



North Pender Island Board of Variance Meeting Agenda

Date: July 26, 2023

Time: 11:00 a.m.

Location: Electronic Meeting

-
1. CALL TO ORDER
 2. APPROVAL OF AGENDA
 3. MINUTES
 - 3.1 June 13, 2023 (attached)
 4. UPDATE FROM SECRETARY
 5. APPLICATIONS
 - 5.1 NP-BOV-2023.1 (Cameron) - Staff Report (attached)
 6. ADJOURNMENT

North Pender Island Board of Variance Minutes of a Hearing

Date: June 13, 2023
Location: Electronic Meeting (Zoom Webinar)

Members Present: Priscilla Zimmerman, Chair
Andrew MacLean, BOV Member
Bert Hol, BOV Member

Staff Present: Brad Smith, Island Planner
Fran Munro, Recorder
Emily Bryant, Administrator

Applicant Representative: Mike McDonald via phone call

1. CALL TO ORDER

Chair Zimmerman called the meeting to order at 2:00 p.m. Chair Zimmerman acknowledged that the meeting was held on the unceded territory of the Coast Salish First Nations, and is grateful to be on this land.

2. APPROVAL OF AGENDA

By general consensus the agenda was approved as presented.

3. MINUTES

3.1 North Pender Board of Variance Minutes Dated March 23, 2022

By general consent the Board of Variance meeting minutes of **March 23, 2022** were adopted as presented.

4. UPDATE FROM SECRETARY

Planner Smith advised he is presenting a staff report on the Variance Application before the board today.

Planner Smith advised BoV Member MacLean, BoV Member Hol and BoV Chair Zimmerman (on line) attended a site visit at the property with him to view the proposed projection of the deck extension. The proposed deck is located within 5.64 m of the front lot setback line. The Bylaw provision allows an overhang of the deck of at least 0.6 m, so this reduces the variance they are seeking. The BoV will need to consider whether hardship is being caused in this case and if the variance is minor or not.

5. APPLICATIONS

5.1 NP-BOV-2023.3 (McDonald) - Staff Report

BoV Member MacLean advised the footing extends another 0.29 m. It was discussed whether or not a hardship would be caused if the set back was reduced to 5.25 m or if this would be a minor variance. The elevation of the building design indicates the deck would be raised to the second level of the home and not be built on ground level. BoV Hol felt a 28% reduction would be a degree of minor variance.

Planner Smith advised the owner is wanting to be within 5.64 m but another 0.29 m has to be added due to the extension of the footing. The Applicant MacDonald advised there was a deck plan and the information they needed to look at was at the bottom of the plan he sent them. It was a PDF image of the outside deck. He advised it was originally a square deck and the drawing has a 45 degree angle noted on it. He did advise he could reduce the deck from 8 feet to 7 feet. He could move the posts back by 2 feet.

There was much discussion by everyone about the size difference.

BoV Member MacLean was of the view that the application was a minor variance. He drew a red line on the drawing showing where the set back would be. The house has already been constructed on the lot in a location away from the back of the lot where there would be an issue with the rock in that area. The deck cannot be placed at the back of the house and siting the deck in the front provides the neighbours more privacy. He does not want financial hardship to come into play here.

Chair Zimmerman's thoughts were that if the deck was reduced from 8 feet to 7 feet, this would be the way to go, so there would be no hardship.

After further discussion, the BoV passed the following resolution:

NP-BOV-2023-01

It was Moved and Seconded

that having considered the matters set out in s.542(1)(c) of the *Local Government Act*, and having found that undue hardship would be caused to the applicant if s. 8.1.5 (a) of the North Pender Land use Bylaw No. 103, 1996 is complied with, the North Pender Island Board of Variance approves application NP-BOV-2023.3 (McDonald) as presented in Schedule 'A', of the NP-BOV-2023.3 Notice of Hearing, with the exception that the concrete footings and deck supports must be sited at least 0.60 m further back to the north away from the encroachment of the front edge of the deck located within 5.64 m of the front lot line.

CARRIED

6. ADJOURNMENT

By general consent the meeting was adjourned at 3:00 p.m.

Recorder
Fran Munro

Date



File No.: NP-BOV-2023.1 (Cameron)

DATE OF MEETING: July 26, 2023
TO: North Pender Island Board of Variance
FROM: Brad Smith, Island Planner
Southern Team
CC: Robert Kojima, Regional Planning Manager
SUBJECT: Board of Variance Application
Applicant: Heather Cameron and Kevin Zembik
Location: 1604 Chart Drive, Pender Island

REPORT SUMMARY

The purpose of this staff report is to present an appeal to the Board of Variance to vary the North Pender Island Land Use Bylaw No. 224, 2023 (LUB) to permit the construction of a new dwelling and decks along with associated retaining walls within the 15 m setback from the natural boundary of the sea, and to legalize two existing concrete septic tanks currently sited within this same 15 m setback.

This application is being made under Section 540 (a) (i) of the *Local Government Act* for a variance to a bylaw respecting the siting, size or dimensions of a building or other structure.

APPLICANT'S RATIONALE

As further described in the letter submitted by the applicant and included as Attachment 1, the rationale for the requested variances is summarized as follows:

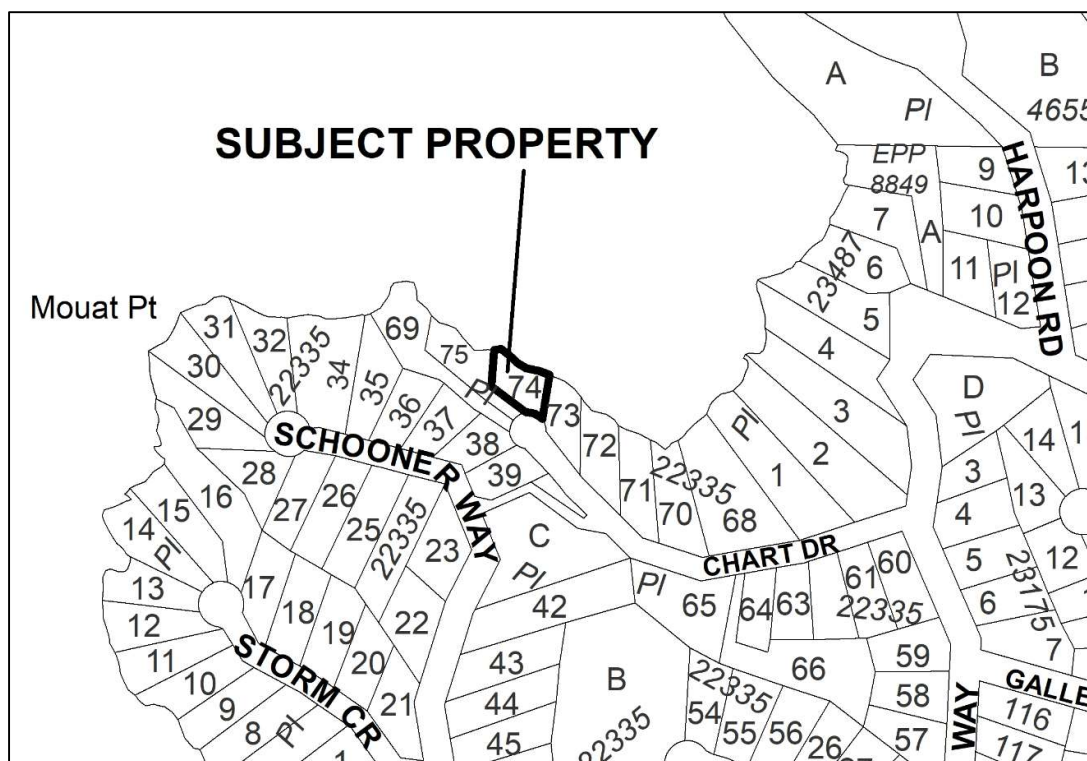
- The 0.25 acre lot is extremely shallow, dramatically sloped from one side to the other with a very restricted building area;
- An engineering report recommends the construction of retaining walls to protect the home's structural integrity along with the natural environment below by preventing any chance of the sides collapsing down the bank;
- The proposed design of the house is intended to minimize the required variance and requires no variance to other setbacks;
- Both decks will add much needed living space to the home and will help to make the extremely shallow 17.5 foot depth feel less restricted and tight; and,
- The septic tanks were installed by previous owners and have the proper approvals from health authorities at time of installation, a recent report confirms they are functioning and recommends they be buried which the proposed retaining wall would allow for.

BACKGROUND

A BoV application was submitted by the applicants in April 2023, and a BoV meeting was originally scheduled for June 13, 2023. However, upon further review by the planner, the original plans were not consistent with the engineer's report recommendations. The property owner has now provided updated plans.

The property is located at 1604 Chart Drive, North Pender Island. There is one small accessory building located on the property, a travel trailer, and two existing concrete septic tanks.

Figure 1 – Subject Property



Staff visited the property on May 25, 2023. Additional site context is included in Attachment 2 and maps and photos are included in Attachment 3. The Ryzuk geotech report for the subject property is included as Attachment 4, and the septic report as Attachment 5.

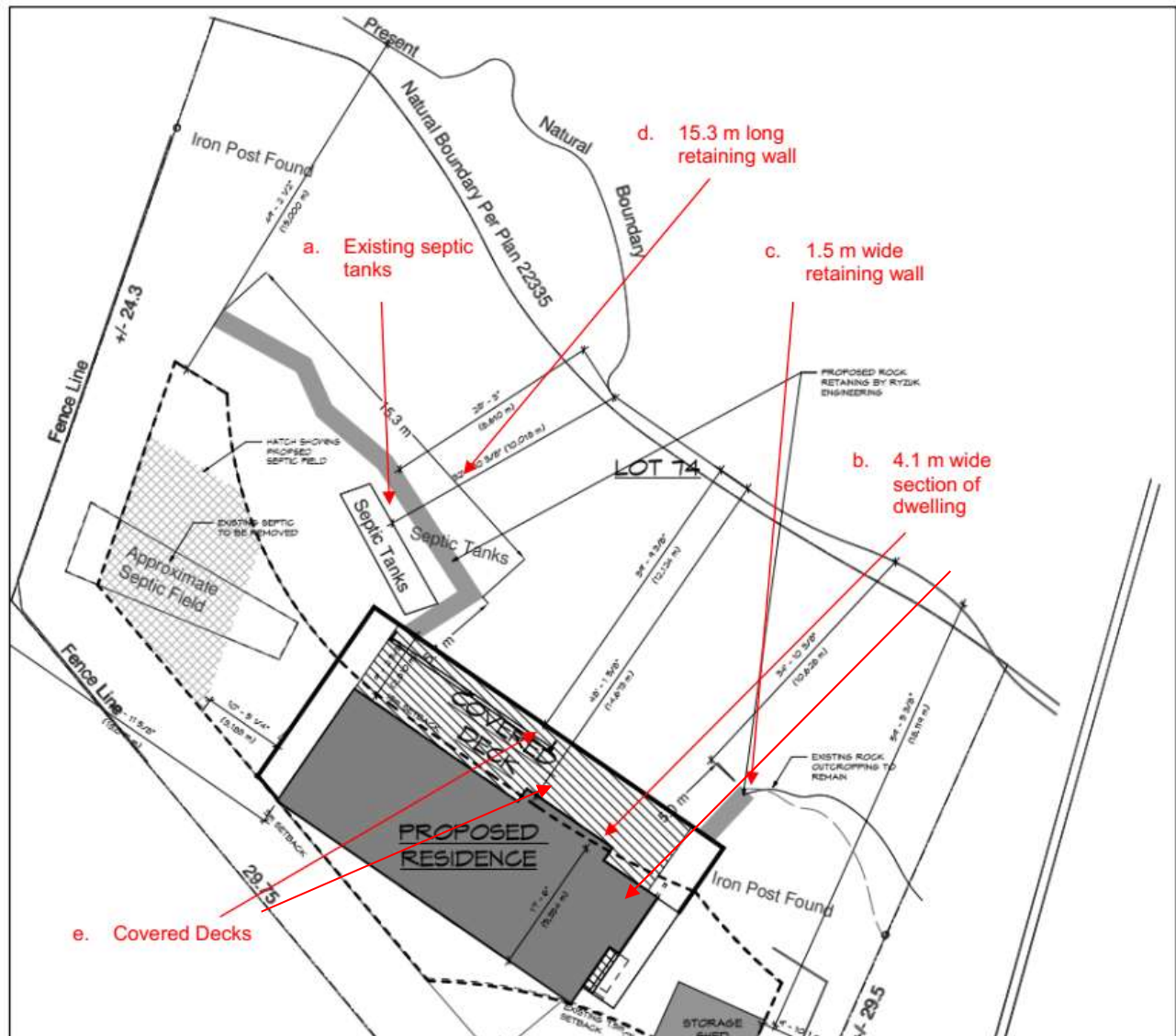
REQUEST FOR VARIANCE

The proposed variances are to Subsection 3.3 (1) 'Siting and Setback Regulations' in the 'General Regulations' of the LUB. More specifically, clause 3.3 (1)(a), which states that *No building or structure, other than those in Subsection 3.3(2), may be sited, nor fill placed to support a building or structure, within: (a) 15 metres upland of the natural boundary of the sea;* is to be varied to permit:

- a) The siting of existing septic tanks within 10.02 metres of the natural boundary of the sea.
- b) The construction and siting of a 4.1 metre wide section of the dwelling (upper and lower floors) within 14.67 m of the natural boundary of the sea.

- c) The construction and siting of a 5.0 metre long, 1.5 metre wide boulder stack retaining wall (east side of dwelling) within 10.63 metres of the natural boundary of the sea.
- d) The construction and siting of a 15.3 metre long boulder stack retaining wall (west side of dwelling) within 8.61 metres of the natural boundary of the sea.
- e) The construction and siting of two covered decks (upper and lower floor) within 12.13 metres of the natural boundary of the sea.

Figure 2. Site Plan showing Proposed Variances



Site photos are provided for additional context. Architectural floor plans and elevation drawings are included as Attachment 6.



Photo 1. Broad view of development area



Photo 2. Existing retaining wall



Photo 3. Septic Tanks



Photo 4. Side View of Retaining Wall

ANALYSIS

Official Community Plan:

The property is designated as **RR (Rural Residential)** in the North Pender Island Official Community Plan No. 171, 2007 (OCP).

There are no development permit areas on the property.

Land Use Bylaw

The property is zoned **Rural Residential (RR)** in the LUB. The current zoning allows for the planned residential uses on the property.

Issues and Opportunities

Impact in Neighbouring Properties

As the proposed development encroaches in setbacks along the backside of the property, has minimal impacts to site lines or other enjoyment and use of the adjacent properties, and no other variances are required, if the proposed variance is granted staff assesses the impacts on neighbours as relatively minimal.

Undue Hardship

The *Local Government Act* (LGA) establishes that a Board of Variance may order that a *minor* variance be permitted provided that the Board finds that *undue hardship* would be caused to the applicant if the variance is not granted (see 'Legislative Context' – below).

The applicant's rationale with respect to hardship is explained in the letter included as Attachment 1.

The Intent of the Regulation being Varied

Section 542 (c) (v) of the LGA states that the Board may grant a minor variance if the Board is of the opinion that the variance does not defeat the intent of the bylaw. Although the Board must form its own opinion, the following assessment of the intent of the setback from the natural boundary of the sea regulation may assist:

- Protection of development from natural hazards, particularly with sea level rise and increased storm surges.
- Protection of the natural shoreline environment.
- Limiting the visual impact of development on adjacent properties and the public realm.
- Establishing a consistent development pattern within a local area.
- Protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- Maintaining a rural character.
- Establishing certainty with respect to residential development by maintaining consistent siting regulations.

Potential Impacts of Granting the Variance

Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation each application should be evaluated on its own merits.

Consultation

Notices were circulated to all adjacent properties (Attachment 7). In addition, copies have been posted on island bulletin boards and the Islands Trust website under North Pender Island.

At the time of writing, four letters have been received in response to notification (Attachment 8). All four of the letters are generally opposed to the variance. None of the letters are from immediate neighbours.

Any submissions received after the agenda is published will be sent directly to BoV members and will be presented by staff at the July 26 meeting.

First Nations

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation.

Remote Access to Archaeological Data (RAAD) information indicates there are no archaeological sites noted on the property or within 100 metres. There are, however, areas of high archaeological potential in the vicinity of proposed work. The applicant has been provided with guidance on their obligations and procedures if archaeological material that is protected under the *Heritage Conservation Act* is encountered during development. The applicant has also been sent the Islands Trust Chance Find Protocol.

Statutory Requirements

Legislative Context

A person may apply to the Board of Variance for an order to vary certain zoning bylaw provisions where an applicant can adequately demonstrate, to the satisfaction of the Board, that compliance with the bylaw provisions would cause the applicant undue hardship.

It is up to the Board of Variance to determine what constitutes a minor variance and whether or not undue hardship has been proven.

This application is being made under Section 540 (a) (i) of the LGA where:

A person may apply to a board of variance for an order under Section 542 if the person alleges that compliance with any of the following would cause the person hardship:

(a) a bylaw respecting

(i) the siting, dimensions or size of a building or structure

Section 542 establishes that the board of variance may only order that a minor variance be permitted from the requirements of the bylaw, if the board of variance:

(a) has heard from the applicant and any person notified any person notified under section 541,

(b) finds that undue hardship would be caused to the applicant if the bylaw or 531 (1) is complied with, and

(c) is of the opinion that the variance or exemption does not do any of the following:

- i. result in inappropriate development of the site;*
- ii. adversely affect the natural environment;*
- iii. substantially affect the use and enjoyment of adjacent land;*
- iv. vary permitted uses and densities under the applicable bylaw;*

- v. *defeat the intent of the bylaw;*
- vi. *vary the application of an applicable bylaw in relation to residential rental tenure.*

Further, Section 542 (2) establishes that the board of variance must not make an order that would:

- (a) *be in conflict with a covenant registered under section 219 of the Land Title Act or section 24A of the Land Registry Act, R.S.B.C., c. 208;*
- (b) *deal with a matter that is covered in a land use permit or covered in a land use contract*
- (c) *to (e) deal with matters covered by a phased development agreement; a floodplain specification; or apply to a property with heritage protection applies.*

Staff is satisfied that all other requirements set out in LGA section 542 (1) and (2) have been met. Specifically:

- The statutory notification has been undertaken and ALL responses are provided to the BoV.
- The proposed variance is of a minor nature as it is for a relatively small incursion into the setback from the natural boundary of the sea and no other variances are required.
- The natural environment would not be significantly impacted as the variance is for development in an already largely disturbed area.
- The variance would not impact the use and enjoyment of neighbouring properties.
- The variance would not vary permitted uses or densities.
- The variance would not defeat the intent of the bylaw.
- The variance would not be in conflict with any covenants or permits.

Lastly, in considering the appeal, the Board should be satisfied that the requirements under LGA Section 542 (1) and (2) are met:

1. That the owner would experience a hardship if the appeal is not granted; and,
2. That the proposed variance is of a minor nature.

If the appeal for variance is not granted, the applicants could make a subsequent Development Variance Permit application for consideration by the North Pender Island Local Trust Committee (LTC), or alter the proposed building plan to conform.

Submitted By:	Brad Smith	July 17, 2023
Concurrence:	Robert Kojima, Regional Planning Manager	July 17, 2023

ATTACHMENTS

1. Rationale Letter from Applicant
2. Site Context
3. Maps
4. Ryzuk Geotech Report
5. Septic Report
6. Architect Plans and Drawings

7. Notice
8. Public Submissions

NP-BOV-2023.1

1604 Chart Drive
Pender Island
Lot 74 section 9

Heather Cameron, Kevin Zembik
[REDACTED]

Intro and Brief Overview:

Three years ago in May 2020, we purchased lot 74 Section 9 Pender Island - 1604 Chart Drive.

We will become full time residents of Pender Island upon our daughters graduation from high school in 2025.

Our 1/4 acre lot is extremely shallow, dramatically sloped from one side to the other with a very restricted build area.

We have worked with our architect to design house plans that fit within the extremely tight setbacks (less the decks and small portion of the kitchen bay window) giving us a 17.5 x 46 square foot home - the main floor has 844 square feet. There is a 373 square foot loft above the kitchen for the main bedroom with ensuite, and a basement with a second bedroom, small bathroom and tv/recreational area. The basement is currently marked as 501 potential square feet for living, and 331 sf of crawl space and storage. The basement floor will have to be re-assessed after all the non engineered fill and retaining wall that is currently there, is removed.

The Fill - Our build has become further complicated by the presence of non engineered fill and a 10 metre high non engineered retaining wall. The previous owner brought in a large amount of fill to level out the land and constructed a 3 metre high retaining wall to contain the fill. The non engineered fill and retaining wall are approximately 5 metres within the setback to the natural boundary. We have been advised by Ryzuk to remove both fill and retaining wall as it is not engineered or structurally safe. This was very upsetting as we believed we had all of that levelled out area as property to enjoy. Now, to protect the bank and natural boundary from potentially having the wall and fill fall into it, the centre of our lot is to be removed.

When we purchased the lot, the realtor gave us a site survey that had been recently done by the owner. The property also had pins and markers in place showing the setback lines from the Natural Boundary along with property lines between the neighbours. These markings were helpful and allowed us to mark out a house with a 3 metre wide deck. We even a few extra feet of land remaining in front of the deck towards the water/natural boundary. Of course, as I mentioned previously, we now have to remove the centre of the lot, but we still believed by the existing markers that we had room for the house and a 3 metre deck.

After meeting with our architect last fall, we discover that 'someone' had moved the set back markers 3 metres into the natural boundary across the whole water side of the property.

It was really upsetting to learn about the non engineered fill, but now we lost the entire space we believed we had for a deck and living space.

Image below shows one of the pink markers that is located across the front of our property.



The previous owner also installed a one bedroom septic system in 2004 placing the concrete tanks 9.151 metres into the natural boundary set back. When we purchased the lot, we were given documents from Vancouver Island Health Authority and Capital Health Region (*I have attached these for your review*) for the installed septic system, leading us to believe they were fully approved. Brad has discovered that they were not approved by Island Trust.

We had the tanks inspected upon purchase, and they were deemed viable and in great working condition by Canadian Sewage Solutions. The inspector recommended adding retaining walls to support the location of the tanks and the sand/soil around them. The retaining walls would also allow us to bury the tanks properly as they are currently completely exposed. This was also recommended by Canadian Sewage (*see attached documents by Canadian Sewage to support these notes*).

See attached photo below for a visual reference of the tanks, non engineered wall and non engineered fill.



Our septic field is being redone and repositioned by Big Digem and will double in size to allow for a two bedroom home. Braedon of Big Digem will be removing the existing field which is shown on the site plans, and has already marked out and measured the new septic fields position - also marked on the site plans. We have paused this field expansion as we are hoping to get the variance approved for the retaining wall in front of the septic tanks. The retaining wall must be put in place first as there will not be access to that area of the property once we lay the new septic field. If the retaining wall is approved, we would proceed with that first, then expand the septic field immediately after.

I've listed our 5 variance requests below, and gone into further detail for each.

Variance 1: We would like to build a 3.10896 x 16.345 metre deck on the main floor and a 3.10896 x 7.62 metre deck on the basement level.

The previous owner constructed a 3 metre non engineered retaining wall (5 metres within the natural boundary set back) and used non engineered fill to level out the land. This fill and retaining wall are still in place and after having it inspected by Ryzuk, it was noted that it was not engineered and could potentially slide down into the water should we experience a sizeable earthquake.

See supporting documents attached by Ryzuk (original fill inspection file)

We will be removing this non engineered fill and non engineered retaining wall to build our home.

Our first variance request is to allow for two decks on the back of the home (water side).

The main floor deck is 3.10896 x 16.345 metres across the the home and is 2.810 meters into the natural boundary setback. The deck will have three to four posts to support it and they will be located 2.438 metres into the natural boundary setback. There will also be a lower deck that will be metres 3.10896 x 7.62 metres and will also be 2.438 metres into the natural boundary setback. There will be two posts to support this lower deck placed 2.438 metres into the natural boundary setback.

Both decks will add much needed living space to the home and will help to make the extremely shallow 17.5 foot depth feel less restricted and tight. The decks will also replace all the land we believed we had before being told the non engineered fill was structurally unsafe. As we limited parking and a storage shed on one side of the house, and the septic field on the other, we don't see where any other decks could be placed.

Variance 2: Existing Septic Tanks to Stay in Place.

As I mentioned above, the previous owner had a one bedroom septic system installed in 2004 without proper approvals from Island Trust. The tanks are located 9.151 metres into the setback from the natural boundary.

We have had the tanks inspected and they are in great shape and working order.

Please see supporting attached documents for this from Canadian Sewage Solutions.

We will be doubling our septic field to support a two bedroom home. The new field has been measured and marked out by Braedon of Big Digem who will be laying the new lines, and is reflected accurately on the architectural drawings. *(Previous field is also still shown for reference on drawings)*

We would like to request a variance for the existing septic tanks to stay in their current place as we can't possibly imagine where else they could be located within

such a tight building area. If we moved the house over into the driveway to allow for new tanks to be placed by the field, we would lose all our parking and the only location for our much needed storage shed. Our cul de sac offers zero street parking and they have even posted 'no parking signs' to prevent this.

Variance 3: Retaining walls into the Natural Boundary Setback to support Build. We will be removing the non engineered fill and retaining wall as recommended by Ryzuk engineering. Though we loved the space this area offered, it will be nice to take the land back to it's natural state and prevent any possible chance of the non engineered fill and wall sliding down into the ocean. No one wants that. We will need to install retaining walls to the site on either side of the home at 5 and 5.7 metres into the natural boundary setback. These walls will protect the homes structural integrity along with the natural environment below by preventing any chance of the sides collapsing down the bank.

Ryzuk engineering has been to our site, reviewed the existing conditions, viewed our architectural plans and dug test holes in the build area. They have designed engineered retaining walls to support the design of the home and protect the Natural Boundary.

Please see attached documents to support this. Ryzuk retaining walls are attached individually and go into detail and are also combined in the architectural drawings.

Variance 4: We would like to Construct a Septic Retaining Wall around the Existing Tanks if they are allowed to stay in place.

If allowed to keep our existing septic tank in their current location, we would like to request a variance to install a retaining wall across the front of the tank that connects up with the 5.7 metre retaining wall that is supporting the excavated area for the home. The retaining wall in front of the septic tanks will be 15.3 metres long allowing us to bury the tanks properly and prevent further erosion around the tanks and the above septic field. The included above photo above gives you a good idea of the septic tanks location and the land around them. It's very sloped directly in front and on the far side. The extended wall will contain the tanks and field from any run off.

Please see attached documents from Canadian Sewage Solutions to support burying the tanks.

Variance 5: We would like to requests that 0.333 metres (13.125") x 4.064 metres of the Kitchen and basement be allowed to fall in the Natural Boundary Setback. In our original plans submitted early this year, we had the house angled forward several feet into the cul de sac setback. To eliminate requesting one more variance,

we pushed the one end of the house towards the water and pulled it out of the cul de sac setback completely. This kept almost all of the home within the designated building zone. When we did this, a small portion of the jut out in the kitchen and lower level fell within the natural boundary set back. We would like to request a variance allowing this jut out area to enter the natural boundary set back by 0.333 metres or 13.125 inches. This may seem like a trivial request, but our house is only 17.5 feet wide from front to back. Having even the smallest jut out adds precious space to the kitchen which is the busiest area in the home and to an extremely restricted tight basement level.

Thank you for your time.

Heather Cameron, Kevin Zembik & Lily Zembik

Attached Documents:

Su Casa Architectural drawings (combined with Ryzuk retaining walls)

Ryzuk engineered retaining walls

Ryzuk engineering site inspection and recommend non engineered fill and retaining wall removal.

Canadian Sewage Solutions - inspection and recommendations

Original Septic installation paperwork approved by the Capital Health Regional & Vancouver Island Health Authority

Land title Search

State of Title certificate

ATTACHMENT # – SITE CONTEXT

LOCATION

Legal Description	Lot 74, Section 9, Pender Island, Cowichan District, Plan 22335
PID	003-222-691
Civic Address	1604 Chart Drive

LAND USE

Current Land Use	Rural Residential
Surrounding Land Use	Rural Residential

HISTORICAL ACTIVITY

File No.	Purpose
NP-BOV-1996.3	Installation of septic in setback from natural boundary of sea– did not proceed to BoV for decision.

POLICY/REGULATORY

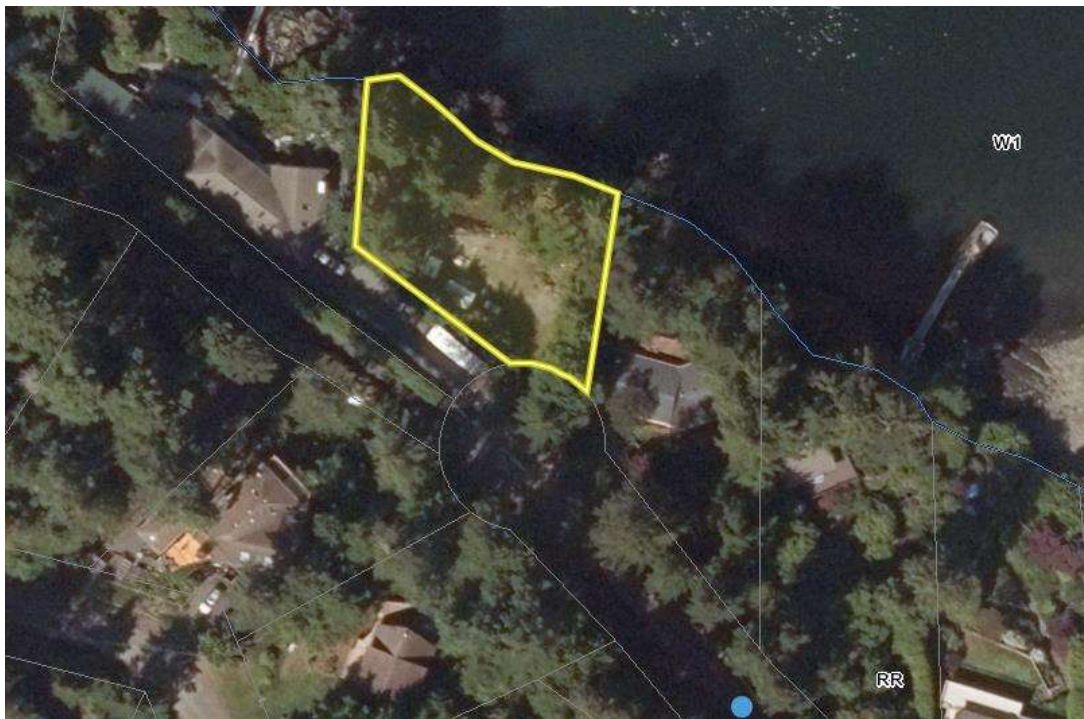
Official Community Plan Designations	The property is designated as RR (Rural Residential). There are no DPAs on property.
Land Use Bylaw	The property is zoned Rural Residential (RR)
Other Regulations	None
Covenants	None
Bylaw Enforcement	None

SITE INFLUENCES

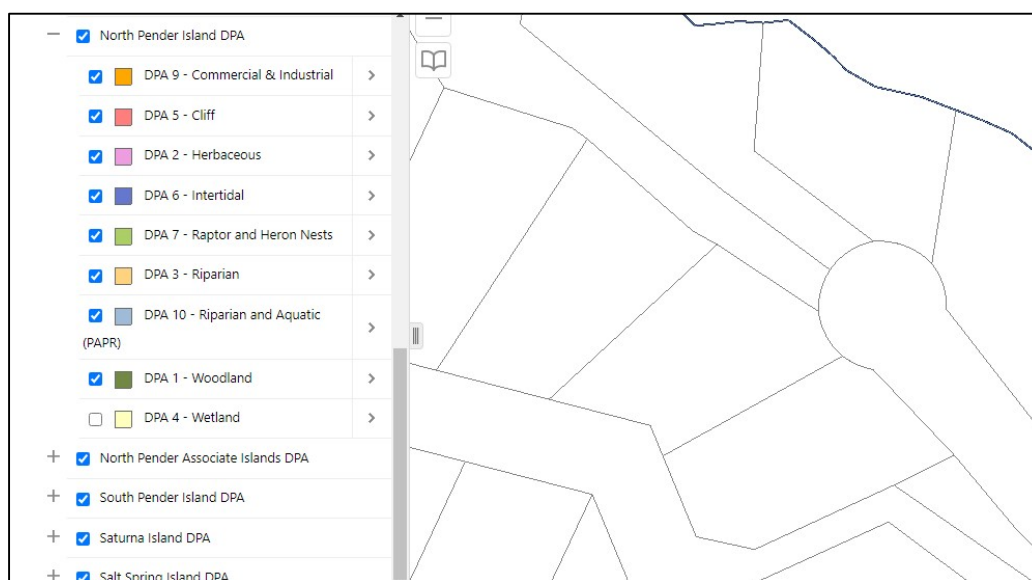
Islands Trust Fund	The proposal has no implications for the Island Trust Conservancy
Regional Conservation Strategy	The proposal has no implications for the Regional Conservation Strategy
Species at Risk	None on property
Sensitive Ecosystems	None on property
Hazard Areas	Moderate risk steep slope on portion fronting ocean
Archaeological Sites	Remote Access to Archaeological Data (RAAD) information indicates there are no archaeological sites noted on the property or within 100 metres. There are, however, areas of high archaeological potential in the area of proposed work. The applicant has contacted the Archaeology Branch and been provided with guidance on their obligations and procedures if archaeological material that is protected under the <i>Heritage Conservation Act</i> is encountered during development. The applicant has also been sent the Islands Trust Chance Find Protocol.
Climate Change Adaptation and Mitigation	The proposal is intended to protect the property and structures from potential climate change induced impacts along the shoreline.
Shoreline Classification	Sediment Shoreline - Bluff

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

2.1 ORTHOPHOTO WITH ZONING



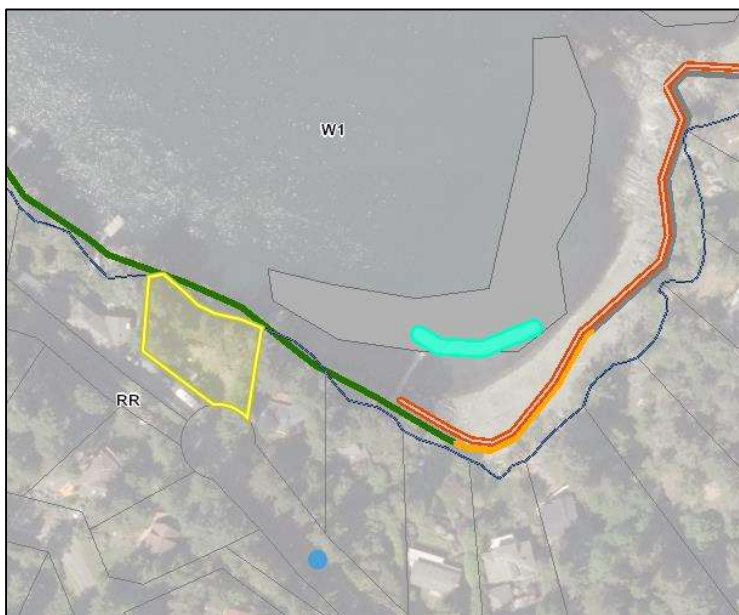
2.2 DPA



2.3 SENSITIVE ECOSYSTEM MAPPING (TERRESTRIAL)

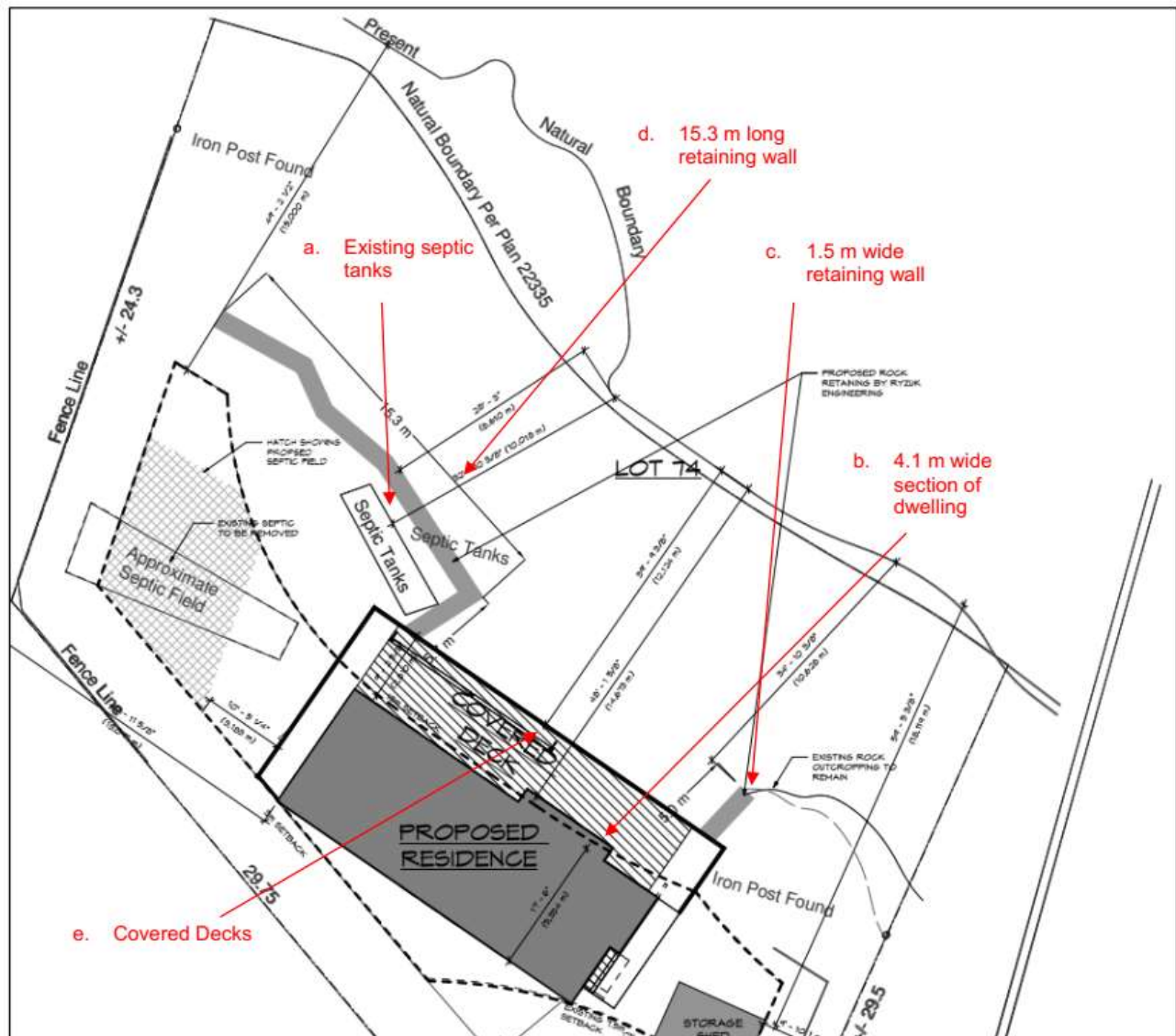


2.4 MARINE SENSITIVE ECOSYSTEM AND SHORELINE TYPES



2.5 STEEP SLOPE MAPPING







809 Industrial Way
Langford, BC V9B 6E2
Phone: 250-478-1158
Email: kelly@sewagesolutions.com

27 April 2020

File #: 20120

RE: Onsite Sewage System, 1604 Chart Drive, Pender Island, BC

Legal Description: Lot 74 Section 9 Pender Island Cowichan District Plan 22335

Parcel Identification: 003-222-691

Kevin:

Please find the following observations and recommendations for the onsite sewage system at 1604 Chart Drive, Pender Island, BC based on our discussions with you.

Observations

- Based on the filing/permit from 2004, the system consists of the following components:
 - 300 lgal concrete trash tank
 - Bio-Microbics Retrofast 0.375 (est. 600 lgal concrete tank)
 - 200 lgal concrete pump chamber w/ Meyers ME40MC-11 effluent pump – demand dose
 - Sand mound dispersal field – area of infiltrative surface = 11.0 m²
- Filing/permit drawings appear to match with what we observed onsite
- Tanks are exposed – should fill in around tanks and cover
- Aeration pump for treatment plant is not connected (in the possession of Braedon's Big Dig Em Trucking & Excavating)
- Treatment plant capacity is 1420 L/day – supports 3-bedroom house
- Effluent pump is functional according to Big Dig Em
- Plastic on concrete tank lid is stripped so lid cannot be secured
- Sand mound appears to have approx. 60 cm of sand
- Sand appears to be over bedrock and/or minimal native soil
- No irrigation covers over the ball valves
- Large trees in the area

Recommendations

Short Term (Seasonal Use with RV, Q = 700 L/day)

1. Reinstall treatment plant blower.
2. Install blower in a protective housing that has an air intake vent
3. Install new mini-dosing float for pump chamber & adjust dose size.

Long Term (2-bedroom house, Q = 1000 L/day)

1. Install high-level alarm for the pump chamber.
2. Test effluent quality from treatment plant after 2 months to confirm adequate treatment.
3. New/modified dispersal field (existing sand mound is too small)

Option	Dispersal Field	Capacity bedrooms	Pros	Cons	Estimated Cost
1	New Sand Mound - 8.3 m long	3	• Reduced ground water mounding due to lower linear loading rate • Should get good treatment • Minimal maintenance required	• Reduced available building area • Aesthetics • Need to remove existing rock wall and take up more area than existing	\$11,000 - \$16,000 + GST
2	Waterloo Biofilter Flat bed	2	• Use existing mound sand for base so smaller footprint • Possibly the least cost • Minimal maintenance	• Higher ground water mounding potential • Awkward lid for one person to open	\$11,000 - \$15,000 + GST
3	Ecoflo Open bottom	2 - 3	• Use existing mound sand for base • Smaller footprint • Highest quality effluent	• Higher ground water mounding potential • Replace coconut media every 10 – 12 years • Requires annual maintenance	\$12,000 - \$18,000 + GST

All options include design, Filing, and Letter of Certification to Island Health, construction, as-constructed plan and specifications, operation and maintenance plan.

Existing permit is sufficient for now. When you apply for a Building Permit for the 2 bedroom house a new Filing with the Health Authority would need to be completed.

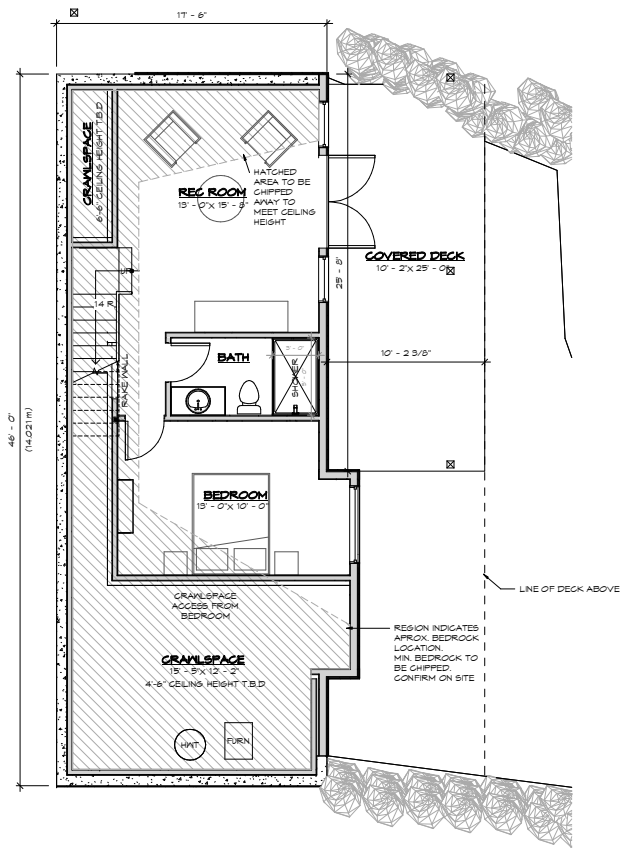
For all options, you could expect the system would need to be maintained every year. Servicing and maintenance would need to be completed by an Authorized Person as per the BC Sewerage System Regulation.

Yours truly,

Kelly Karr, P.Eng.

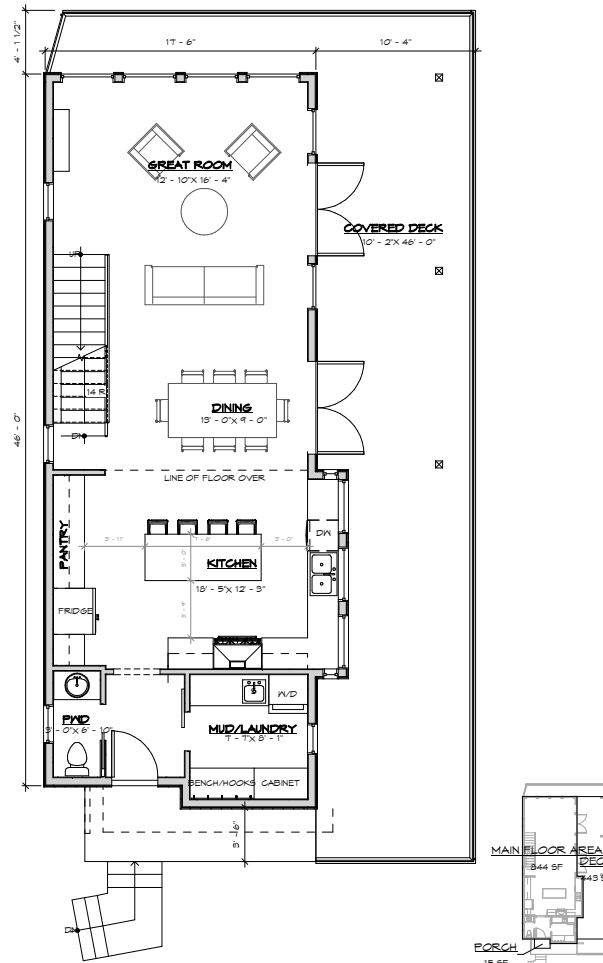
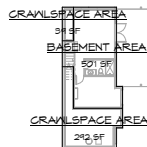
Senior Design Engineer and Principal
Canadian Sewage Solutions Inc.
Ph: 250 478-1158
Cell: 250-514-9989
Email: Kelly@sewagesolutions.com
Web: sewage-solutions.com





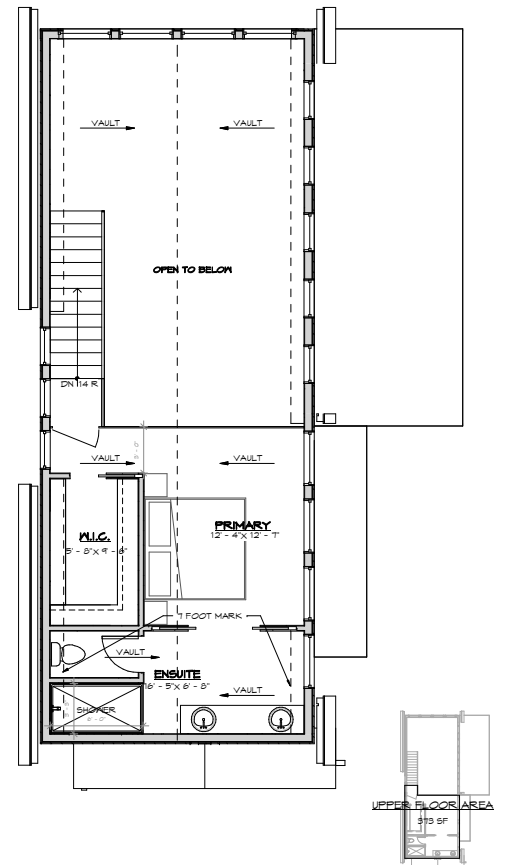
BASEMENT FLOOR PRELIM
1/4" = 1'-0"

BASEMENT AREA	501 SF
CRAWLSPACE AREA	282 SF
CRAWLSPACE AREA	31 SF
TOTAL BASEMENT FLOOR AREA	882 SF



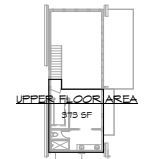
MAIN FLOOR PRELIM
1/4" = 1'-0"

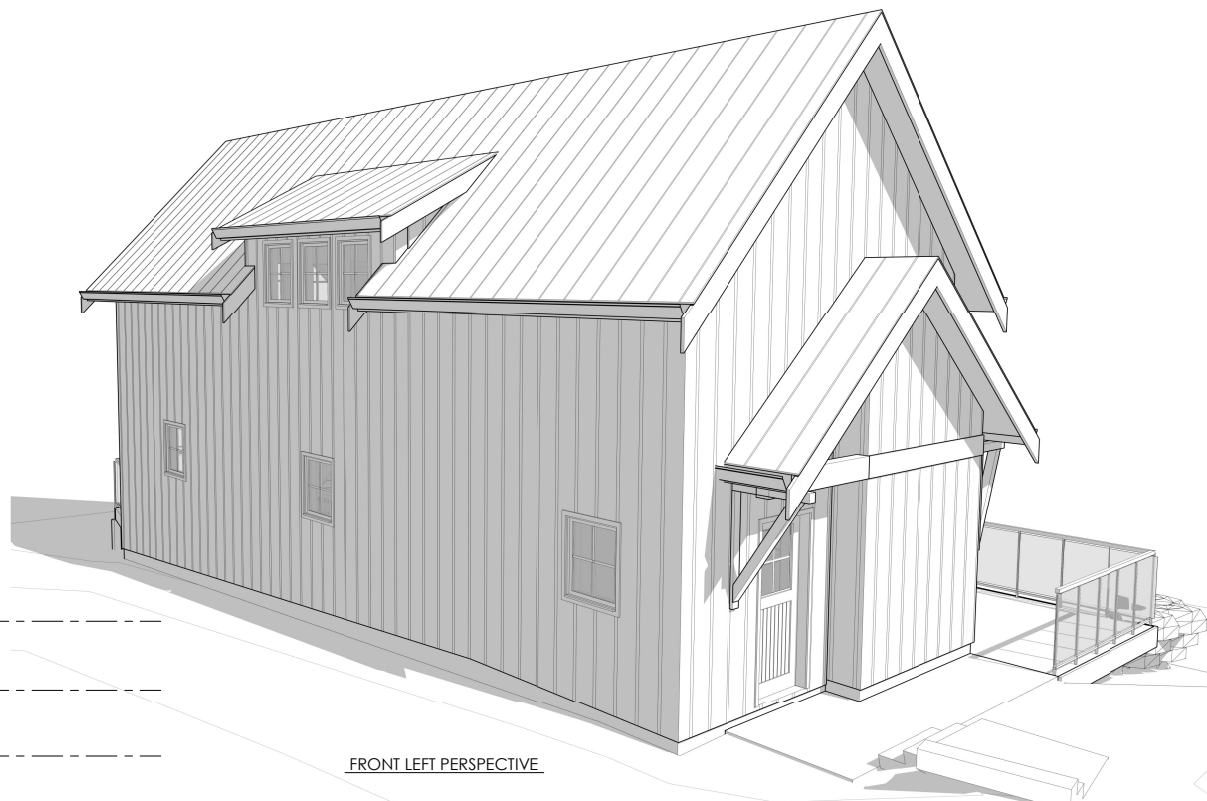
MAIN FLOOR AREA	844 SF
TOTAL MAIN FLOOR AREA	844 SF



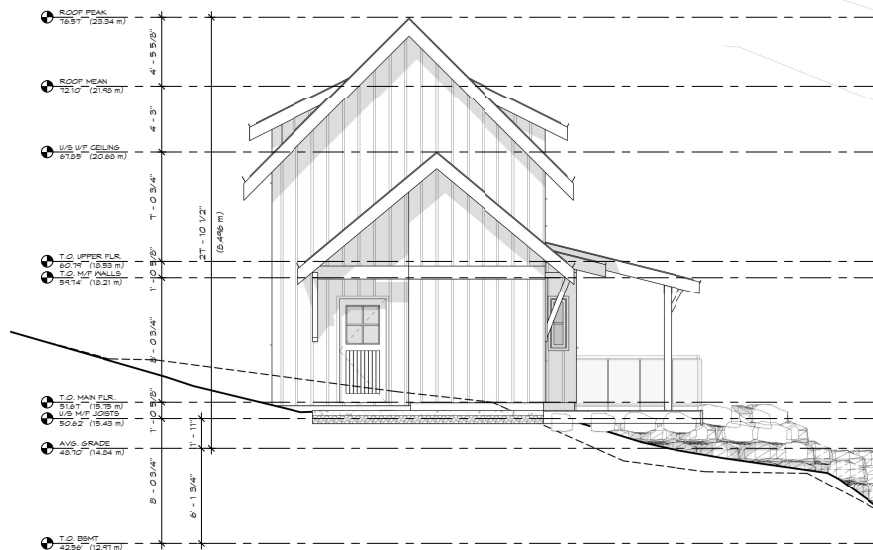
UPPER FLOOR PRELIM
1/4" = 1'-0"

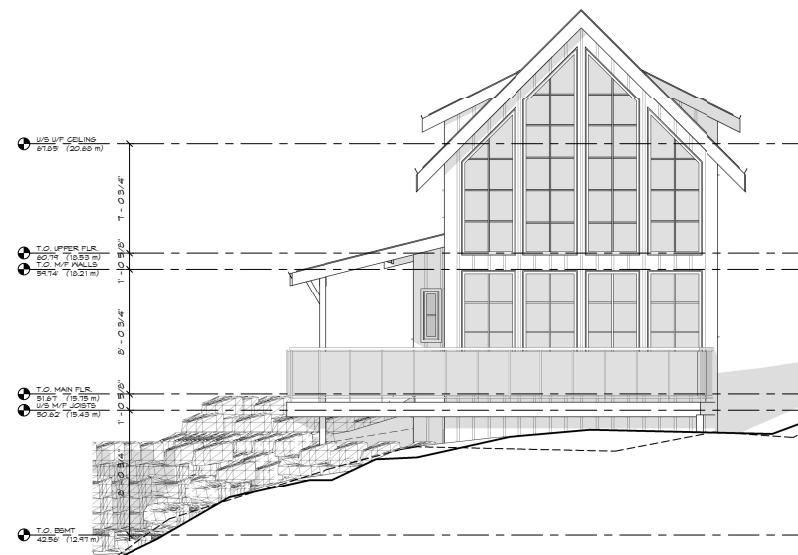
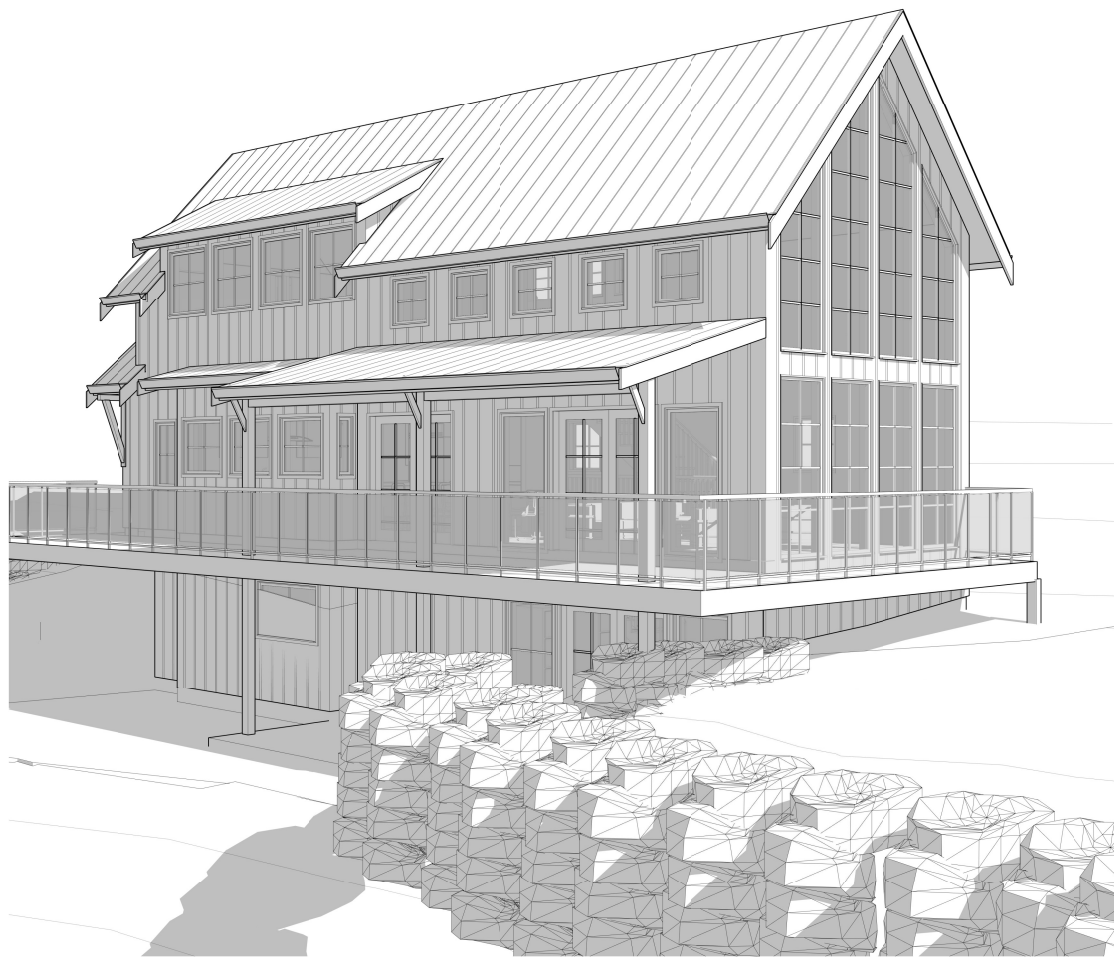
UPPER FLOOR AREA	373 SF
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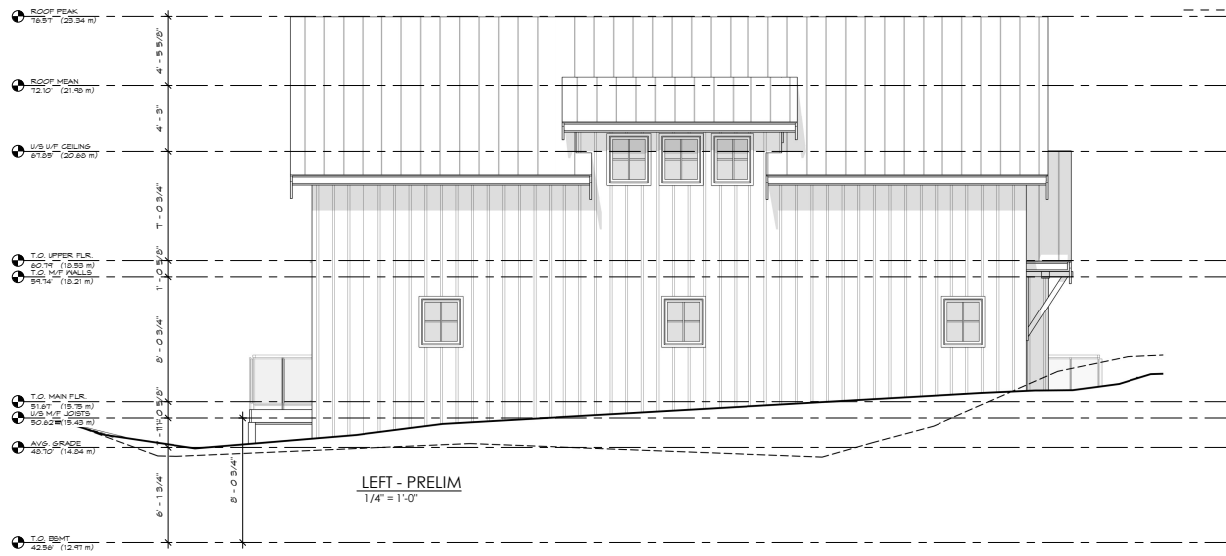




FRONT LEFT PERSPECTIVE







LEFT - PRELIM
1/4" = 1'-0"



RIGHT - PRELIM
1/4" = 1'-0"

From: Julia Nicholls <[REDACTED]>

Sent: Sunday, July 16, 2023 1:26 PM

To: SouthInfo <SouthInfo@islandstrust.bc.ca>

Subject: July 26th Variance request

Re: the following appeal: NP-BOV-2023.1 (Cameron) Re: 1604 Chart Drive, North Pender Island BC Legally described as Lot 74, Section 9, Pender Island, Cowichan District, Plan 22335 (PID: 003-222-691)

to the Chair of the North Pender Island Board of Variance

I am writing to ask if you could please deny the request for a variance to allow a building or structure, within 15 meters upland of the natural boundary of the sea.
Our marine life is under threat and setbacks must be maintained.

You are mandated to preserve and protect. I support this mandate and request that you do too.

Sincerely,
Julia Nicholls

From: Leslie McBain <[REDACTED]>
Sent: Monday, July 17, 2023 11:21 AM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: Variance appeal NP-

1:25 PM (8 minutes ago)

Re: the following appeal: NP-BOV-2023.1 (Cameron)
Re: 1604 Chart Drive, North Pender Island BC Legally described as Lot 74, Section 9, Pender Island, Cowichan District, Plan 22335 (PID: 003-222-691)

To the Chair of the North Pender Island Board of Variance:

I am writing to ask you to **deny the request** for a variance to allow a building or structure within 15 meters upland of the natural boundary of the sea.

Our marine life is under threat and setbacks **must be maintained**.

You are mandated to preserve and protect. This has been my personal mandate for the 28 years I have lived on Pender Island. You absolutely must use this serious and necessary criteria when making decisions which affect us and the land we live on. Please reply.

Sincerely
Leslie E. McBain

"We are all just walking each other home" Ram Dass

From: tracy calvert <[REDACTED]>

Sent: Sunday, July 16, 2023 3:54 PM

To: SouthInfo <SouthInfo@islandstrust.bc.ca>

Subject:

To the North Pender Trustees:

Re: the following appeal: NP-BOV-2023.1 (Cameron)

Re: 1604 Chart Drive, North Pender Island BC Legally described as Lot 74, Section 9, Pender Island, Cowichan District, Plan 22335 (PID: 003-222-691)

I live on South Pender but I feel a strong impetus to respond to this proposed variance. A by-law is created by strenuous community scrutiny. Please uphold your community's beliefs.

Our marine life is under threat and setbacks must be maintained.

You are mandated to preserve and protect. I support this mandate and request that you do too.

Tracy Calvert, [REDACTED].

From: Bronwen Merle <[REDACTED]>

Sent: Monday, July 17, 2023 4:44 PM

To: SouthInfo <SouthInfo@islandstrust.bc.ca>

Subject: Variance

Re: the following appeal: NP-BOV-2023.1 (Cameron)

Re: 1604 Chart Drive, North Pender Island BC Legally described as Lot 74, Section 9, Pender Island, Cowichan District, Plan 22335 (PID: 003-222-691)

to the Chair of the North Pender Island Board of Variance

I am writing to ask if you could please deny the request for a variance to allow a building or structure, within 15 meters upland of the natural boundary of the sea.

Our marine life is under threat and setbacks must be maintained.

You are mandated to preserve and protect. I support this mandate and request that you do too.

Yours Sincerely,

Bronwen Merle

[REDACTED]

Pender Island, BC [REDACTED]