



To: Mayor Ander and Council

From: Emma Chow, Island Community Planner, Planning

Date: June 5, 2019 Meeting Date: June 10, 2019

Subject: **1441 Adams Rd**
Raef Grohne
Lot Q, LMP 4859, Block C, DL 492
File No. TUP-01-2019

RECOMMENDATION

That notice be given that Council will be considering the issuance of Temporary Use Permit TUP-01-2019 for assembly use for 1441 Adams Rd, legally described as Lot Q, LMP 4859, Block C, DL 492 at the July 8, 2019 meeting of Council.

That Council authorize staff to give notice for the consideration of issuance of Temporary Use Permit TUP-01-2019 in accordance with Section 494 of the Local Government Act to all properties within 100 metres of the legal boundary of 1441 Adams Rd, legally described as Lot Q, LMP 4859, Block C, DL 492.

PURPOSE

The purpose of this report is to provide details regarding a Temporary Use Permit application to allow assembly to enable a non-profit annual motor show event.

BACKGROUND

The applicant has held an annual one-day exhibition event on his rural residential property the past two years. Assembly use was permitted through a 1-year Temporary Use Permit that was renewed once. The TUP was approved with environmental protection measures, restrictions on hours of operation and a maximum of one event per year. The Municipality did not receive any complaints regarding the event and staff have not observed any issues from the temporary use.

The property is within a watershed and riparian area.

Figure 1 – Air Photo - Context

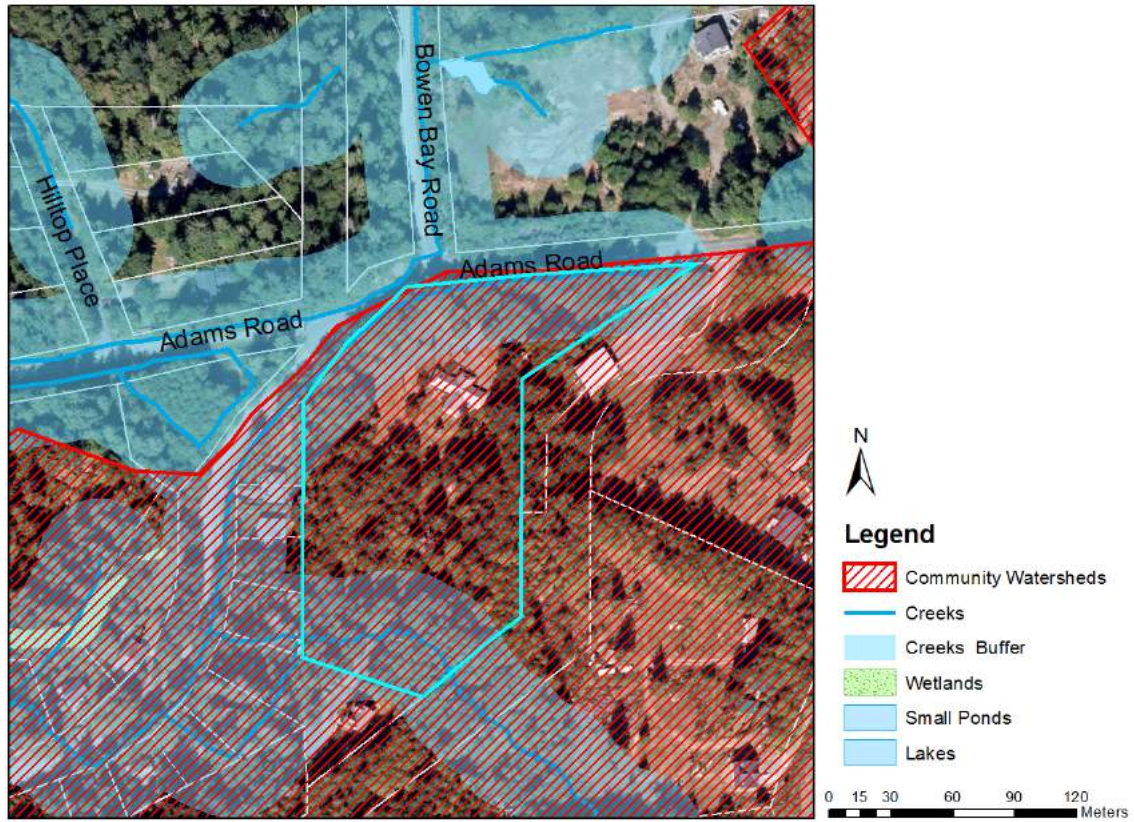
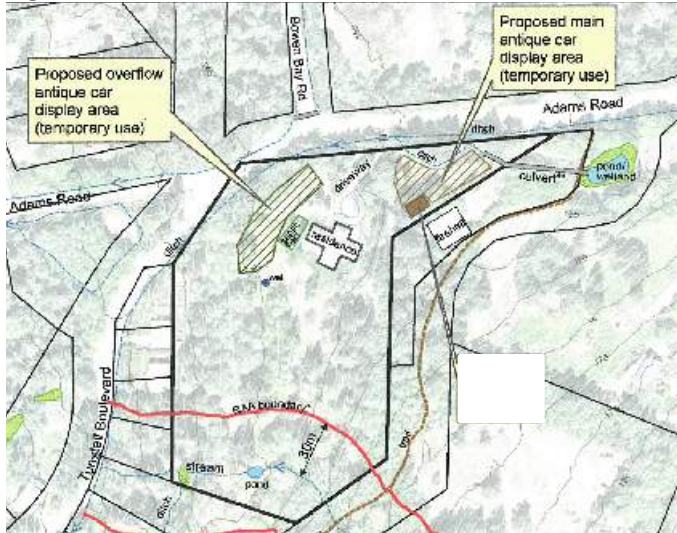


Figure 2 – Site Plan



DETAILS OF APPLICATION

Owner/Applicant:	Raef Grohne
Subject Property:	1441 Adams Rd
OCP Designation:	Rural Residential (1 ha) – to provide for rural residential use while maintaining the unique amenities and environment of the island Official Community Plan No. 282, 2010: Objective 98 To give consideration to temporary land use permits for short-term or seasonal uses. Policy 235 The Municipality may consider issuing temporary land use permits provided the use is short-term or seasonal in nature and will not create an unacceptable negative impact upon the natural environment or the character of the neighbourhood.
Zoning:	Rural Residential RR2 – to provide regulations for rural and agricultural use within a rural setting Land Use Bylaw No. 57, 2002: Section 4.1.1 Allow principal uses of: dwelling; agriculture; horticulture; domestic agriculture; stable; kennel; and Allow accessory uses of: uses accessory to principal uses; home occupation; portable saw mill; mini-storage; secondary suite.
DPA:	The property is located in a Watershed, Aquifer, and Stream Protection Development Permit area.

PROPOSED TEMPORARY USE

The application is for a one-day exhibition event scheduled for Saturday, July 21, 2019. The event was held last year on Saturday, July 21st. The same siting and similar traffic volumes are expected this year. The applicant is seeking a permit period of three years.

PROPOSED CONDITIONS

Due to the proximity to a tributary of a fish-bearing stream, staff recommend conditions as outlined by an environmental professional be included in the Temporary Use Permit to protect the watershed and riparian area.

FINANCIAL IMPLICATIONS

The applicant would like to request that Council waive the application fee of \$850 based on the rationale that proceeds from the event will benefit the community, such as the museum improvements. The applicant requests that Temporary Use Permit fee be granted back to the applicant.

COMMUNICATION STRATEGY

Notice of the proposed temporary use will be mailed to neighbours within 100 metres of the property. Notice will also be posted on the municipal website. Members of the public will be able to provide written comment to Council regarding this application or appear before Council at the July 8, 2019 meeting.

SUMMARY

The previous events were conducted in a compliant manner with minimal impacts to the neighbourhood. Staff recommend that Council consider application TUP-01-2019 at the July 8, 2019 meeting.

ALTERNATIVES

Council has the following options available:

1. That Council authorize staff to give notice that Temporary Use Permit application TUP-01-2019 will be considered by Council on July 8, 2019;
2. That Council refer the application back to staff for further information;
3. Other options as determined by Council.

Attachments and References:

Attachment 1 – Draft Temporary Use Permit TUP-01-2019
Attachment 2 – Draft notice to neighbours
Attachment 3 - Letter from applicant re: TUP fee, dated May 17, 2019

SUBMITTED BY: Emma Chow, Island Community Planner



TEMPORARY USE PERMIT

Permit No. TUP-01-2019

Folio No. 321-00028.026

Issued to: Raef Grohne

Site Addresses: 1441 Adams Rd., Bowen Island, B.C.

The lands affected by and subject to this permit are shown on Schedule "A", Location Map, attached hereto, which forms an integral part of this permit, and are legally described as:

**Lot Q, LMP 4859, Block C, DL 492
P.I.D. 017-793-629**

LIST OF ATTACHMENTS

- Schedule "A": Location Map
- Schedule "B": Site Plan
- Schedule "C": Environmental Assessment of *1441 Adams Rd*, prepared by Whitehead Environmental Consultants Ltd, dated *June 7, 2017*.
- Appendix I: Notice of Permit

AUTHORITY TO ISSUE

This Temporary Use Permit is issued pursuant to Section 493 of the *Local Government Act*.

BYLAWS SUPPLEMENTED OR VARIED

"Bowen Island Municipal Land Use Bylaw No. 57, 2002" is **supplemented** as follows:

1. Section 4.1.1 Principal Uses of Land, Buildings and Structure for Rural Residential 2 (RR2) zones is **supplemented** with the following:
 - a. Assembly

SPECIAL TERMS AND CONDITIONS

1. This permit is issued for the period of 3 year.

GENERAL TERMS AND CONDITIONS

1. Use of this property shall follow the conditions on the Environmental Assessment prepared by Whitehead Environmental Consultants Ltd., dated *June 7, 2017*.

2. Nothing in this permit shall in any way relieve the developer's obligation to ensure that the development proposal complies in every way with the statutes, regulations, requirements, covenants, easements, rights-of-way, and licences applicable to the undertaking, including the Bowen Island Municipality Noise Control Bylaw.
3. Nothing in this permit shall in any way relieve the developer's obligation to comply with all regulations for construction of structures (including the BC Building Code, BC Plumbing Code, and BC Fire Code) and requirements regarding the provision of on-site services pursuant to the *Public Health Act*, the *Fire Services Act*, the *Safety Standards Act*, and any other provincial statutes.
4. Assembly use is only permitted in the areas marked in Schedule "B" for Assembly Use.
5. Temporary access is only permitted at the site marked in Schedule "B" for Temporary Access.
6. Assembly use shall be permitted for a maximum of one day in one calendar year.
7. Assembly use shall be permitted between the hours of 9:00 AM and 6:00 PM.
8. Personnel shall be provided to ensure parking regulations are respected. All roadways shall remain clear for emergency vehicles.
9. No fires shall be allowed without a special permit issued by the Bowen Island Fire Department.
10. A temporary fence or other physical barrier shall be erected between the assembly use area and the Streamside Protection & Enhancement Area, as shown in Schedule "B". The barrier installation must be approved by a Qualified Environmental Professional.
11. After the event, the temporary access shall be barricaded with a physical barrier, such as jersey barriers, and the road right-of-way remediated to municipal standards at the expense of the permittee.

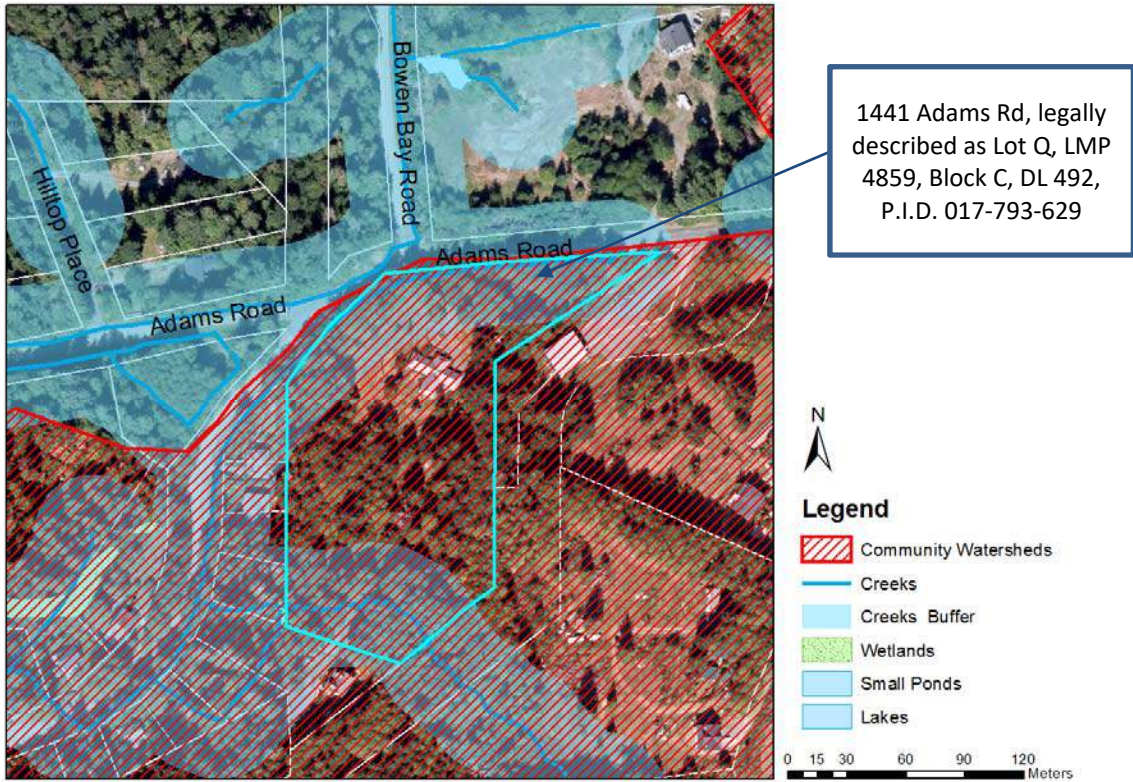
Note: Bowen Island Municipality shall file a notice of this permit in the Land Title Office stating that the land described in the notice is subject to Development Variance Permit Number TUP-01-2019. The notice shall take the form of Appendix I attached hereto.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL OF BOWEN ISLAND MUNICIPALITY ON THE 9th DAY OF JULY, 2018.

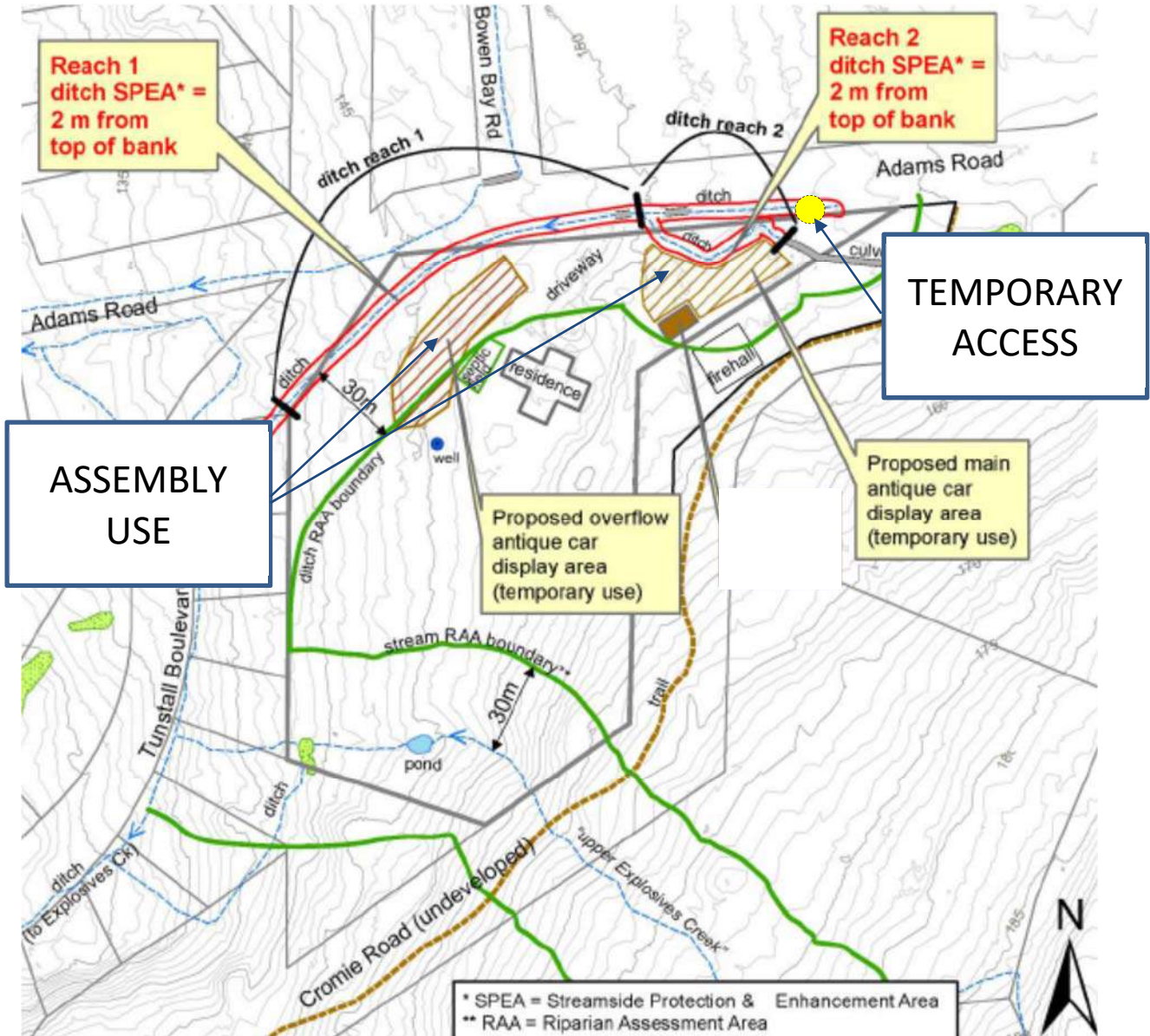
Chief Administrative Officer

THIS IS NOT A BUILDING PERMIT

SCHEDULE "A"
Location Map



SCHEDULE "B" Site Plan



SCHEDULE "C"

Environmental Assessment of 1441 Adams Rd,
Prepared by Whitehead Environmental Consultants Ltd, dated June 7, 2017.



**WHITEHEAD ENVIRONMENTAL
CONSULTANTS LTD.**

P.O. Box 41, Bowen Island, B.C., Canada V0N 1G0
604-947-0144 - alanjw@telus.net

7 June 2017
Project File: 038-180

Raef Grohne
1441 Adams Road
Bowen Island, B.C.
V0N 1G2
info@raef.ca, 604-618-6413

Dear Mr. Grohne:

**RE: Environmental assessment of proposed development and temporary use at 1441
Adams Road, Bowen Island.**

This letter provides our environmental assessment of your proposed development at 1441 Adams Road, as requested, for municipal permitting purposes. The report is based on a site inspection and onsite discussions with you on March 24th, follow-up analysis including a riparian assessment on May 29th 2017, and review of back-ground information.

1. Project Understanding

The subject property is described legally as LOT Q, BLOCK C DL 492, PLAN LMP4859 (PID 017-793-629), and is owned by you. Your development project consists of two separate components: construction of an accessory building to serve as a studio and storage; and temporary display of antique cars during a special event. These two components are described in greater detail below. Figure 1 shows the project location and layout.

The proposed accessory building is to be located in the northeast part of the lot as shown in Figure 1. It will be situated to comply with all lot line setbacks. Plan and elevation views of this building are shown in the attached Figures 2 and 3.

The proposed antique car display is the centerpiece of the "Bowen Island Classic Motor Show", which you are hosting; this is a temporary event and is scheduled to take place on July 22nd 2017. The show will entail the parking and display of up to 25 antique vehicles in two locations on the subject lot, shown in Figure 1. The main display area will be located in the northeastern part of the lot, whereas an overflow area on the west side of the house is also contemplated, depending on the number of participating vehicles. The latter area will avoid the existing septic field and well.

The land lies within a Watershed and Stream Development Permit Area under the Official Community Plan (OCP) and the Land Use Bylaw (LUB). The proposed Classic Motor Show is a temporary event for which the Municipality requires a Temporary Use Permit. Accordingly, the Municipality requires an environmental assessment report completed by a qualified professional

as part of the permitting process for the accessory building and for the site preparation work associated with the motor show. You have retained us to complete the investigation and provide the necessary environmental assessment report.

2. Existing conditions

The site investigation and assessment focused on biophysical aspects relevant to protection of water resources, as well as stream, riparian and critical wildlife habitat. The existing conditions in the three project areas are shown in the attached Photos 1 through 4.

The 2.08 hectares (5.1 acres) parcel is located at the junction of Adams Road and Tunstall Boulevard, in a neighbourhood containing mainly estate sized as well as smaller lots down-gradient (Figure 1). The lot is already developed for residential use and contains an existing gravel driveway and dwelling, as well as a landscaped garden around the house and a mix of cleared areas (now mainly grass) and young to mature second-growth forest remnants. The treed areas include mixed stands of a red alder, Douglas-fir, western hemlock and redcedar.

The property lies at the northern edge of the Explosives Creek watershed. The terrain slopes gently to the west and most of the lot drains to the ditching along Adams Road and Tunstall Boulevard. Water flow in this ditching is intermittent throughout the year, resulting in a well-developed cover of grass in the bottom of the ditch along Adams Road. A seasonal tributary of Explosives Creek crosses the southern part of the lot from east to west and contains a small instream pond and a separate small wetland area (Figure 1). This tributary, which is not fish-bearing, also joins the ditch along Tunstall Boulevard before crossing under the road in a culvert and discharging to Explosives Creek. The tributary's junction with Explosives Creek is located approximately 185 m downstream of the subject lot's boundary. The project components are all located outside of the 30 m wide Riparian Assessment Area (RAA) on either side of the tributary stream and are within the RAA of the roadside ditch (Figure 1). A number of trees that have been recently felled in the south-central part of the lot are also well over 30 m from the stream.

In addition, a small ditch with seasonal flow crosses the northeastern tip of the lot (Figure 1). This ditch originates at the outlet of a culvert that is part of the drainage system for a naturalized small wetland/pond that has developed in a former borrow pit within the undeveloped allowance of Cromie Road, and tends to go dry for extended periods during the summer and early autumn. This ditch, being a tributary of the ditch on Adams Road is also subject to the RAA mentioned above.

No raptor or heron nests or other sensitive terrestrial wildlife habitats were observed in the subject lot or within the zone of influence of the project. It was noted that the pond on the tributary may function as breeding habitat for amphibians; however, this aspect was not examined in detail due to the site investigation taking place before the start of the breeding season and the pond's considerable distance (≥ 80 m) from the closest project component.

3. Environmental assessment

The environmental assessment focused on the potential impacts of the project components on the

closest environmentally sensitive areas (ESAs), which were identified to include the ditching along Adams Road and Tunstall Boulevard and the tributary stream and associated pond and wetland in the south end of the lot (Figure 1). These areas are considered sensitive because changes in water quality or quantity or riparian vegetation could impair their roles with respect to aquatic habitat within and downstream of the site, or water resources downstream.

Based on the conditions observed, the risk of any significant change in water quality due, for example, to potential erosion and sedimentation resulting from disturbance of vegetation and soils in areas adjacent to these watercourses, or to discharge of other deleterious substances due to construction of the proposed accessory building or temporary display of vehicles, were found to be negligible.

Specifically, the proposed accessory building and main temporary vehicle display area are located in a flat grassy area (Photos 1 and 2) that is not susceptible to erosion, and the vehicle show will be taking place during a time of year when runoff is minimal or absent. Likewise, the overflow display area is located between >5 to 45 m from the roadside ditch and over 80 m from the tributary stream and separated from these watercourses by full vegetation cover (Photos 3 and 4).

The risks of a significant increase or decrease in water quantity related to either the construction of the proposed accessory building or the temporary parking of classic vehicles were found to be considered negligible.

The existing well and septic field are found to not be at risk from this project they are not affected by either the accessory building or the temporary vehicle display areas.

A riparian assessment under the provincial Riparian Areas Regulation (RAR) was found to be necessary in this situation because the project components are within the 30-m wide Riparian Assessment Area of the roadside ditch (Figure 1). Accordingly, a separate Riparian Assessment report has been prepared in accordance with the Methods stipulated under the provincial Riparian Protection Act, and submitted online to the Riparian Areas Notification System (RARNS) in Victoria. The assessment encompassed two ditch segments or reaches as indicated in Figure 1.

The outcome of the RAR assessment was to determine that a 2 m wide Streamside Protection and Enhancement Area (SPEA) is required along the length of the roadside ditch and the small tributary ditch at the northeast end of the property. No development or disturbance of soils or vegetation is allowed within this SPEA. Both of your proposed developments (antique vehicle show or accessory building) lie outside of this SPEA.

Considering the nature of the project components and the biophysical conditions observed on site, the risk of adverse environmental impacts due to the project was found to be negligible. Any unanticipated impacts are considered to be readily controllable through good planning and standard mitigation practices. (See Recommendations, below).

4. Recommendations

It is recommended that the following mitigation measures should be employed in order to prevent any accidental adverse environmental impacts during construction of the accessory building or during the brief duration of the antique vehicle show:

- a. Before the start of any site preparation and construction of the accessory building, hold a pre-construction (precon) meeting to be attended by you or your representative and the contractor(s), as appropriate. The purpose of the precon meeting is to review the mitigation needs and agree on the overall approach to protect water quality in the receiving ditches down-gradient.
- b. If, during construction of the accessory building, sediment-laden water is observed in the ditch leaving the north side of the property, install a temporary sediment fence no closer than 2 m from the edge of the ditch. The purpose of this fencing is to create a barrier to prevent any continued discharge of sediment that may be generated in the event of heavy rainfall and runoff. We can advise on the proper placement of this fence upon request. Remove this sediment fencing only after all exterior building construction is complete.
- c. If machinery equipped with high-pressure hydraulics is used outdoors during construction of the accessory building, ensure that a properly sized and stocked spill kit is available on site, for immediate use in the event of a rupture of a hydraulic hose or other spill; and that onsite personnel are familiar with the use of the spill kit's contents.
- d. Plan any concrete pours such that there is no discharge of raw concrete, or water that has come in contact with uncured cement, into the ditch near the accessory building.
- e. Inspect the vehicles on arrival and during the display and, in cases where significant oil or fuel leakage is observed, place absorbent mats under the vehicles for the duration of the show.

5. Conclusion

Based on the results of this assessment, it is the professional opinion of the undersigned that the proposed construction of an accessory building and undertaking of an antique car show event at 1441 Adams Road, B.C. by Whitehead Environmental Consultants Ltd. (WEC) can be completed without any adverse impacts on water resources or aquatic and riparian or wildlife habitat. This conclusion is subject to the adequate implementation of the mitigation measures recommended in this report.

6. Statement of Limitations

This report was prepared exclusively for Raef Grohne (the Client), for the project located at 1441 Adams Road, B.C. by Whitehead Environmental Consultants Ltd. (WEC). The quality of information, estimates and conclusions contained herein are consistent with the level of effort expended and are based on: (i) information available at the time of preparation; (ii) data collected

Environmental assessment of proposed development and temporary use at 1441 Adams Road,
Bowen Island. (Grohne) 7 June 2017

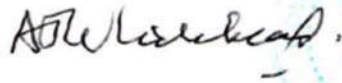
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by WEC and/or supplied by outside sources; and (iii) the assumptions, conditions and qualifications set forth in this report. The report is intended for use by the Client for this project, and local, provincial and federal regulatory agencies, as appropriate, subject to the terms and conditions of the Client's agreement with WEC concerning this assignment. Any other use or reliance on this report by any third party is made at that party's sole risk.

We trust this report meets your requirements for this project. Should you have any questions or comments, please contact the undersigned at your convenience by telephone at 604-947-0144 or by email at alanjw@telus.net.

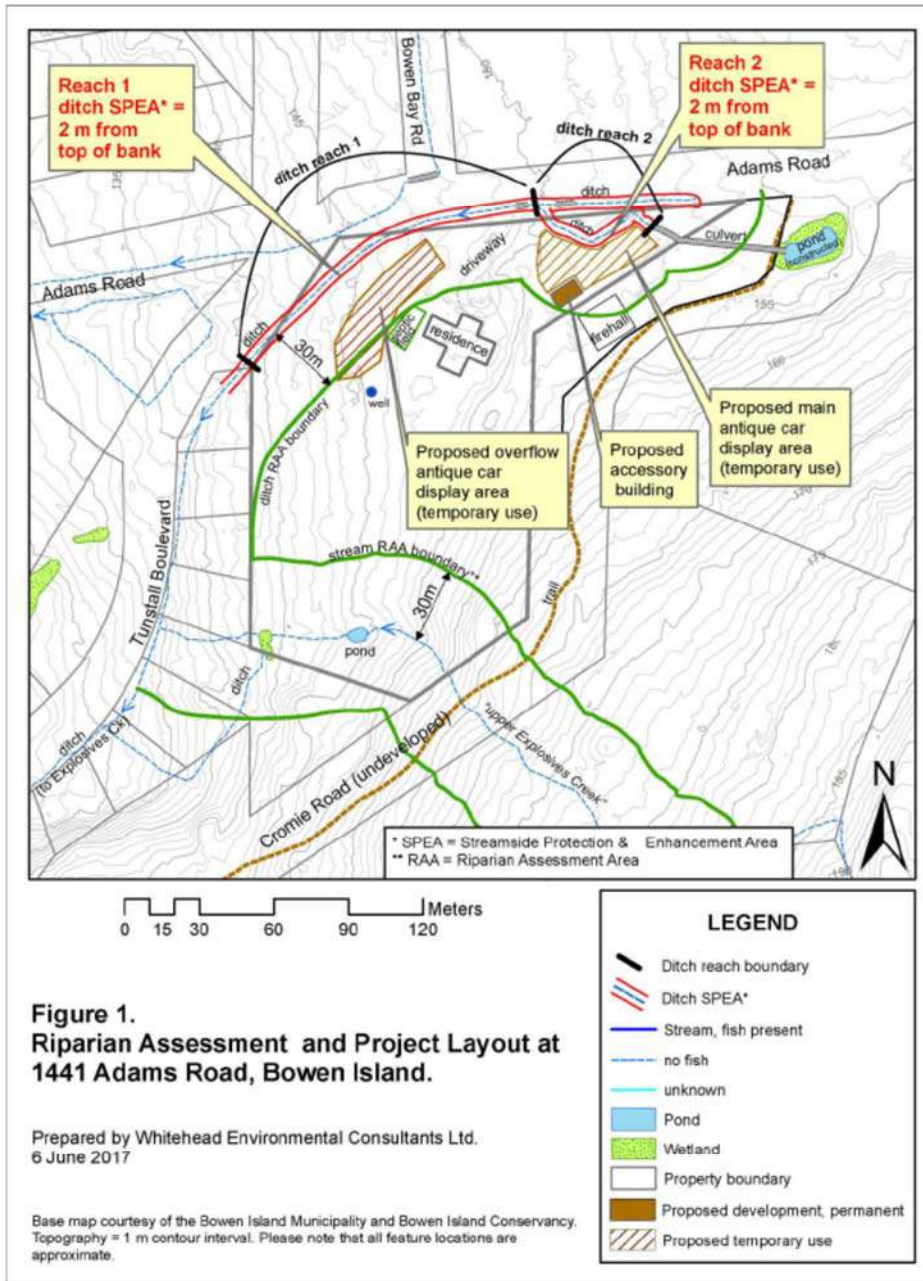
Yours truly,

WHITEHEAD ENVIRONMENTAL CONSULTANTS LTD.



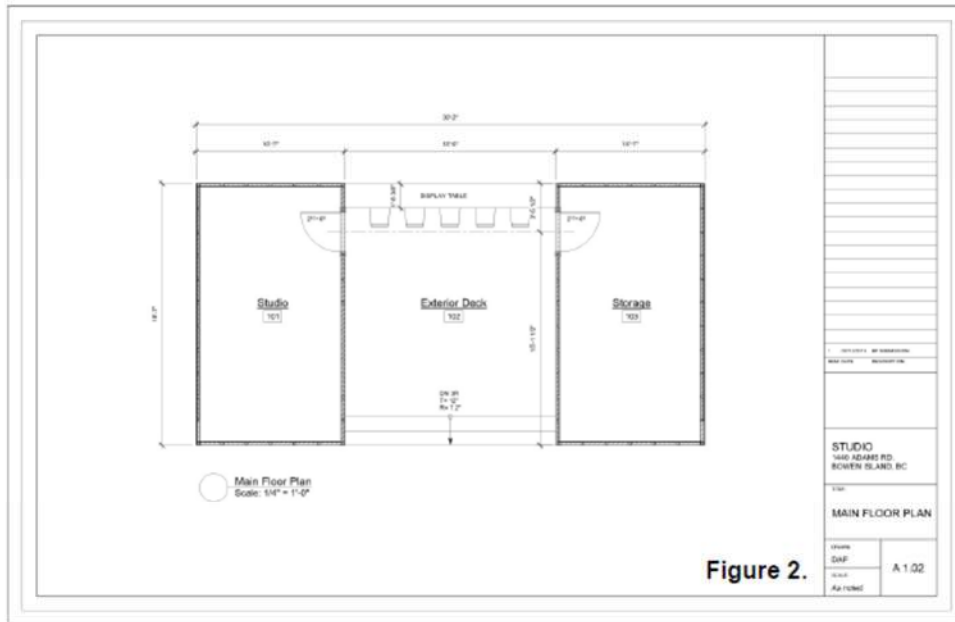
Alan J. Whitehead, M.Sc., R.P.Bio.
Principal and Senior Environmental Specialist

Attachments Figures 1, 2 and 3
Photographs



Environmental assessment of proposed development and temporary use at 1441 Adams Road, Bowen Island. (Grohne) 7 June 2017

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Both figures provided by Raef Grohne.





Photo 1. General location of proposed accessory building (dashed line, not to scale) viewed to southwest. Building in background is the firehall on municipal property; property line is at toe of rock wall. 24-Mar-2017



Photo 2. Location of proposed main antique vehicle display area (temporary use) in grassy field viewed to west from east end of lot. 24-Mar-2017

Environmental assessment of proposed development and temporary use at 1441 Adams Road,
Bowen Island. (Grohne) 7 June 2017

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Photo 3. Location of proposed overflow antique vehicle display area (temporary use) in grass field to west of existing house, viewed to south. Septic field is to left of fence/gate on left side of photo. Recent cleared area in background is beyond vehicle display area and over 60 m from stream that crosses south end of lot. 24-Mar-2017



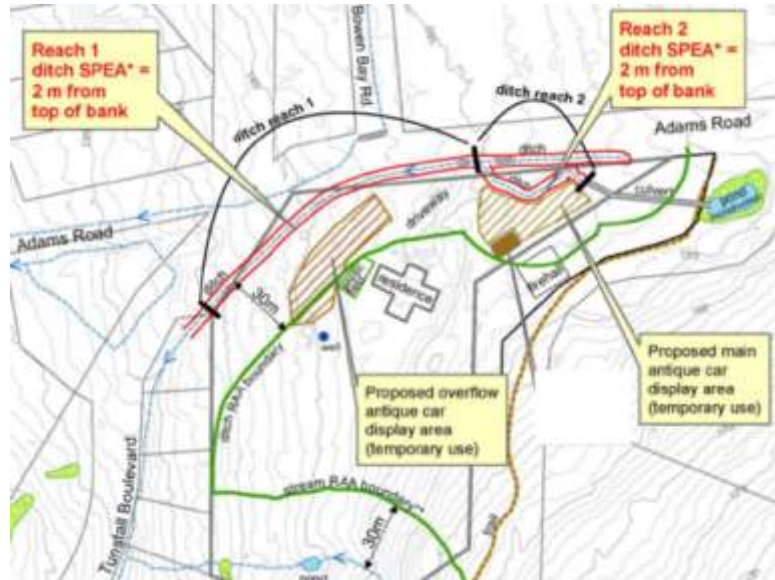
Photo 4. Location of proposed overflow antique vehicle display area (temporary use) in far end of grass field to west of existing house, viewed to north from recently cleared area. 24-Mar-2017

To: Neighbour of 1441 Adams Rd, Bowen Island, B.C.

Notice is hereby given pursuant to Sec. 499 of the Local Government Act that Bowen Island Municipal Council will be considering an application for a Temporary Use Permit.

PROJECT DESCRIPTION:

A Temporary Use Permit application has been submitted for 1441 Adams Rd. (shown on map) to permit assembly use. The length of this permit is three years to allow for one single-day event on a rural residential property. The proposed event is a motor show with an estimated 25 display cars, music and art.



MORE INFORMATION AT MUNICIPAL HALL:

The application may be viewed at Municipal Hall between 8:30 AM and 4:30 PM, Monday through Friday (excluding statutory holidays) or on the Municipal website at www.bowenismunicipality.ca/planning.

YOUR COMMENTS ARE WELCOME:

Written submissions may be delivered to Municipal Hall (contact information below) in person, by mail, by fax, or by email to bim@bimbc.ca. Submissions may also be made to Mayor and Council at the meeting:

**6:15 PM on Monday, July 8, 2019
in Council Chambers, Municipal Hall**

To ensure a fair process, submissions cannot be accepted once the meeting has ended.

QUESTIONS?

Please contact Emma Chow, Island Community Planner, at 604-947-4255 or by email at echow@bimbc.ca.

Yours truly,

Sandi Laudrum,

Building & Planning Clerk



May 17th, 2019

Bowen Island Municipality
981 Artisan Ln,
Bowen Island, BC
V0N 1G2

Attn: Council Members

Dear Council,

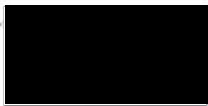
Many of you may know of the Bowen Island Classic Motor Show which is in its 3rd year. This event is a fundraiser for the Museum & Archives. In the past 2 years we have welcomed over 600 visitors and raised over \$3,000.

The event is held on our Adams Road property and because of this we were instructed to get a Development Permit, Environmental Report, Riparian Report as well as TUP's, all just to host a charitable event. The fees for all this were not insignificant.

To continue this event we are required to file for an extension of the TUP for 3 years at a cost of \$750.

I am writing to inquire whether its too much to ask that the TUP fee of \$750 be waived in consideration that this event is a fundraiser for M&A.

Regards,



Raef Grohne

1441 Adams Rd
Bowen Island, BC
V0N 1G2

604-618-A solid black rectangular box used to redact the phone number.