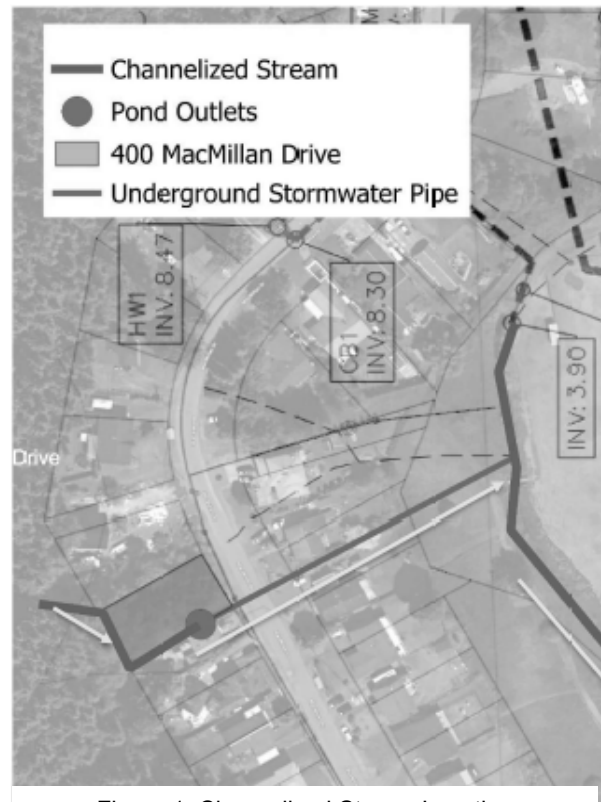


Figure 1. Channelized Stream Location

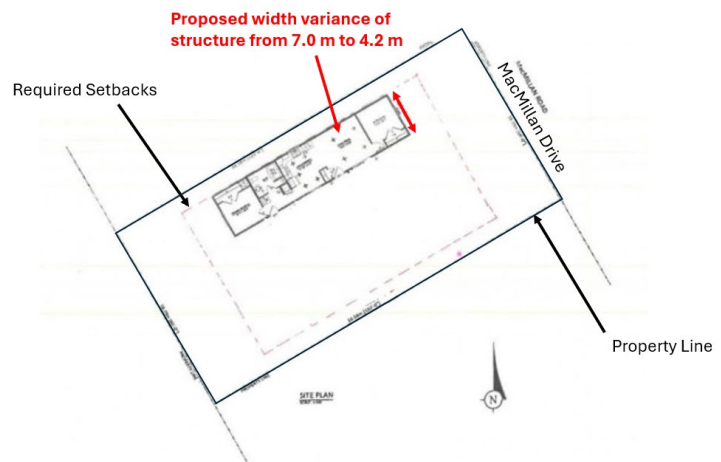


Figure 2. Proposed Building Width Variance

that meet BCBC. The resulting neighbourhoods have developed a strong character and street wall (housing setbacks and street presence), which should be considered when new or re-development occurs in existing neighbourhoods. Timber-framed homes can also be built in narrow configuration while still meeting building code and align with the neighbourhood context. With additional infill development increasingly taking place, dwelling units that do not meet width requirements where they exist in a zoning bylaw can be anticipated.

#### Riparian Assessment Protection Area and Condition Impact Assessment

The variance request for reduced building width is due to the existing site constraints with the presence of the channelized stream. The Official Community Plan (OCP) sets out objectives and goals and how development and the environment intersect. The use of senior agency development guidelines is encouraged as follows:

#### *OCP S 3.1 f) Watercourses, Rivers, and Streams*

- I) A biophysical study of the watercourses, aquatic habitat and sensitive ecosystems in the Village may be supported.*
- II) Development applications on land designated as Residential, Residential/Industrial, and Rural Residential will require development approval information for the protection of watercourses, aquatic habitat and sensitive ecosystems.*
- III) The use of senior agency development guidelines such as the "Land Development Guidelines for the Protection of Aquatic Habitat" for development applications on land with aquatic habitat and sensitive ecosystems shall be required.*

#### *OCP S. 3.1 g) Riparian Assessment Areas*

*The Village of Sayward establishes the following areas around streams as a riparian assessment area as defined in the Province of British Columbia's Riparian Areas Regulation's (sic) assessment method:*

- Thirty (30) metres from top of the bank on all streams and ravines less than sixty (60) metres in width, and*
- Ten (10) metres from top of the ravine bank for ravines greater than sixty (60) metres in width.*

*Any development, as defined in the Riparian Areas Regulation (now RAPR), proposed in these areas will require the applicant to have an assessment report prepared and the Streamside Protection and Enhancement Area (SPEA) defined by a Qualified Environment Professional (QEP) according to the assessment methods outlined in the Province of British Columbia Riparian Areas Regulation. All development will also require the approval of the Department of Fisheries and Oceans. All definitions in the Riparian Areas Regulation apply and the Streamside Protection and Enhancement Area apply to all streams as determined by the Village of Sayward.*

A CIA from the project QEP is found in Attachment # 3. This assessment provides recommendations to address the current site conditions and guidance to restoration of 275 m<sup>2</sup> of the SPEA, planting guidelines, and monitoring requirements. The QEP has indicated the methods for restoration and erosion and sediment control measures. The applicant is proposing that the restoration is completed after construction of the dwelling unit and to protect the SPEA from any further damage, a barrier/fence is to be installed. Typically, staff

does not support the restoration work be postponed until after construction, as it is possible that the landowner sell the property prior to construction resulting in the responsibility of restoration is with a new owner. Therefore, it is recommended that security in the amount of \$10,000 be provided for the recommended restoration of the SPEA prior to issuance of the development variance permit. Post-development reporting will be required from the QEP to provide professional assurance the work has been carried out in accordance with the RAPR report.

### **Options**

The following list of options is not intended to be exhaustive or detailed but is provided to assist Council with discussion of potential options.

1. The Village of Sayward receive this report and approve the requested variance to reduce the minimum building width at 400 MacMillan Drive; and
2. THAT the variance permit is to be issued only after security is received for the SPEA restoration in the amount of \$10,000.00

OR

3. THAT Council receive this report and deny the proposed variances to Zoning Bylaw 2000, Bylaw 309, to reduce the minimum building width at 400 MacMillan Drive.

### **CONCLUDING REMARKS AND RECOMMENDATIONS**

The applicant has revised the proposed development on the site in response to the previous public opposition to a mobile home in this location and the denied variance request. The proposal has been adapted to build a traditional timber-framed dwelling unit. A site survey will confirm the siting of the unit should the variance application be approved. Also addressed is the unauthorized site clearing within the riparian area on the property within the CIA. The applicant has responded to the challenging site constraints and is not proposing a variance to use or density. The public notification has been completed for the new application in accordance with the *Local Government Act*.

### **Recommendation/s**

THAT the Village of Sayward at this time:

1. Receive this report and approve the requested variance to reduce the minimum building width at 400 MacMillan Drive; and

THAT the variance permit is to be issued only after security is received for the SPEA restoration in the amount of \$10,000.00.

Respectfully submitted,



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Keltie Chamberlain, MCIP, RPP  
Land Use Planner II, Community Services  
Strathcona Regional District

*Approved for Council package*

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Andrew Young, MCIP, RPP  
Chief Administrative Officer  
Corporate Officer

Attachments:

1. Minutes of Regular Council meeting held July 15, 2025
2. Existing Residential One (R-1) Zone
3. Condition Impact Assessment dated March 2025
4. Applicants Proposal
5. Draft Development Variance Permit with Schedule A
6. Public Notice dated May 12, 2026



**VILLAGE OF SAYWARD  
REGULAR COUNCIL MEETING MINUTES  
July 15, 2025  
COUNCIL CHAMBERS**

*The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded territory of the K'ómoks First Nation, the traditional keepers of this land.*

**Present:** Mayor Mark Baker  
Councillor Scott Burchett (via Teams)  
Councillor Debbie Coates (via Teams)  
Councillor Jason Johnson  
Councillor Sue Poulsen

**In Attendance:** John Thomas, Acting CAO/Corporate Officer (via Teams)  
Lisa Clark, CFO  
Jennifer Redshaw, Office Administrator

**1. Call to Order**

The meeting was called to order at 7:00pm.

**2. Public Input**

- a) Marty Carlson of 416 MacMillan Drive read the letter he provided to council that described his opposition to the DVP for 400 MacMillan Dr siting that this would open the door to future mobile homes variance applications and would be detrimental to surrounding property values.
- b) Dene Rossouw of 331 MacMillan Drive conveyed his opposition to the DVP for 400 MacMillan Drive siting this approval would cause the perceived neighborhood quality to deteriorate, a lack of neighborhood consistency and would negatively impact property values over time.

**3. Introduction of Late Items**

CAO Thomas added to the agenda:

- 17. In-Camera under Community Charter 90(1)(c) labour relations or other relations
- 15. New Business BCEHS request for camping at the village's campground for BCEHS staff

**4. Approval of Agenda**

**MOTION R25/206**

**MOVED AND SECONDED**

THAT the agenda for the Regular Meeting of Council for **July 15, 2025**, be approved as amended.

**Opposed Cllr Burchett                      CARRIED**

**5. Minutes of Previous Meetings**

**MOTION R25/207**

**MOVED AND SECONDED**

THAT the minutes from the Special Council Meeting held on **June 24, 2025**, be adopted as presented.

**CARRIED**

**MOTION R25/208**

**MOVED AND SECONDED**

THAT the minutes from the Committee of the Whole Meeting held on **April 4, 2024**, be adopted as presented.

**Opposed Cllr Burchett                      CARRIED**

**MOTION R25/209**

**MOVED AND SECONDED**

THAT the minutes from the Special Council Meeting held on **May 14, 2024**, be adopted as presented.

**Opposed Cllr Burchett                      CARRIED**

**MOTION R25/210**

**MOVED AND SECONDED**

THAT the minutes from the Special Council Meeting held on **May 16, 2024**, be adopted as presented.

**Opposed Cllr Burchett                      CARRIED**

**6. Petitions and Delegations**

- a) **Tour de Rock – Canadian Cancer Society, Laura Nelson, Cops for Cancer Manager**

**7. Correspondence**

- a) **Resource Breakfast Series – Mining, Energy, Forestry**
- b) **Coastal Fire Centre Update**
- c) **Commission of Inquiry into Community Safety**
- d) **Community Appreciation BBQ – BC Salmon Farmers**
- e) **2023 FireSmart Community Funding and Supports – 2023 Wildfire Risk Reduction initiative**

**MOTION R25/211**  
**MOVED AND SECONDED**  
THAT correspondence a) – e) be received.

**CARRIED**

**8. Council Reports - None**

**9. Reports of Committees - None**

**10. Mayor’s Report - None**

**11. Unfinished Business**

**a) DVP Application - 400 MacMillan Drive – Site Constraints**

**MOTION R25/212**  
**MOVED AND SECONDED**  
THAT Council receives this report.

**Opposed Cllr Burchett**

**CARRIED**

**MOTION R25/213**  
**MOVED AND SECONDED**  
THAT Council deny the proposed Variances for 400 MacMillan Drive.

**CARRIED**

**12. Staff Reports**

**a) Grant in Aid Request – Tour de Rock**

**MOTION R25/214**  
**MOVED AND SECONDED**  
THAT Council receives the Grant in Aid Request – Canadian Cancer Society Tour de Rock staff report for information and discussion; and,  
  
THAT the in-kind donation request from the Canadian Cancer Society - Tour de Rock dated June 27, 2025, be approved as amended (without pool or hot tub use).

**CARRIED**

**b) Parcel Tax Implementation Project**

**MOTION R25/215**  
**MOVED AND SECONDED**  
THAT Council receives the Parcel Tax Implementation Project staff report for information and discussion.

**CARRIED**

**MOTION R25/216**  
**MOVED AND SECONDED**  
THAT staff be directed to move forward with the Parcel Tax Implementation Project with a budget of no more than \$30,000; and,  
  
THAT the funding source for this project be the Growing Communities Reserve Fund; and,

THAT the 2025-2029 Financial Plan be amended accordingly.

**Opposed Mayor Baker, Cllr Coates, Cllr Johnson      DEFEATED**

**MOTION R25/217**

**MOVED AND SECONDED**

THAT the Parcel Tax Implementation Project be brought back to council for review and discussion in 2026.

**Opposed Cllr Burchett      CARRIED**

**13. Emergency Services/Public Works/Recreation Department Reports - None**

**14. Bylaws – None**

**15. New Business**

**a) BCEHS request for camping at the village’s campground for BCEHS staff**

**MOTION R25/218**

**MOVED AND SECONDED**

THAT the village support receiving a grant-in aid request from BCEHS for the use of one serviced campground site for their staff.

**CARRIED**

**16. Public Question Period**

**a) Deborah Rossouw of 331 MacMillan Drive told council of her concern regarding a neighbour with an unsightly premises which is downgrading the entire neighborhood.**

*CAO Thomas explained that the property in question has a valid building permit and that staff have been in contact with the owner, who has removed a second RV from the property. In summary, CAO Thomas explained that all regulatory processes are being adhered to, and that these processes can take time.*

**b) Deborah Rossouw of 331 MacMillan Drive inquired if there is anything residents can do to support council and staff regarding unsightly premises i.e. submit more complaints.**

*Cllr Johnson confirmed that it is a complaint driven process.*

*CAO Thomas advised that written complaints first start at the front desk, not with council.*

*Cllr Poulsen commented that RV permits are issued for one year during construction. She asked if this property is under the same RV permit or a new one.*

*CAO Thomas said there is a valid temporary RV occupancy permit and a valid Building Permit.*

**17. In Camera**

**MOTION R25/219**

**MOVED AND SECONDED**

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 the following sections of the *Community Charter*:

- 90(1)(c) labour relations or other relations

**Opposed Cllr Burchett**

**CARRIED**

**18. Adjournment**

The meeting was adjourned at 8:38pm.

Original signed by "M. Baker"

**Mayor**

Original signed by "A. Young"

**Corporate Officer**

**PART 600**

**ZONES**

**601**

**RESIDENTIAL ONE (R-1)**

**1) PERMITTED PRINCIPLE USES**

On any lot:

- a) One single family dwelling.

**2) PERMITTED ACCESSORY USES**

- a) Home-based business;
- b) Bed & Breakfast;
- c) Boarding;
- d) Buildings, accessory;
- e) Secondary suites.

**3) LOT SIZE**

The minimum lot area for subdivision is 668m<sup>2</sup> (7200 ft<sup>2</sup>).

**4) LOT COVERAGE**

Buildings and structures shall not cover more than 70% of the lot area.

**5) SITING OF STRUCTURES**

Except where otherwise specified in this Bylaw, no building or structure shall be located within:

- a) 6.0m (19.6ft) of front and rear lot lines;
- b) 1.5m (4.9ft) of side lot line on a lot;
- c) 3.0m (9.8ft) of side lot line abutting a public road right-of-way;
- d) No accessory structure shall be located within 1.0m (3.3ft) of a rear or side lot line.

**6) WIDTH OF BUILDINGS**

No building or structure other than accessory buildings or structures shall be less than 7.0m (22.9ft) in width.

**Bylaw 410, 2014 - Adds 7) CONDITIONS**

**7) CONDITIONS**

No single-wide mobile home including Z-240 certified homes as a whole or as a part of a building is permitted.

End – R-1

**CONDITION AND IMPACT ASSESSMENT  
400 MACMILLAN DRIVE, SAYWARD, BC  
MARCH 2025**

***PREPARED FOR:***

*MATTHEW BATES  
214-15991 THRIFF AVENUE  
WHITE ROCK, BC V4B 2M9*

***PREPARED BY:***

*JASON VAN ROOYEN, RPBIO*

***REVIEWED BY:***

*MONICA STEWARDSON, RPBIO, CPESC*



**MAINSTREAM**  
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## 1.0 Introduction

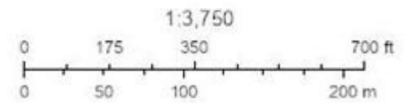
The property located 400 MacMillan Road (PID: 003-440-371) in Sayward, BC was a previously forested and undisturbed lot with no historical developments (Figure 1). In late 2024, the lot was cleared of vegetation and a gravel driveway installed on the north side of the property; however, no structures have been established. The clearing and ground disturbance on the property occurred within 30 m of an identified channelized stream without a *Riparian Areas Protection Regulation* (RAPR) assessment, contravening the regulation.

A Qualified Environmental Professional (QEP) assessed the site on January 29, 2025 to document the location and extent of the disturbances. There was no prior assessment or reporting of any work on the property, as would be required under the RAPR for all work within 30 m of open drainages with connection to downstream freshwater fish habitat. The RAPR is intended to be applied prior to development activities. As work has already been completed, the Province directs QEPs to complete a Condition and Impact Assessment (CIA) to document the development completed without the appropriate assessment and approvals. This assessment is intended to retroactively describe the riparian area associated with the drainages on site and document any disturbance within the 30 m Riparian Assessment Area (RAA) and Streamside Protection and Enhancement Area (SPEA), established by the RAPR. Recommendations for remediation of the unapproved development include a restoration plan where encroachment within the eventual SPEA is documented and erosion and sediment control measures to protect the SPEA and aquatic habitat for any areas of erosion concern.

## Sayward Mapping Application



2/3/2025, 2:18:23 PM



Village of Sayward

Figure 1. The yellow outline shows the approximate property boundary of 400 MacMillan Drive, Sayward, BC. Image obtained from the Village of Sayward mapping application.

## 2.0 Assessment Results

A QEP visited the site on January 29, 2025, to document the extent of the disturbance and clearing within the 30 m riparian assessment area (RAA) for the watercourse on the property. All drainages on the property were mapped using a Trimble GeoXT 6000 GPS receiver and photos were taken of all waterbodies encountered as well as areas of disturbance on the property. Following the survey, the conditions observed during the site visit were compared to aerial and satellite imagery of the property to determine the extent of the new disturbances as no previous assessments of the property had been completed. The only environmentally sensitive feature associated with the subject property was a channelized stream flowing through the west and south boundaries. The area was evaluated for immediate risks to water quality or riparian habitat.

### 2.1 Site Assessment

The watercourse is a channelized stream directing flow south and east along the west and south boundaries of the property at 400 MacMillan Drive and drains to a large pond with connection to the Salmon River estuary (Photos 1). The Salmon River is a known fish-bearing stream<sup>1</sup>. The channelized stream originates as surface and ground water runoff from the forested slope immediately west of MacMillan Drive, behind the residential properties. The stream flows in a general southeast direction before entering the subject property in the northwest corner, where it becomes channelized along the property boundary. The stream is conveyed for approximately 16 m across the west property boundary and then flows to the east for 22 m along the south property boundary where it then enters an old 500 mm steel culvert (Photo 2). It is culverted for approximately 12 m where it enters an open storm water catch basin at the southeast corner of the property after which it is culverted for another 113 m below the property located at 401 MacMillan Drive where it surfaces on the bank of a channelized stream in H'Kusam Park. Coho fry and threespine stickleback have been captured in the section of the stream within the park. The stream eventually drains into a large pond that has a culverted connection to the Salmon River estuary underneath Sayward Road (Figure 2).

Fish habitat within the channelized stream on the property is of poor quality and it is unlikely that fish can access this channel (large, culverted sections and a perched outlet in the storm water catch basin). However, the channelized section of the stream is connected to fish habitat downstream and is therefore a stream under the *Riparian Areas Protection Regulation* (RAPR). Where the stream borders the property, the average channel width was 0.8 m and instream substrates were dominated by fine materials (sand, mud and organics) with very little gravel and no woody debris present. The morphology consisted completely of run habitat with no deep pool sections. Overhanging vegetation cover is absent from the stream channel because of the recent clearing on the lot (Photo 3).

Conditions in the Streamside Protection and Enhancement Area (SPEA) included significant disturbances from vegetation clearing. The SPEA on the south side of the property is generally void of vegetation with small amounts of sword fern and young red alder (*Alnus rubra*) trees in the southwest corner. This section of the SPEA backs onto the adjacent property boundary located at 410 MacMillan Drive. The left bank (property side) SPEA on the west side of the lot has been completely cleared of vegetation. The right bank (forested side) of the SPEA consists of young to mature red alder – western hemlock (*Tsuga heterophylla*) forest with abundant

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<sup>1</sup> Habitat Wizard. <https://maps.gov.bc.ca/ess/hm/habwiz/>. Accessed February 3, 2025.

salmonberry (*Rubus spectabilis*) and sword fern (*Polystichum munitum*) in the shrub layer (Photo 4).

Based on the observed conditions at the site, it was assessed that there was no imminent risk to fish and fish habitat; however, erosion and sediment control measures should be implemented during any proposed future works.

## **2.2 Historical Aerial and Satellite Imagery**

Aerial and satellite imagery compared to recent field photos of the property show how conditions have changed between 2023 and 2025 (Figure 3). Imagery from 2023 shows the fully vegetated property with no obvious recent clearings within the boundary. The vegetation is continuous with the forested slope behind the properties along the west side of MacMillan Drive and intact riparian zone vegetation along the channelized stream is present. Historical images (Figure 4) from 2011 show that the vegetation composition on the property consists of young deciduous and coniferous trees, abundant shrub cover along the channelized stream and open grassy areas. This composition is different from the more mature forest to the west of the property which supports larger trees, abundant coarse woody debris and an established moss layer over the ground. This suggests that the property may have been cleared in the past (10 – 15 years ago) but the vegetation has been allowed to naturally re-establish. During the late fall of 2024, the vegetation was fully cleared to all the property boundaries and included the establishment of a gravel driveway on the north side (Photos 5 and 6). As this assessment of previous conditions can only be based on satellite imagery and field photo documentation, the full extent of the previous site conditions and associated changes over time can not be confirmed because of incomplete image availability and the visual limitations associated with overhead vegetation cover.





Figure 3. Google Earth imagery of 400 MacMillan Drive taken in June 2023 showing vegetation on the property. The approximate property boundary is highlighted in yellow.



Figure 4. Google Maps street view of the property located at 400 MacMillan Drive in 2011.

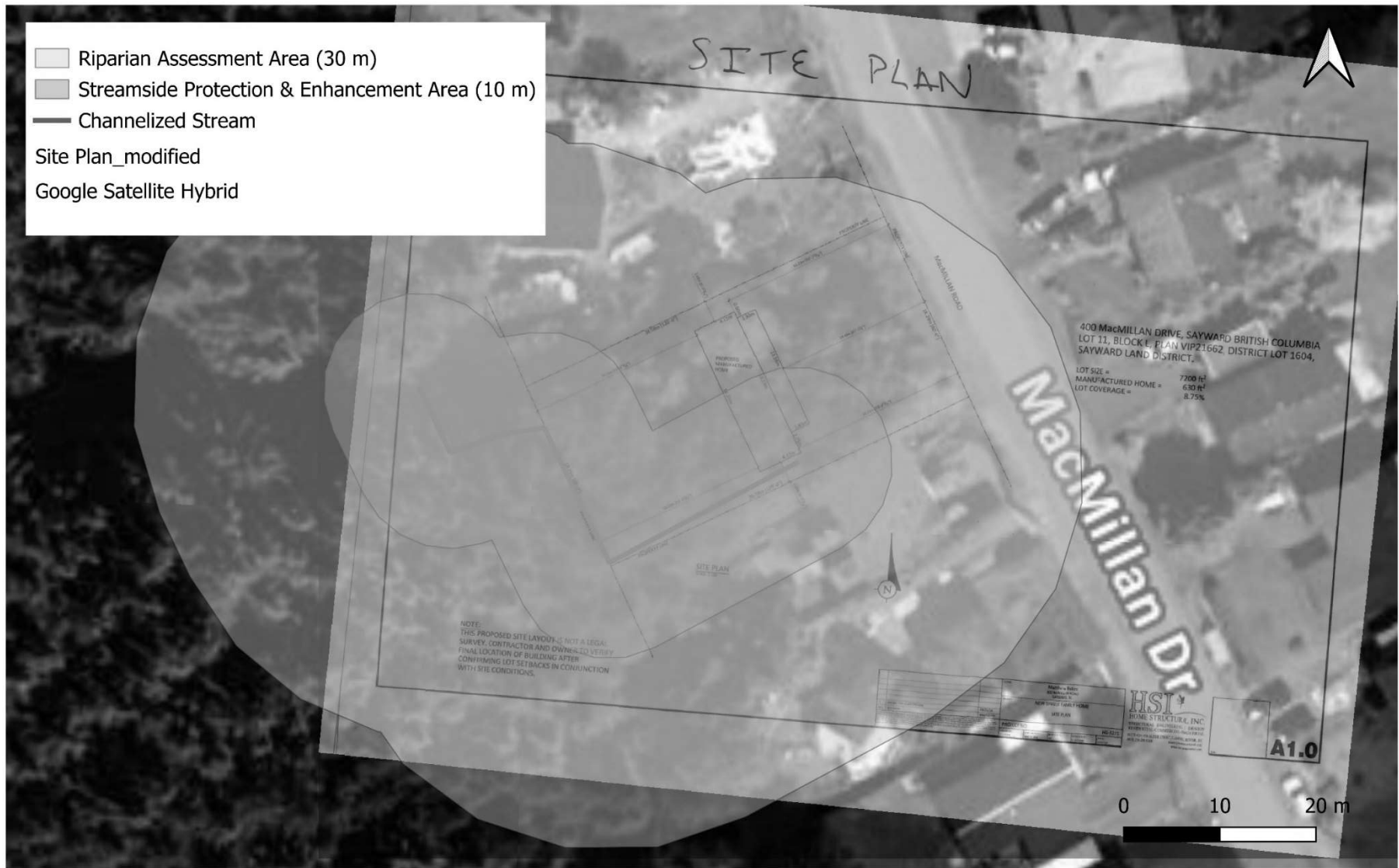
### 3.0 Discussion and Recommendations

At the time of the clearing and during the subsequent site assessment by a QEP, the only environmentally sensitive area identified on the property was the channelized stream and associated riparian area. In the Village of Sayward any development within 30 meters from the top of bank of a stream connected to freshwater fish habitat is required to comply with the Provincial RAPR regulation.

The recent vegetation clearing occurred within the 30 m Riparian Assessment Area (RAA) of the channelized stream, which triggered the requirement for a QEP to assess the condition of the stream and riparian area and verify that the RAPR would apply for new development within 30 m of the watercourse.

During the condition and impact assessment, the channelized stream was assessed to determine the SPEA that would be required under the RAPR prior to new development activities. Channel width measurements were taken upstream and downstream from the centre of the stream section flowing through the property, resulting in an average channel width of 0.8 m adjacent to the property and a SPEA of 10 m from the stream boundary as prescribed by the RAPR detailed assessment methodology (Figure 5). When the SPEA was overlaid on a property map with the proposed development site plan, it was determined that the clearing occurred within the entire SPEA on the left bank of the stream, and the proposed development will also fall within the SPEA boundaries.

As a result of the unpermitted clearing, restoration must occur in the SPEA before a complete RAPR assessment can be completed and submitted to the Province for approval in support of any proposed new development of the property. Erosion and sediment control (ESC) measures are to be included in the restoration plan for immediate soil stabilization to assist with plant survival and to prevent turbid water from the cleared lot entering the riparian zone and the stream. Once the restoration work has been completed, the RAPR report for the proposed development can be prepared. A new site plan will be required, showing the location of the new development shifted outside of the SPEA.



Datum: NAD83  
 Projection: UTM Zone 10N  
 Base Map: Google Satellite Hybrid

Map Created:  
 February 5, 2025

Figure 5. Preliminary Riparian Assessment Area (RAA) and Streamside Protection and Enhancement Area (SPEA) boundaries for the channelized stream located at 400 MacMillan Drive and the site plan showing the proposed location of the new residential structure. The site plan will be updated to locate the new structure outside of the SPEA at the time the RAPR report is prepared.

## 4.0 Considerations for Future Development

Figure 5 shows the 30 m RAA and the 10 m SPEA associated with the channelized stream on the property. The recent clearing resulted in the removal of all existing vegetation within the property, including the SPEA of the channelized stream. Restoration of the SPEA is required prior to the completion of a complete RAPR assessment to support any further new development on the lot. A planting plan has been included in this report (Section 5) to guide the restoration of the SPEA

Once restoration has been completed, proposed development within the RAA will trigger the requirement for a complete riparian assessment according to the RAPR. Development is defined under the *Regulation* as any of the following activities:

- a) Removal, alteration, disruption or destruction of vegetation (removal of invasive species is excluded).
- b) Disturbance of soils.
- c) Construction or erection of buildings and structures.
- d) Creation of non-structural impervious or semi-pervious surfaces.
- e) Flood protection works.
- f) Construction of roads, trails, docks, wharves and bridges.
- g) Provision and maintenance of sewer and water services.
- h) Development of drainage systems.
- i) Development of utility corridors; and
- j) Subdivision as defined in section 872 of the *Local Government Act*.

The Riparian Area Assessment will confirm the SPEAs for drainages on the property and provide measures that must be implemented during development to protect the SPEAs. The SPEA is a no disturbance zone intended to protect the features, form, and function of the riparian habitat. No disturbance of vegetation or soils, ornamental landscaping, tree removal or construction of structures is permitted in the SPEA.

The RAPR report will contain specific measures to protect the SPEA, such as the placement of a fence or other barrier between the development area and the SPEA, as well as any environmental monitoring requirements for construction. It is expected that environmental monitoring requirements would be minimal for the type of development that is proposed. This Condition and Impact Assessment Report and confirmation of restoration works will be included as appendices to the RAPR report.

The Province will require the submission of a post-development assessment report at the conclusion of all development activities, as confirmation that the requirements of the RAPR report were met. To prepare this report, a post-construction site visit by a QEP will be required to document the final conditions.

It is strongly recommended that a Qualified Environmental Professional be consulted when future development plans are being made, to avoid any future unpermitted activities that would result in further non-compliance with the RAPR and requirements of the Village of Sayward.

## 5.0 Restoration Plan

The restoration area includes approximately 275 m<sup>2</sup> of riparian area adjacent to the channelized stream. The restoration area is located within the Coastal Western Hemlock very dry maritime (CWHxm2) biogeoclimatic zone, which is an area of warm, dry summers and moist, mild winters with relatively little snowfall<sup>2</sup>.

This section of this report outlines a recommended planting plan to restore trees and native vegetation within the SPEA in and bordering 400 MacMillan Drive. It is the responsibility of the Developer to ensure this Restoration Plan and the required post planting monitoring program are implemented.

### 5.1 Objectives

The objectives of this restoration plan are:

- Remove the invasive species (English Laurel) that have become established in the riparian area adjacent to 400 MacMillan Drive.
- Replace the trees removed within the riparian area to provide shade, erosion control, and wildlife habitat and more closely reflect natural riparian conditions.
- Plant appropriate native species to establish a natural vegetated buffer and improved habitat quality as per Provincial guidelines.
- Prevent the re-establishment of invasive species in the restoration area that will effect the recovery of the natural riparian vegetation community.

### 5.2 Measures of Success

The measures of success for this revegetation project are as follows:

- Remove invasive species, prevent re-establishment:
  - Establish at least a 1 m by 1 m invasive-free patch surrounding new plantings.
  - Confirm less than 25% cover by weeds or invasive species in the restoration area after one year post planting.
  - Confirm that there are no Noxious Weeds as identified by the Invasive Species Council of BC<sup>3</sup> and that invasive plants are being effectively excluded and managed.
- Replace trees and establish native vegetation in the stream SPEA.
  - Confirm at least 80% survival of planted species one year post planting.
  - Confirm at least four different native shrub and tree species are established in the restoration area through observed survival over one year. This will confirm the presence of a varied riparian understory vegetation community.

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<sup>2</sup> R.N Green and K. Klinka. 1994. A Field Guide to Site Identification and Interpretation for the Vancouver Forest Region. BC Ministry of Forests.

<sup>3</sup> Invasive Species Council of BC. 2023. A Field Guide to Noxious Weeds and Other Selected Invasive Plants of British Columbia.



required minimum number of plants and recommended species. Additional plants can be included but they must be native species suited to the local conditions. Plant substitutions may be made in consultation with a native species supplier, landscaper and with review by a QEP.

Following planting a minimum of a 50 mm layer of weed free mulch<sup>4</sup> must be spread over any areas of exposed soil to protect against erosion, retain moisture and restrict the growth of invasive species.

Table 1. The recommended species, densities and plant size requirements for the restoration area at 400 MacMillan Drive. The restoration area is 275 m<sup>2</sup>.

Vegetation Layer	Recommended Species	Plant Size	Planting Density	Number of Plants Required	Area Equivalent <sup>1</sup> (m <sup>2</sup> )
Trees	Sitka spruce ( <i>Picea sitchensis</i> ) Red alder ( <i>Alnus rubra</i> ) Big-leaf maple ( <i>Acer macrophyllum</i> )	6 cm caliper or 3.5 m tall	1 plant / 10 m <sup>2</sup>	13	130
Shrubs	Salmonberry ( <i>Rubus spectabilis</i> ) Tall Oregon grape ( <i>Mahonia aquifolium</i> ) Red huckleberry ( <i>Vaccinium parvifolium</i> )	1 gallon	1 plant / 2 m <sup>2</sup>	40	80
Ferns	Sword fern ( <i>Polystichum munitum</i> )	1 gallon	1 plant / 1 m <sup>2</sup>	65	65
TOTAL plants				118	275
Mulch	Fir bark mulch	All exposed areas – 50mm depth			

<sup>1</sup> – Expected cover at maturity.

<sup>4</sup> Canadian Landscape Standards (current edition)

## 5.5 Planting Guidelines

The following recommendations are provided to facilitate successful planting:

- Early spring planting is suggested once the site preparation activities are complete to improve planting success and to avoid erosion of topsoil caused by rain or snow melt.
- Confirm the correct botanical name of nursery stock to ensure recommended native species are planted. Tags should be left attached for field identification/confirmation.
- Individual plants are to be planted with the inclusion of bone meal to aid in the establishment of the root systems.
- Avoid the use of chemical fertilizers. Organic soil enrichment (i.e., compost) is recommended if soil enhancement is required.
- Plants must be adequately watered at time of planting (1 bucket per plant) and dedicated watering is required during the initial stages of establishment (up to one year), particularly during periods of dry weather. Additional watering may be required based on the advice of the plant supplier / landscaper.
- Placement of coarse woody debris along the stream top of bank is recommended to increase riparian value for wildlife species.
- For higher survival rates and aesthetic value, it is suggested that plants are clustered or grouped to mimic nature and placed in areas where they might occur naturally.
- Remove invasive species and weeds regularly in the early years of growth (one to five years) to prevent them from outcompeting the young plants before they are established. Removal must be done by hand without the use of herbicides as described in Section 5.4, due to the proximity of the planting site to the stream. For additional species-specific information, refer to the Invasive Species Council of BC website (<https://bcinvasives.ca/>).

## 5.6 Monitoring Requirements

Post-planting monitoring is required for a minimum of one year to ensure successful establishment of native vegetation, however monitoring beyond that first year may increase the probability of successful restoration.

Additionally, invasive species must be removed to prevent these species from competing with newly planted native species. Continuing control efforts will be required to ensure these species are effectively managed.

Post-planting monitoring should occur during the late spring or early summer to ensure winter survival of the plantings through the observation of new growth. Photo documentation of the site will provide a reference for plant establishment during the monitoring period. During the post-planting monitoring assessment, the following details will be documented:

- The number of live plants within the revegetation area will be counted and compared to the recommended planting densities to determine if there has been 80% survival. Natural regeneration of native species will be included in the count of native plants present.
- The presence and coverage of invasive species will be documented. If management of these species is required, the recommended actions will be communicated to the

property owner. A target of less than 25% coverage within the restoration area will be established. Noxious weeds and invasive plants listed by the Invasive Species Council of BC (i.e., Japanese knotweed, Himalayan blackberry and Scotch broom) must be entirely removed.

- Any additional observations on the conditions of the riparian habitat that may be affecting successful revegetation, such as ungulate browse, will be documented and reported.
- The site will be evaluated for any risks to water quality during each site visit.

The frequency and duration of the monitoring program may be modified by the QEP depending on the success or failure of the planting. The results of the post-planting monitoring will be summarized in a report following each site visit to document the outcome of the revegetation effort. Reports will be provided to the Village of Sayward.

## Appendix 1- Photographs



**Photo 1**

A view looking west showing the channelized stream on the property.



**Photo 2**

A downstream view of the channelized stream as it enters a steel culvert pipe before flowing off the property.



**Photo 3**

A view looking south showing the absence of overhanging vegetation along the channelized stream due to the removal of vegetation on the property.



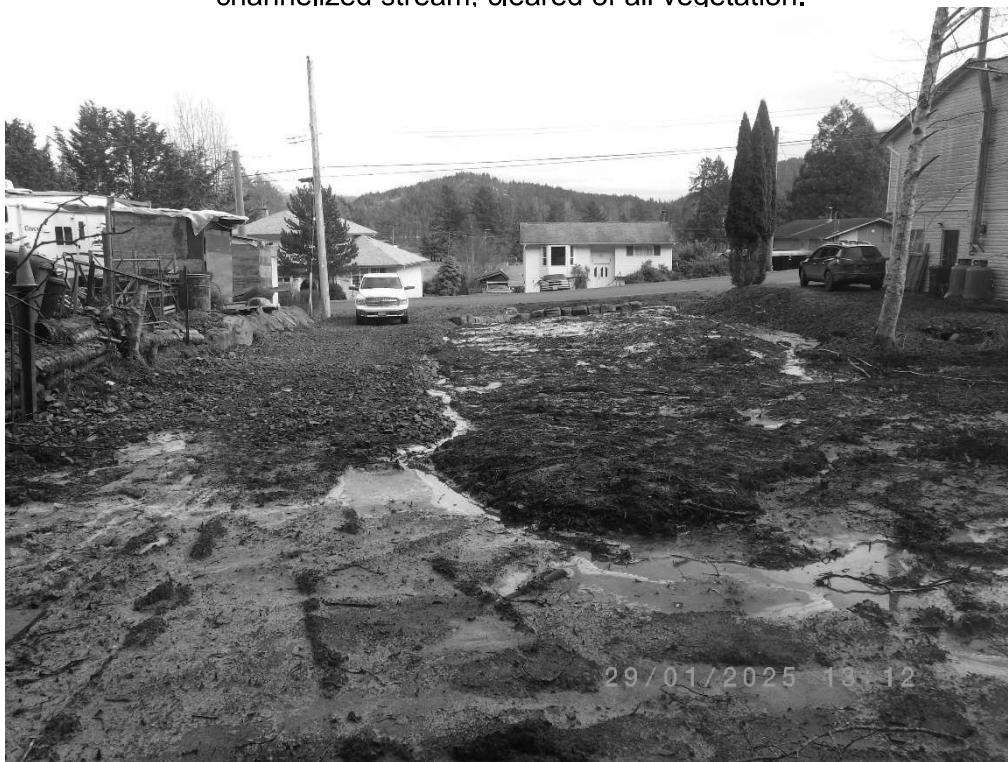
**Photo 4**

A view of the right bank SPEA of the stream showing established vegetation in contrast to the cleared left bank of the SPEA.



**Photo 5**

A view looking west showing that property, including the Riparian Assessment Area for the channelized stream, cleared of all vegetation.



**Photo 6**

A view looking east showing the cleared property. A gravel driveway has been established on the north property boundary



From Matthew Bates

To Sayward Council

RE: Application for variance at 400 MacMillan Dr due to riparian hardship restrictions

To whom it may concern:

This document is with respect to my application for a variance to the R-1 zoning bylaw (**to build a traditional stick structure as laid out below**) which requires a minimum structure width of 7m/21'. Riparian restrictions require a no build zone of 10m/30' from existing natural water courses and there is a creek at the back and left hand side (looking from the road) of the lot at 400 MacMillan Dr (see Figure 1 for riparian restrictions on the lot). As such the building space is significantly limited due to the hardship imposed on me by these restrictions. The small corner I can build on is shown as a red box in Figure 1 and has measurements of approximately 30' by 90'.

#### FIGURE 1: RIPARIAN RESTRICTIONS

Below is the proposed “**traditional build stick structure**” and placement:



FIGURE 1: RIPARIAN RESTRICTIONS





I would greatly appreciate consideration of this variance by council.

Sincerely,

Matthew Bates



## DEVELOPMENT VARIANCE PERMIT

FILE: **DVP 400 MACMILLAN DR., VILLAGE OF SAYWARD**

ISSUED TO: MATT BATES

**PROPOSAL:** DEVELOPMENT VARIANCE PERMIT TO VARY SECTION 601.6) TO REDUCE THE REQUIRED BUILDING / STRUCTURE WIDTH FROM 7.0 METRES TO 4.2 METRES TO CONSTRUCT A SINGLE-FAMILY DWELLING UNIT.

1. This permit applies to only those lands (subject property) within the Village of Sayward described below:

**Legal Description:** LOT 11, BLOCK L, DISTRICT LOT 1604, SAYWARD DISTRICT, PLAN 21662  
**Parcel Identifier (PID):** 003-440-371  
**Civic Address:** 400 MacMillan Drive, Village of Sayward, BC

2. This permit is issued subject to compliance with all relevant Village of Sayward bylaws, except as specifically varied or supplemented by this permit.

3. This Development Variance Permit varies Bylaw No. 309, as follows:

a. Reduce the building/structure width from 7.0 m to 4.2 m

4. The land described herein shall be developed in strict accordance with the following terms, conditions, and provisions of this permit, including:

a) Schedule A: Site Plan

5. This permit is NOT a building permit.

6. This development permit (DVP 400 MacMillan Dr) shall lapse if development is not substantially commenced within **two (2)** years of the issue date of this permit (see below). Lapsed permits cannot be renewed; therefore, application for a new development permit must be made, and permit granted by the Village of Sayward Council, to complete the remainder of the work.

**CERTIFIED as the DEVELOPMENT VARIANCE PERMIT approved by resolution of the Council of the Village of Sayward on \_\_\_\_\_.**

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Certified on



## Village of Sayward

May 13, 2026

File: DVP – 400 MacMillan Drive

Dear Sir and/or Madam:

**Re: Development Variance Permit Application – 400 MacMillan Drive, Village of Sayward  
LOT 11, BLOCK L, DISTRICT LOT 1604, SAYWARD DISTRICT, PLAN 21662**

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A Development Variance Permit application has been received from the property owner at 400 MacMillan Drive to vary the Village of Sayward Zoning Bylaw, 2000, Bylaw 309, Section 601.6) to:

**Reduce the minimum width of a building from 7.0 m to 4.2 m to construct a single-family dwelling unit.**

The Village of Sayward Zoning Bylaw 2000, Bylaw 309, Section 601 states:

- 6) *No building or structure other than accessory buildings or structures shall be less than 7.0 m (22.9 ft) in width.*

The Village of Sayward Council will consider this application on

**Tuesday, May 26, 2026 at 7:00 pm.**

The meeting will be held in the Village of Sayward Council Chambers located at 652 H'Kusam Way, Sayward, BC V0P 1R0.

A copy of the proposed permit may be inspected at the Village of Sayward Municipal Office located at 652 H'Kusam Way, Sayward, BC from May 13<sup>th</sup> to May 26<sup>th</sup>, 2026 on weekdays (Monday to Friday) between 9:00 am and 4:00 pm excluding Statutory Holidays, and on the Village's website.

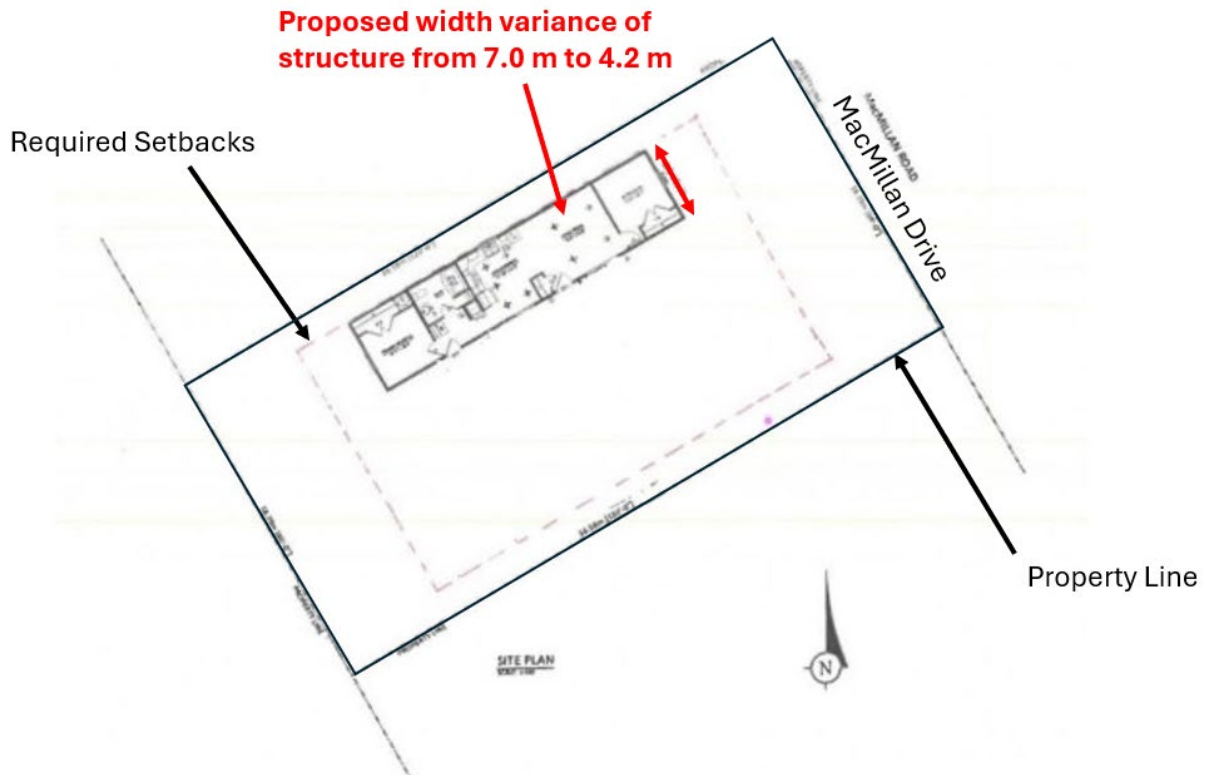
As an owner or occupier of land adjacent to the subject property, you have the right to submit written comments for consideration by the Village Council. Submissions received with respect to this application will form part of the public agenda. The Village of Sayward will accept written submissions delivered by hand, by fax at 250-282-5511, by email to [village@saywardvalley.ca](mailto:village@saywardvalley.ca) or by regular mail **until 4:00 pm on May 26, 2026**. Please submit any comments you have at your earliest convenience. Council will also receive comments about the proposed permit at the Council meeting on Tuesday, May 26, 2026.

Andrew Young, MCIP, RPP  
Chief Administrative Officer  
Village of Sayward

Sayward Village Office, 652 H'Kusam Way, PO Box 29, Sayward, BC, V0P 1R0  
Phone: 250-282-5512 Fax: 250-282-5511 e-mail: [village@saywardvalley.ca](mailto:village@saywardvalley.ca)

*The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded territory of the K'ómoks First Nation, the traditional keepers of this land.*

### Proposed Variance at 400 MacMillan Drive



Sayward Village Office, 652 H'Kusam Way, PO Box 29, Sayward, BC, V0P 1R0  
Phone: 250-282-5512 Fax: 250-282-5511 e-mail: village@saywardvalley.ca

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