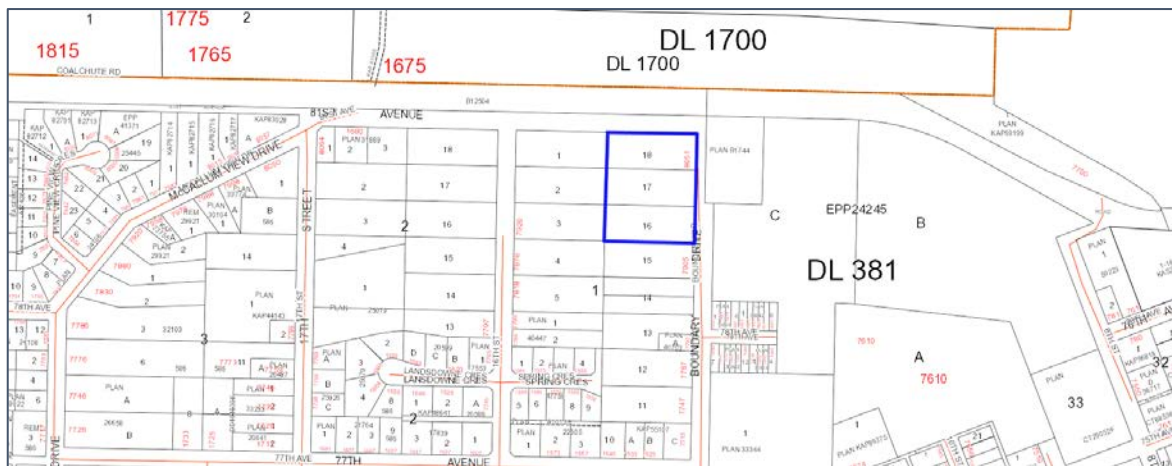


## Appendix "A"

### Site and Application Information Development Permit Application No. 1904 Proposed Mobile Home Park and Ecological Reserve on Boundary Drive



**Civic Address:** 7900/8000 Block of Boundary Drive (including 8051 Boundary Drive)

**Legal Descriptions** (three lots to be consolidated):

- Lot 16, Block 1, Plan KAP586, District Lot 380, Land District 54; PID: 012-190-136 (1 acre).
- Lot 17, Block 1, Plan KAP586, District Lot 380, Land District 54; PID: 012-190-152 (1 acre).
- Lot 18, Block 1, Plan KAP586, District Lot 380, Land District 54; PID: 012-190-217 (1 acre).

**Applicant/Owner:** Vadim Kobasew, PO Box 779, Osoyoos, BC V0H 1V0

**Agent:** Orchard Lane Properties Inc., PO Box 779, Osoyoos, BC V0H 1V (250-490-7959)

**Proposal:** A portion of the site is located in an environmentally sensitive area and a development permit is required to ensure that the proposed 25-unit Mobile Home Park does not compromise the natural integrity of the adjacent wetlands.

#### **Adjacent Land Uses:**

- North – vacant wetlands and old rail bed trail (City-owned)
- South – house/small farm (house is close to property line, zoned R1)
- East – farm buildings and fields (zoned R1)
- West – vacant wetlands/natural areas (zoned R1)

**Current Zoning:** R1 (Residential – Single and Two-Family) Zone

**Proposed Zoning:** Comprehensive Development ("CD") Zone 1 (scheduled for final bylaw reading concurrent with this Development Permit approval on June 10, 2019).

**OCP Land Use Designation:** Low Density Residential (LR) which permits up to 20 units per hectare. Northerly Lot 18 is designated Environmental Resource Area (ER).

**Development Permit Area:** The most northerly Lot 18 is within the Environmentally Sensitive Development Permit Area ("DPA") and therefore requires a Development Permit.









|  |   |
|--|---|
| <b>To</b><br>Vadim Kobasew                               | <b>From</b><br>Tim Gray, M.E.T., R.P.Bio                                    |
| <b>Company</b><br>Orchard Land Properties Inc.           | <b>MCSL Branch</b><br>2422 - Penticton                                      |
| <b>Re</b><br><br>Proposed Lone Pine MHP, Grand Forks, BC | <b>Date</b><br>February 15, 2019<br><br><b>File Number</b><br>2422-20216-00 |

Wetlands are ecologically sensitive due to their rarity, high biodiversity, fragility, high incidence of at-risk species and their important landscape level hydrological functions. The City of Grand Forks Bylaw No 2052 defines a wetland as *"land that is saturated with water long enough to promote wetland or aquatic processes as indicated by poorly drained soils, hydrophytic (water-tolerant) vegetation, and various kinds of biological activity which are adapted to a wet environment"* (Bylaw No. 2052).

Attached **Drawing CO-1** identifies the wetland boundary. The proposed Lone Pine MHP location was visited on January 16, 2019 by a Professional Biologist to determine the wetland boundary near the north west corner of the property (PID 012-190-217), located at the northerly end of Boundary Drive, in Grand Forks, BC. The presence of hydrophytic vegetation is a primary indicator of wetland presence and was relied upon to identify the wetland boundary within the property (BC MOE, 2015). The presence of a thin snow layer was sub-optimal but did not preclude identification of perennial vegetation. Local topography, which includes a prominent bank separating the cultivated field from the wetland, facilitated wetland boundary identification with adequate confidence. A soils assessment was not completed as the ground was frozen at the time of assessment.

The wetland comprises a near monoculture of Common Cattail (*Typha latifolia*), with some Reed Canary Grass (*Phalaris arundinacea*) and is part of a larger wetland complex that extends well beyond the property boundary. The remainder of the property is a cultivated field. The riparian area at the margin of the cultivated field is dominated by what appeared to be an invasive knapweed (*Centaurea sp.*).

## LITERATURE CITED:

British Columbia Ministry of Environment (BC MOE), 2015. Guide to Identification of Low-Elevation Wetlands in the Okanagan using Primary Indicators. Available at:  
<http://a100.gov.bc.ca/pub/eirs/finishDownloadDocument.do?subdocumentId=10211>

Corporation of The City of Grand Forks Bylaw No. 2052, 2018. A Bylaw to dedicate Nature Parks. Available at:  
<http://www.grandforks.ca/wp-content/uploads/bylaws/By2052-Nature-Park-repeals-By2035.pdf>

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This site plan illustrates a wetland area, highlighted in green, situated adjacent to a residential or commercial development. The wetland is labeled "WETLAND" and "15,228 Sq. Feet 0.350 Acres". It is bounded by a "WETLAND BOUNDARY" line, which is shown as a dashed red line. A "15m SETBACK LINE" is also indicated. The wetland area is further defined by a "STAKE SET (TYPICAL)" and a "TOP OF BANK" line. The development area is divided into numbered lots (1 through 24) and includes an "ENTRANCE" and an "EXIT". The plan also shows a "15m OS FROM WETLAND" boundary and a "15m SETBACK LINE".



**McElhanney**  
McElhanney Consulting Services Ltd.

290 Nanaimo Ave. W  
Penticton BC  
Canada V2A 1N5  
Tel 250 492 7399

Approved Sealed

**VADIM KOBASEW**  
PO BOX 779 OSOYOOS, BC V0H 1V0

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**LONE PINE DEVELOPMENT SITE**  
**SITE PLAN**  
**GRAND FORKS**

Drawing No.

C01

Project Number

PB



# DRAFT

## ISSUED TO:

Vadim Kobasew  
PO Box 779, Osoyoos, BC V0H 1V0  
(the "Permittee")

### Development

This Development Permit authorizes the development of a 25 unit mobile home park and an ecological reserve on the 8000 block of Boundary Drive in Grand Forks, BC.

### General

1. The purpose of this Development Permit is to ensure that the authorized development complies with Section 14.6.2 of the Official Community Plan respecting development within the "Environmentally Sensitive Area Development Permit Area", such development being adjacent to natural wetlands and bird/animal habitat.
2. This Development Permit is issued subject to compliance by the Permittee with all bylaws, orders, regulations or agreements except as specifically varied or supplemented by this Development Permit.
3. This Development Permit applies to that real property including land with or without improvements located within the City of Grand Forks, with the legal description as follows:
  - Lot 16, Block 1, Plan KAP586, District Lot 380, Land District 54  
PID: 012-190-136.
  - Lot 17, Block 1, Plan KAP586, District Lot 380, Land District 54  
PID: 012-190-152.
  - Lot 18, Block 1, Plan KAP586, District Lot 380, Land District 54  
PID: 012-190-217.
4. The lands described above (Item No. 3) must be consolidated into one lot prior to the issuance of a building permit, and proof of consolidation and the new legal description must be transmitted to the Manager of Development, Engineering and Planning prior to a building permit being issued.
5. This permit is not transferrable unless specifically permitted by the City. The authorization to transfer the permit shall, if deemed acceptable, be granted by Council resolution.
6. This Development Permit shall lapse if the Permittee does not substantially start any construction with respect to which this development permit is issued, within two (2) years after the date this development permit is issued.

### Terms and Conditions

7. The Permittee shall develop the property as shown generally on the site plan in Appendix "B". Securities in the form acceptable to the City for the provision of landscaping and mitigation

may be required prior to the issuance of a Building Permit. Any minor changes or substitutions will be subject to approval by the Manager of Development, Engineering and Planning.

8. The issuance of the Development Permit and/or a Building Permit may be subject to completion of a servicing agreement:
  - a. Executed between the Permittee and the City of Grand Forks;
  - b. Prepared at the cost of the Permittee and submitted to the City for review and acceptance;
  - c. Contents of this agreement shall ensure the implementation of environmental and engineering designs and reports completed by Professional Engineers and Qualified Environmental Professionals at the Permittee's expense, subject to the City's review and acceptance;
  - d. Requirements identified may include (but not be limited to) water services, sanitary sewer services, drainage and storm water requirements, street lighting, fire hydrants, frontage upgrade (sidewalk, curb and gutter), landscaping and other requirements as per the Grand Forks Subdivision, Development and Servicing Bylaw.
9. Sustainable Development elements to be included as part of the development include:
  - a. Drought resistant (xeriscape) landscaping;
  - b. Bio-swale drainage and water conservation measures;
  - c. Dark-sky friendly LED lighting for communal outdoor areas; and,
  - d. Plantings, landscaping and on-site storm water management.
10. The Permittee shall prepare and follow a construction and mitigation work plan to the satisfaction of the City of Grand Forks. This shall include:
  - a. Provision for a pre-construction meeting with City staff and a communications protocol;
  - b. Hours of construction (compliance with Grand Forks Noise Bylaw);
  - c. Parking of equipment;
  - d. Parking of employee/worker vehicles;
  - e. Dust control;
  - f. Delivery vehicle routes;
  - g. Flagging requirements; and,
  - h. Other requirements deemed necessary by the City of Grand Forks.
11. A monitoring and inspections schedule for work being undertaken and to be completed is required:
  - a. For matters pertaining to the servicing agreement - these are to be included in the said agreement;
  - b. For matters involving the landscape and mitigation plan and exterior site development, these shall be as follows:
    - i. Substantial completion - the amount of Securities may be reduced by the amount agreed upon by the City of Grand Forks and the Permittee's Landscape Architect or reputable site designer, and Qualified Environmental Professional;
    - ii. Final completion - relinquishing all obligations of the Securities as agreed upon by the City of Grand Forks and the Permittee's Landscape Architect or reputable site designer, Qualified Environmental Professional; and,
    - iii. Holdback release - final release of 10% Securities holdback subject to inspection of landscaping and mitigation works one year from final completion.
12. Development Cost Charges (DCC's) under the City of Grand Forks Bylaw No. 1425 shall be paid to the City of Grand Forks; due no later than at the Building Permit approval stage.

13. The development of the site will require a Building Permit to be issued pursuant to the BC Building Code and the City's Building Bylaw.
14. As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit, within the time provided, the City may use the security to carry out the work by its servants, agents or contractors and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permittee.
- The security shall be in the form of a letter of credit, bond or certified cheque;
  - The amount of the security will be based on the estimated full costs of the landscaping and exterior site development; and,
  - Said costs are to be estimated and submitted to the City for approval by a Landscape Architect or reputable site designer or contractor.
15. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Development Permit, the Servicing Agreement and any plans and specifications attached to the Permit which shall form a part hereof.
16. This Permit is not a Building Permit.
17. Upon enacting the requirements of this permit, the Permittee hereby covenants and agrees to save harmless and effectually indemnify the City against:
- a. All actions and proceedings, costs, damages, expenses, claims and demands whatsoever brought, due to the City granting the said permit;
  - b. All costs, expenses, claims that may be incurred by the City, if the construction of engineering or other types of works as called for by the Permit results in damage to any property owned in whole or in part by the City or which the City by duty or custom is obligated directly or indirectly in any way or in any degree, to construct, repair, or maintain; and,
  - c. The Permittee further covenants and agrees that when granted this Development Permit, the City may withhold granting any Occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works called for by the Permit and servicing agreement have been completed to the satisfaction of the City's Engineer and the Manager of Development, Engineering and Planning.
18. Should there be any changes in ownership or legal description of the property, the Permittee shall undertake to notify the Manager of Development, Engineering and Planning immediately.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL FOR THE CORPORATION OF THE CITY OF GRAND FORKS AT A REGULAR MEETING HELD THE 10th day of June, 2019.

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Daniel Drexler, Corporate Officer  
City of Grand Forks, BC

**Development Permit ISSUED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.**

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Dolores Sheets, Approving Officer, City of Grand Forks, BC