



Boundary Expansion Application Information Package

- 2025-APR-08 Staff Report to Council re Boundary Extension AAP
- 2024-10-04 ToG Boundary Extension Site Context Report_Area 2 Lot 1 and Block 6 Hough
- 2024-10-04 ToG Boundary Extension Site Context Report_Area 1 629 Pratt _ 611 Pratt
- 2024-10-04 ToG Boundary Extension Study_Lot 6 Gospel Rock_Site Assessment
- AAP Maps Combined



STAFF REPORT

TO: Council **MEETING DATE:** April 8, 2025
FROM: Tracey Hincks,
Deputy Corporate Officer **FILE NO:** 4200-20
SUBJECT: Boundary Extension Alternative Approval Process

REPORT FOR DECISION

PURPOSE

The purpose of this report is to seek Council direction on whether to proceed with the Elector Approval process for a boundary extension, which would bring five properties from the Sunshine Coast Regional District into the Town of Gibsons (Figure 1).

This report introduces the legislative requirements, process, and proposed schedule to move forward with the elector approval required to proceed with the Alternative Approval Process (AAP).

There are six (6) steps to developing, processing and approving a municipal boundary extension, and we are currently at the beginning of 'Step 4':

Step 1: Proposal Development and Referrals	Completed
Step 2: Proposal Submission	Completed
Step 3: Ministry of Municipal Affairs Review	Completed and approved to proceed
Step 4: Elector Approval	Presently at this stage
Step 5: Provincial Approval	To be determined
Step 6: Implementation	To be determined

Staff seek Council approval to proceed with Step 4 – Elector Approval.

BACKGROUND

At the October 8, 2024 Regular Council meeting, staff presented a report – [Boundary Extension Requests](#) – seeking Council direction to notify the Province of a requested boundary expansion for the Town of Gibsons. The following links are Boundary Extension Study reports prepared by Urban Systems in October, 2024 for each of the sites.

[2024-10-04 ToG Boundary Extension Site Context Report Area 2 Lot 1 and Block 6 Hough](#)

[2024-10-04 ToG Boundary Extension Site Context Report Area 1 629 Pratt & 611 Pratt](#)

[2024-10-04 ToG Boundary Extension Study Lot 6 Gospel Rock Site Assessment](#)

At October 8 meeting, Council Resolved the following:

R2024-227 - Boundary Expansion

MOVED by Councillor De Andrade

SECONDED by Councillor Croal

THAT staff be directed to request that the Minister extend the boundary of the municipality to include the following parcels:

1. LOT 1, EXCEPT: PORTION ON PLAN BCP24851 BLOCK 7 DISTRICT LOT 682 PLAN 14753 (Hough Road)
2. THE NORTH 100 FEET OF THE WEST 700 FEET EXCEPT: PART ON PLAN BCP24851 BLOCK 6 DISTRICT LOT 682 PLAN 4779 (Hough Road)
3. LOT 2 BLOCK 7 DISTRICT LOT 682 PLAN 14753 (Pratt Road)
4. LOT D BLOCK 8 DISTRICT LOT 682 PLAN 18023 (Pratt Road)
5. LOT 6 DISTRICT LOT 842 GROUP 1 NEW WESTMINSTER DISTRICT PLAN BCP19068 (Gospel Rock)

CARRIED

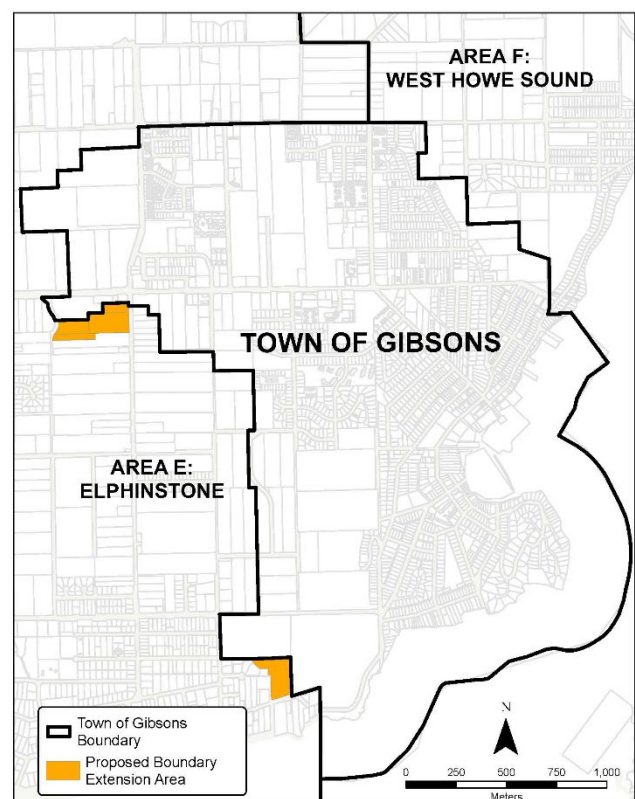


Figure 1 Proposed Town boundary extension

DISCUSSION

A schedule for an AAP (Attachment A) has been prepared for review of the timeline, with June 2nd proposed as the deadline for receiving elector response forms. An elector response form (Attachment B) has been drafted for review and Council approval.

To conduct an AAP, Council must:

- 1) establish the deadline for receiving elector responses;
- 2) establish elector response forms and;
- 3) make a fair determination of the total number of electors of the area to which the approval process applies.

Staff have developed the attached process timeframe and recommend a response deadline of June 2, 2025. This date accommodates the notice requirements set out in the *Community Charter*.

Calculation of Eligible Electors

The total number of electors of the area to which the approval process applies (the Town of Gibsons) has been calculated at **4,014**.

The number of electors was calculated by using the total registered electors on the Provincial voters list within the Service Area as received from Elections BC on March 21, 2025 and the number of non-resident property electors registered for properties within the Service Area.

The number of electors was calculated as follows:

- The number of resident electors on the Provincial voters list in the Service Area, as received from Elections BC on March 21, 2025 **(3,992)**
Plus
- The number of non-resident property electors currently registered for properties within the Service Area **(22)**

Approval of the electors by alternative approval process is obtained if the number of elector responses received by the established deadline is less than 10% of this total **(401)**.

COMMUNICATION

In addition to statutory advertising, information packages will be prepared prior to the start of the AAP. Information packages and Elector Forms will be made available on the Town of Gibsons website and at Town Hall (474 South Fletcher Road). Statutory notification will appear in the Coast Reporter newspaper on April 25 and May 2, 2025 (Attachment C).

POLICY / PLAN IMPLICATIONS

Strategic Plan Implications

These boundary requests are being considered through a sustainable service delivery lens.

Financial Plan Implications

The cost of statutory advertising for the AAP is estimated to be \$4,000 (2 full page ads in the Coast Reporter) as well as one ad in the British Columbia Gazette estimated at \$1,000.

Other Policy or Plan Implications

Council Policy 3.1, adopted March 20, 1990, states:

It is recognized to be the democratic right of any property owner to apply to have his property included within the Town boundaries. Council will consider such applications where the property is adjacent to the Town boundaries, provided there is no capital cost to the Town inherent in such extension and subject to the municipal land use and zoning thereafter being designated reasonably equivalent to that existing on the property prior to the inclusion.

NEXT STEPS

Under section 12 of the *Local Government Act*, before Cabinet can consider a boundary extension, the following next steps must take place:

- Council must give notice of the proposed extension once in the BC Gazette (Part 1);
- Council must obtain approval of the electors of the municipality;
- Results of the elector approval process; and
- If electors support the municipal boundary extension proposal, the Town must provide the Ministry with a second council resolution confirming the request to the Minister to extend the boundary of the municipality.

While not a legislative requirement, it would be beneficial to know if the SCRD Board resolved to support the boundary extension, or discussed it, to include in briefing material to the Ministry. A letter was sent to the SCRD in June of 2024 and a subsequent in person meeting was held. Follow-up email communication was sent on March 18, 2025 from the Town to the SCRD. Finally, once Ministry staff receive notification of the outcome of the above steps, they will move forward on the Order in Council (OIC) package and Minister/Cabinet decisions.

RECOMMENDATIONS / ALTERNATIVES

Council may proceed with the AAP or choose not to.

Option 1 – This is the recommendation to proceed:

THAT an Alternative Approval Process be approved and conducted with respect to the elector approval required for the 2025 Boundary Extension Application;

AND THAT the total number of eligible electors of the area be determined to be 4014; and the 10% threshold 401;

AND THAT with respect to 2025 Boundary Extension, the Elector Response Forms be established and approved as presented;

AND THAT the deadline for receiving elector responses be June 2, 2025 at 4:00 pm, following the 30-day statutory elector response period;

AND THAT notice for boundary extension be published in accordance with section 86(2) of the Community Charter in the Coast Reporter newspaper, and one notice in the British Columbia Gazette (Part 1) as well as notice provided via the Town of Gibsons website;

AND FURTHER THAT elector response forms may be accepted in any one of the following ways:

- *Delivered in person at the Town of Gibsons Town Hall, 474 South Fletcher Road, Gibsons, BC during regular office hours (Monday to Friday, 8:30 am to 4:00 pm, excluding statutory holidays) or after hours if deposited into the overnight mail drop slot at the front entrance of Town Hall;*
- *By mail to Town of Gibsons, Box 340, Gibsons, BC V0N 1V0;*
- *By emailing a legible scanned copy to: clerk@gibsons.ca with the subject heading: Elector Response Form.*

OR

Option 2 – Alternatively, this is the recommendation not to proceed:

THAT staff be directed not to proceed with an Alternative Approval Process with respect to the elector approval required for the 2025 Boundary Extension Application.

Attachments

- Attachment A – Schedule for Alternative Approval Process
- Attachment B – Elector Response Form
- Attachment C – Draft Notice

Respectfully Submitted,

Tracey Hincks
Deputy Corporate Officer

Report reviewed by:

X	Chief Administrative Officer
X	Director of Corporate & Legislative Services
X	Director of Finance
X	Director of Infrastructure Services
X	Director of Planning and Development



TOWN OF GIBSONS

BOUNDARY EXTENSION STUDY HOUGH ROAD |
OCTOBER 2024

URBAN SYSTEMS

550 - 1090 HOMER STREET, VANCOUVER, BC V6B 2W9 | T:
604.235.1701

URBAN
SYSTEMS

PREPARED FOR:

TOWN OF GIBSONS

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Gibsons, BC V0N 1V0

ATTENTION:

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PREPARED BY:

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DATE: OCTOBER 2024

FILE:

1300.0165.02

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TABLE OF **CONTENTS**

1.0	INTRODUCTION	1
1.1	LOCATION & EXISTING USE	1
1.1.1	SCRD ELECTORAL AREA E ELPHINSTONE	1
1.1.2	EXISTING USES.....	3
2.0	LEGAL OVERVIEW	3
2.1	LEGAL ENCUMBRANCES	4
3.0	SCRD & TOWN OF GIBSONS POLICIES	4
3.1	OFFICIAL COMMUNITY PLANS	4
3.1.1	SCRD OCP	4
3.1.2	TOWN OF GIBSONS OCP	5
3.2	SCRD ZONING BYLAW	6
3.3	DEVELOPMENT PERMIT AREAS (DPA)	6
3.3.1	SCRD DPA.....	6
3.3.2	TOWN OF GIBSONS DPA.....	7
3.4	FIRE DEPARTMENT RESPONSE TIMES	9
4.0	PROPERTY TAXES & SERVICE FEES.....	9
4.1	2023 BC ASSESSMENT	9
4.2	SCRD SERVICES DELIVERY FEES & PROPERTY TAXATION .	9
4.2.1	SCRD SERVICES.....	9
4.2.2	SCRD PROPERTY TAXES.....	10
4.3	TOWN OF GIBSONS SERVICE DELIVERY FEES & PARCEL TAXATION.....	11
4.3.1	TOWN OF GIBSONS SERVICES.....	11

4.3.2	TOWN OF GIBSONS PROPERTY TAXES	12
4.4	TAX & SERVICE FEE COMPARISON.....	13
4.5	LOCAL GOVERNMENT SERVICE DELIVERY COMPARISON	13
5.0	SITE FEATURES & INFRASTRUCTURE OVERVIEW.....	14
5.1	WATERCOURSES & RIPARIAN AREAS.....	14
5.2	ARCHAEOLOGICAL FEATURES	14
5.3	TOPOGRAPHY	14
5.4	ACCESS & TRANSPORTATION	15
5.4.1	SITE ACCESS & ROADS	15
5.4.2	PUBLIC TRANSIT	16
5.4.3	TRAILS & MULTI-USE PATHS.....	16
5.5	SERVICING	17
5.5.1	WATERLINES	17
5.5.2	SANITARY SEWER.....	17
5.5.3	STORMWATER DRAINAGE.....	17
5.5.4	FIRE DEPARTMENT RESPONSE TIMES	17
6.0	PRELIMINARY STAKEHOLDER FEEDBACK	17
6.1	SUNSHINE COAST REGIONAL DISTRICT	18
6.2	MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE	18
7.0	SUMMARY & NEXT STEPS	18
7.1	MUNICIPAL AFFAIRS BOUNDARY EXTENSION	
	APPLICATION PROCESS.....	19

1.0 INTRODUCTION

The Town of Gibsons (the Town) has engaged Urban Systems Ltd. to undertake a boundary extension feasibility study. The Town is contemplating extending its municipal boundaries to include two (2) parcels located on Hough Road in the Sunshine Coast Regional District Area E Elphinstone neighbourhood. This memorandum provides the site context for the two parcels, including an overview of the land ownership, location and infrastructure servicing, as well as existing SCRD land use bylaws and taxation. It should be noted that the property information provided herein was captured in 2023, when the study was initiated. In summer 2024, the Town initiated preliminary engagement with other potentially impacted agencies including the SCRD and MOTI. A summary of this preliminary engagement has been provided in Section 6.

1.1 LOCATION & EXISTING USE

1.1.1 SCRD ELECTORAL AREA E ELPHINSTONE

The subject lots are located within the SCRD Electoral Area E Elphinstone community. The Elphinstone community is located on the Mount Elphinstone slopes and is characterized by many creeks and ravines, as well as an agricultural plateau where several small farms still operate. Single family residential subdivisions are the primary use within Elphinstone, which are well served by several public beaches, parks, playgrounds and trails. The Sunshine Coast Highway (Highway 101) runs east-west through the approximate centre of the community, with the subject lots located roughly 60 metres to the south.

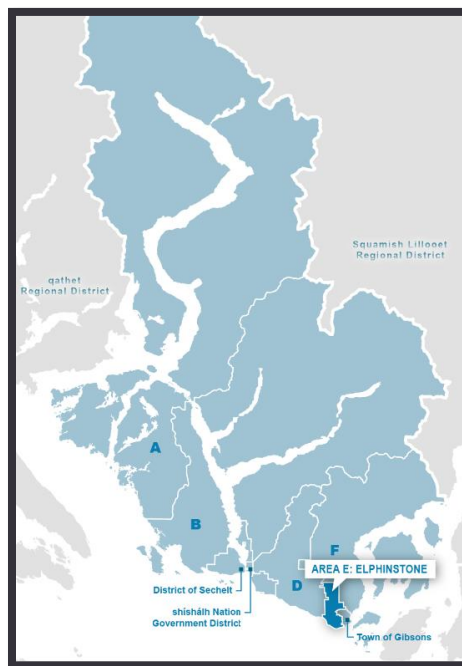


Figure 1: SCRD Electoral Area E: Elphinstone¹

The subject lots are situated directly south of the Town of Gibsons municipal boundary (Figure 2) and together cover an area of approximately 1.7 hectares. The lots are described in Table 1 below.

Table 1: Subject Lots

PARCEL NAME	AREA	OWNERSHIP TYPE
Lot 1 Hough Road	1.066 hectares	School District
Block 6 Hough Road	0.64 hectares	School District
TOTAL	1.706 HECTARES	

Abutting the site to the north are commercial-industrial lots with a series of retail and service businesses, and to the south, east and west are single family residential lots. The site overall is gently sloped in a southeast direction.

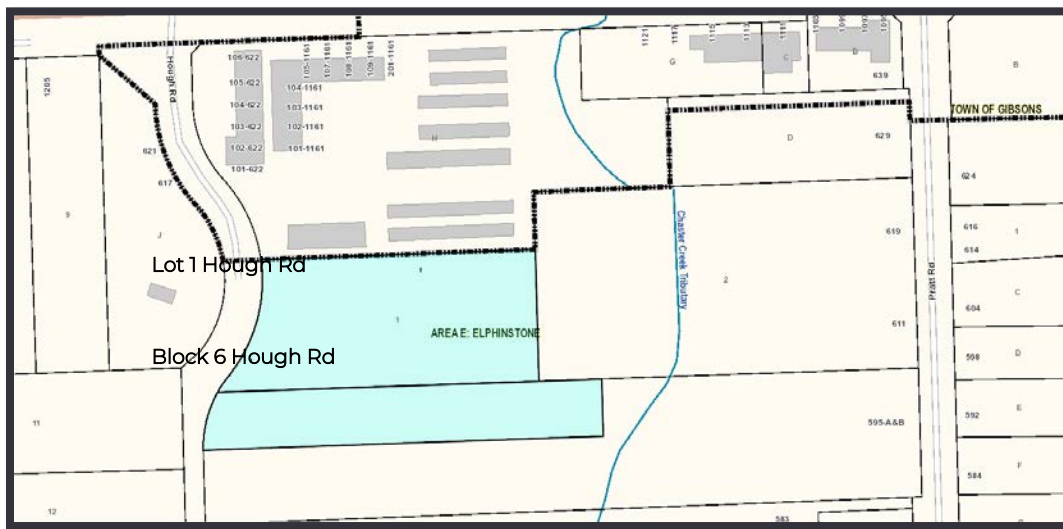


Figure 2: Hough Road Lots²

¹ SCRD.ca

² SCRD.ca

1.1.2 EXISTING USES

The existing uses on site are described in Table 2 below.

Table 2: Existing Uses on Site

PARCEL NAME	USE
Lot 1 Hough Road	Vacant
Block 6 Hough Road	Vacant

2.0 LEGAL OVERVIEW

The property's legal description and owner information is shown in Table 3 below – a copy of the Title Certificate is in Appendix A.

Table 3: Property Descriptions

PARCEL NAME	PROPERTY DESCRIPTION	
Lot 1 Hough Road	Property Type:	Fee Simple
	Registered Owner/Mailing Address:	The Board of Education School District No.46 494 South Fletcher Road, PO Box 220 Gibsons, BC V0N 1V0
	Taxation Authority	North Shore – Squamish Valley Assessment Area
	PID:	007-748-281
	Legal Description:	LOT 1, EXCEPT: PORTION ON PLAN BCP24851 BLOCK 7 DISTRICT LOT 682 PLAN 14753
Block 6 Hough Road	Property Type:	Fee Simple
	Registered Owner/Mailing Address:	The Board of Education School District No.46 494 South Fletcher Road, PO Box 220 Gibsons, BC V0N 1V0
	Taxation Authority	North Shore – Squamish Valley Assessment Area
	PID:	011-317-663
	Legal Description:	THE NORTH 100 FEET OF THE WEST 700 FEET EXCEPT: PART ON PLAN BCP24851 BLOCK 6 DISTRICT LOT 682 PLAN 4779

2.1 LEGAL ENCUMBRANCES

There are no legal encumbrances (covenants; statutory right of ways etc.) on either Lot 1 Hough Road or Block 6 Hough Road.

3.0 SCRD & TOWN OF GIBSONS POLICIES

3.1 OFFICIAL COMMUNITY PLANS

3.1.1 SCRD OCP

The SCRD's Official Community Plan (OCP) Bylaw No. 600 was adopted on July 24, 2008. The SCRD is currently undertaking a comprehensive review and update of all seven of their OCP bylaws. The following table outlines the land use designations for each of the subject parcels.

Table 4: Land Use Designations

PARCEL	OCP LAND USE DESIGNATION
Lot 1 Hough Road	Rural Residential
Block 6 Hough Road	

RURAL RESIDENTIAL DESIGNATION

The policies relevant to Lot 1 Hough Road and Block 6 Hough Road under this designation are listed below:

1. Any parcel may be used for agricultural purposes, and the keeping of livestock (not including pigs), poultry and rabbits may be permitted as set out under the current Regional District zoning bylaw.
2. One single family dwelling on parcels of any size is permitted.
3. Home occupations and bed & breakfasts are permitted auxiliary to a rural residential use.
4. Wild bird rehabilitation centre auxiliary to a residential use on parcels exceeding 0.35 ha. (0.86 acres).
5. A second dwelling may be permitted on parcels exceeding 0.4 ha. (1.0 acre).
6. Transition houses or vehicle repair and maintenance within enclosed buildings may be permitted on parcels exceeding 0.8 ha. (2.0 acres).
7. Riding stables and academies, campgrounds and garden nurseries may be permitted on parcels exceeding 1.75 ha. (4.32 acres).
8. Kennels and keeping of pigs for personal consumption on parcels exceeding 1.75 ha. (4.32 acres) are permitted under the current Regional District zoning bylaw.

3.1.2 TOWN OF GIBSONS OCP

North of Lot 1 Hough Road is the Mixed-Use Gateway Town of Gibsons OCP land use designation (Figure 3).

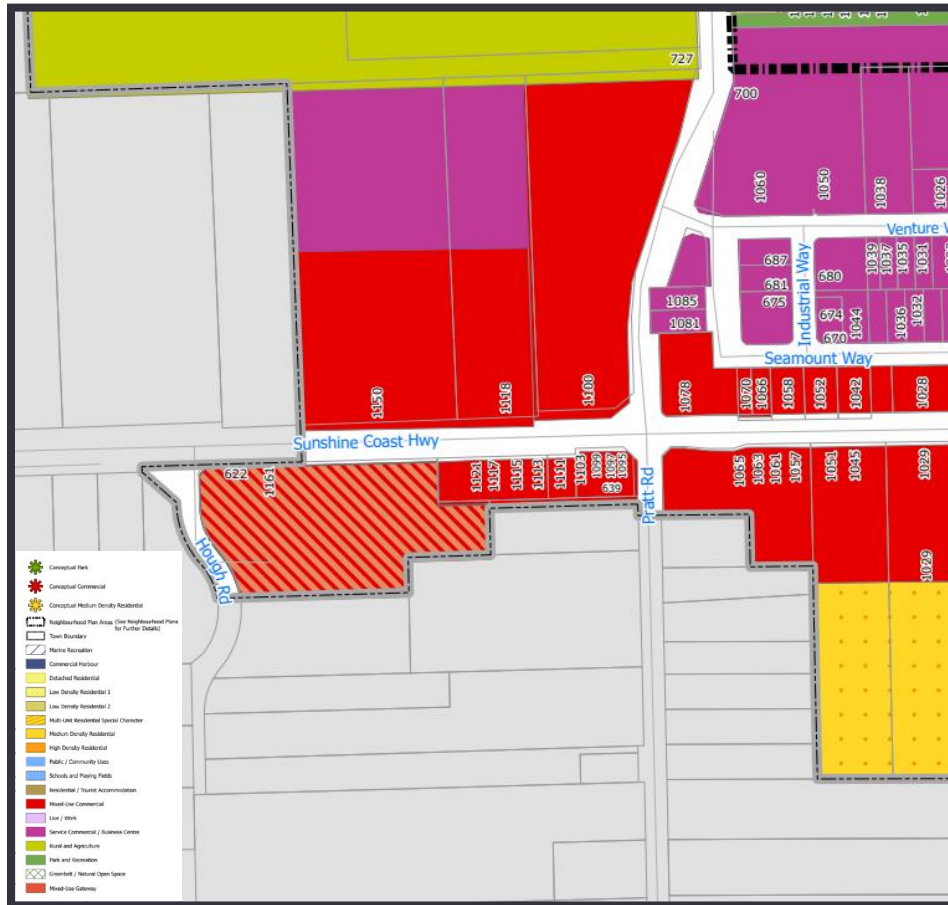


Figure 3: Town of Gibsons OCP Land Use Designation Map. Source: Gibsons.ca

3.2 SCRD ZONING BYLAW

The following table outlines the zoning for each of the subject parcels per SCRD Zoning Bylaw No. 722.

Table 5: Zoning Bylaw No. 722 RU1 and C5 Overview³

PARCEL	ZONING	PURPOSE	PRINCIPAL USES
Lot 1 Hough Road	RU1 – Rural Residential One	To permit residential and rural uses	<ul style="list-style-type: none"> • Single Unit Dwelling • Second Single Unit Dwelling • Agriculture • Garden Nursery • Keeping of Livestock • Vehicle Repair & Maintenance • Animal Shelters • Horse Riding, Training, or Boarding Facility • Manufacturing or Storage
Block 6 Hough Road			

Should these lots be brought into the Town of Gibsons, an amendment to the Town's zoning bylaw will be required.

3.3 DEVELOPMENT PERMIT AREAS (DPA)

Block 6 Hough Road falls within two (2) SCRD DPAs (Table 6).

Table 6: SCRD Development Permit Areas

PARCEL	DEVELOPMENT PERMIT AREAS
Lot 1 Hough Road	N/A
Block 6 Hough Road	DPA 2A – Creek/River Corridor DPA 4 – Stream Riparian Assessment Area

3.3.1 SCRD DPA

Due to the presence of the Chaster Creek tributary through the Block 6 Hough Road falls within SCRD DPA 2A and 4, described below.

³ <https://www.scrd.ca/wp-content/uploads/2023/01/2022-December-Zoning-Bylaw-722.pdf>

DPA 2A – Creek/River Corridor

DPA 2A applies to all creeks and extends 30 metres from the streamside natural boundary. A riparian assessment and a flood, debris flow and debris flow hazard assessment are required. The area impacted by this DPA is shown in Figure 4 below.

DPA 4 – Stream Riparian Assessment Areas

DPA 4 includes the areas within and adjacent to all unmapped watercourses and those mapped watercourses that either provide fish habitat or flow to a waterbody that provides fish habitat. An assessment prepared by a qualified environmental professional is required. The area impacted by this DPA is shown in Figure 4 below.

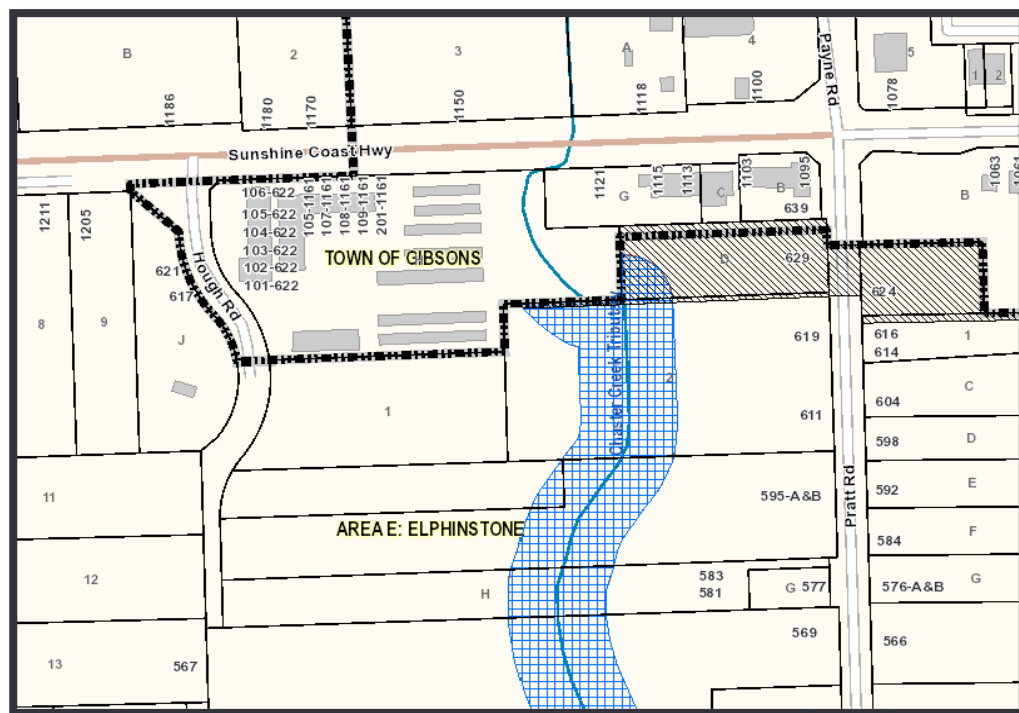


Figure 4: SCRD DPAs 2A & 4 (blue); and DPA 5 (dashed)⁴

3.3.2 TOWN OF GIBSONS DPA

Lot 1 Hought Road abuts Town of Gibsons DPA 3 (Upper Gibsons Commercial Area) and DPA (Gibsons Aquifer) (Figures 5 and 6).

⁴ maps.scrd.ca



3.4 FIRE DEPARTMENT RESPONSE TIMES

The site falls within the Gibsons/West Howe Sound Fire Protection Area. The site is equidistant to both the SCRD Fire Hall No. 2 located two (2) kilometres to the southwest on Chaster Road, and Gibsons Fire Hall No. 1 located to the northeast on North Road. Both are roughly a three (3) minute drive.

4.0 PROPERTY TAXES & SERVICE FEES

The following provides an overview of both the existing SCRD taxes and service fees, and Town of Gibsons taxes and service fees should both lots be brought into the Town's boundaries.

4.1 2023 BC ASSESSMENT

The assessed property values per the 2023 BC Assessment are shown in Table 7 below.

Table 7: Assessed Property Values (Land & Improvements) Per the 2023 BC Assessment

LOCATION	LAND VALUE	IMPROVEMENT VALUE	TOTAL VALUE
Lot 1 Hough Road	\$1,084,000	\$0	\$1,084,000
Block 6 Hough Road	\$557,000	\$0	\$557,000

4.2 SCRD SERVICES DELIVERY FEES & PROPERTY TAXATION

4.2.1 SCRD SERVICES

Table 8 below shows the SCRD service areas each of the lots fall within.

Table 8: SCRD Service Areas

SERVICE AREA	LOCATION	
	Lot 1 Hough Road	Block 6 Hough Road
Chapman Water (SCRD)		
Gibsons/West Howe Sound Fire Protection		
SCRD Community Service Area #17		
Area E Curbside Collection		

Both parcels are outside the SCRD sanitary sewer service area. SCRD curbside collection services are only available to residential dwellings with a civic address. Table 9 below shows the SCRD service fees for both parcels.

Table 9: 2023 Parcel taxes and fees for SCRD services

SERVICE	FEE CATEGORY	LOCATION	
		Lot 1 Hough Road	Block 6 Hough Road
Chapman Water (SCRD) ⁵	Parcel Tax	\$494.05	\$438.17
	User Rate	N/A	N/A
SCRD Community Service Area #17	Parcel Tax	N/A (vacant)	N/A (vacant)
Area E Curbside Collection ⁶	User Rate	N/A (vacant)	N/A (vacant)
TOTAL		\$494.05	\$438.17

4.2.2 SCRD PROPERTY TAXES

Table 10 outlines the SCRD tax rates for Residential Class 1 properties that are applicable to Lot 1 Hough Road and Block 6 Hough Road.

Table 10: 2023 SCRD Taxes for Lot 1 Hough Road & Block 6 Hough Road

CATEGORY	2023 TAX RATE*	LAND VALUE	IMPROVEMENT VALUE	TAX AMOUNT (\$)	
				LOT 1 HOUGH ROAD	BLOCK 6 HOUGH ROAD
School Tax Rate	1.0745			\$1,164.76	\$598.50
Provincial Rural Tax	0.34			\$368.56	\$189.38
Police Tax	0.0858			\$93.01	\$47.79
SCRD Electoral Area E Tax Rates	1.15688			\$1,254.06	\$644.38
Gibsons/West Howe Sound Fire Protection Area	0.27362			\$296.60	\$152.41
Sunshine Coast Hospital	0.06631			\$71.88	\$36.93
BC Assessment Tax Rate	0.0336			\$36.42	\$18.72
Municipal Finance Authority	0.0002			\$0.22	\$0.11

⁵ SCRD Water Rates & Regulations Bylaw 422

⁶ <https://www.scrd.ca/wp-content/uploads/2023/04/431-Waste-Collection-consolidated-to-431.27-in-effect-from-2022-NOV-01-to-Present.pdf>

Community Recreation Service Area #17	0.99827			\$0	\$0
TOTAL 2023 PROPERTY TAXES				\$3,285.51	\$1,688.22

* Tax rates are expressed as a dollar figure per \$1,000 dollars of assessed property value of land and improvements. The assessed values for every taxable property in B.C. is determined annually by BC Assessment.⁷

The total combined fees, parcel taxes and property taxes for each lot are as follows:

- Lot 1 Hough Road: **\$3,779.56**
- Block 6 Hough Road: **\$2,126.39**

4.3 TOWN OF GIBSONS SERVICE DELIVERY FEES & PARCEL TAXATION

4.3.1 TOWN OF GIBSONS SERVICES

Based on lots abutting the site to the north, if the Town's boundaries were extended each of the lots would fall within the following Service Areas:

- Gibsons Zone 4 – SCRD Water
- Gibsons/West Howe Sound Fire Protection Area
- Town of Gibsons Curbside Collection Service Area
- Town of Gibsons Sanitary Sewer

It is assumed that the property owners would extend the Towns sanitary sewer service to their lots, as such this service fee have been included in the analysis below.

Table 12 below shows the service fees should both parcels be brought onto SCRD services, assuming both Lot 1 and Block 6 Hough Road remain vacant. Note that these totals do not include other applicable fees such as metering rates for water services.

Table 12: Parcel taxes and fees for Town of Gibsons services

SERVICE	FEE CATEGORY	LOT 1 HOUGH ROAD	BLOCK 6 HOUGH ROAD
Town of Gibsons Water ^{8 9}	Parcel Tax	\$294.92	\$294.92
	User Rate	N/A	N/A
Town of Gibsons Sanitary Sewer ¹⁰	Parcel Tax	\$438.40	\$438.40

⁷ <https://www2.gov.bc.ca/gov/content?id=37A333E93128400F97067ED620352923>

⁸ Town of Gibsons Water Parcel Tax Bylaw No.1308, 2023

⁹ Town of Gibsons Rates, Fees & Charges Bylaw No.1196, 2014

¹⁰ Town of Gibsons Sewer Parcel Tax Bylaw No.1307, 2023

	User Rate	N/A	N/A
Town of Gibsons Curbside Collection ¹¹	User Rate	N/A (vacant)	N/A (vacant)
Community Recreation Facilities	Parcel Tax	N/A (vacant)	N/A (vacant)
TOTAL		\$733.32	\$733.32

*Single-family dwelling flat rate (\$58.25) and commercial base rate (\$96.40)

**Annual dwelling unit rate per 1 garbage & organics bin

4.3.2 TOWN OF GIBSONS PROPERTY TAXES

Table 13 outlines the Town of Gibsons tax rates for Residential Class 1 properties that would be applicable to Lot 1 Hough Road and Block 6 Hough Road.

Table 13: 2023 Town of Gibsons Taxes for Lot 1 Hough Road & Block 6 Hough Road

CATEGORY	RESIDENTIAL CLASS 1 TAX RATE*	LAND VALUE	IMPROVEMENT VALUE	TAX AMOUNT (\$)	
				LOT 1 HOUGH ROAD	BLOCK 6 HOUGH ROAD
Town of Gibsons Municipal Tax Rate	1.33360			\$1,445.62	\$742.82
SCRD Tax Rate	0.9202			\$997.50	\$512.55
SCRD Recreational Facilities Tax Rate	0.9490			\$0	\$0
Hospital Tax Rate	0.06630			\$71.87	\$36.93
School Tax Rate	1.07450			\$1,164.76	\$598.50
BC Assessment Area Tax Rate	0.0336			\$36.42	\$18.72
Municipal Finance Authority Tax Rate	0.0002			\$0.22	\$0.11
Police Tax Rate	0.1862			\$201.84	\$103.71
TOTAL 2023 PROPERTY TAXES				\$3,918.23	\$2,013.34

* Tax rates are expressed as a dollar figure per \$1,000 dollars of assessed property value of land and improvements. The assessed values for every taxable property in B.C. is determined annually by BC Assessment.¹²

¹¹ Town of Gibsons Rates Fees & Charges Bylaw No.1196, 2014

¹² <https://www2.gov.bc.ca/gov/content?id=37A333E93128400F97067ED620352923>

The total Town of Gibsons property taxes, and service fees for each lot are as follows:

- Lot 1 Hough Road: **\$4,651.55**
- Block 6 Hough Road: **\$2,746.66**

4.4 TAX & SERVICE FEE COMPARISON

Table 15 below compares the taxes and user fees between the SCRD and Town of Gibsons. Taxes and service fees will increase should both lots be brought into the Town of Gibsons.

Table 15: Comparison of 2023 taxes and service fees between SCRD and Town of Gibsons

LOCATION	PROPERTY TAXES			SERVICE FEES*		
	SCRD	TOWN OF GIBSONS	% DIFFERENCE	SCRD	TOWN OF GIBSONS	% DIFFERENCE
Lot 1 Hough Road	\$3,285.51	\$3,918.23	+19%	\$494.05	\$733.32	+48%
Block 6 Hough Road	\$1,688.22	\$2,013.34	+19%	\$438.17	\$733.32	+67%

*Includes parcel taxes & user fees

4.5 LOCAL GOVERNMENT SERVICE DELIVERY COMPARISON

Table 16 below compares the delivery of local government services between the SCRD and Town of Gibsons.

Table 16: Local Government Service Delivery

SERVICE CATEGORY	COMPONENTS	DELIVERY AGENCY	
		REGIONAL DISTRICT	TOWN OF GIBSONS
General Government	Administration, Grants in Aid (Schools), Regional Sustainability	SCRD	<ul style="list-style-type: none"> • Mayor, Council & Staff • SCRD for components listed
	Other Grants in Aid	SCRD	Not Applicable
Protective Services	Fire Protection, 911, Emergency Planning	SCRD	SCRD
	Bylaw Enforcement, Animal Control	SCRD	Town of Gibsons
Transportation	Roads	Province (MoTI)	Town of Gibsons
	Transit Services	SCRD & BC Transit	SCRD & BC Transit

Environmental	Solid Waste Management	SCRD	SCRD
	Curbside Collection	SCRD	Town
Health	Cemetery	SCRD	SCRD
Planning & Development	Subdivision Approval	Province (Provincial Approving Officer, MoTI)	Town
	Regional Planning	SCRD	SCRD
	Building Inspection, Rural Planning, Economic Development	SCRD	Town
Recreation & Culture	Recreation & School Facilities, Library, Museum, Recreation Programs, Dakota Ridge	SCRD	SCRD
	Community Parks & Trails	SCRD	Town
Utilities	Water Service	SCRD (Chapman)	SCRD
	Sanitary Sewer Service	Not Currently Available	Potential for Service from Town

5.0 SITE FEATURES & INFRASTRUCTURE OVERVIEW

5.1 WATERCOURSES & RIPARIAN AREAS

A Chaster Creek tributary is located east of the Hough Road properties. The 15-metre riparian area around the creek impacts Lot 1 Hough Road.

5.2 ARCHAEOLOGICAL FEATURES

The site falls within the Squamish Nation territory.

5.3 TOPOGRAPHY

The site overall descends in a southeast direction, with an approximate slope from the south to north boundary 5% (Figure 8).



5.4.1 SITE ACCESS & ROADS



Figure 8: South end of Hough Road looking south toward Lot 1

Roads within the Sunshine Coast Regional District (an unincorporated area) are under the jurisdiction of the Ministry of Transportation & Infrastructure.

5.4.2 PUBLIC TRANSIT

There is a BC Transit bus stop for Route 1 located near the Hough Road sites on Pratt Road.

5.4.3 TRAILS & MULTI-USE PATHS

While there are no trails or multi-use paths in the immediate vicinity of the site, there is a signed cycling route located near the Hough Road site on Pratt Road (Figure 10).

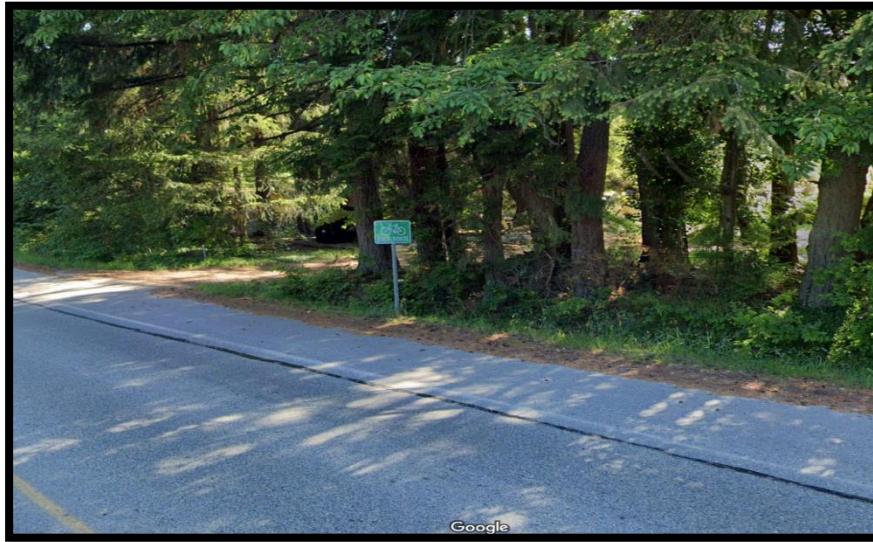


Figure 9: Cycling Route Sign on Pratt Road. Source: Google Earth

5.5 SERVICING

5.5.1 WATERLINES

A 200mm diameter ductile iron SCRD watermain is located on Highway 101 north of the site, and east of the site on Pratt Road. Capacity testing would be required based on future development.

5.5.2 SANITARY SEWER

There are no SCRD sewer lines within the vicinity of the site. However, there is low pressure 100mm diameter HDPE Town of Gibsons sanitary pipe north of the site on Highway 101.

5.5.3 STORMWATER DRAINAGE

There are no SCRD or Town of Gibsons stormwater pipes within the vicinity of the site. Roadway drainage is directed to roadway ditches and on Hough Road.

5.5.4 FIRE DEPARTMENT RESPONSE TIMES

The site falls within the Gibsons/West Howe Sound Fire Protection Area. The nearest stations are the SCRD Fire Hall No. 2 on Chaster Road; and Gibsons Fire Hall No. 1 on North Road. Both are 2 kilometres from the site.

6.0 PRELIMINARY STAKEHOLDER FEEDBACK

Engagement with potentially impacted parties is a key part of the municipal boundary extension process with the Ministry of Municipal Affairs. As such, preliminary engagement with the SCRD and MOTI was initiated in summer, 2024 by the Town of Gibsons to

understand how the proposal may impact their interests. Broader stakeholder engagement will be required as part of the formal boundary extension application process with the Ministry of Municipal Affairs. This will include consultation with the SCRD, MOTI, and other parties that Municipal Affairs deems impacted by the boundary extension including:

- property owners within the proposed municipal boundary extension area
- improvement districts that overlap with the proposed municipal boundary extension area
- Agricultural Land Commission (ALC) if the proposed extension area includes land in the Agricultural Land Reserve (ALR)
- Integrated Land Management Bureau (ILMB) if the proposed extension area includes Crown land; and
- First Nations whose traditional territory includes the proposed municipal boundary extension area

The summary provided herein reflects only the initial comments that the Town of Gibsons has received from SCRD and MOTI as of the date of this report.

6.1 SUNSHINE COAST REGIONAL DISTRICT

The Town engaged with the Sunshine Coast Regional District on July 11th, 2024. Based on the information provided in this report, the SCRD did not express any significant concerns regarding the boundary extension during the meeting. However, the SCRD noted that servicing arrangements would need to be established if a boundary extension was approved.

6.2 MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

The Town engaged with MOTI on September 6th, 2024. MOTI did not express any significant concerns regarding the boundary extension during the meeting. Should the boundary extension proceed, MOTI's preference is for the full right of way width of Hough Road fronting the length of the subject properties to be brought into the Town's jurisdiction.

7.0 SUMMARY & NEXT STEPS

The overall impact to the Town of Gibsons does not appear to be significant should the boundary be extended to include the two (2) subject parcels on Hough Road. Upfront staff resources will be needed to assign Town OCP land use designations, DPAs, and zoning; transfer services from SCRD to the Town; and to manage other administrative aspects related to the inclusion into the Town. The greatest cost to the Town on an ongoing basis will likely be the additional road maintenance (if the road is developed) should the boundary be extended to include Hough Road.

For the property owners, bringing the lots into the Town's boundary will result in slightly higher property taxes for each parcel; more direct access to subdivision and planning services (fewer jurisdictions to coordinate with); and access to Town's water and sanitary sewer services.

Initial engagement with the SCRD and MOTI showed that there were no concerns of significance regarding the potential boundary extension as of the date of this report. These agencies, and others, will continue to be engaged should the boundary extension proposal proceed through formal application with the Ministry of Municipal Affairs.

Following this report, the Town of Gibsons will decide, through Council resolution, whether to proceed with a formal boundary extension application to the Ministry of Municipal Affairs. This process involves property owners and residents in the proposed extension area, as well as the Town of Gibsons, the regional district, various government ministries and agencies, and First Nations. The process is outlined below.

7.1 MUNICIPAL AFFAIRS BOUNDARY EXTENSION APPLICATION PROCESS

There are six (6) steps to developing, processing, and approving a municipal boundary extension proposal. The Ministry of Municipal Affairs [Municipal Boundary Extension Process Guide \(2010\)](#) details the application process. At a high level, the steps involved in the boundary extension process are:

- Step 1: Proposal Development and Referrals
- Step 2: Proposal Submission
- Step 3: Ministry of Municipal Affairs Review
- Step 4: Elector Approval
- Step 5: Provincial Approval
- Step 6: Implementation

Boundary extension applications involve significant coordination, time, and resources at both the local and provincial level. The time required to process and approve boundary extensions is influenced by the complexity and scale of the proposal and timelines of other agencies and organizations involved in the process. As such, estimating timelines to review and approve proposals is challenging.

Sincerely,

URBAN SYSTEMS LTD.

file:///usr:/urban-systems.com/projects/Projects_VAN/1300/0165/01/R-Reports-Studies-Documents/R1-Reports/2024-09-17%20ToG%20Boundary%20Extension%20Site%20Context%20Report_Area%202%20Lot%201%20and%20Block%206%20Hough.doc

APPENDIX A

TITLE CERTIFICATES

TITLE SEARCH PRINT

2023-11-02, 12:26:28

File Reference: 1300.0165.01

Requestor: Urban Employees

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District	VANCOUVER
Land Title Office	VANCOUVER
Title Number	WX2071409
From Title Number	BA12258
Application Received	2017-12-27
Application Entered	2018-03-01
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	THE BOARD OF EDUCATION SCHOOL DISTRICT NO. 46 (SUNSHINE COAST) 494 SOUTH FLETCHER ROAD, PO BOX 220 GIBSONS, BC VON 1V0
Taxation Authority	North Shore - Squamish Valley Assessment Area
Description of Land	
Parcel Identifier:	007-748-281
Legal Description:	LOT 1, EXCEPT: PORTION ON PLAN BCP24851 BLOCK 7 DISTRICT LOT 682 PLAN 14753
Legal Notations	NONE
Charges, Liens and Interests	NONE
Duplicate Indefeasible Title	NONE OUTSTANDING
Transfers	NONE
Pending Applications	NONE

TITLE SEARCH PRINT

2023-11-02, 12:28:37

File Reference: 1300.0165.01

Requestor: Urban Employees

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District	VANCOUVER
Land Title Office	VANCOUVER
Title Number	WX2071420
From Title Number	BA403180
Application Received	2017-12-27
Application Entered	2018-03-01
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 46 (SUNSHINE COAST) 494 SOUTH FLETCHER ROAD, PO BOX 220 GIBSONS, BC V0N 1V0
Taxation Authority	North Shore - Squamish Valley Assessment Area
Description of Land	
Parcel Identifier:	011-317-663
Legal Description:	THE NORTH 100 FEET OF THE WEST 700 FEET EXCEPT: PART ON PLAN BCP24851 BLOCK 6 DISTRICT LOT 682 PLAN 4779
Legal Notations	NONE
Charges, Liens and Interests	NONE
Duplicate Indefeasible Title	NONE OUTSTANDING
Transfers	NONE
Pending Applications	NONE



TOWN OF GIBSONS

BOUNDARY EXTENSION STUDY PRATT ROAD |
OCTOBER 2024

URBAN SYSTEMS

550 - 1090 HOMER STREET, VANCOUVER, BC V6B 2W9 | T:
604.235.1701

URBAN
SYSTEMS

PREPARED FOR:

TOWN OF GIBSONS

474 S Fletcher Road
Gibsons, BC V0N 1V0

ATTENTION:

LESLEY-ANNE STAATS

PREPARED BY:

URBAN SYSTEMS LTD.

Samantha Lahey, RPP MCIP Community Planner
E: SLahey@urbansystems.ca | T: 604-953-6509

DATE: OCTOBER 2024

FILE:

1300.0165.02

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TABLE OF **CONTENTS**

1.0	INTRODUCTION	1
1.1	LOCATION & EXISTING USE	1
1.1.1	SCRD ELECTORAL AREA E ELPHINSTONE	1
1.1.2	EXISTING USES.....	3
2.0	LEGAL OVERVIEW	3
2.1	LEGAL ENCUMBRANCES	4
3.0	SCRD & TOWN OF GIBSONS POLICIES	4
3.1	OFFICIAL COMMUNITY PLANS	4
3.1.1	SCRD OCP	4
3.1.2	TOWN OF GIBSONS OCP	5
3.2	SCRD ZONING BYLAW	6
3.3	DEVELOPMENT PERMIT AREAS (DPA)	6
3.3.1	SCRD DPA.....	7
3.3.2	TOWN OF GIBSONS DPA.....	8
3.4	FIRE DEPARTMENT RESPONSE TIMES	9
4.0	PROPERTY TAXES & SERVICE FEES.....	9
4.1	2023 BC ASSESSMENT	9
4.2	SCRD SERVICES DELIVERY FEES & PROPERTY TAXATION	10
4.2.1	SCRD SERVICES.....	10
4.2.2	SCRD PROPERTY TAXES.....	11
4.3	TOWN OF GIBSONS SERVICE DELIVERY FEES & PARCEL	
TAXATION.....		13

4.3.1	TOWN OF GIBSONS SERVICES.....	13
4.3.2	TOWN OF GIBSONS PROPERTY TAXES.....	14
4.4	TAX & SERVICE FEE COMPARISON.....	15
4.5	LOCAL GOVERNMENT SERVICE DELIVERY COMPARISON.....	16
5.0	SITE FEATURES & INFRASTRUCTURE OVERVIEW.....	17
5.1	WATERCOURSES & RIPARIAN AREAS.....	17
5.2	ARCHAEOLOGICAL FEATURES.....	17
5.3	TOPOGRAPHY	17
5.4	ACCESS & TRANSPORTATION	18
5.4.1	SITE ACCESS & ROADS.....	18
5.4.2	PUBLIC TRANSIT	19
5.4.3	TRAILS & MULTI-USE PATHS.....	19
5.5	SERVICING	20
5.5.1	WATERLINES.....	20
5.5.2	SANITARY SEWER.....	20
5.5.3	STORMWATER DRAINAGE.....	20
5.5.4	FIRE DEPARTMENT RESPONSE TIMES.....	20
6.0	PRELIMINARY STAKEHOLDER FEEDBACK	21
6.1	SUNSHINE COAST REGIONAL DISTRICT	21
6.2	MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE.....	21
7.0	SUMMARY & NEXT STEPS	22
7.1	MUNICIPAL AFFAIRS BOUNDARY EXTENSION APPLICATION PROCESS.....	22

1.0 INTRODUCTION

The Town of Gibsons (the Town) has engaged Urban Systems Ltd. to undertake a boundary extension feasibility study. The Town is contemplating extending its municipal boundaries to include two (2) parcels located at 629 and 611 Pratt Road in the Sunshine Coast Regional District Area E Elphinstone neighbourhood. This memorandum provides the site context for the two parcels, including an overview of the land ownership, location and infrastructure servicing, as well as existing SCRD land use bylaws and taxation. It should be noted that the property information provided herein was captured in 2023, when the study was initiated. In summer 2024, the Town initiated preliminary engagement with other potentially impacted agencies including the SCRD and MoTI. A summary of this preliminary engagement has been provided in Section 6.

1.1 LOCATION & EXISTING USE

1.1.1 SCRD ELECTORAL AREA E ELPHINSTONE

The subject lots are located within the SCRD Electoral Area E Elphinstone community. The Elphinstone community is located on the Mount Elphinstone slopes and is characterized by many creeks and ravines, as well as an agricultural plateau where several small farms still operate. Single family residential subdivisions are the primary use within Elphinstone, which are well served by several public beaches, parks, playgrounds and trails. The Sunshine Coast Highway (Highway 101) runs east-west through the approximate centre of the community, with the subject lots located roughly 60 metres to the south.



Figure 1: SCRD Electoral Area E: Elphinstone¹

The subject lots are situated directly south of the Town of Gibsons municipal boundary on Pratt Road and together cover an area of approximately 2.6 hectares (Figure 2). The lots are described in Table 1 below.

Table 1: Subject Lots

Parcel Name	Area	Ownership Type
611 Pratt Road	2.037 hectares	Private
629 Pratt Road	0.61 hectares	Private
TOTAL	2.647 hectares	

Abutting the site to the north are commercial-industrial lots with a series of retail and service businesses, and to the south, east and west are single family residential lots. The site overall is gently sloped in a southeast direction. A tributary of Chaster Creek runs through 611 Pratt Road.

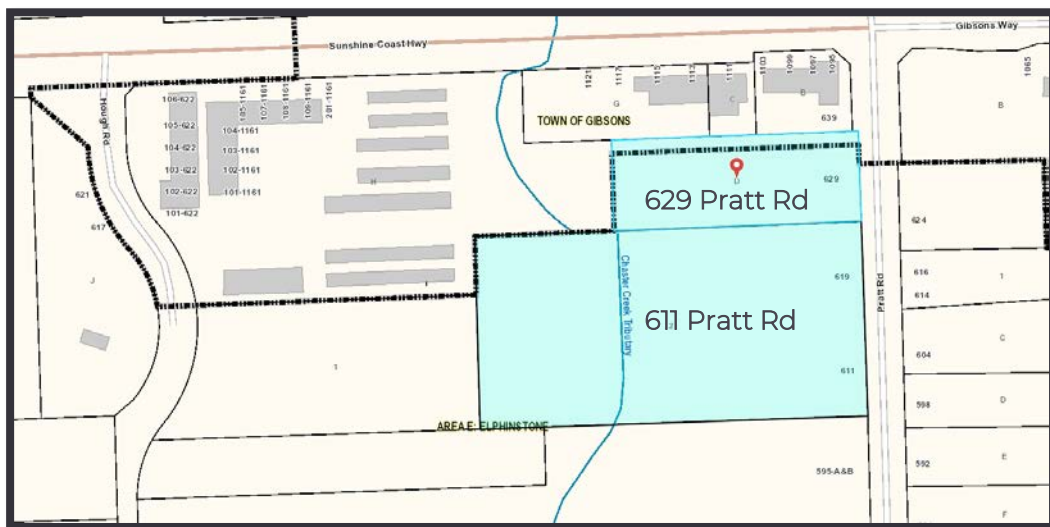


Figure 2: Pratt Road Lots²

¹ *SCRD.ca*

² SCRD.ca

1.1.2 EXISTING USES

The existing uses on site are described in Table 2 below.

Table 2: Existing Uses on Site

PARCEL NAME	USE
611 Pratt Road	Single Family Home
629 Pratt Road	Retail Store – B&K Garden & Landscape Supply

2.0 LEGAL OVERVIEW

The property's legal description and owner information is shown in Table 3 below – a copy of the Title Certificate is in Appendix 'A'.

Table 3: Property Descriptions

PARCEL NAME	PROPERTY DESCRIPTION	
611 Pratt Road	Property Type:	Fee Simple
	Registered Owner/Mailing Address:	1410179 B.C. LTD. 100 - 1312 LONSDALE AVE NORTH VANCOUVER, BC V7M 2H8
	Taxation Authority	North Shore – Squamish Valley Assessment Area
	PID:	006-810-756
	Legal Description:	LOT 2 BLOCK 7 DISTRICT LOT 682 PLAN 14753
629 Pratt Road	Property Type:	Fee Simple
	Registered Owner/Mailing Address:	B & K SOILS & LANDSCAPE SUPPLY INC., INC.NO. 423706 P.O. BOX 1791 GIBSONS, BC V0N 1V0
	Taxation Authority	North Shore – Squamish Valley Assessment Area
	PID:	007-231-750
	Legal Description:	LOT D BLOCK 8 DISTRICT LOT 682 PLAN 18023

2.1 LEGAL ENCUMBRANCES

There are no legal encumbrances (covenants; statutory right of ways etc.) on 611 Pratt Road. There is one Section 219 covenant (BW479872) registered to 629 Pratt Road in favour of the SCRD for erosion and settlement.

A copy of the covenant is provided in Appendix 'B'.

3.0 SCRD & TOWN OF GIBSONS POLICIES

3.1 OFFICIAL COMMUNITY PLANS

3.1.1 SCRD OCP

The SCRD's Official Community Plan (OCP) Bylaw No. 600 was adopted on July 24, 2008. The SCRD is currently undertaking a comprehensive review and update of all seven of their OCP bylaws. The following table outlines the land use designations for each of the subject parcels.

Table 4: Land Use Designations

PARCEL	OCP LAND USE DESIGNATION
611 Pratt Road	Rural Residential
629 Pratt Road	Commercial Industrial Mixed Use & Residential

RURAL RESIDENTIAL DESIGNATION

The policies relevant to 611 Pratt Road under this designation are listed below:

1. Any parcel may be used for agricultural purposes, and the keeping of livestock (not including pigs), poultry and rabbits may be permitted as set out under the current Regional District zoning bylaw.
2. One single family dwelling on parcels of any size is permitted.
3. Home occupations and bed & breakfasts are permitted auxiliary to a rural residential use.
4. Wild bird rehabilitation centre auxiliary to a residential use on parcels exceeding 0.35 ha. (0.86 acres).
5. A second dwelling may be permitted on parcels exceeding 0.4 ha. (1.0 acre).
6. Transition houses or vehicle repair and maintenance within enclosed buildings may be permitted on parcels exceeding 0.8 ha. (2.0 acres).
7. Riding stables and academies, campgrounds and garden nurseries may be permitted on parcels exceeding 1.75 ha. (4.32 acres).
8. Kennels and keeping of pigs for personal consumption on parcels exceeding 1.75 ha. (4.32 acres) are permitted under the current Regional District zoning bylaw.

COMMERCIAL INDUSTRIAL MIXED-USE DESIGNATION

The policies relevant to 629 Pratt Road under this designation are listed below:

1. A range of commercial uses is to be permitted, including but not limited to retail and wholesale sales, commercial indoor recreation, gasoline service stations, offices and restaurants.
2. A range of light industrial uses is to be permitted, including but not limited to the manufacturing, processing, fabricating, assembling, testing, storage, transporting or distributing of goods, provided that:
 - a. There is no processing or storage of raw materials or resources, nor animals, nor storage of any materials or goods outside of the building; and,
 - b. Any office or commercial uses associated with the light industrial use are located to the front of the site adjacent to a public highway frontage.³

3.1.2 TOWN OF GIBSONS OCP

North of 629 Pratt Road is the Mixed-Use Commercial designation (Figure 3).

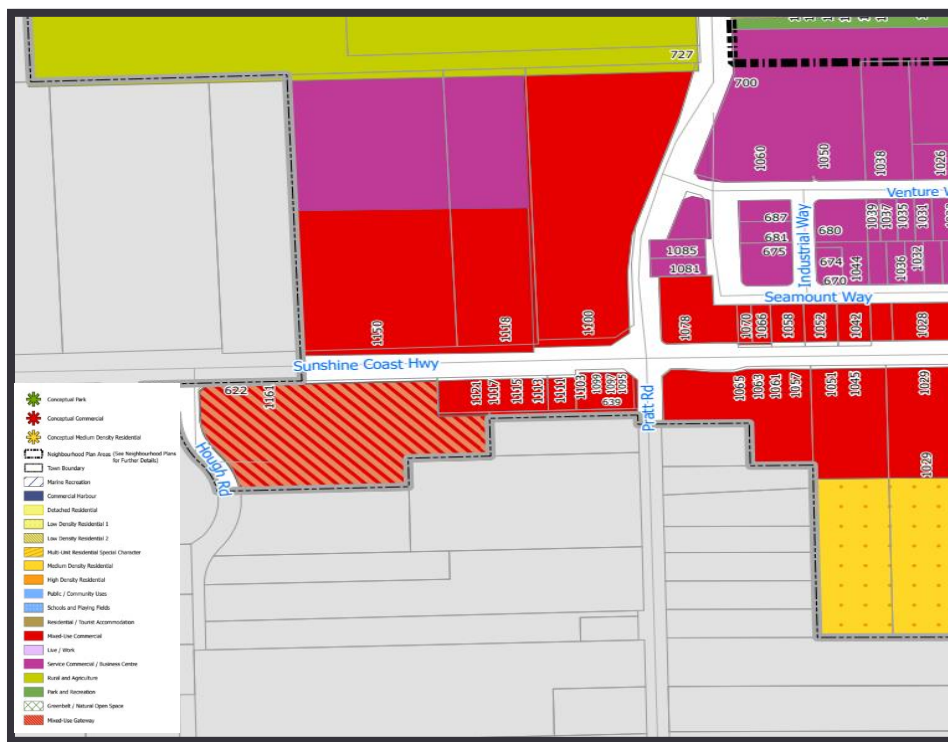


Figure 3: Town of Gibsons OCP Land Use Designation Map. Source: Gibsons.ca

³ <https://www.scrd.ca/wp-content/uploads/2022/12/Bylaw-600-Elphinstone-OCP-Consolidated-2018-Sep-27.docx.pdf>

3.2 SCRD ZONING BYLAW

The following table outlines the zoning for each of the subject parcels per SCRD Zoning Bylaw No. 722.

Table 5: Zoning Bylaw No. 722 RU1 and C5 Overview⁴

PARCEL	ZONING	PURPOSE	PRINCIPAL USES
611 Pratt Road	RU1 – Rural Residential One	To permit residential and rural uses	<ul style="list-style-type: none"> • Single Unit Dwelling • Second Single Unit Dwelling • Agriculture • Garden Nursery • Keeping of Livestock • Vehicle Repair & Maintenance • Animal Shelters • Horse Riding, Training, or Boarding Facility • Manufacturing or Storage
629 Pratt Road	C5 – Commercial Five	To permit commercial uses	<ul style="list-style-type: none"> • Retail • Whole Sale • Office • Personal Service • Neighbourhood Pub • Assembly • Restaurant • Tourist Accommodation • Tourist Information Centre • Fuel Service Station • Light Industry • Marina • Moving & Storage Facility • Off-Street Parking

Should these lots be brought into the Town of Gibsons, an amendment to the Town's zoning bylaw will be required.

3.3 DEVELOPMENT PERMIT AREAS (DPA)

Each lot falls within at least one (1) SCRD DPA (Table 6).

⁴ <https://www.scrd.ca/wp-content/uploads/2023/01/2022-December-Zoning-Bylaw-722.pdf>

Table 6: SCRD Development Permit Areas

PARCEL	DEVELOPMENT PERMIT AREAS
611 Pratt Road	DPA 2A – Creek/River Corridor DPA 4 – Stream Riparian Assessment Area
629 Pratt Road	DPA 5 – Route 101 Commercial Industrial Mixed Use

3.3.1 SCRD DPA

Both parcels fall within SCRD DPA 2A and 4, which are described below.

DPA 2A – Creek/River Corridor

DPA 2A applies to all creeks and extends 30 metres from the streamside natural boundary. A riparian assessment and a flood, debris flow and debris flow hazard assessment are required. The area impacted by this DPA is shown in Figure 4 below.

DPA 4 – Stream Riparian Assessment Areas

DPA 4 includes the areas within and adjacent to all unmapped watercourses and those mapped watercourses that either provide fish habitat or flow to a waterbody that provides fish habitat. An assessment prepared by a qualified environmental professional is required. The area impacted by this DPA is shown in Figure 4 below.

DPA 5 – Route 101 Commercial Industrial Mixed Use

Due to its proximity to Highway 101, 629 Pratt Road falls within SCRD DPA 5: a form and character DPA which applies to the Commercial Industrial Mixed Use land use designation.

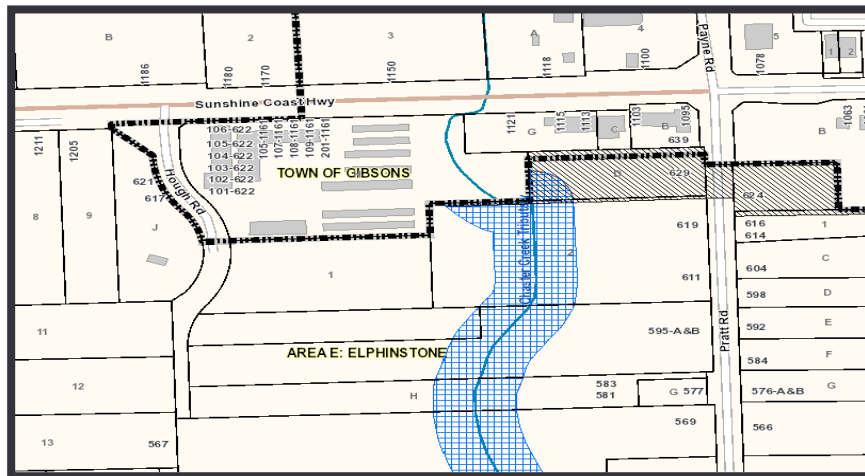


Figure 4: SCRD DPAs 2A & 4 (blue); and DPA 5 (dashed)⁵

⁵ maps.scrd.ca

The map displays the proposed Elphinstone area, bounded by Sunshine Coast Hwy to the north and Hough Rd to the west. The area is divided into several lots, many of which are shaded grey, indicating they are environmentally sensitive. A large green area is labeled 'TOWN OF GIBSONS'. A blue line represents 'Chatter Creek Tributary'. The map also shows '629 Pratt Rd' and '611 Pratt Rd'. A legend in the bottom right corner indicates that the green checkmark symbol represents 'DPA 2 Environmentally Sensitive Areas'.

The map displays the DPA 3 Upper Gibsons Commercial Area, which is highlighted in red. The area is bounded by Sunshine Coast Hwy to the north, Hought Rd to the west, and Chester Creek Tributary to the east. The town of Gibsons is located to the north of the commercial area. The map shows several lots, including 106-622, 105-622, 104-622, 103-622, 102-622, 101-622, 104-1161, 103-1161, 102-1161, 101-1161, 108-1161, 107-1161, 106-1161, 105-1161, 104-1161, 103-1161, 102-1161, 101-1161, 100-1161, 99-1161, 98-1161, 97-1161, 96-1161, 95-1161, 94-1161, 93-1161, 92-1161, 91-1161, 90-1161, 89-1161, 88-1161, 87-1161, 86-1161, 85-1161, 84-1161, 83-1161, 82-1161, 81-1161, 80-1161, 79-1161, 78-1161, 77-1161, 76-1161, 75-1161, 74-1161, 73-1161, 72-1161, 71-1161, 70-1161, 69-1161, 68-1161, 67-1161, 66-1161, 65-1161, 64-1161, 63-1161, 62-1161, 61-1161, 60-1161, 59-1161, 58-1161, 57-1161, 56-1161, 55-1161, 54-1161, 53-1161, 52-1161, 51-1161, 50-1161, 49-1161, 48-1161, 47-1161, 46-1161, 45-1161, 44-1161, 43-1161, 42-1161, 41-1161, 40-1161, 39-1161, 38-1161, 37-1161, 36-1161, 35-1161, 34-1161, 33-1161, 32-1161, 31-1161, 30-1161, 29-1161, 28-1161, 27-1161, 26-1161, 25-1161, 24-1161, 23-1161, 22-1161, 21-1161, 20-1161, 19-1161, 18-1161, 17-1161, 16-1161, 15-1161, 14-1161, 13-1161, 12-1161, 11-1161, 10-1161, 9-1161, 8-1161, 7-1161, 6-1161, 5-1161, 4-1161, 3-1161, 2-1161, 1-1161. The map also shows the town of Gibsons, which is located to the north of the commercial area. The map includes a legend indicating that the red area is DPA 3 Upper Gibsons Commercial Area. The map also shows the town of Gibsons, which is located to the north of the commercial area. The map includes a legend indicating that the red area is DPA 3 Upper Gibsons Commercial Area.

- 8 -

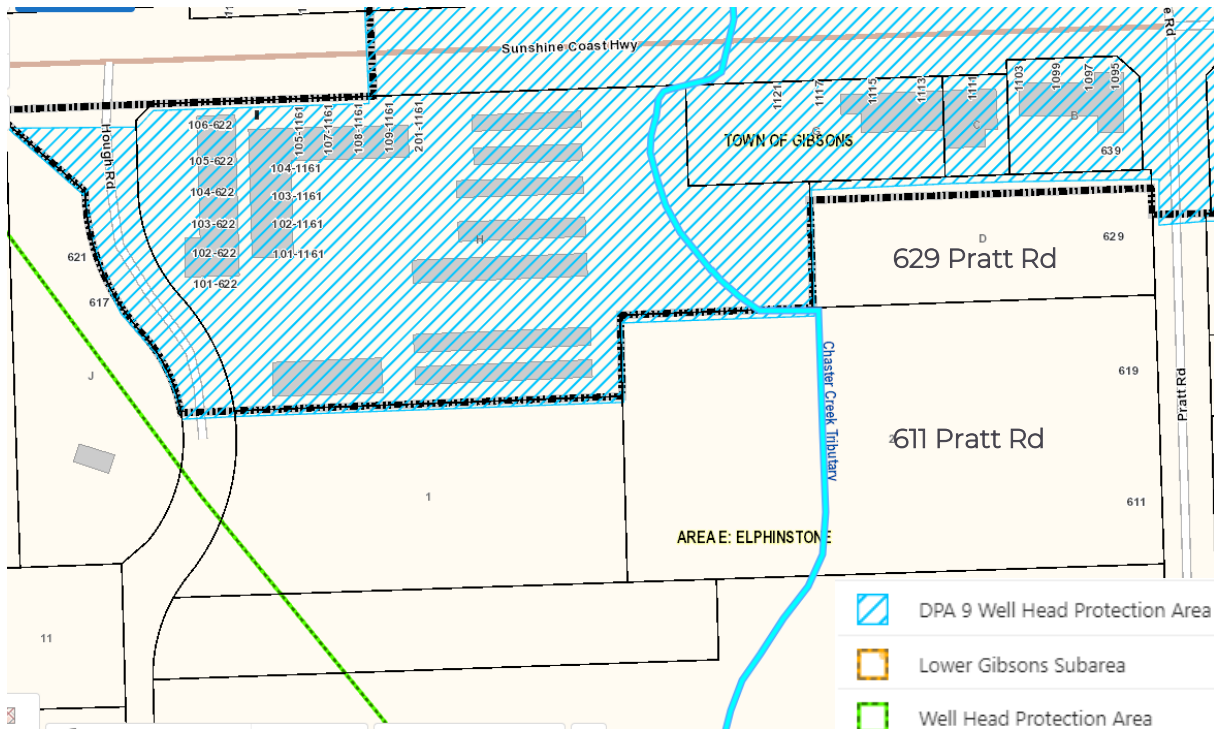


Figure 7: DPA 9 Gibsons Aquifer

3.4 FIRE DEPARTMENT RESPONSE TIMES

The site falls within the Gibsons/West Howe Sound Fire Protection Area. The site is equidistant to both the SCRD Fire Hall No. 2 located two (2) kilometres to the southwest on Chaster Road, and Gibsons Fire Hall No. 1 located to the northeast on North Road. Both are roughly a three (3) minute drive.

4.0 PROPERTY TAXES & SERVICE FEES

The following provides an overview of both the existing SCRD taxes and service fees, and Town of Gibsons taxes and service fees should the two lots be brought into the Town's boundaries.

4.1 2023 BC ASSESSMENT

The assessed property values per the 2023 BC Assessment are shown in Table 7 below. Note that 629 Pratt Road falls under both the residential and commercial property classes for taxation purposes.

Table 7: Assessed Property Values (Land & Improvements) Per the 2023 BC Assessment

LOCATION	LAND VALUE		IMPROVEMENT VALUE		TOTAL VALUE
611 Pratt Road	\$1,042,000		\$159,000		\$1,201,000
629 Pratt Road	Residential	\$126,000	Residential	\$344,000	\$470,000
	Commercial	\$464,000	Commercial	\$1,258,000	\$1,722,000

4.2 SCRD SERVICES DELIVERY FEES & PROPERTY TAXATION

4.2.1 SCRD SERVICES

Table 8 below shows the SCRD service areas each of the lots fall within.

Table 8: SCRD Service Areas

SERVICE AREA	LOCATION	
	611 Pratt Road	629 Pratt Road
Chapman Water (SCRD)		
Gibsons/West Howe Sound Fire Protection		
SCRD Community Service Area #17		
Area E Curbside Collection		

Both parcels are outside the SCRD sanitary sewer service area. SCRD curbside collection services are only available to residential dwellings with a civic address. Table 9 below shows the SCRD service fees for each parcel.

Table 9: 2023 Parcel taxes and fees for SCRD services

SERVICE	FEE CATEGORY	LOCATION	
		611 Pratt Road	629 Pratt Road
Chapman Water (SCRD) ⁶	Parcel Tax	\$591.11	\$439.21

⁶ SCRD Water Rates & Regulations Bylaw 422

	User Rate	\$651.49	\$651.49
SCRD Community Service Area #17	Parcel Tax	\$121.58	\$121.58
Area E Curbside Collection ⁷	User Rate	\$201.26	N/A
TOTAL		\$1,565.44	\$1,212.28

4.2.2 SCR D PROPERTY TAXES

Table 10 outlines the SCR D tax rates for Residential Class 1 properties that are applicable to 611 Pratt Road. As 629 Pratt Road falls within both the Residential Class 1 and Business Class 6 property classes, the tax rates and totals are detailed in Table 11.

Table 10: 2023 SCR D Taxes for 611 Pratt Road

CATEGORY	2023 TAX RATE*	LAND VALUE	IMPROVEMENT VALUE	TAX AMOUNT (\$)
School Tax Rate	1.0745			\$1,290.47
Provincial Rural Tax	0.34			\$408.34
Police Tax	0.0858			\$103.05
SCR D Electoral Area E Tax Rates	1.15688			\$1,389.41
Gibsons/West Howe Sound Fire Protection Area	0.27362			\$328.62
Sunshine Coast Hospital	0.06631			\$79.64
BC Assessment Tax Rate	0.0336			\$40.35
Municipal Finance Authority	0.0002			\$0.24
Community Recreation Service Area #17	0.99827			\$158.72

⁷ <https://www.scrd.ca/wp-content/uploads/2023/04/431-Waste-Collection-consolidated-to-431.27-in-effect-from-2022-NOV-01-to-Present.pdf>

TOWN OF GIBSONS
BOUNDARY EXTENSION STUDY

TOTAL 2023 PROPERTY TAXES	\$3,798.84
----------------------------------	-------------------

* Tax rates are expressed as a dollar figure per \$1,000 dollars of assessed property value of land and improvements. The assessed values for every taxable property in B.C. is determined annually by BC Assessment.⁸

Table 11: 2023 SCRD Taxes for 629 Pratt Road

CATEGORY	TAX RATE (2023)		LAND VALUE	IMPROVEMENT VALUE	TAX AMOUNT (\$)		
	RESIDENTIAL CLASS 1	BUSINESS CLASS 6			RESIDENTIAL CLASS 1	BUSINESS CLASS 6	TOTAL
School Tax Rate	1.0745	3.33			\$505.02	\$5,734.26	\$6,239.28
Provincial Rural Tax	0.34	2.49			\$159.80	\$4,287.78	\$4,447.58
Police Tax	0.0858	0.21010			\$40.33	\$361.79	\$402.12
SCRD Electoral Area E Tax Rates	1.15688	2.83436			\$543.73	4,880.77	\$5,424.50
Gibsons/West Howe Sound Fire Protection Area	0.27362	0.67037			\$128.60	\$1,154.38	\$1,282.98
Sunshine Coast Hospital	0.06631	0.16			\$31.17	\$279.76	\$310.93
BC Assessment Tax Rate	0.0336	0.10			\$15.79	\$166.00	\$181.79
Municipal Finance Authority	0.0002	0.0005			\$0.09	\$0.86	\$0.95
Community Recreation Service Area #17	0.99827	2.44576			\$343.40	\$3,076.77	\$3,420.17
TOTAL 2023 PROPERTY TAXES					\$1,767.93	\$19,942.37	\$21,710.30

The total combined fees, parcel taxes and property taxes for each lot are as follows:

- 611 Pratt Road: **\$5,364.28**
- 629 Pratt Road: **\$22,922.58**

⁸ <https://www2.gov.bc.ca/gov/content?id=37A333E93128400F97067ED620352923>

4.3 TOWN OF GIBSONS SERVICE DELIVERY FEES & PARCEL TAXATION

4.3.1 TOWN OF GIBSONS SERVICES

Based on lots abutting the site to the north, if the Town's boundaries were extended each of the lots would fall within the following Service Areas:

- Gibsons Zone 4 – SCRD Water
- Gibsons/West Howe Sound Fire Protection Area
- Town of Gibsons Curbside Collection Service Area
- Town of Gibsons Sanitary Sewer

It is assumed that the property owners would extend the Towns sanitary sewer service to their lots, as such this service fee have been included in the analysis below.

Table 12 below shows the 2023 service fees if both parcels were to be brought onto SCRD services. Note that these totals do not include other applicable fees such as metering rates for water services.

Table 12: Parcel taxes and fees for Town of Gibsons services

SERVICE	FEE CATEGORY	611 PRATT ROAD	629 PRATT ROAD
Town of Gibsons Water ^{9 10}	Parcel Tax	\$294.92	\$294.92
	User Rate	\$58.25	\$154.65*
Town of Gibsons Sanitary Sewer ¹¹	Parcel Tax	\$438.40	\$438.40
	User Rate	\$151.43	\$151.43
Town of Gibsons Curbside Collection ¹²	User Rate	\$225.00**	\$225.00**
Community Recreation Facilities	Parcel Tax	\$115.52	\$115.52
TOTAL		\$1,283.52	\$1,379.92

*Single-family dwelling flat rate (\$58.25) and commercial base rate (\$96.40)

⁹ Town of Gibsons Water Parcel Tax Bylaw No.1308, 2023

¹⁰ Town of Gibsons Rates, Fees & Charges Bylaw No.1196, 2014

¹¹ Town of Gibsons Sewer Parcel Tax Bylaw No.1307, 2023

¹² Town of Gibsons Rates Fees & Charges Bylaw No.1196, 2014

**Annual dwelling unit rate per 1 garbage & organics bin

4.3.2 TOWN OF GIBSONS PROPERTY TAXES

Table 13 outlines the Town of Gibsons tax rates for Residential Class 1 properties that would be applicable to 611 Pratt Road.

Table 13: 2023 Town of Gibsons Taxes for 611 Pratt Road

CATEGORY	RESIDENTIAL CLASS 1 TAX RATE*	LAND VALUE	IMPROVEMENT VALUE	TAX AMOUNT (\$)
Town of Gibsons Municipal Tax Rate	1.33360			\$1,601.65
SCRD Tax Rate	0.9202			\$1,105.16
SCRD Recreational Facilities Tax Rate	0.9490			\$150.89
Hospital Tax Rate	0.06630			\$79.63
School Tax Rate	1.07450			\$1,209.47
BC Assessment Area Tax Rate	0.0336			\$40.35
Municipal Finance Authority Tax Rate	0.0002			\$0.24
Police Tax Rate	0.1862			\$223.63
TOTAL 2023 PROPERTY TAXES				\$4,411.02

* Tax rates are expressed as a dollar figure per \$1,000 dollars of assessed property value of land and improvements. The assessed values for every taxable property in B.C. is determined annually by BC Assessment.¹³

Under the Town of Gibsons, all Business Class 6 properties with improvements receive a \$10,000 tax exemption from the improvements value. Therefore, the Business Class 6 taxes highlighted in Table 14 below are calculated based on a total value of \$1,712,000.

¹³ <https://www2.gov.bc.ca/gov/content?id=37A333E93128400F97067ED620352923>

Table 14: 2023 Town of Gibsons Taxes for 629 Pratt Road

CATEGORY	TAX RATE*		LAND VALUE	IMPROVEMENT VALUE	TAX AMOUNT (\$)		
	RESIDENTIAL CLASS 1	BUSINESS CLASS 6			RESIDENTIAL CLASS 1	BUSINESS CLASS 6	TOTAL
Town of Gibsons Municipal Tax Rate	1.33360	3.97340			\$626.79	\$6,802.46	\$7,468.98
SCRD Tax Rate	0.9202	2.2544			\$432.49	\$3,859.53	\$4,314.57
SCRD Recreational Facilities Tax Rate	0.9490	2.3251			\$326.46	\$2,901.72	\$3,251.44
Hospital Tax Rate	0.06630	0.16240			\$31.16	\$278.03	\$310.81
School Tax Rate	1.07450	3.33000			\$505.02	\$5,700.96	\$6,239.28
Police Tax Rate	0.1862	0.4561			\$87.51	\$780.84	\$872.91
BC Assessment Authority Tax Rate	0.0336	0.0964			\$15.79	\$165.04	\$181.79
Municipal Finance Authority Tax Rate	0.0002	0.0005			\$0.09	\$0.86	\$0.95
TOTAL 2023 PROPERTY TAXES					\$2,025.31	\$20,489.44	\$22,514.75

* Tax rates are expressed as a dollar figure per \$1,000 dollars of assessed property value of land and improvements. The assessed values for every taxable property in B.C. is determined annually by BC Assessment.¹⁴

The total Town of Gibsons property taxes, and service fees for each lot are as follows:

- 611 Pratt Road: **\$5,694.54**
- 629 Pratt Road: **\$23,894.67**

4.4 TAX & SERVICE FEE COMPARISON

Table 15 below compares the 2023 taxes and user fees between the SCR D and Town of Gibsons. Generally, taxes and service fees will slightly increase should each lot be brought into the Town of Gibsons. The service fees at 611 Pratt Road will decrease by approximately 18% (\$281.92).

¹⁴ <https://www2.gov.bc.ca/gov/content?id=37A333E93128400F97067ED620352923>

Table 15: Comparison of 2023 taxes and service fees between SCRD and Town of Gibsons

LOCATION	2023 PROPERTY TAXES			2023 SERVICE FEES*		
	SCRD	TOWN OF GIBSONS	% DIFFERENCE	SCRD	TOWN OF GIBSONS	% DIFFERENCE
611 Pratt Road	\$3,798.84	\$4,411.02	+16%	\$1,565.44	\$1,283.52	-18%
629 Pratt Road	\$21,710.30	\$22,514.75	+4%	\$1,212.28	\$1,379.92	+14%

*Includes parcel taxes & user fees

4.5 LOCAL GOVERNMENT SERVICE DELIVERY COMPARISON

Table 16 below compares the delivery of local government services between the SCRD and Town of Gibsons.

Table 16: Local Government Service Delivery

SERVICE CATEGORY	COMPONENTS	DELIVERY AGENCY	
		REGIONAL DISTRICT	TOWN OF GIBSONS
General Government	Administration, Grants in Aid (Schools), Regional Sustainability	SCRD	<ul style="list-style-type: none"> Mayor, Council & Staff SCRD for components listed
	Other Grants in Aid	SCRD	Not Applicable
Protective Services	Fire Protection, 911, Emergency Planning	SCRD	SCRD
	Bylaw Enforcement, Animal Control	SCRD	Town of Gibsons
Transportation	Roads	Province (MoTI)	Town of Gibsons
	Transit Services	SCRD & BC Transit	SCRD & BC Transit
Environmental	Solid Waste Management	SCRD	SCRD
	Curbside Collection	No Service for Pratt lots	Town
Health	Cemetery	SCRD	SCRD
Planning & Development	Subdivision Approval	Province (Provincial Approving Officer, MoTI)	Town
	Regional Planning	SCRD	SCRD

	Building Inspection, Rural Planning, Economic Development	SCRD	Town
Recreation & Culture	Recreation & School Facilities, Library, Museum, Recreation Programs, Dakota Ridge	SCRD	SCRD
	Community Parks & Trails	SCRD	Town
Utilities	Water Service	SCRD (Chapman)	SCRD
	Sanitary Sewer Service	Not Currently Available	Potential for Service from Town

5.0 SITE FEATURES & INFRASTRUCTURE OVERVIEW

5.1 WATERCOURSES & RIPARIAN AREAS

Chaster Creek Tributary: Runs north-south through 611 Pratt Road. The 15-metre riparian area around the creek impacts 611 Pratt Road.

5.2 ARCHAEOLOGICAL FEATURES

The site falls within the Squamish Nation territory.

5.3 TOPOGRAPHY

The site overall descends in a southeast direction, with an approximate 5% slope from the south to north boundary (Figure 8).

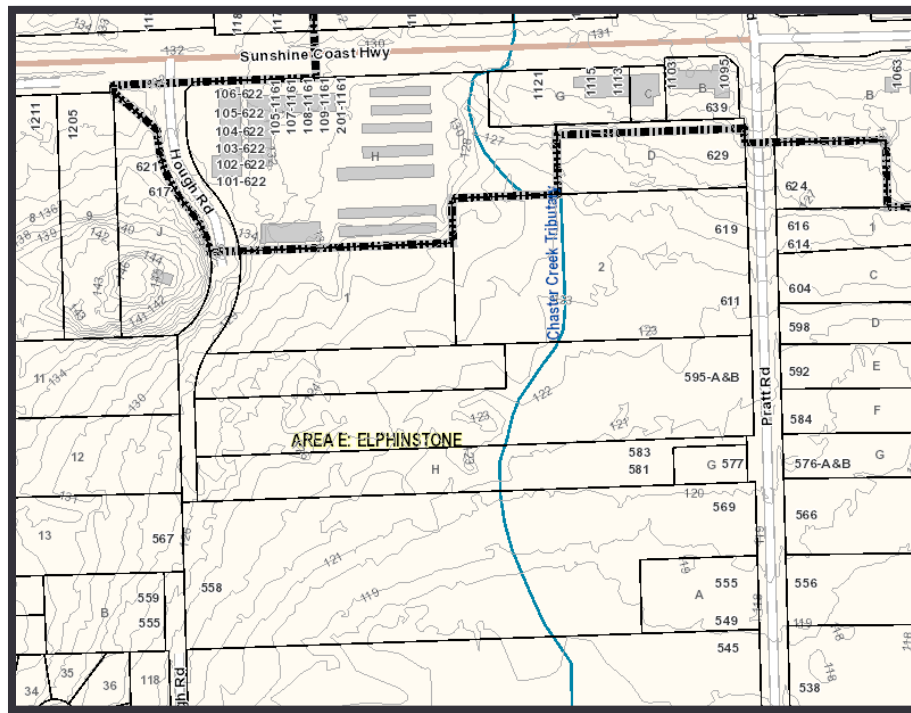


Figure 8: Pratt Road topography¹⁵

5.4 ACCESS & TRANSPORTATION

5.4.1 SITE ACCESS & ROADS

The 611 and 629 Pratt Road parcels have legal access from Pratt Road. Pratt road is a 10-metre wide, paved, two-way road (Figures 9 & 10). There are no sidewalks on Pratt Road. Should the 629 and 611 Pratt Road lots be brought into the Town, consideration as to whether the full width or half width of the Pratt Road right of way fronting these parcels is brought into the Town's boundary.

¹⁵ maps.scrd.ca

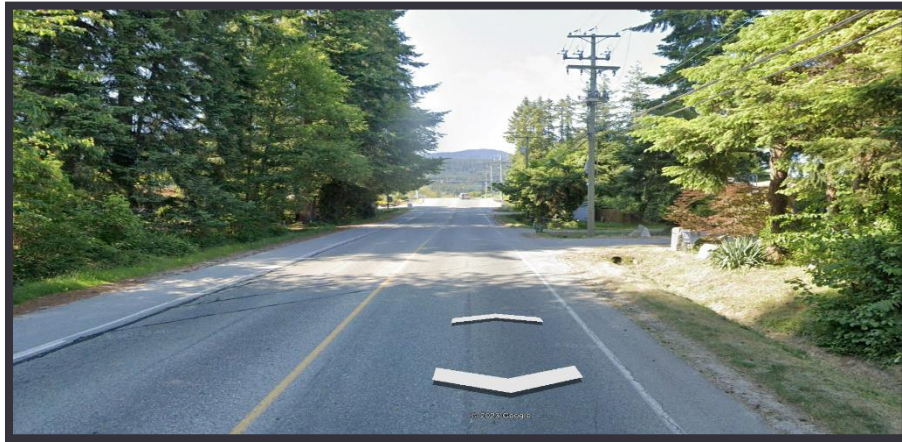


Figure 9: 611 Pratt Road (to the left), looking north



Figure 10: 629 Pratt Road looking southwest. Source: Google Earth

Roads within the Sunshine Coast Regional District (an unincorporated area) are under the jurisdiction of the Ministry of Transportation & Infrastructure.

5.4.2 PUBLIC TRANSIT

There is a BC Transit bus stop for Route 1 located on Pratt Road just north of the 629 Pratt Road lot.

5.4.3 TRAILS & MULTI-USE PATHS

While there are no trails or multi-use paths in the immediate vicinity of the site, Pratt Road is a signed cycling route (Figure 11).

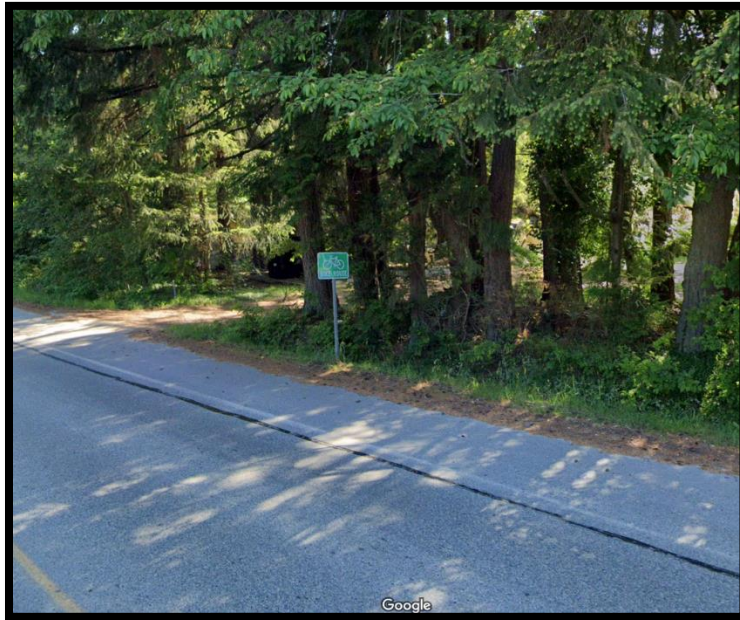


Figure 11: Cycling Route Sign on Pratt Road. Source: Google Earth

5.5 SERVICING

5.5.1 WATERLINES

A 200mm diameter ductile iron SCRD watermain is located on Highway 101 north of the site, and east of the site on Pratt Road. Capacity testing would be required based on future development.

5.5.2 SANITARY SEWER

There are no SCRD sewer lines within the vicinity of the site. However, there is low pressure 100mm diameter HDPE Town of Gibsons sanitary pipe north of the site on Highway 101.

5.5.3 STORMWATER DRAINAGE

There are no SCRD or Town of Gibsons stormwater pipes within the vicinity of the site. Roadway drainage is directed to roadway ditches and on Pratt Road.

5.5.4 FIRE DEPARTMENT RESPONSE TIMES

The site falls within the Gibsons/West Howe Sound Fire Protection Area. The nearest stations are the SCRD Fire Hall No. 2 on Chaster Road; and Gibsons Fire Hall No. 1 on North Road. Both are two (2) kilometres from the site.

6.0 PRELIMINARY STAKEHOLDER FEEDBACK

Engagement with potentially impacted parties is a key part of the municipal boundary extension process with the Ministry of Municipal Affairs. As such, preliminary engagement with the SCRD and MOTI was initiated in summer, 2024 by the Town of Gibsons to understand how the proposal may impact their interests. Broader stakeholder engagement will be required part of the formal boundary extension application process with the Ministry of Municipal Affairs. This will include consultation with the SCRD, MOTI, and other parties that Municipal Affairs deems impacted by the boundary extension including:

- property owners within the proposed municipal boundary extension area
- improvement districts that overlap with the proposed municipal boundary extension area
- Agricultural Land Commission (ALC) if the proposed extension area includes land in the Agricultural Land Reserve (ALR)
- Integrated Land Management Bureau (ILMB) if the proposed extension area includes Crown land; and
- First Nations whose traditional territory includes the proposed municipal boundary extension area

The summary provided herein reflects only the initial comments that the Town of Gibsons has received from SCRD and MOTI as of the date of this report.

6.1 SUNSHINE COAST REGIONAL DISTRICT

The Town engaged with the Sunshine Coast Regional District on July 11th, 2024. Based on the information provided in this report, the SCRD did not express any significant concerns regarding the boundary extension during the meeting. However, the SCRD noted that servicing arrangements would need to be established if a boundary extension was approved.

6.2 MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

The Town engaged with MOTI on September 6th, 2024. MOTI did not express any significant concerns regarding the boundary extension during the meeting. Should the boundary extension proceed, MOTI's preference is for the full right of way width of Pratt Road fronting the length of the subject properties to be brought into the Town's jurisdiction. MOTI also noted that further consideration is necessary to assess how MOTI's current access and drainage requirements may affect the subject properties should they be incorporated into the Town.

7.0 SUMMARY & NEXT STEPS

The overall impact to the Town of Gibsons does not appear to be significant should the boundary be extended to include the two (2) subject parcels on Pratt Road. Upfront staff resources will be needed to assign Town OCP land use designations, DPAs, and zoning; transfer services from SCRD to the Town; and to manage other administrative aspects related to the inclusion into the Town. The greatest cost to the Town on an ongoing basis will likely be the additional road maintenance on Pratt Road should the boundary be extended to include Pratt Road.

For the property owners, bringing the lots into the Town's boundary will result in slightly higher property taxes for each parcel; more direct access to subdivision and planning services (fewer jurisdictions to coordinate with); and, access to Town's water and sanitary sewer services.

Initial engagement with the SCRD and MOTI showed that there were no concerns of significance regarding the potential boundary extension as of the date of this report. These agencies, and others, will continue to be engaged should the boundary extension proposal proceed through formal application with the Ministry of Municipal Affairs.

Following this report, the Town of Gibsons will decide, through Council resolution, whether to proceed with a formal boundary extension application to the Ministry of Municipal Affairs. This process involves property owners and residents in the proposed extension area, as well as the Town of Gibsons, the regional district, various government ministries and agencies, and First Nations. The process is outlined below.

7.1 MUNICIPAL AFFAIRS BOUNDARY EXTENSION APPLICATION PROCESS

There are six steps to developing, processing, and approving a municipal boundary extension proposal. The Ministry of Municipal Affairs [Municipal Boundary Extension Process Guide \(2010\)](#) details the application process. At a high level, the six steps involved in the boundary extension process are:

- Step 1: Proposal Development and Referrals
- Step 2: Proposal Submission
- Step 3: Ministry of Municipal Affairs Review
- Step 4: Elector Approval
- Step 5: Provincial Approval
- Step 6: Implementation

Boundary extension applications involve significant coordination, time, and resources at both the local and provincial level. The time required to process and approve boundary extensions is influenced by the complexity and scale of the proposal and timelines of other

TOWN OF GIBSONS
BOUNDARY EXTENSION STUDY

agencies and organizations involved in the process. As such, estimating timelines to review and approve proposals is challenging.

Sincerely,

URBAN SYSTEMS LTD.

file:///usl.urban-systems.com/projects/Projects_VAN/1300/0165/01/R-Reports-Studies-Documents/R1-Reports/Pratt%20Road%20Properties/2024-10-04%20ToG%20Boundary%20Extension%20Site%20Context%20Report_Area%201%20629%20Pratt%20&%20611%20Pratt.docx

APPENDIX A

TITLE CERTIFICATE

TITLE SEARCH PRINT

File Reference: 1300.0165.01

Declared Value \$2150000

2023-11-02, 12:24:55

Requestor: Urban Employees

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District	VANCOUVER
Land Title Office	VANCOUVER
Title Number	CB587095
From Title Number	GD108907
Application Received	2023-04-27
Application Entered	2023-05-11
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	1410179 B.C. LTD. 100 - 1312 LONSDALE AVE NORTH VANCOUVER, BC V7M 2H8
Taxation Authority	North Shore - Squamish Valley Assessment Area
Description of Land	
Parcel Identifier:	006-810-756
Legal Description:	LOT 2 BLOCK 7 DISTRICT LOT 682 PLAN 14753
Legal Notations	NONE
Charges, Liens and Interests	
Nature:	MORTGAGE
Registration Number:	CB587437
Registration Date and Time:	2023-04-27 16:09
Registered Owner:	VELETIA MARY ANDERSON
Duplicate Indefeasible Title	NONE OUTSTANDING
Transfers	NONE
Pending Applications	NONE

TITLE SEARCH PRINT

2023-11-02, 10:53:52

File Reference: 1300.0165.01

Requestor: Urban Employees

Declared Value \$ 243000

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN******Land Title District**

VANCOUVER

Land Title Office

VANCOUVER

Title Number

BW298839

From Title Number

BK168152

Application Received

2004-06-30

Application Entered

2004-07-21

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

B & K SOILS & LANDSCAPE SUPPLY INC., INC.NO. 423706
P.O. BOX 1791
GIBSONS, BC
V0N 1V0**Taxation Authority**

North Shore - Squamish Valley Assessment Area

Description of Land

Parcel Identifier:

007-231-750

Legal Description:

LOT D BLOCK 8 DISTRICT LOT 682 PLAN 18023

Legal NotationsTHIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL
GOVERNMENT ACT, SEE BA75765THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL
GOVERNMENT ACT, SEE BB873816, EXPIRES: N/ATHIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL
GOVERNMENT ACT, SEE BW574228**Charges, Liens and Interests**

Nature:

COVENANT

Registration Number:

BW479872

Registration Date and Time:

2004-10-20 08:54

Registered Owner:

SUNSHINE COAST REGIONAL DISTRICT

TITLE SEARCH PRINT

File Reference: 1300.0165.01

Declared Value \$ 243000

2023-11-02, 10:53:52

Requestor: Urban Employees

Nature:	MORTGAGE
Registration Number:	CA8796401
Registration Date and Time:	2021-02-25 09:22
Registered Owner:	SUNSHINE COAST CREDIT UNION INCORPORATION NO. FI 125

Nature:	ASSIGNMENT OF RENTS
Registration Number:	CA8796402
Registration Date and Time:	2021-02-25 09:22
Registered Owner:	SUNSHINE COAST CREDIT UNION INCORPORATION NO. FI 125

Duplicate Indefeasible Title	NONE OUTSTANDING
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Transfers	NONE
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Pending Applications	NONE
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APPENDIX B

LEGAL ENCUMBRANCES

LAND TITLE ACT
FORM C

20 OCT 2004 08 54

BW479873

2004 08 54 (9.81)
Province of
British Columbia

BW479872

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

Page 1 of 5 pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

KATHY FINNIGAN

604-886-0924 or 604-886-9000

Box 1791

FAX: 604 886-0926

GIBSONS, B.C. V0N 1V0

(B & K SOILS & LANDSCAPE SUPPLY INC.)

signature of applicant, applicant's solicitor or agent

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND: *

(PID)

(LEGAL DESCRIPTION)

007-231-750

Lot D, Block 8, District Lot 682, Plan 18023

3. NATURE OF INTEREST: *

DOCUMENT REFERENCE

PERSON ENTITLED TO INTEREST

DESCRIPTION

(page and paragraph)

Section 219 Covenant

Pages 3 through 4

Sunshine Coast Regional District

Priority Agreement

Pages 2 and 5

Sunshine Coast Regional District

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms

☐ D.F. No.

(b) Express Charge Terms

☒ Annexed as Part 2

(c) Release

☐ There is no Part 2 of this instrument

44 04/10/20 08:54:30 07 LM 575998

CHARGE \$129.50

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S):*

B & K SOILS & LANDSCAPE SUPPLY INC., INC. NO. 423706

SUNSHINE COAST CREDIT UNION, as to Mortgage BW298840

6. TRANSFEREE(S): (including postal address(es) and postal code(s))*

SUNSHINE COAST REGIONAL DISTRICT, 5477 Wharf Road, Box 800, Sechelt, British Columbia, V0N 3A0

7. ADDITIONAL OR MODIFIED TERMS:*

N/A

8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Execution Date

Officer Signature(s)

Y M D

Party(ies) Signature(s)

(as to the signature of the Transferor)

J. WAYNE ROWE
BARRISTER & SOLICITOR
758 School Road - P.O. Box 1880
Gibsons, B.C., V0N 1V0
(604) 886-2029

Y	M	D
04	10	15

B & K SOILS & LANDSCAPE SUPPLY INC.,
INC. NO. 423706 By AUTHORIZED SIGNATORY
(as to Registered Owner)

ROBERT GUTIERREZ

KATHY FINNIGAN

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

• If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.




** If space insufficient, continue executions on additional page(s) in Form D.

LAND TITLE ACT

Page 2 of 5 pages

FORM D

EXECUTIONS CONTINUED

Officer Signature(s)	Execution Date			Transferor/Borrower/Party Signature(s)
	Y	M	D	
 Rick Cooney Box 799, Gibsons, BC V0N 1V0 A COMMISSIONER FOR TAKING AFFIDAVITS IN AND FOR THE PROVINCE OF BRITISH COLUMBIA AS TO BOTH SIGNATURES	04	10	15	 DIANE WRIGHT  DAVE EICHAR SUNSHINE COAST CREDIT UNION as to Mortgage BW298840

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

TERMS OF INSTRUMENT - PART 2

Page 3 of 5 pages

THIS AGREEMENT dated the day of 2004.

BETWEEN:

 (the "Transferor(s)")

AND:

SUNSHINE COAST REGIONAL DISTRICT
PO Box 800
Sechelt, BC, V0N 3A0

 (the "Regional District")

WHEREAS

1. The Transferor is the registered owner in fee simple of the Lands herein defined;

Parcel Identifier: 007-231-750
Legal Description: Lot D Block 8 District Lot 682 Plan 18023

(hereinafter called the **Lands**)

2. The Transferee is the Sunshine Coast Regional District;
3. Section 219 of the Land Title Act R.S.B.C. 1996, permits the registration of a covenant, whether of a negative or positive nature, in favour of the Regional District, as a charge against the title to the Lands and is enforceable against the Transferor and his successors in title even if the covenant is not annexed to land owned by the Regional District;
4. The Transferor desires to indemnify and save harmless the Regional District in the event of any damages or claims arising for the reasons set out hereafter with respect to the parcels located within the Lands herein described;

NOW THEREFORE in consideration of the premises and of other good and valuable consideration the receipt where is hereby acknowledged, the parties covenant and agree to and with each other as follows:

1. The Transferor covenants and agrees with the Regional District that:
 - (a) The Lands shall be used in accordance with the terms and conditions set out in this covenant; and
 - (b) any and all buildings, structures or improvements to be placed, built or erected on the Lands shall be constructed with due regard to the potential for the land to slip, slough or subside as a result of unpredictable and uneven settlement or erosion.

2. The Transferor hereby:

- (a) INDEMNIFIES AND SAVES HARMLESS the Regional District from and against any liabilities caused directly or indirectly; and
- (b) RELEASES AND FOREVER DISCHARGES the Regional District from and against all manner of actions, causes of action, suits and demands whatsoever at law or at equity which the Transferor may at any time have;

by reason of any damage being caused directly or indirectly by slipping, sloughing, sliding or subsidence of land due to unpredictable or uneven settlement, settlement of buildings or improvements or loss of land by erosion or other means on the Lands.

- 3. This Agreement runs with the Lands and enures to the benefit of and is binding on the parties hereto and their respective successors and assigns.
- 4. Wherever the singular or masculine are used in this Agreement, the same shall be deemed to include the plural, the feminine, the body politic or corporate as the context or the parties so require; all references to each party hereto shall include the heirs, executors, administrators, successors, assigns, officers employees or agents of that party; this Agreement shall enure to the benefit of and be binding upon the parties hereto and upon their respective successors and assigns; and if any section, subsection, sentence, clause or phrase of the Agreement is for any reason held to be invalid by the decision of a Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

IN WITNESS WHEREOF the parties hereto hereby acknowledge that this agreement has been duly executed and delivered by the parties executing Form C and Form D attached hereto.

Page 5 of 5 pages

Memorandum as to Encumbrances, Liens and Interests**Mortgage No. BW298840**

CONSENT TO PRIORITY

SUNSHINE COAST CREDIT UNION being the holder of the encumbrances and entitled to the interests referred to in the memorandum above written, hereby approves of and grants a priority agreement in consideration of \$1.00 and consents to the granting of the within Section 219 Covenant and does covenant and agree that the same shall be binding upon their interest in or charge upon the said lands and shall be encumbrance upon the said lands prior to the above noted **Mortgage No. BW298840**. In the same manner and to the said effect as if it has been dated and registered prior to the said **Mortgage No. BW298840**. In witness whereof, **SUNSHINE COAST CREDIT UNION**, hereby acknowledge that this agreement has been duly executed and delivered by executing Form D attached hereto.

END OF DOCUMENT



TOWN OF GIBSONS

BOUNDARY EXTENSION STUDY LOT 6 |
OCTOBER 2024

URBAN SYSTEMS

550 - 1090 HOMER STREET, VANCOUVER, BC V6B 2W9 | T:
604.235.1701

URBAN
SYSTEMS

PREPARED FOR:

TOWN OF GIBSONS

474 S Fletcher Road
Gibsons, BC V0N 1V0

ATTENTION:

LESLEY-ANNE STAATS

PREPARED BY:

URBAN SYSTEMS LTD.

Samantha Lahey, RPP MCIP Community Planner
E: SLahey@urbansystems.ca | T: 604-953-6509

DATE: OCTOBER 2024

FILE:

1300.0165.02

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TABLE OF

CONTENTS

1.0	INTRODUCTION	1
1.1	LOCATION & EXISTING USE	1
2.0	LEGAL OVERVIEW	2
2.1	LEGAL ENCUMBRANCES	3
3.0	SCRD & TOWN OF GIBSONS POLICIES	4
3.1	OFFICIAL COMMUNITY PLANS	4
3.1.1	SCRD OCP	4
3.1.2	TOWN OF GIBSONS OCP	4
3.2	ZONING BYLAW	5
3.3	DEVELOPMENT PERMIT AREAS (DPA)	5
3.3.1	SCRD DPA	5
3.3.2	TOWN OF GIBSONS DPA	6
4.0	PROPERTY TAXES & SERVICE FEES.....	7
4.1	2023 BC ASSESSMENT	7
4.2	SCRD SERVICES DELIVERY FEES & PROPERTY TAXATION	8
4.2.1	SCRD SERVICES.....	8
4.2.2	SCRD PROPERTY TAXES.....	9
4.3	TOWN OF GIBSONS SERVICE DELIVERY FEES & PROPERTY TAXATION.....	9
4.3.1	TOWN OF GIBSONS SERVICES.....	9
4.3.2	TOWN OF GIBSONS PROPERTY TAXES.....	10
4.4	TAX & SERVICE FEE COMPARISON.....	11
4.5	LOCAL GOVERNMENT SERVICE DELIVERY COMPARISON	11

5.0	SITE FEATURES & INFRASTRUCTURE OVERVIEW.....	12
5.1	WATERCOURSES & RIPARIAN AREAS.....	12
5.2	ARCHAEOLOGICAL FEATURES.....	12
5.3	TOPOGRAPHY.....	12
5.4	ACCESS & TRANSPORTATION.....	13
5.4.1	SITE ACCESS & ROADS.....	13
5.4.2	PUBLIC TRANSIT.....	14
5.4.3	TRAILS & MULTI-USE PATHS.....	14
5.5	SERVICING.....	15
5.5.1	WATERLINES.....	15
5.5.2	SANITARY SEWER.....	15
5.5.3	STORMWATER DRAINAGE.....	16
5.5.4	GAS LINES.....	16
5.5.5	BURIED ELECTRICAL POWER LINES.....	16
5.5.6	TELECOMMUNICATIONS LINES.....	16
5.5.7	FIRE DEPARTMENT RESPONSE TIMES.....	16
6.0	PRELIMINARY STAKEHOLDER FEEDBACK.....	17
6.1	SUNSHINE COAST REGIONAL DISTRICT.....	18
6.2	MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE	
	18	
7.0	SUMMARY & NEXT STEPS.....	18
7.1	MUNICIPAL AFFAIRS BOUNDARY EXTENSION	
	APPLICATION PROCESS.....	19

1.0 INTRODUCTION

The Town of Gibsons (the Town) has engaged Urban Systems Ltd. to undertake a boundary extension feasibility study. The Town is contemplating extending its municipal boundaries to include 'Lot 6' near the Gospel Rock neighbourhood in the Sunshine Coast Regional District Area E Elphinstone neighbourhood. This memorandum provides the site context for the Lot 6 parcel, including an overview of the land ownership, location and infrastructure servicing, as well as existing SCRD land use bylaws and taxation. It should be noted that the property information provided herein was captured in 2023, when the study was initiated. In summer 2024, the Town initiated preliminary engagement with other potentially impacted agencies including the SCRD and MOTI. A summary of this preliminary engagement has been provided in Section 6.

1.1 LOCATION & EXISTING USE

SCRD Electoral Area E Elphinstone

Lot 6 is located within the southeast corner of the SCRD Electoral Area E Elphinstone community. The area is located on the Mount Elphinstone slopes and is characterized by many creeks and ravines, as well as an agricultural plateau where several small farms still operate. Single family residential subdivisions are the primary use within Elphinstone, which are well served by several public beaches, parks, playgrounds and trails. The site is just north of Secret Beach, and to the northwest of the Gospel Rock viewpoint.

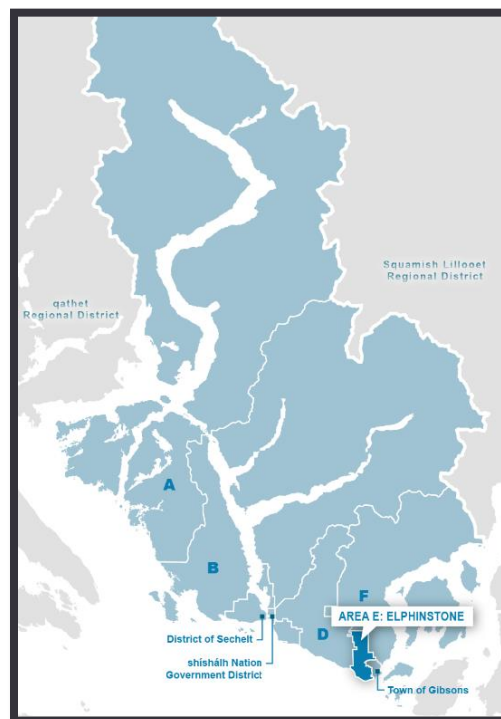


Figure 1: SCRD Electoral Area E: Elphinstone¹

Lot 6 is situated next to the Town of Gibsons municipal boundary to the east. This 2.4-hectare (5.9 acre) site fronts Gower Point Road to the south and is directly across from the public access to Secret Beach. To the west, Lot 6 is bordered by the unconstructed Secret Beach Road. Abutting the site to the north and east are the Gospel Rock parcels which are currently under development, and to the west are single family lots, and a small SCRD park parcel. The parcel generally slopes to the southeast toward the coast, with Seaward Creek running through the northwest and southwest corners of the site.

Lot 6 is currently undeveloped.



Figure 2: Lot 6²

2.0 LEGAL OVERVIEW

The property's legal description and owner information is shown in Table 1 below – a copy of the Title Certificate is in Appendix A.

¹ SCRD.ca

² SCRD.ca

Table 1: Lot 6 Property Description

PROPERTY TYPE:	Fee Simple
REGISTERED OWNER/MAILING ADDRESS:	1335546 B.C. LTD., INC. No. BC1335546
TAXATION AUTHORITY	North Shore - Squamish Valley Assessment Area
PID:	026-380-846
LEGAL DESCRIPTION:	LOT 6 DISTRICT LOT 842 GROUP 1 NEW WESTMINSTER DISTRICT PLAN BCP19068

2.1 LEGAL ENCUMBRANCES

There are, four (4) covenants and one (1) statutory building scheme registered on title. Copies of each are provided in Appendix B, and are outlined in Table 2 below.

Table 2: Lot 6 Legal Encumbrances

COVENANTS	BRI490 – SCRD (erosion; land slip)
	BX300326 – SCRD (erosion; land slip)
	BV325883 – Ministry of Transportation & Infrastructure (Geotechnical Hazard)
	BV325884 – Ministry of Water, Land and Resource Stewardship & SCRD (Flood Hazard)
STATUTORY BUILDING SCHEME	BV325879

3.0 SCRD & TOWN OF GIBSONS POLICIES

3.1 OFFICIAL COMMUNITY PLANS

3.1.1 SCRD OCP

The SCRD's Official Community Plan (OCP) Bylaw No. 600 was adopted on July 24, 2008. The SCRD is currently undertaking a comprehensive review and update of all seven of their OCP bylaws. Under the OCP Lot 6 is designated Residential A. The policies under this designation are listed below:

- One single family dwelling on parcels of any size is permitted.
- A second dwelling is permitted on parcels with a size exceeding 4000 square metres (1.0 acre) to provide a potentially affordable housing option.
- Agricultural and horticulture sales on parcels exceeding 2000 square metres (0.5 acre) are permitted.
- On parcels exceeding 500 square metres (0.125 acres), the maximum parcel coverage shall be 35% including the footprint of all buildings, covered structures and impervious surfaces.
- An auxiliary dwelling unit with a gross floor area up to 55 square metres (592 sq. ft.) is permitted on parcels exceeding 2000 square metres (0.5 acres) where there is only one other single-family dwelling unit.
- Home offices and bed & breakfasts are permitted within a single-family dwelling.
- Each parcel created by subdivision shall exceed 2000 square metres (0.5 acres) subject to sewage (septic) disposal, public road access, possible development permit requirements, and other servicing requirements of the regional district and other agencies.

3.1.2 TOWN OF GIBSONS OCP

While Lot 6 is outside of the Town's boundary, it should be noted that the parcel abuts against the Town's Greenbelt/Natural Open Space land use designation (Figure 3 below).

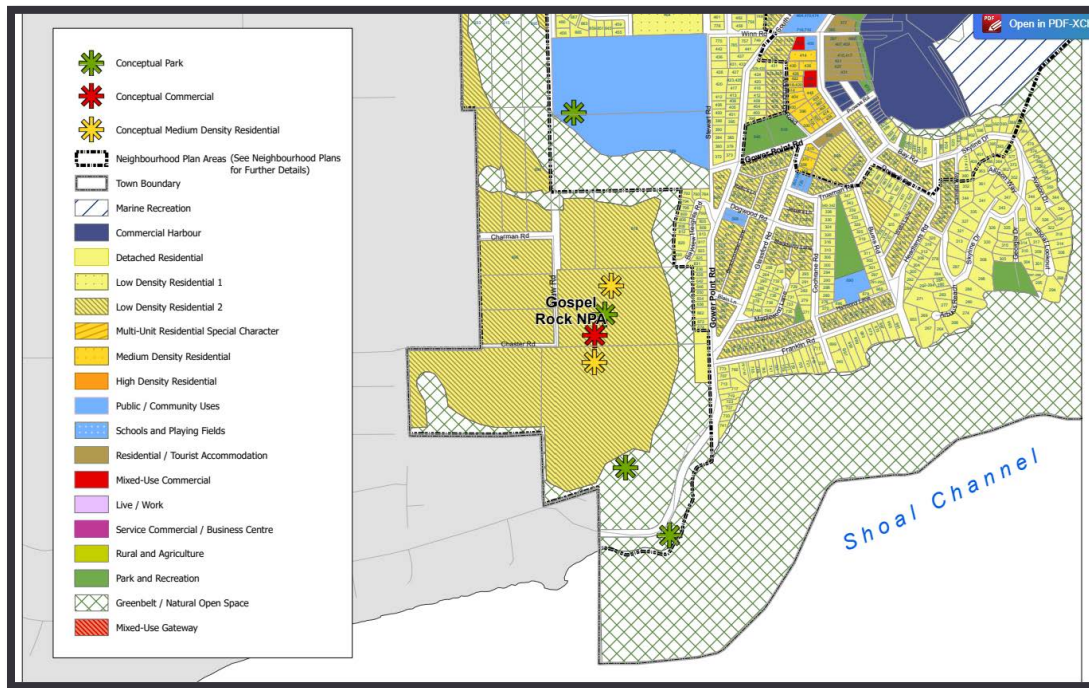


Figure 3: Town of Gibsons OCP Land Use Designation Map. Source: Gibsons.ca

3.2 ZONING BYLAW

Lot 6 is zoned Residential One (R1) which permits single-unit dwellings in residential areas with additional dwellings on larger residential lots which exceed 3500 square metres.

Should Lot 6 be brought into the Town of Gibsons, an amendment to the Town's zoning bylaw will be required.

3.3 DEVELOPMENT PERMIT AREAS (DPA)

3.3.1 SCRD DPA

Due to the presence of steep slopes in the northwest corner of Lot 6, and the presence of Seaward Creek, Lot 6 falls within three (3) SCRD Development Permit Areas (DPAs):

DPA 2A – Creek/River Corridor

DPA 2A applies to all creeks and extends 30 metres from the streamside natural boundary. Requires a riparian assessment and a flood, debris flow and debris flow hazard assessment. The area of Lot 6 impacted by this DPA is shown in pink in Figure 4 below.

DPA 2B – Ravines (15m & 30m)

CLIENT NAME

REPORT TITLE

DPA 2B applies to ravine areas, and requires a hazard assessment 15 metres and 30 metres from ravine crests to determine required setbacks. The area of Lot 6 impacted by this DPA is shown in orange in Figure 4 below.

DPA 4 – Stream Riparian Assessment Areas

DPA4 includes the areas within and adjacent to all unmapped watercourses and those mapped watercourses that either provide fish habitat or flow to a waterbody that provides fish habitat. An assessment prepared by a qualified environmental professional is required. The area of Lot 6 impacted by this DPA is shown in purple in Figure 4 below.

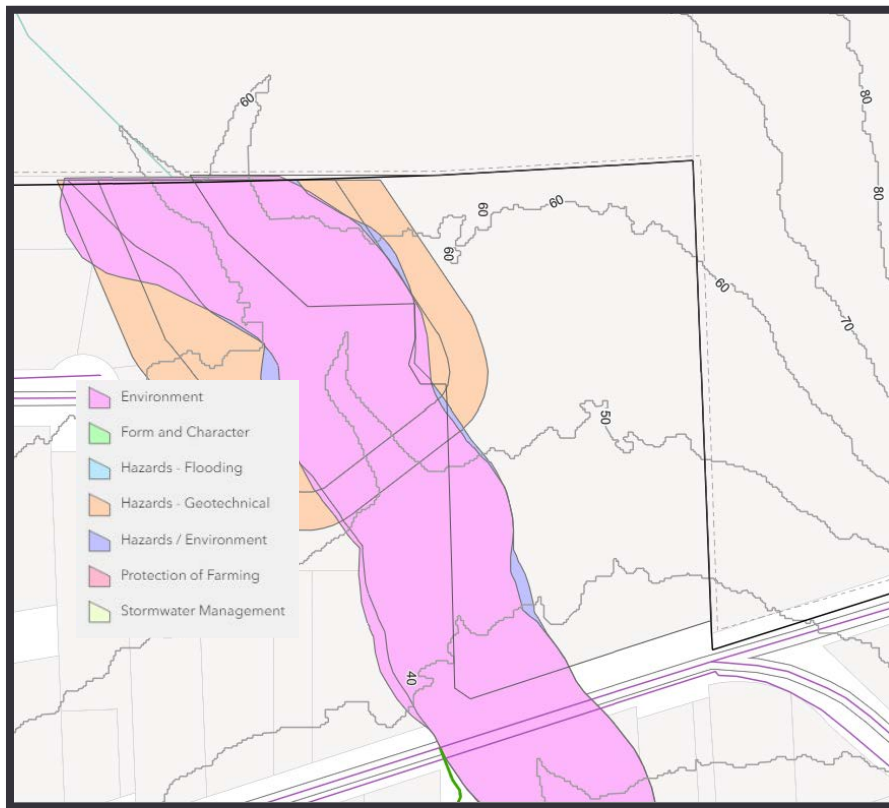


Figure 4: Development Permit Areas at Lot 6

3.3.2 TOWN OF GIBSONS DPA

Lot 6 abuts 3 Town of Gibsons DPAs (Figure 5):

DPA 1: Geotechnical Hazard

This DPA abuts the northwest corner of Lot 6 where the steep ravine slopes follow Seaward Creek.

DPA 2: Environmentally Sensitive

This DPA abuts the northwest corner of Lot 6 around the Seaward Creek.

DPA 10: Gospel Rock Development

This DPA follows the east and north boundary of Lot 6, and is a form and character DPA for the Gospel Rock development.

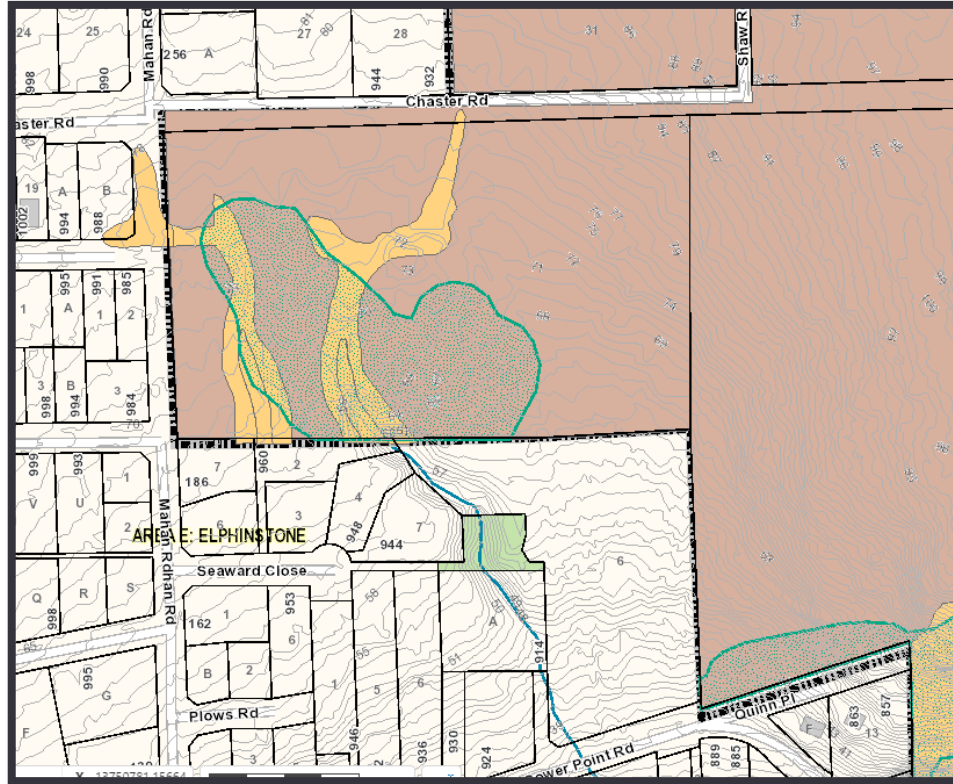


Figure 5: Town of Gibsons DPA 1: Geotechnical Hazard (yellow); DPA 2: Environmentally Sensitive (green); and DPA 10: Gospel Rock Development (red)³

4.0 PROPERTY TAXES & SERVICE FEES

The following provides an overview of both the existing SCRD taxes and service fees, and Town of Gibsons taxes and service fees should Lot 6 be brought into the Town's boundaries. Note that the fees and taxes are reflective of 2023 rates.

4.1 2023 BC ASSESSMENT

The 2023 BC Assessment Authority assessed Lot 6 to be valued at:

³ maps.scrd.ca

- Land Value: \$1,794,000
- Improvements: \$0.

No improvements (buildings) have been made to Lot 6.

4.2 SCRD SERVICES DELIVERY FEES & PROPERTY TAXATION

4.2.1 SCRD SERVICES

Lot 6 falls within the three following SCRD Service Delivery areas:

- Chapman Water Service Area
- Gibsons/West Howe Sound Fire Protection Area
- Area E Curbside Collection Service Area

Lot 6 does not currently pay user fees for SCRD water or curbside services because the parcel is vacant. In addition, should Lot 6 join the Town it would not receive the Town's water, sanitary or curbside services until the Gospel Rock development is complete.

For the purposes of an 'apples-to-apples' comparison of the service delivery fees between the SCRD and Town of Gibsons, it has been assumed that Lot 6 has a single-family dwelling on site. It is also assumed that Lot 6 can access the Town's water, sanitary and curbside services once the Gospel Rock development is complete.

The SCRD parcel taxes and user fees for water, community recreation and curbside collection services are outlined in Table 3 below. Note that these totals do not include other applicable fees such as metering rates for water services.

Table 3 2023 SCRD Parcel Taxes & User Fees

SERVICE	FEE	
Sunshine Coast Regional Water Authority ⁴	Parcel Tax	\$589.28
	User Rate	\$651.49
Community Recreation Service Area 17 ⁵	\$121.58	
SCRD Curbside Collection Service Area ⁶	\$201.26	
TOTAL	\$1,442.03	

⁴ SCRD Water Rates and Regulations Bylaw No.422

⁵ SCRD Community Recreation Facilities Fees and Charges Bylaw No.599

⁶ SCRD Waste Collection Bylaw No.431

4.2.2 SCRD PROPERTY TAXES

Table 4 outlines the SCRD tax rates for Residential Class 1 properties that are applicable to Lot 6.

Table 4: 2023 SCRD Rural Tax Rates & Property Taxes for Residential 1 Property Class

CATEGORY	2023 TAX RATE*	LAND VALUE	IMPROVEMENTS	TAX AMOUNT
School Tax Rate	1.0745			\$1,927.65
Provincial Rural Tax	0.34			\$609.96
Police Tax	0.0858			\$153.93
SCRD Electoral Area E Tax Rates	1.15688			\$2,075.44
Gibsons/West Howe Sound Fire Protection Area	0.27362			\$490.87
Sunshine Coast Hospital	0.06631			\$118.96
BC Assessment Tax Rate	0.0336			\$60.28
Municipal Finance Authority	0.0002			\$0.36
TOTAL 2023 PROPERTY TAXES			\$5,437.45	

* Tax rates are expressed as a dollar figure per \$1,000 dollars of assessed property value of land and improvements. The assessed values for every taxable property in B.C. is determined annually by BC Assessment.⁷

4.3 TOWN OF GIBSONS SERVICE DELIVERY FEES & PROPERTY TAXATION

4.3.1 TOWN OF GIBSONS SERVICES

Table 5 below shows the Town's water service fees and parcel taxes if Lot 6 were to be connected to the Town's services in the future. This analysis assumes the parcel has a single-family dwelling. Note that these totals do not include other applicable fees such as metering rates for water services.

Table 5: 2023 Town of Gibsons Parcel Taxes & User Fees

SERVICE	FEE	
Town of Gibsons Water ^{8 9}	Parcel Tax	\$294.92

⁷ <https://www2.gov.bc.ca/gov/content?id=37A333E93128400F97067ED620352923>

⁸ Town of Gibsons Rates, Fees & Charges Bylaw No.1196, 2014

⁹ Town of Gibsons Water Parcel Tax Bylaw No.1308, 2023

	User Rate	\$58.25*
Town of Gibsons Sanitary Sewer ^{10 11}	Parcel Tax	\$438.40
	User Rate	\$151.43
Town of Gibsons Curbside Collection ¹²	\$225.00**	
TOTAL		\$1,168.00

*Per single family dwelling

**Annual dwelling unit rate per 1 garbage & organics bin

4.3.2 TOWN OF GIBSONS PROPERTY TAXES

Table 6 outlines the Town of Gibsons tax rates for Residential Class 1 properties that would be applicable to Lot 6 if the Town's boundary is extended.

Table 6: 2023 Town of Gibsons Tax Rates¹³ for Residential Class 1¹⁴

TAX CATEGORY	2023 TAX RATE	LAND VALUE	IMPROVEMENTS	TAX AMOUNT
Town of Gibsons Municipal Tax Rate	1.33360			\$2,392.48
SCRD Tax Rate	0.9202			1,650.84
SCRD Recreational Facilities Tax Rate	0.9490			\$0.00
Hospital Tax Rate	0.06630			\$118.94
School Tax Rate	1.07450			\$1,927.65
BC Assessment Area Tax Rate	0.0336			\$60.28
Municipal Finance Authority Tax Rate	0.0002			\$0.36
Police Tax Rate	0.1862			\$334.04
TOTAL 2023 PROPERTY TAXES		\$6,484.59		

¹⁰ Town of Gibsons Rates, Fees & Charges Bylaw No.1196, 2014

¹¹ Town of Gibsons Sewer Parcel Tax Bylaw No.1307, 2023

¹² Town of Gibsons Rates Fees & Charges Bylaw No.1196, 2014

¹³ https://www2.go2.76050v.bc.ca/assets/gov/british-columbians-our-governments/local-governments/finance/loc0.92020al-government-statistics/schedule702_2023.xlsx

¹⁴ <https://www.scrd.ca/wp-content/uploads/SCRD-2023-2027-Financial-Plan-Final-Version.pdf>

4.4 TAX & SERVICE FEE COMPARISON

Table 7 below shows the difference in taxes and service fees between the SCRD and Town of Gibsons.

Table 7: Comparison of 2023 taxes and service fees between SCRD and Town of Gibsons

LOCATION	PROPERTY TAXES			SERVICE FEES*		
	SCRD	TOWN OF GIBSONS	% DIFFERENCE	SCRD	TOWN OF GIBSONS	% DIFFERENCE
Lot 6	\$5,437.45	\$6,484.59	+19%	\$1,442.03	\$1,168.00	-19%

*Includes parcel taxes & user fees

Assuming no additional development occurs on site, the property taxes under the Town of Gibsons will increase by approximately \$1,000 (+19%), and annual service fees (assuming the parcel can get onto the Town's services) will decrease by approximately \$275 (-19%).

4.5 LOCAL GOVERNMENT SERVICE DELIVERY COMPARISON

Table 8 below compares the delivery of local government services between the SCRD and Town of Gibsons for Lot 6.

Table 8: Local Government Service Delivery

SERVICE CATEGORY	COMPONENTS	DELIVERY AGENCY	
		REGIONAL DISTRICT	TOWN OF GIBSONS
General Government	Administration, Grants in Aid (Schools), Regional Sustainability	SCRD	<ul style="list-style-type: none"> Mayor, Council & Staff SCRD for components listed
	Other Grants in Aid	SCRD	Not Applicable
Protective Services	Fire Protection, 911, Emergency Planning	SCRD	SCRD
	Bylaw Enforcement, Animal Control	SCRD	Town of Gibsons
Transportation	Roads	Province (MoTI)	Town of Gibsons
	Transit Services	SCRD & BC Transit	SCRD & BC Transit
Environmental	Solid Waste Management	SCRD	SCRD
	Curbside Collection	SCRD	Town
Health	Cemetery	SCRD	SCRD

Planning & Development	Subdivision Approval	Province (Provincial Approving Officer, MoTI)	Town
	Regional Planning	SCRD	SCRD
	Building Inspection, Rural Planning, Economic Development	SCRD	Town
Recreation & Culture	Recreation & School Facilities, Library, Museum, Recreation Programs, Dakota Ridge	SCRD	SCRD
	Community Parks & Trails	SCRD	Town
Utilities	Water Service	SCRD (Chapman)	SCRD (Until utility available in Gospel Rock)
	Sanitary Sewer Service	Not Currently Available	Potential for Service from Town

5.0 SITE FEATURES & INFRASTRUCTURE OVERVIEW

5.1 WATERCOURSES & RIPARIAN AREAS

Seaward Creek runs through the northwest and southwest corners of Lot 6 toward the ocean to the south.

5.2 ARCHAEOLOGICAL FEATURES

The site falls within the Squamish Nation territory.

5.3 TOPOGRAPHY

The average slope from the south boundary to the north boundary of the site is approximately 12%, with steeper grades concentrated at the ravine around Seaward Creek in the northwest corner of the site (Figure 6).

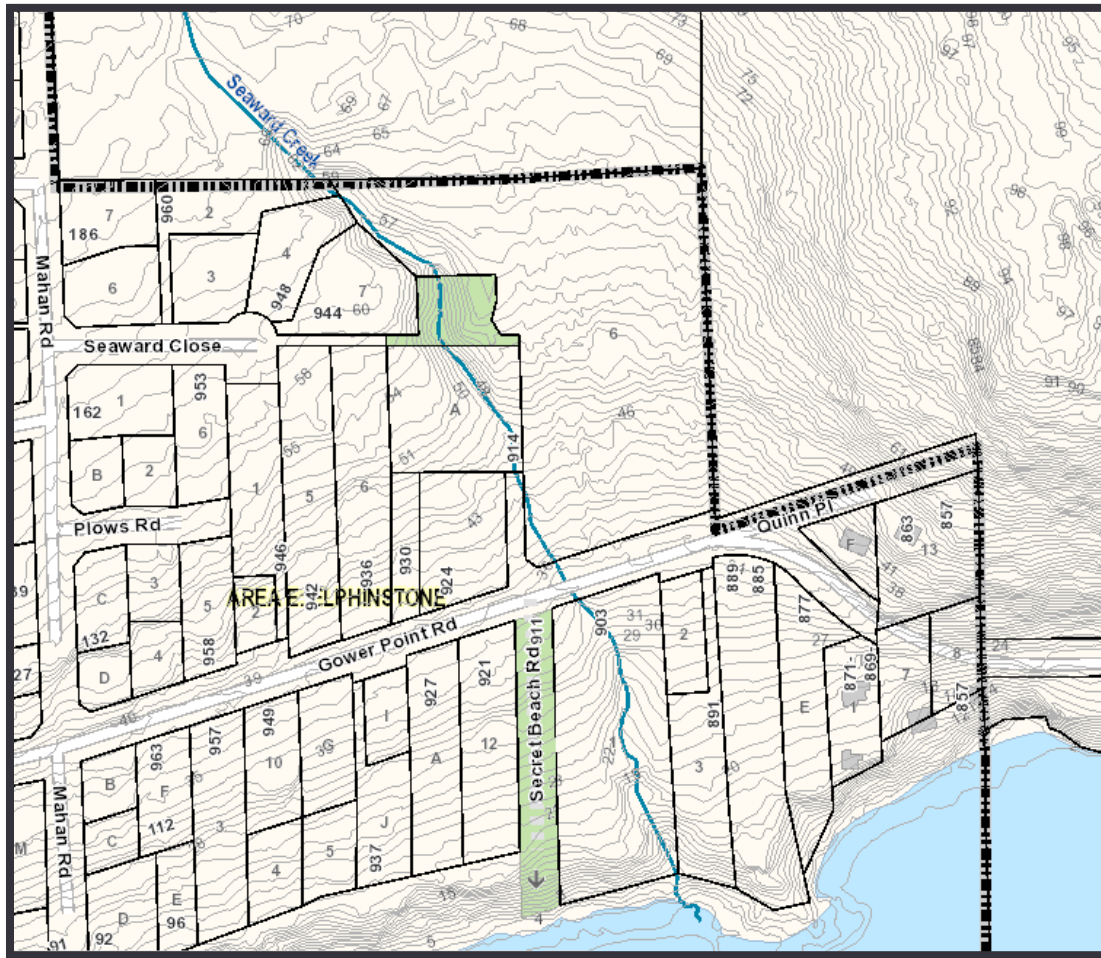


Figure 6: Lot 6 topography¹⁵

5.4 ACCESS & TRANSPORTATION

5.4.1 SITE ACCESS & ROADS

Existing access to Lot 6 is provided via **Gower Point Road** and an unconstructed road at the west corner of the site known as **Secret Beach Road**. Gower Point Road is a narrow, paved 2-way road with gravel shoulders and is a popular route for locals and tourists who park and access the SCRD's many beaches off Gower Point Road and Ocean Beach Esplanade. (Figure 7).

¹⁵ maps.scrd.ca



Figure 7: Gower Point Road at the east corner of Lot 6 (to the right), looking west. Source: Google Earth

Roads within the Sunshine Coast Regional District (an unincorporated area) are under the jurisdiction of the Ministry of Transportation & Infrastructure. Should Lot 6 be brought into the Town's boundary, it is likely that the boundary will fall on the centre line of Gower Point Road (following the same alignment from the east). Consideration will need to be given to whether the Town's boundary includes the full width of Secret Beach Road.

5.4.2 PUBLIC TRANSIT

There are no BC Transit bus stops adjacent to Lot 6. The nearest bus stop for is located approximately one (1) kilometre to the east on Gower Point Road at Glassford Road.

5.4.3 TRAILS & MULTI-USE PATHS

While there are no trails or multi-use paths in the immediate vicinity of Lot 6, directly across Lot 6 is the public beach access and parking area for Secret Beach (Figure 8).

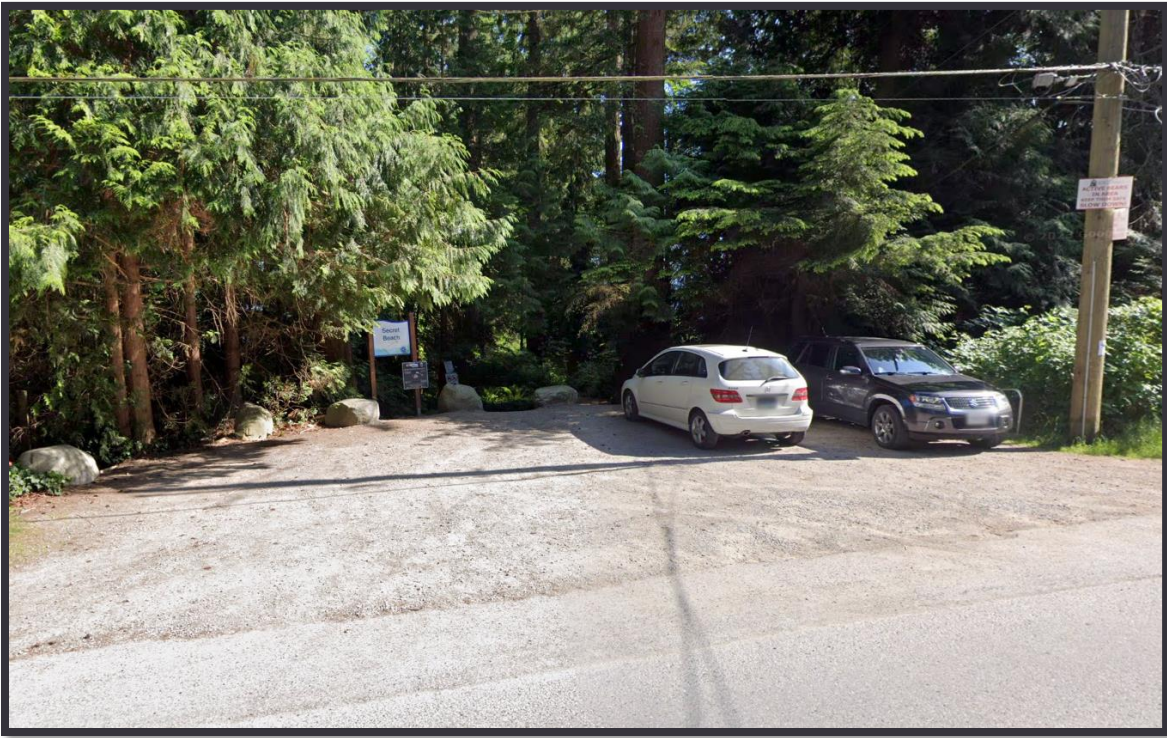


Figure 8: Secret Beach Parking & Access off Gower Point Road (looking south)¹⁶

5.5 SERVICING

5.5.1 WATERLINES

A 150mm diameter ductile iron SCRD watermain is located south of Lot 6 on the south side of Gower Point Road. There is also a Town of Gibsons water main located on Gower Point Road to the east of Lot 6. Connection to the Town's water would not be feasible until the Gospel Rock development is completed.

5.5.2 SANITARY SEWER

There are no SCRD or Town of Gibsons sanitary & storm sewer lines within the vicinity of Lot 6. Connection to the Town's sewer system would not be feasible until the Gospel Rock development is completed.

¹⁶ Google Earth 2023

5.5.3 STORMWATER DRAINAGE

There are no SCRD or Town of Gibsons stormwater pipes within the vicinity of Lot 6. Roadway drainage is directed to roadway ditches and an MoTI roadway culvert located on Gower Point Road at Secret Beach Road.

5.5.4 GAS LINES

A Fortis BC Distribution Pressure Gas Main is located immediately south of Lot 6 running along Gower Point Road.

5.5.5 BURIED ELECTRICAL POWER LINES

An BC Hydro Underground Primary power line is located directly south of Lot 6 on Gower Point Road.

5.5.6 TELECOMMUNICATIONS LINES

There are overhead Telus Communications lines located directly across Lot 6 on Gower Point Road.

5.5.7 FIRE DEPARTMENT RESPONSE TIMES

Lot 6 falls within the Gibsons/West Howe Sound Fire Protection Area. The nearest station is the SCRD Fire Hall No. 2 located 2 kilometres to the northwest on Chaster Road, which is a roughly three (3) minute drive (Figure 9).

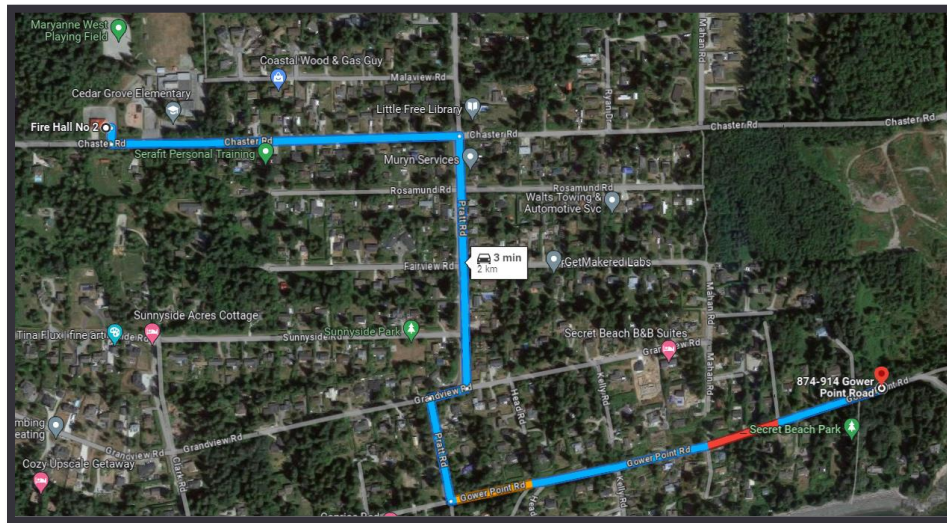


Figure 9: Driving Distance from Fire Hall No.2 to Lot 6¹⁷

¹⁷ Maps.Google.com

It is a six minute drive to Lot 6 from Fire Hall No.1 located on North Road (Figure 10).

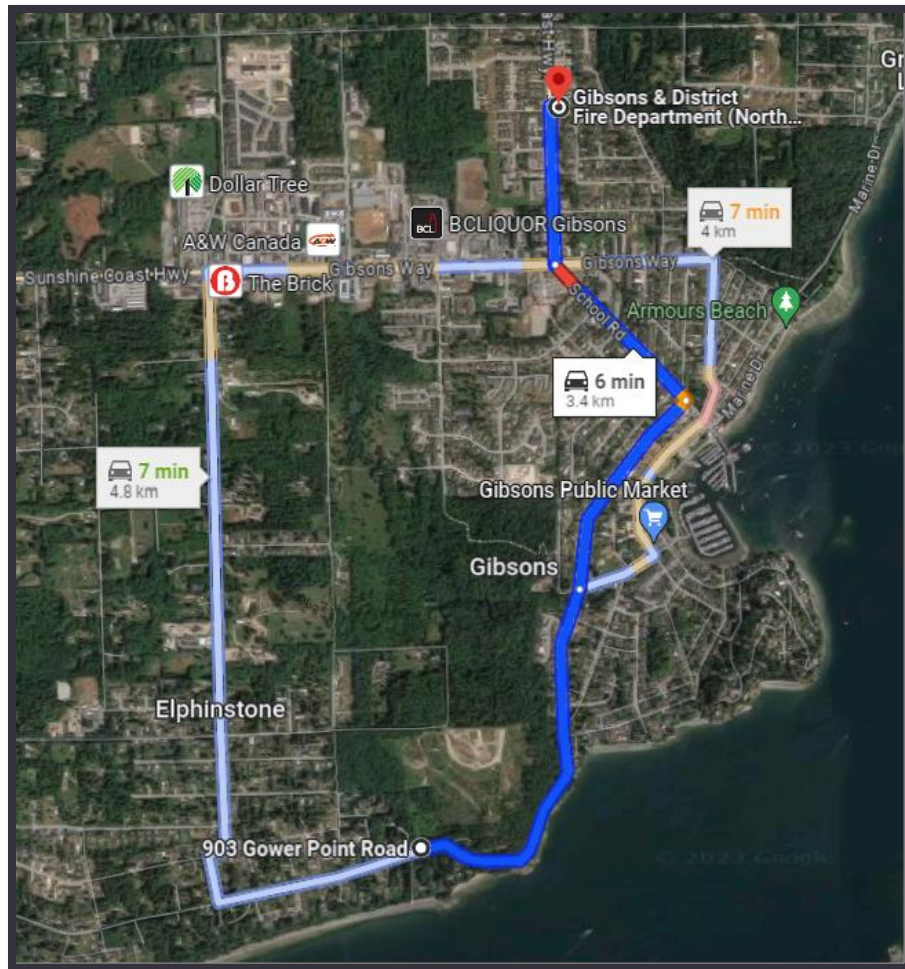


Figure 10: Driving Distance from Fire Hall No.1 to Lot 6¹⁸

6.0 PRELIMINARY STAKEHOLDER FEEDBACK

Engagement with potentially impacted parties is a key part of the municipal boundary extension process with the Ministry of Municipal Affairs. As such, preliminary engagement with the SCRD and MOTI was initiated in summer, 2024 by the Town of Gibsons to understand how the proposal may impact their interests. Broader stakeholder engagement will be required as part of the formal boundary extension application process with the Ministry of Municipal Affairs. This will include consultation with the SCRD, MOTI,

¹⁸ Maps.Google.com

and other parties that Municipal Affairs deems impacted by the boundary extension including:

- property owners within the proposed municipal boundary extension area
- improvement districts that overlap with the proposed municipal boundary extension area
- Agricultural Land Commission (ALC) if the proposed extension area includes land in the Agricultural Land Reserve (ALR)
- Integrated Land Management Bureau (ILMB) if the proposed extension area includes Crown land; and
- First Nations whose traditional territory includes the proposed municipal boundary extension area

The summary provided herein reflects only the initial comments that the Town of Gibsons has received from SCRD and MOTI as of the date of this report.

6.1 SUNSHINE COAST REGIONAL DISTRICT

The Town engaged with the Sunshine Coast Regional District on July 11th, 2024. Based on the information provided in this report, the SCRD did not express any significant concerns regarding the boundary extension during the meeting. However, the SCRD noted that servicing arrangements would need to be established if a boundary extension was approved.

6.2 MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

The Town engaged with MOTI on September 6th, 2024. MOTI did not express any significant concerns regarding the boundary extension during the meeting. MOTI did note that additional discussions are necessary to clarify the alignment of the jurisdictional boundary along Gower Point Road should the subject lot be incorporated into the Town. Additional discussions will also be essential to coordinate ongoing operations and maintenance of Gower Point Road adjacent to the subject property given potential geotechnical hazards and drainage considerations in the vicinity.

7.0 SUMMARY & NEXT STEPS

Bringing Lot 6 onto the Town's services is largely dependent on the successful completion of the Gospel Rock development. Therefore, the Town should consider how further development and subdivision of the Lot 6 parcel is impacted should it be brought into the Town's boundaries. Legal instruments such as covenants may be necessary to ensure adequate servicing is provided.

Beyond servicing, the overall impact to the Town of Gibsons does not appear to be significant should the boundary be extended to include lot 6. Upfront staff resources will be needed to assign Town OCP land use designations, DPAs, and zoning; transfer services

from SCRD to the Town; and to manage other administrative aspects related to the inclusion into the Town. The development potential of Lot 6 could be significant should servicing challenges be overcome, which could provide positive property taxation benefits for the Town.

For the property owners, bringing the lots into the Town's boundary will result in slightly higher property taxes for each parcel; more direct access to subdivision and planning services (fewer jurisdictions to coordinate with); and, access to Town's water and sanitary sewer services if services are extended as part of the Gospel Rock development.

Initial engagement with the SCRD and MOTI showed that there were no concerns of significance regarding the potential boundary extension as of the date of this report. These agencies, and others, will continue to be engaged should the boundary extension proposal proceed through formal application with the Ministry of Municipal Affairs.

Following this report, the Town of Gibsons will decide, through Council resolution, whether to proceed with a formal boundary extension application to the Ministry of Municipal Affairs. This process involves property owners and residents in the proposed extension area, as well as the Town of Gibsons, the regional district, various government ministries and agencies, and First Nations. The process is outlined below.

7.1 MUNICIPAL AFFAIRS BOUNDARY EXTENSION APPLICATION PROCESS

There are six (6) steps to developing, processing, and approving a municipal boundary extension proposal. The Ministry of Municipal Affairs [Municipal Boundary Extension Process Guide \(2010\)](#) details the application process. At a high level, the steps involved in the boundary extension process are:

- Step 1: Proposal Development and Referrals
- Step 2: Proposal Submission
- Step 3: Ministry of Municipal Affairs Review
- Step 4: Elector Approval
- Step 5: Provincial Approval
- Step 6: Implementation

Boundary extension applications involve significant coordination, time, and resources at both the local and provincial level. The time required to process and approve boundary extensions is influenced by the complexity and scale of the proposal and timelines of other agencies and organizations involved in the process. As such, estimating timelines to review and approve proposals is challenging.

Sincerely,

URBAN SYSTEMS LTD.

file:///usl.urban-systems.com/projects/Projects_VAN/1300/0165/02/R-Reports-Studies-Documents/R1-Reports/2024-10-04%20ToG%20Boundary%20Extension%20Study_Lot%206%20Gospel%20Rock_Site%20Assessment.docx

APPENDIX A

TITLE CERTIFICATE

TITLE SEARCH PRINT

File Reference: 1300.0165.02

Declared Value \$1250000

2023-11-01, 09:03:58

Requestor: Urban Employees

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN******Land Title District**

Land Title Office

VANCOUVER

VANCOUVER

Title Number

From Title Number

CA9601428

CA8220878

Application Received

2021-12-21

Application Entered

2021-12-23

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

1335546 B.C. LTD., INC.NO. BC1335546
975 - 235 STREET
LANGLEY, BC
V2Z 2Y1**Taxation Authority**

North Shore - Squamish Valley Assessment Area

Description of Land

Parcel Identifier:

026-380-846

Legal Description:

LOT 6 DISTRICT LOT 842 GROUP 1 NEW WESTMINSTER DISTRICT PLAN BCP19068

Legal NotationsTHIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL
GOVERNMENT ACT, SEE BA128695THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL
GOVERNMENT ACT, SEE BA128696THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL
GOVERNMENT ACT, SEE BR80408**Charges, Liens and Interests**

Nature:

COVENANT

Registration Number:

BR1490

Registration Date and Time:

2001-01-04 09:47

Registered Owner:

SUNSHINE COAST REGIONAL DISTRICT

Remarks:

INTER ALIA

AS TO PART FORMERLY LOT 5 PLAN BCP6827

TITLE SEARCH PRINT

2023-11-01, 09:03:58

File Reference: 1300.0165.02

Requestor: Urban Employees

Declared Value \$1250000

Nature: STATUTORY BUILDING SCHEME
Registration Number: BV325879
Registration Date and Time: 2003-08-19 09:41
Remarks: INTER ALIA
AS TO PART FORMERLY LOT 5 PLAN BCP6827

Nature: COVENANT
Registration Number: BV325883
Registration Date and Time: 2003-08-19 09:41
Registered Owner: THE CROWN IN RIGHT OF BRITISH COLUMBIA
Remarks: INTER ALIA
PART IN PLAN BCP6829

Nature: COVENANT
Registration Number: BV325884
Registration Date and Time: 2003-08-19 09:42
Registered Owner: THE CROWN IN RIGHT OF BRITISH COLUMBIA
SUNSHINE COAST REGIONAL DISTRICT
Remarks: INTER ALIA
AS TO PART FORMERLY LOT 5 PLAN BCP6827

Nature: COVENANT
Registration Number: BX300326
Registration Date and Time: 2005-01-10 09:13
Registered Owner: SUNSHINE COAST REGIONAL DISTRICT
Remarks: AS TO PART FORMERLY BLOCK 3 (REF-PLAN 2364)
DISTRICT LOT 842 GROUP 1 NEW WESTMINSTER DISTRICT

Duplicate Indefeasible Title NONE OUTSTANDING

Transfers NONE

Pending Applications NONE



APPENDIX B

LEGAL ENCUMBRANCES

Land Title Act
Form C
(Section 219.81)
Province of
British Columbia

19 AUG 2003 10 41

BV325883

GENERAL INSTRUMENT - PART I

(This area for Land Title Office use)

Page 1 of 10 pages

1. Application: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

RUSSELL F. CRUM LAW OFFICE

#100-938 Gibsons Way

Gibsons, B.C. V0N 1V7

LTO Client #11558

90 *Pamela Hunker*Jennifer Rainer - Agent **West Coast**

604-886-0004 (Kvam)

Client # 10350

2. Parcel Identifier(s) and Legal Description(s) of Land:*

(PIC)

(Legal Description)

See Schedule

15 03/08/19 09:42:17 04 LM 480072
CHARGE \$55.00

3. Nature of Interest:*

Description

Document Reference
(page and paragraph)Person Entitled to Interest
Transferee

See Schedule

4. Terms: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms

(b) Express Charge Terms

(c) Release

☐
☒
☐

D.F. Number:

Annexed as Part 2

There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.
If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. Transferor(s):*

TRONDHEIM HOLDINGS LTD. (Inc. No. 228171)

Box 1249, Gibsons, B.C. V0N 1V0

6. Transferee(s): (including occupation(s), postal address(es) and postal code(s))*

**HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH
COLUMBIA**, as represented by the Minister of Transportation,
Parliament Buildings, Victoria, B.C. V8V 1X5.

7. Additional or Modified Terms:

N/A

8. Execution(s):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

Russell Crum
Russell Crum
Barrister & Solicitor

#100-938 Gibsons Way
Gibsons, B.C. V0N 1V7

Execution Date

Y	M	D
03	06	06

Party(ies) Signature(s)

TRONDHEIM HOLDINGS LTD.
by its authorized
signatory:

Terry Kvam
TERRY KVAM

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space insufficient, continue executions on additional page(s) in Form D.

Copyright ExperText Systems BC Inc. April 1992

**Land Title Act
Form E****SCHEDULE**Page 2

Enter the required information in the same order as the information must appear on the Freehold Transfer Form, Mortgage Form or General Document Form.

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:

(PID)	(Legal Description)
NO PID	Lot 2, District Lot 842, Group 1 NWD, Plan BCP <u>6821</u>
NO PID	Lot 4, District Lot 842, Group 1 NWD, Plan BCP <u>6821</u>
NO PID	Lot 5, District Lot 842, Group 1 NWD, Plan BCP <u>6821</u>

3. NATURE OF INTEREST:*

Description

Document Reference
(page and paragraph)

Person Entitled to Interest

Section 219 Covenant
Over parts shown outlined
On Explanatory Plan
BCP 6821

Entire document

Transferee

PART 2 - TERMS OF INSTRUMENT

A. WHEREAS the Transferor is the registered owner in fee-simple of those certain parcels of land located in the Town of Gibsons, North Shore - Squamish Valley Assessment Area, in the Province of British Columbia, more particularly described as:

Parcel Identifier: Nil
Lots 2, 4 and 5
District Lot 842
Group 1 NWD
Plan BCP 6857

(hereinafter collectively referred to as "the Lands")

B. As a condition of obtaining the consent of the Transferee to the subdivision creating the Lots as set out in the Plan of Subdivision certified by Larry W. Penonzek, B.C.L.S. and dated August 19, 2002, a reduced copy of which is attached hereto as Schedule "A", the Transferor has agreed to enter this Agreement as to covenant in favour of the Transferee pursuant to Section 219 of the Land Title Act;

C. The Reference Plan of Part of the Lands certified correct by Larry W. Penonzek, B.C. L.S., on August 21, 2002, a reduced copy of which is attached hereto as Schedule "B" (the "Reference Plan") sets forth those portions of the Lands, being the portions contained within the heavy black line on the Reference Plan, which are considered unsuitable for construction of buildings according to the Geotechnical Evaluation described in paragraph "D" below;

D. Certain portions of the Lands, being all that part of the Lands lying inside the heavy black line on the Reference Plan, may be unsuitable for construction of buildings or disturbance (the "Restricted Building Area") as described in the Geotechnical Evaluation prepared by Jacques Whitford & Associates Ltd. dated March 21, 2003, a copy of which is attached hereto as Schedule "C";

NOW THEREFORE in consideration of the terms of this Covenant and the sum of One Dollar (\$1.00) now paid by the Transferee to the Transferor, the receipt and sufficiency of which is hereby acknowledged, the Transferor hereby covenants:

1. The Transferor shall not construct any buildings nor disturb natural ground or vegetal growth within the areas defined as the Restricted Building Area by Schedule "B" without:
 - a) the prior review and approval of a professional Geotechnical Engineer who is a member in good standing of the Association of Professional Engineers of British Columbia (a "Geotechnical Engineer") as to the geotechnical suitability of the land for the use proposed by the Transferor; and,

- b) commissioning, at the Transferor's sole cost, a Geotechnical report prepared by the Geotechnical Engineer identifying the location or location within the Restricted Building Area where Earthworks or a building may be, in the opinion of the Geotechnical Engineer, safely constructed.
2. The Transferor shall provide a copy of the Geotechnical report to the Statutory Authority having jurisdiction to issue Building Permits when the Transferor applies for a Building Permit.
3. The Transferor will indemnify and save harmless the Transferee and its servants and agents against all losses, damages, costs and expenses, including fees of solicitors and other professional advisers, arising out of any breach, violation or non-performance of any term, condition, covenant, or other provision of this agreement.
4. No term, condition, covenant or other provision of this agreement will be considered to have been waived by the Transferee unless the waiver is expressed in writing by the Transferee. Any waiver by the Transferee of any term, condition, covenant or other provision of this agreement or any waiver by the Transferee of any breach, violation or non-performance of any term, condition, covenant or other provision of this agreement does not constitute and will not be construed as a waiver of any further or other term, condition, covenant or other provision of this agreement or any further or other breach, violation or non-performance of any term, condition, covenant or other provision of this Agreement.
5. Subject to the provision of Section 219 of the Land Title Act the Transferor's Covenants contained in this Agreement shall burden and run with the Lands and shall inure to the benefit and be binding upon the Transferor, his heirs executors, administrators, successors and assigns and the Transferee and his assigns.
6. Nothing contained or implied in this Agreement will prejudice or affect the rights, powers and remedies of the Transferee in the Exercise to the Transferee's functions under any public or private statutes, regulations, bylaws or orders or in equity, all of which may be fully and effectively exercised by the Transferee in relation to the Transferor or the Lands as if this Agreement had not been made.
7. The parties agree that this Agreement shall not be modified or discharged except in accordance with the provisions of Section 219(5) of the Land Title Act.
8. The Transferor shall do or cause to be done all things and execute or cause to be executed all documents and give such further and other assurances which may be reasonably necessary to give proper effect to the intent of this Agreement.
9. Wherever the singular or masculine or neuter is used herein, the same shall be construed as including the plural, feminine, body corporate or politic unless the context requires otherwise.

10. If any section or any part of this Agreement is found to be illegal or unenforceable, then such sections or parts shall be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement as the Case may be shall be unaffected thereby and shall remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts of sections had never been included in this Agreement.

11. This Agreement shall be interpreted according to the laws of the Province of British Columbia.

12. Where there is a reference to an enactment of the Province of British Columbia in this Agreement, that reference shall include a reference to any consequent enactment of the Province of British Columbia of like effect, and unless the context otherwise requires, all statutes referred to herein are enactments of the Province of British Columbia.

13. Every reference to the Minister responsible for Transportation and Highways in this Agreement shall include the Minister of Transportation and Highways, the Deputy Minister of Transportation and Highways and any personal designated by either of them to act for or on their respective behalf with respect to any of the provisions of this Agreement.

AND IT IS UNDERSTOOD AND AGREED by and between the parties hereto, that the words "Transferor" and "Transferee" wherever used in this agreement, shall include the parties hereto and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the Transferor and Transferee have executed this agreement on the day and in the year first above written.

The Corporate Seal of **TRONDHEIM HOLDINGS LTD.** was hereunto
Affixed in the presence of:



TERRY KVAM

This is the instrument creating the condition or covenant entered into under Section 219 of the Land Title Act by the Registered Owner referred to herein and shown on the print of the Plan annexed hereto and initialed by me.




APPROVING OFFICER
Minister of Transportation

SCHEDULE "A"

Handwritten signature/initials

**SUBDIVISION PLAN OF LOT 7, EXCEPT PART IN EXPLANATORY
PLAN B044, BLOCK 5, DL 842, GROUP 1, NWO, PLAN 7138.**

PLAN BCP

SCALE: 1:750


B.C.G.S. 926 033

This plan was drawn the Surveyor General's Office

Deposited in the Land Title Office
 at New Westminster, B.C., this
 day of 2002

Register

Approved under the Land Title Act, this
 day of 2002

Approving officer - Ministry of Transportation

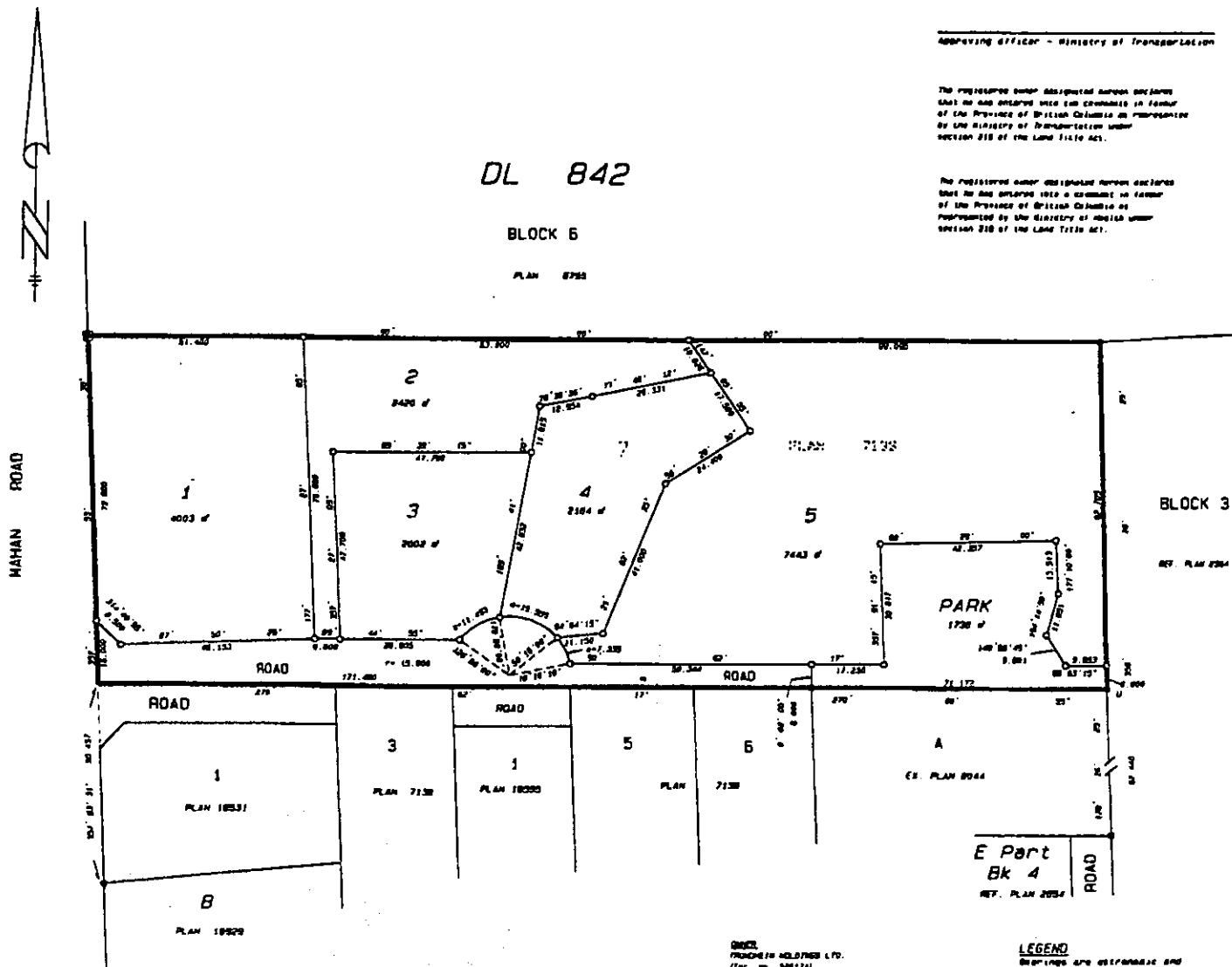
The registered owner designated herein declares
 that he has entered into an agreement in favor
 of the Province of British Columbia as
 represented by the Ministry of Transportation under
 section 210 of the Land Title Act.

The registered owner designated herein declares
 that he has entered into an agreement in favor
 of the Province of British Columbia as
 represented by the Ministry of Transportation under
 section 210 of the Land Title Act.

DL 842

BLOCK 5

PLAN 8768



ONCE
 PROPOSED HOLDINGS LTD.
 (INC. NO. 28171)

Authorized signatory - TERRY COOK

WITNESSES

NAME OF WITNESS

ADDRESS OF WITNESS

OCCUPATION OF WITNESS

LEGEND

Boundaries are determined and
 defined from plan 7138.
 All distances are in metres.
 ■ Non standard round iron post found
 ● Standard iron post found
 ○ Standard iron post set
 of concrete square markers
 U Markers unregistered

I, L. S. P. P. P., a British Columbia Land
 Surveyor, of the firm of L. S. P. P. P., in the
 Province of British Columbia, certify that
 I am a duly qualified and authorized surveyor
 and the survey and plan are correct. The survey
 was completed on the 15th day of August, 2002.

Handwritten signature of L. S. P. P. P.
 L. S. P. P. P. 01015

The registered owner designated herein declares that
 he has entered into an agreement in favor of the
 Province of British Columbia as represented by the
 Ministry of Transportation under section 210 of the
 Land Title Act.

Approved under section 87 of the Land Title Act,
 this day of 2002

LARRY N. PANDOLFO
 B.C. LAND SURVEYOR
 REG. NO. 610388 B.C.
 VAN 110 Fx 496-2563
 CHRG 604-896-2531

Ministry of Water, Land and Air Protection
 or the duly authorized delegates

120025 - 1242

SCHEDULE "B"

REFERENCE PLAN OF PART OF LOTS 2, 4 AND 5,
DL 842, GROUP 1, NWD, PLAN BCP

PLAN BCP

PURSUANT TO SECTION 219, LAND TITLE ACT

SCALE: 1:750 — metres

10 5 0 10 20 30

BCGS 926.033

This plan lies within the Sunshine Coast Regional District.

DL 842

BLOCK 6 PLAN 6755

Registrar

Deposited in the Land Title Office
at New Westminster, B.C., this
day of 2003.

MAHAN ROAD

SEAWARD CLOSE

BLOCK 3

REF. PLAN 2364

PARK

EX PLAN 8044

PLAN 18531

PLAN 7138

PLAN 19555

PLAN 7138 6

LEGEND

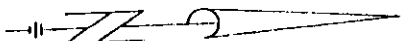
- Bearings are astronomic and derived from Plan BCP.
- All distances are in metres.
- standard iron post found.
- standard iron post set.
- denotes square metres

I, L.W. Penonzek, a British Columbia Land Surveyor, of the Town of Gibsons, in the Province of British Columbia, certify that I was present at and personally supervised the survey represented by this plan, and that the survey and plan are correct. The survey was completed on the 30th day of January, 2003.

L.W. Penonzek
L.W. Penonzek & C.L.S.

13692CV2 - 1503

Larry W. Penonzek
B.C. Land Surveyor
Box 505 Gibsons, B.C.
V0N 1V0 Fax: 886-2553
Phone: 886-2531





**Jacques, Whitford
and Associates Limited**

Consulting Engineers
Environmental Scientists
Risk Consultants

British Columbia • Alberta • Saskatchewan • Northwest Territories • Ontario • Quebec • New Brunswick • Nova Scotia • Prince Edward Island • Newfoundland & Labrador
Maine • New Hampshire • Massachusetts • Connecticut • Florida • Rhode Island • Pennsylvania • New York • Trinidad • Russia • Argentina • Brunei

7115 Canada Avenue, Duncan, BC V9L 1V1
Tel 250 715 2999 Fax 250 715 2992

World Wide Web: www.jacqueswhitford.com
E-mail: info@jacqueswhitford.com

March 21, 2003

Project Number BCI40021

Mr. Terry Kvam
Trondheim Holdings Ltd.
P.O. Box 1249
Gibsons, B.C. V0N 1V0

Dear Mr. Kvam:

**RE: Geotechnical Covenant for Proposed Subdivision of Lot 7, D.L. 842, Plan 7138,
 Group 1, New Westminster Land District**

In accordance with your signed authorization dated March 20, 2003, Jacques Whitford and Associates Ltd. (JWA) has prepared this letter to satisfy Conditions 4 and 5 of a Preliminary Layout Approval (PLA) that you have received for the above-referenced property, dated December 23, 1999. JWA completed a geotechnical evaluation of this property in May 1999, and presented our recommendations in a letter entitled "Re: Geotechnical Evaluation of Lot 7, D.L. 842, Plan 7138, New Westminster Land District" dated May 20, 1999. That letter provided specific recommendations for setbacks from a ravine on the property, by defining a Restricted Building Area (RBA) where the construction of single-family residences or similar developments should not be permitted. JWA's letter also provided specific recommendations with respect to the handling of surface drainage, and also regarding clearing in the vicinity of the ravine. No other geotechnical hazards were identified on the property, and no specific recommendations for mitigative measures were made.

Condition No. 3 of the PLA letter states that a drainage plan that conforms with our recommendations is required. We understand that a local engineer has already prepared such a plan, therefore this condition has been satisfied.

Condition No. 4 relates to a geotechnical covenant that conforms with our recommendations. We have reviewed a survey plan prepared by Larry W. Penonzek, B.C.L.S., dated 30 January 2003, entitled "Reference Plan of Part of Lots 2, 4, and 5, DL 842, Group 1, NWD, Plan BCP". This drawing shows a combined Geotechnical and Environmental covenant area that in most areas provides an even greater setback from the ravine than JWA's original letter had specified. In the two small areas where the



Geotechnical Engineering • Materials Engineering • Mining Engineering • Petroleum Engineering
Air Quality • Environmental Sciences • Environmental Engineering • Hydrogeology
Environmental Management Systems • Integrated Risk Management Services



Trondheim Holdings - Mr. Terry Kvam
Page 2 of 2
March 21, 2003

Project No. BCI40021

setback is slightly less, the intent of our RBA has still been achieved. Therefore, **JWA confirms that the covenant plan meets our approval.**

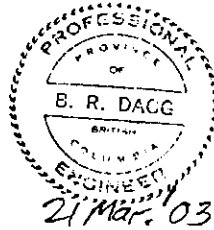
Condition No. 5 relates to any mitigative works outlined in the geotechnical assessment. As stated above, we did not make any recommendations for mitigative works, other than to state that clearing of vegetation on the sides of the ravine should be minimized. The Environmental Covenant requires this, as a matter of course. Therefore, Condition No. 5 does not apply to this property.

We trust that this letter will satisfy your requirements. If you have any questions regarding this letter, please do not hesitate to contact us.

Yours truly,

JACQUES WHITFORD & ASSOCIATES LTD.


Bruce R. Dagg, P.Eng.
Senior Geotechnical Engineer



Page 10 of 10

JOHN ENEVOLDSON ENGINEERING
BOX 124,
GRANTHAMS LANDING, B.C., V0N 1X0
(604) 886-3500

July 29, 2002

Attn: Planner
Planning and Development Division
Sunshine Coast Regional District
5477 Wharf Road
Box 800, Sechelt, B.C., V0N 3A0

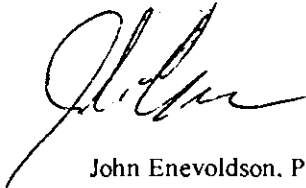
Re: Final Approval for the Subdivision of Lot 7, DL 842, Plan 7138, Gp. 1, NWD

This letter is to address the conditions 3-5 that are outlined in the Preliminary Layout Approval (PLA) dated Dec. 23, 1999 for the 5-lot subdivision of Lot 7.

Item 3- The storm works included in the Proposed Storm Water Management Plan, Drawing Civ.1, Revision 2, dated 12/04/200 has been installed in accordance to the plans and meets the conditions specified in the Geotechnical Report dated May 20, 1999 by Jacques, Whitford & Associates. The drainage works will not lead to erosion or slope instability within the ravine.

I trust that this meets any concerns in your fax dated Nov. 7, 2000.

Yours truly,



John Enevoldson, P.Eng.

END OF DOCUMENT

**Land Title Act
Form C**

(Section 133(1))

Province of British Columbia

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

Page 1 of 3 pages

1 APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

DOROTHY LEE JACKSON, Notary Public, #107-1100 Sunshine
Coast Hwy, Gibsons, BC V0N 1V7 (604) 886-9822 (kvam)

Signature of Applicant's Solicitor or Agent

QUICK FAX
CLIENT #10402

2 PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

(PID)

(LEGAL DESCRIPTION)

010-710-981

LOT 7 (EXCEPT PART IN EXPLANATORY PLAN 8044)
BLOCK 5 DISTRICT LOT 842 PLAN 7138

3 NATURE OF INTEREST:*

DESCRIPTION

DOCUMENT REFERENCE
(page and paragraph)

PERSON ENTITLED TO INTEREST

Section 219 Covenant

Entire Instrument

Sunshine Coast Regional District

4 TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms

☐ D.F. No.

14 01/01/04 09:46:15 02 LM 256881
CHARGE \$55.00

(b) Express Charge Terms

☒ Annexed as Part 2

(c) Release

☐ There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in item 3 is released or discharged as a charge on the land described in item 2.

5 TRANSFEROR(S):*

TRONDHEIM HOLDINGS LTD. (INC. NO. 228171)

6 TRANSFEREE(S): (including postal address(es) and postal code(s))*

SUNSHINE COAST REGIONAL DISTRICT, 5477 Wharf Road, Box 800, Sechelt,
British Columbia, V0N 3A0

7 ADDITIONAL OR MODIFIED TERMS:*

N/A

8 EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Execution Date

Officer Signature(s)

DOROTHY LEE JACKSON
NOTARY PUBLIC
#107, 1100 Hwy 101, P.O. Box 1936
Gibsons, BC V0N 1V0
(604) 886-9822 Fax: (604) 886-9014

Y	M	D
01	01	03

Party(ies) Signature(s)

TRONDHEIM HOLDINGS LTD. by it's
authorized signatory:

Name: TERRY KVAM
Title: PRESIDENT

Officer Certification:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

TERMS OF INSTRUMENT - PART 2

Page 2 of 3

WHEREAS

1. The Grantor is the registered owner in fee simple of the Lands herein defined;

Parcel Identifier: 010-710-981

Lot 7 (except part in explanatory plan 8044) Block 5 District Lot 842 Plan 7138

(Herein called the "Land")

2. The Grantee in the Sunshine Coast Regional District;
3. Section 219 of the Land Title Act R.S.B.C. 1996, c250 permits the registration of a covenant, whether of a negative or positive nature, in favour of the Regional District, as a charge against the title to the Lands and is enforceable against the Grantor and his successors in title even if the covenant ~~is not annexed~~ is not annexed to land owned by Regional District;
4. The Grantor desires to indemnify and save harmless the Regional District in the event of any damages or claims arising for the reasons set out hereafter with respect to the parcels located within the Lands herein described;

NOW THEREFORE in consideration of the premises and of other good and valuable consideration the receipt where is hereby acknowledged, the parties covenant and agree to and with other as follows:

1. ^{EACH} The Grantor covenants and agrees with the Regional District that:
 - (a) The Lands shall be used in accordance with the terms and conditions set out in this covenant; and
 - (b) any all buildings, structures or improvements to be placed, built or erected on the Lands shall be constructed with due regard to the potential for the land to slip, slough or subside as a result of unpredictable and uneven settlement or erosion.

- 2 -

Page 3 of 3

2. The Grantor hereby:
- (a) **INDEMNIFIES AND SAVES HARMLESS** the Regional District from and against any liabilities caused directly or indirectly; and
 - (b) **RELEASES AND FOREVER DISCHARGES** the Regional District from and against all manner of actions, causes of action, suits and demands whatsoever at law or at equity which the Grantor may at any time have;
- by reason of any damage being caused directly or indirectly by slipping, sloughing, sliding or subsidence of land due to unpredictable or uneven settlement, settlement of buildings or improvements or loss of land by erosion or other means on the Lands.
3. This Agreement runs with the Lands and enures to the benefit of and is binding on the parties hereto and their respective successors and assigns.
4. Wherever the singular or masculine are used in this Agreement, the same shall be deemed to include the plural, the feminine, the body politic or corporate as the context or the parties so require; all references to each party hereto shall include the heirs, executors, administrators, successors, assigns, officers employees or agents of the party; this Agreement shall enure to the benefit of and be binding upon the parties hereto and upon their respective successors and assigns; and if any section subsection, sentence, clause or phrase of the Agreement is for any reason held to be invalid by the decision of a Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

IN WITNESS WHEREOF the parties hereto hereby acknowledged that this agreement has been duly executed and delivered by the parties executing Form C (page 1).

END OF DOCUMENT

LAND TITLE ACT
FORM C
 (Section 181(1))

Province of
British Columbia
GENERAL INSTRUMENT - PART I

10 JAN 2005 09 13

BX300326

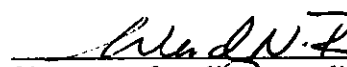
(This area for Land Title Office use)

Page 1 of 3 pages

1. APPLICATION (name, address, phone number and signature of applicant, applicant's solicitor or agent):

J. WAYNE ROWE LAW OFFICE, Barrister & Solicitor
 Post Office Box 1880 - 758 School Road,
 Gibsons, B.C., V0N 1V0
 Telephone: (604) 886-2029

DYE & DURHAM CLIENT No. 11061


 Signature of applicant, applicant's solicitor or agent

2. (a) PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND
 (PID) (Legal Description)

015-963-624 BLOCK 3 (REFERENCE PLAN 2364) DISTRICT LOT 842 GROUP 1
 NEW WESTMINSTER DISTRICT

3. NATURE OF INTEREST:* DOCUMENT REFERENCE PERSON ENTITLED TO INTEREST

DESCRIPTION	(page and paragraph)	Transferee
Section 219 Covenant	Page 2 - 3	

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms [] D.F. Number	15	05/01/10 09:13:19 04 LM	591841
(b) Express Charge Terms [X] Annexed as Part 2	CHARGE		\$64.75
(c) Release [] There is no Part 2 of this instrument			

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharges as a charge on the land described in Item 2.


5. TRANSFERORS:* TRONDHEIM HOLDINGS LTD. (INC. #228171)

6. TRANSFEREE(S): (Including, postal address(s) and postal code(s))*
 SUNSHINE COAST REGIONAL DISTRICT, Post Office Box 800, Sechelt, B.C., V0N 3A0

7. ADDITIONAL OR MODIFIED TERMS:* N/A

8. EXECUTION(S):** This instrument creates, assignee, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)


J. WAYNE ROWE
BARRISTER & SOLICITOR
 758 School Road - P.O. Box 1880
 Gibsons, B.C., V0N 1V0
 (604) 886-2029

Execution Date

Y	M	D
05	01	06

Party(ies) Signature(s)

TRONDHEIM HOLDINGS LTD.
 by its authorized signatory:


TERRY RYAM

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

TERMS OF INSTRUMENT - PART 2

Page 2 of 3 pages

THIS AGREEMENT dated the _____ day of _____ 2004.

BETWEEN: TRONDHEIM HOLDINGS LTD. (Inc. #228171)
(the "Transferors")

AND:
SUNSHINE COAST REGIONAL DISTRICT
PO Box 800
Sechelt, BC, V0N 3A0

(the "Regional District")

WHEREAS

1. The Transferor is the registered owner in fee simple of the Lands herein defined;

Parcel Identifier: 015-963-624
Legal Description: Block 3 (Reference Plan 2364) District Lot 842 Group 1 New Westminster District

(hereinafter called the **Lands**)
2. The Transferor is the Sunshine Coast Regional District;
3. Section 219 of the Land Title Act R.S.B.C. 1996, permits the registration of a covenant, whether of a negative or positive nature, in favour of the Regional District, as a charge against the title to the Lands and is enforceable against the Transferor and his successors in title even if the covenant is not annexed to land owned by the Regional District;
4. The Transferor desires to indemnify and save harmless the Regional District in the event of any damages or claims arising for the reasons set out hereafter with respect to the parcels located within the Lands herein described;

NOW THEREFORE in consideration of the premises and of other good and valuable consideration the receipt where is hereby acknowledged, the parties covenant and agree to and with each other as follows:

1. The Transferor covenants and agrees with the Regional District that:
 - (a) The Lands shall be used in accordance with the terms and conditions set out in this covenant; and
 - (b) any and all buildings, structures or improvements to be placed, built or erected on the Lands shall be constructed with due regard to the potential for the land to slip, slough or subside as a result of unpredictable and uneven settlement or erosion.

2. The Transferor hereby:

- (a) INDEMNIFIES AND SAVES HARMLESS the Regional District from and against any liabilities caused directly or indirectly; and
- (b) RELEASES AND FOREVER DISCHARGES the Regional District from and against all manner of actions, causes of action, suits and demands whatsoever at law or at equity which the Grantor may at any time have;

by reason of any damage being caused directly or indirectly by slipping, sloughing, sliding or subsidence of land due to unpredictable or uneven settlement, settlement of buildings or improvements or loss of land by erosion or other means on the Lands.

- 3. This Agreement runs with the Lands and enures to the benefit of and is binding on the parties hereto and their respective successors and assigns.
- 4. Wherever the singular or masculine are used in this Agreement, the same shall be deemed to include the plural, the feminine, the body politic or corporate as the context or the parties so require; all references to each party hereto shall include the heirs, executors, administrators, successors, assigns, officers employees or agents of that party; this Agreement shall enure to the benefit of and be binding upon the parties hereto and upon their respective successors and assigns; and if any section, subsection, sentence, clause or phrase of the Agreement is for any reason held to be invalid by the decision of a Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

IN WITNESS WHEREOF the parties hereto hereby acknowledge that this agreement has been duly executed and delivered by the parties executing Form C (page 1) attached hereto.

END OF DOCUMENT

Land Title Act
Form C
(Section 219.81)
Province of
British Columbia

19 AUG 2003 09 42

BV325884

GENERAL INSTRUMENT - PART I

(This area for Land Title Office use)

Page 1 of 12 pages

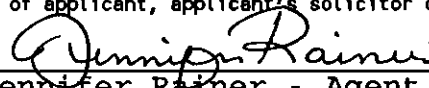
1. Application: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

RUSSELL F. CRUM LAW OFFICE

#100 - 938 Gibsons Way

Gibsons, B.C. V0N 1V7

LTO Client #11558


Jennifer Rainer - Agent, West Coast

604-886-0004 (Kvam)

Client # 10350

2. Parcel Identifier(s) and Legal Description(s) of Land:*

(PID)

(Legal Description)

See Schedule

15 03/08/19 09:42:33 04 LM 480072
CHARGE \$55.00

3. Nature of Interest:*

Description

Section 219

Covenant

Document Reference

(page and paragraph)

Entire Document

Person Entitled to Interest

Transferee

4. Terms: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms ☐(b) Express Charge Terms ☒(c) Release ☐

D.F. Number:

Annexed as Part 2

There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.
If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. Transferor(s):*

TRONDHEIM HOLDINGS LTD. (Inc. No. 228171), Box 1249, Gibsons,
B.C. V0N 1V0

6. Transferee(s): (including occupation(s), postal address(es) and postal code(s))*

See Schedule

7. Additional or Modified Terms:

N/A

8. Execution(s):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)


RUSSELL F. CRUM

Barrister & Solicitor

938 GIBSONS WAY, UNIT 100

GIBSONS, BC, V0N 1V7

(604) 886-0004

Execution Date

Y	M	D
03	06	11

Party(ies) Signature(s)

TRONDHEIM HOLDINGS LTD. by
its authorized signatory:
TERRY KVAM

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space insufficient, continue executions on additional page(s) in Form D.

Copyright ExperText Systems BC Inc. April 1992

Land Title Act
Form D

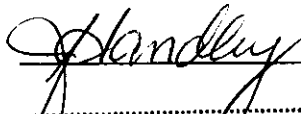
EXECUTIONS CONTINUED

Page 2

Execution Date

Officer Signature(s)

Y M D

Transferor/Borrower/Party
Signature(s)


JUDY HANDLEY: Commissioner for
taking Affidavits for British Columbia
10470 - 152 Street
Surrey, BC V3R 0Y3

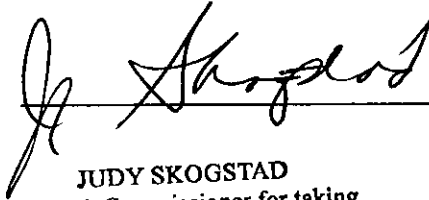
03 05

03 06 23

HER MAJESTY THE QUEEN IN
RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA as
represented by the Minister
of Water, Land and Air
Protection, by its authorized
signatory:



John R. Pattle, P.Eng.
A/Head, Engineering Section



JUDY SKOGSTAD
A Commissioner for taking
Affidavits for British Columbia
P.O. Box 800, 5477 Wharf Road
Sechelt, B.C. V0N 3A0
(604) 885-2261

03 05

Sunshine Coast Regional District
~~HER MAJESTY THE QUEEN IN~~
~~RIGHT OF THE PROVINCE OF~~
~~BRITISH COLUMBIA~~ by its
authorized signatory:



Ed Steeves
Wynne Holmes

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM E****SCHEDULE**

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE
INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE
FORM OR GENERAL DOCUMENT FORM.

2. Parcel Identifier(s) and Legal Descriptions(s) of Land:*
- (PID) (Legal Description)

NO PID Lot 2, District Lot 842, Group 1 NWD, Plan BCP 6827.

NO PID Lot 4, District Lot 842, Group 1 NWD, Plan BCP 6827.

NO PID Lot 5, District Lot 842, Group 1 NWD, Plan BCP 6827.

6. Transferee(s): (including occupation(s), postal address(es) and postal code(s))*

HER MAJESTY THE QUEEN IN RIGHT OF PROVINCE OF BRITISH COLUMBIA
represented by the Minister of Water, Land and Air Protection, Parliament Buildings, Victoria, British
Columbia, V8V 1X5, and

SUNSHINE COAST REGIONAL DISTRICT, 5477 Wharf Road, Box 800, Sechelt, British
Columbia, V0N 3A0.

~~END OF DOCUMENT~~

TERMS OF INSTRUMENT – PART 2

THIS AGREEMENT made this _____ day of June, 2003.

BETWEEN: TRONDHEIM HOLDINGS LTD. (Incorporation No. 228171)
A company duly incorporated under the laws of the Province of
British Columbia and having an address at P.O. Box 1249,
Gibsons, B.C. V0N 1V0.

(hereinafter called the "Grantor")

OF THE FIRST PART

**AND: HER MAJESTY THE QUEEN IN RIGHT OF THE
PROVINCE OF BRITISH COLUMBIA** represented by
the Minister of Water, Land and Air Protection, Parliament
Buildings, Victoria, British Columbia, V8V 1X5

(hereinafter called the "First Grantee")

OF THE SECOND PART

AND: SUNSHINE COAST REGIONAL DISTRICT
5477 Wharf Road, Box 800
Sechelt, B.C. V0N 3A0

(hereinafter called the "Second Grantee")

OF THE THIRD PART

WHEREAS the Grantor is the registered owner in fee simple of the following
lands in the Province of British Columbia, more particularly known and described as:

Parcel Identifier: 010-710-981
Lots 7, Except part in Explanatory Plan 8044
Block 5
District Lot 842
Plan 7138

(hereinafter called the "Lands")

AND WHEREAS the Grantor proposes to subdivide the Lands, according to a plan of subdivision completed and certified correct on the 19th day of August, 2002, by Larry W. Penonzek, British Columbia Land Surveyor, a reduced copy of which is attached hereto as Schedule "A", into the following lots:

Lots 2, 4 and 5
District Lot 842
Group 1 NWD
Plan BCP 6827
(hereinafter called the "Lots");

AND WHEREAS and unnamed Creek (commonly known as Seaward Creek) runs through a portion of the Lands shown within the heavily outlined area on the Plan prepared by Larry W. Penonzek, B.C.L.S. dated for reference January 30, 2003, a reduced true copy of which is attached hereto as Schedule "B" to this agreement (the "Covenant Area").

AND WHEREAS a covenant under section 219 of the *Land Title Act* is required as a condition of the consent to approval of the subdivision of the Lands by the Minister of Water, Land and Air Protection, under section 82 of the *Land Title Act*;

AND WHEREAS section 219 of the *Land Title Act* provides that there may be registered as a charge against the title to any land a covenant in favour of the First Grantee and a municipality that land is to be used in a particular manner or that land is not to be subdivided except in accordance with the covenant;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of ONE (\$1.00) DOLLAR of lawful money of Canada and other good valuable consideration paid by the First and Second Grantees to the Grantor, the receipt of which is hereby acknowledged, the Grantor does hereby covenant and agree with the First and Second Grantees under section 219 of the *Land Title Act* of the Province of British Columbia as follows:

1. The Grantor is aware of and, on behalf of himself and his heirs, executors, administrators, successors and assigns, hereby acknowledges that there is a potential flood danger to the Lots.

2. The Grantor, on behalf of himself and his heirs, executors, administrators, successors and assigns, hereby covenants and agrees with each of the First Grantee and Second Grantee, as a covenant in favour of each of the First Grantee and Second Grantee pursuant to section 219 of the *Land Title Act*, it being the intention and agreement of the Grantor that the provisions hereof be annexed to and run with and be a charge upon the Lots, that from and after the date hereof:
- a) No building, mobile home or unit, or modular home shall be constructed, reconstructed, moved, extended or located within FIFTEEN (15) metres from the edge of Seaward Creek, shown ~~outside~~ ^{inside} the heavily outlined area on Schedule "B". *for* *in*
3. The Grantor, on behalf of himself and his heirs, executors, administrators, successors and assigns, acknowledges that the First and Second Grantees do not represent to the Grantor, nor to any other person that any building, modular home, mobile home or unit, improvement, chattel or other structure, including the contents of any of them, built, constructed or placed on the Lots will not be damaged by flooding or erosion and the Grantor, on behalf of himself and his heirs, executors, administrators, successors and assigns, with full knowledge of the potential flood or erosion danger and in consideration of the approvals given by the First Grantee hereby:
- a) agrees to indemnify and to save harmless the First and Second Grantees and their employees, servants or agents from all loss, damage, costs, actions, suits, debts, accounts, claims and demands which the First and Second Grantees or any of their employees, servants or agents, may suffer or incur or be put to arising out of or in connection with any breach of any covenant or agreement on the part of the Grantor or his heirs, executors, administrators, successors and assigns contained in this Agreement or arising out of or in connection with any personal injury, death or loss or damage to the Lots, or to any building, modular home, mobile home or unit, improvement, chattel or other structure, including the contents of any of them, built, constructed or placed on the Lots caused by flooding, erosion or some such similar cause; and

- b) does remise, release and forever discharge the First and Second Grantees and their employees, servants or agents from all manner of actions, cause of actions, suits, debts, accounts, covenants, contracts, claims and demands which the Grantor or any of his heirs, executors, administrators, successors and assigns may have against the First and Second Grantees and their employees, servants or agents for and by reason of any personal injury, death or loss or damage to the Lots, or to any building, modular home, mobile home or unit, improvement, chattel or other structure, including the contents of any of them, built, constructed or placed on the Lots, caused by flooding, erosion or some such similar cause.
5. Subject to the provisions of section 219 of the *Land Title Act*, the Grantor's covenants contained in this Agreement shall burden and run with the Lots and shall enure to the benefit of and be binding upon the Grantor, his heirs, executors, administrators, successors and assigns and the First and Second Grantees and their assigns.
6. Nothing in this Agreement shall prejudice or effect the rights, powers and remedies of the First and Second Grantees in relations to the Grantor, including his heirs, executors, administrators, successors and assigns, or the Lots under any law, bylaw, order or regulation or in equity all of which rights, powers and remedies may be fully and effectively exercised by the First and Second Grantees as if this Agreement had not been made by the parties.
7. The Grantor will do or cause to be done at his expense all acts reasonably necessary for the First and Second Grantees to gain priority for this Agreement over all liens, charges and encumbrances which are or may be registered against the Lots save and except those in favour of the First and Second Grantees and those specifically approved in writing by the First and Second Grantees.

8. The parties agree that this Agreement shall not be modified or discharged except in accordance with the provisions of section 219(9) of the *Land Title Act*.
9. The Grantor shall do or cause to be done all things and execute or cause to be executed all documents and give such further and other assurance which may be reasonably necessary to give proper effect to the intent of this Agreement.
10.
 - a) The Grantor or any of his heirs, executors, administrators, successors and assigns, as the case may be, shall give written notice of this Agreement to any person to whom he proposes to dispose of one of the Lots, which notice shall be received by that person prior to such disposition.
 - b) For the purposes of this paragraph the word "dispose" shall have the meaning given to it under section 29 of the *Interpretation Act*, R.S.B.C. 1996, c.238.
11. Whenever the singular or masculine or neuter is used herein, the same shall be construed as including the plural, feminine, body corporate or politic unless the context requires otherwise.
12. If any section or any part of this Agreement is found to be illegal or unenforceable, then such sections or parts shall be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, shall be unaffected thereby and shall remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.
13. This agreement shall be interpreted according to the laws of the Province of British Columbia.

Page 9 of 12

14. Where there is a reference to an enactment of the Province of British Columbia in this agreement, that reference shall include a reference to any subsequent enactment of the Province of British Columbia of like effect, and unless the context otherwise requires, all statutes referred to herein are enactments of the Province of British Columbia.
15. Every reference to the Minister of Water, Land and Air Protection, in this Agreement shall include the Minister of Water, Land and Air Protection, the Deputy Minister of Water, Land and Air Protection and any person designated by either of them to act for or on their respective behalf with respect to any of the provisions of this Agreement.

IN WITNESS WHEREOF the parties hereto have executed this Agreement on the day and year first above written.

SIGNED, by the Grantor

The Corporate Seal of
TRONDHEIM HOLDINGS LTD.
was hereunto affixed in the presence of:


TERRY KVAM

SIGNED, on behalf of HER MAJESTY)
 THE QUEEN IN RIGHT OF THE)
 PROVINCE OF BRITISH COLUMBIA)
 as represented by the Minister of Water,)
 Land and Air Protection in the presence of:)

Witness)

JUDY HANDLEY: Commissioner for)
 taking Affidavits for British Columbia)
 10470 - 152 Street)
 Address RG V3R 0Y3)

Title or Occupation)


 Minister of Water, Land and Air
 or his/her duly authorized designate.

John R. Pattle, P.Eng.
 A/Head, Engineering Section

SIGNED, on behalf of the SUNSHINE)
 COAST REGIONAL DISTRICT in the)
 presence of:)

Witness)

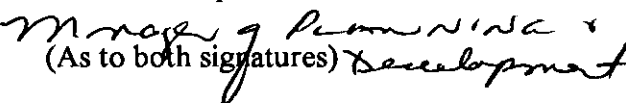
JUDY SKOGSTAD)
 A Commissioner for taking)
 Affidavits for British Columbia)
 P.O. Box 800, 5477 Wharf Road)
 Address Sechelt, B.C. V0N 3A0)
 (604) 885-2261)

Title or Occupation)

SUNSHINE COAST REGIONAL)
 DISTRICT by its authorized)
 signatories:)

Name: Ed Steves Chair

Name: Douglas Holmes CAO/Secretary


 (As to both signatures) Development

This is the instrument creating the condition or covenant entered in to under section 219
 of the *Land Title Act* by the registered owner(s) referred to herein and shown on the print
 of the plan annexed hereto and initialed by me.


 Approving Officer, Ministry of Transportation

SCHEDULE "A"

Page 11 of 12

**SUBDIVISION PLAN OF LOT 7, EXCEPT PART IN EXPLANATORY
PLAN 8044, BLOCK 5, DL 842, GROUP 1, NWD, PLAN 7138.**

PLAN BCP

SCALE: 1:750
METERS

B.C.G.S. 926 . 033

THIS PLAN IS IN ACCORD WITH THE SURVEY ACT, BRITISH COLUMBIA.

Deposited in the Land Title Office
at New Westminster, B.C., this
day of _____ 2003

Register

Approved under the Land Title Act, this
day of _____ 2003.

Approving officer - Ministry of Transportation

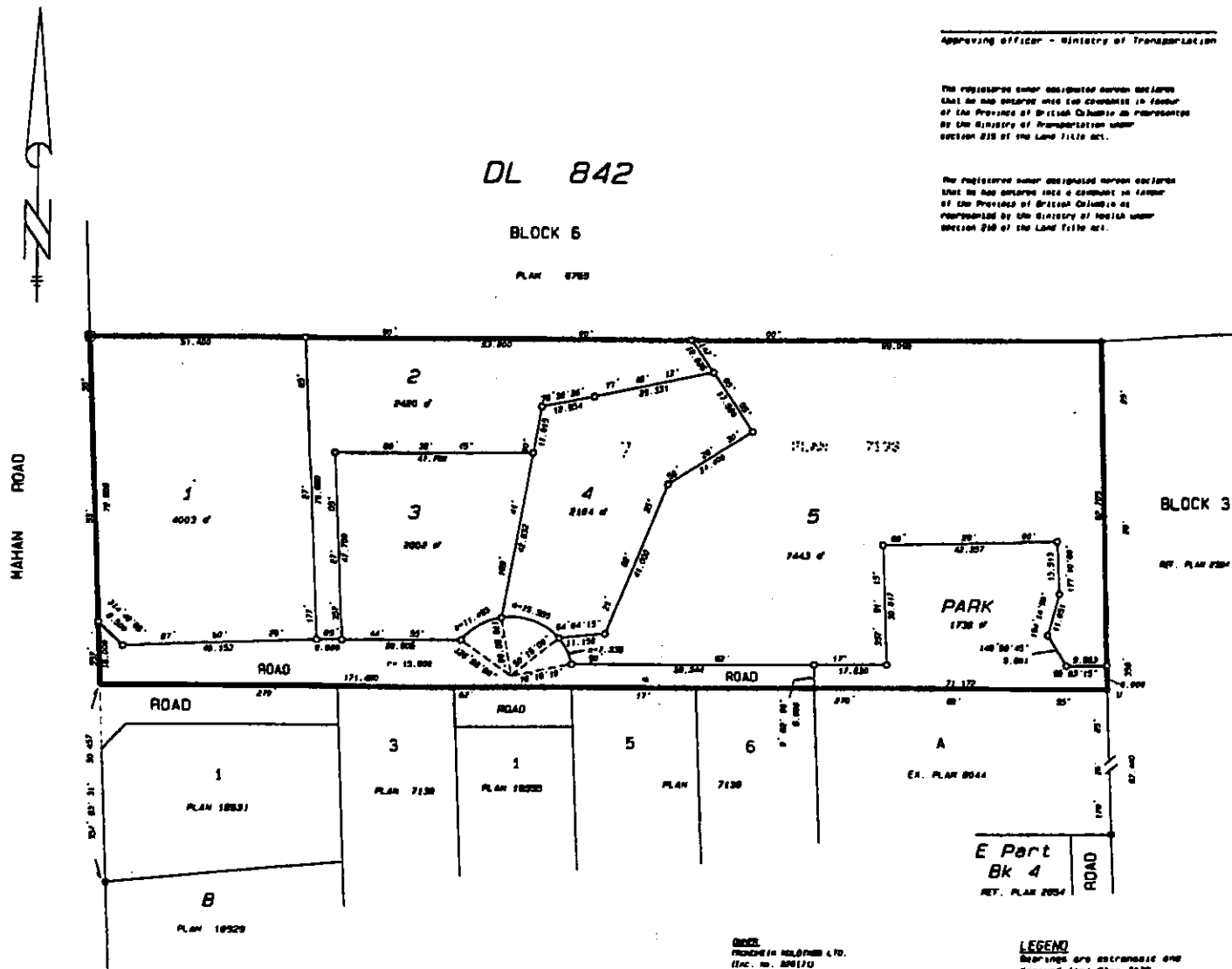
The registered owner designated herein declares
that he has entered into a contract in favour
of the Province of British Columbia as represented
by the Ministry of Transportation under
section 218 of the Land Title Act.

The registered owner designated herein declares
that he has entered into a contract in favour
of the Province of British Columbia as
represented by the Ministry of Health under
section 218 of the Land Title Act.

DL 842

BLOCK 6

PLAN 8788



The registered owner designated herein declares that
he has entered into the contract in favour of the
Province of British Columbia as represented by the
Ministry of Health, Land and Air Protection under
section 218 of the Land Title Act.

Approved under section 82 of the Land Title Act,
this day of _____ 2003.

LARRY M. PEDONER
B.C. LAND SURVEYOR
404 303 BIRDSON B.C.
VAN 1V0 P. 606-2563
Phone 604-606-2531

Ministry of Health, Land and Air Protection
or the duly authorized designee.

DEED
FRANCIS HOLDINGS LTD.
(INC. NO. 880170)

Authorized signatory - TERRY CHAN

Witness

Name of witness

Address of witness

Occupation of witness

LEGEND

Boundaries are astronomic and
derived from Plan 7138.
All distances are in metres.
■ Non standard found iron nail found.
○ Standard iron nail found.
□ Standard iron nail set
of standard square centre
U denotes unregistered

I, L. M. Pedoner, a British Columbia Land
Surveyor, at the Town of Sidney, in the
Province of British Columbia, certify that
I am a duly qualified and duly registered
surveyor and that the survey and plan are correct. The survey
was completed on the 20th day of August, 2003.

L. M. Pedoner B.C.L.S.

13805 - 1563

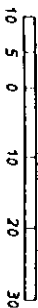
SCHEDULE "B"

REFERENCE PLAN OF PART OF LOTS 2, 4 AND 5,
DL 842, GROUP 1, NWD, PLAN BCP

PLAN BCP

PURSUANT TO SECTION 219, LAND TITLE ACT.

SCALE: 1:750 — metres



BCGS 926.033

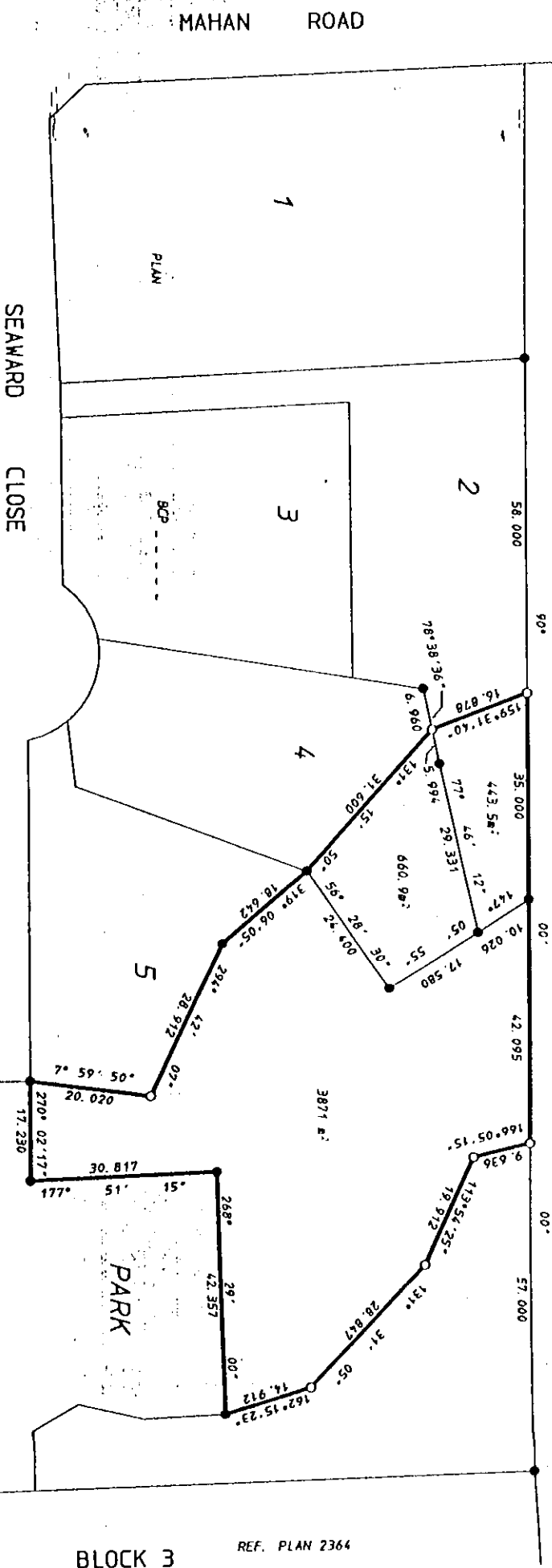
DL 842

This plan lies within the Sunshine Coast Regional District.

BLOCK 6 PLAN 6755

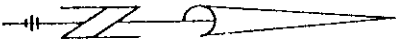
Registrar

Deposited in the Land Title Office
at New Westminster, B.C., this
day of 2003.



BLOCK 3

REF. PLAN 2364



END OF DOCUMENT

Larry W. Penontek
B.C. Land Surveyor
Box 505 Gibsons, B.C.
V0M 1V0 Pk. B86-2553
Phone 604-886-2531

LEGEND
Bearings are astronomic and
derived from Plan BCP.
All distances are in metres.
● standard iron post found.
○ standard iron post set.
a² denotes square metres


I, L.W. Penontek, a British Columbia Land
Surveyor, of the Town of Gibsons, in the
Province of British Columbia, certify that
I was present at and personally supervised
the survey represented by this plan, and that
the survey and plan are correct. The survey
was completed on the 30th day of January, 2003.

L.W. Penontek
L.W. Penontek B.C.L.S.
13692CV2 - 1503


**AREA F:
WEST HOWE SOUND**

TOWN OF GIBSONS

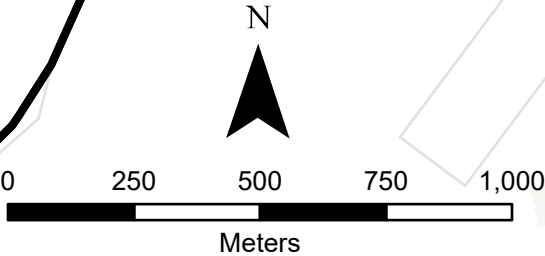
**AREA E:
ELPHINSTONE**

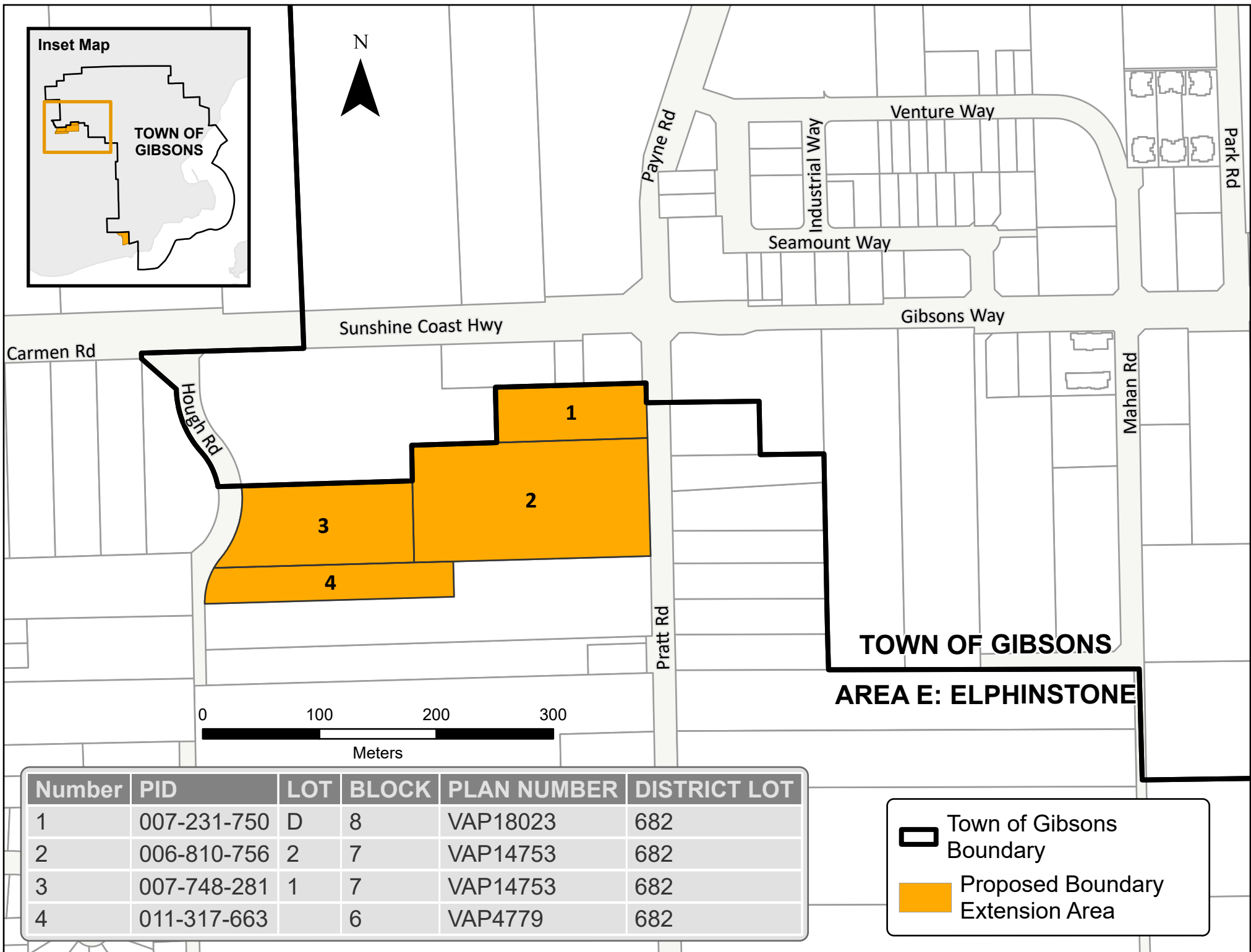


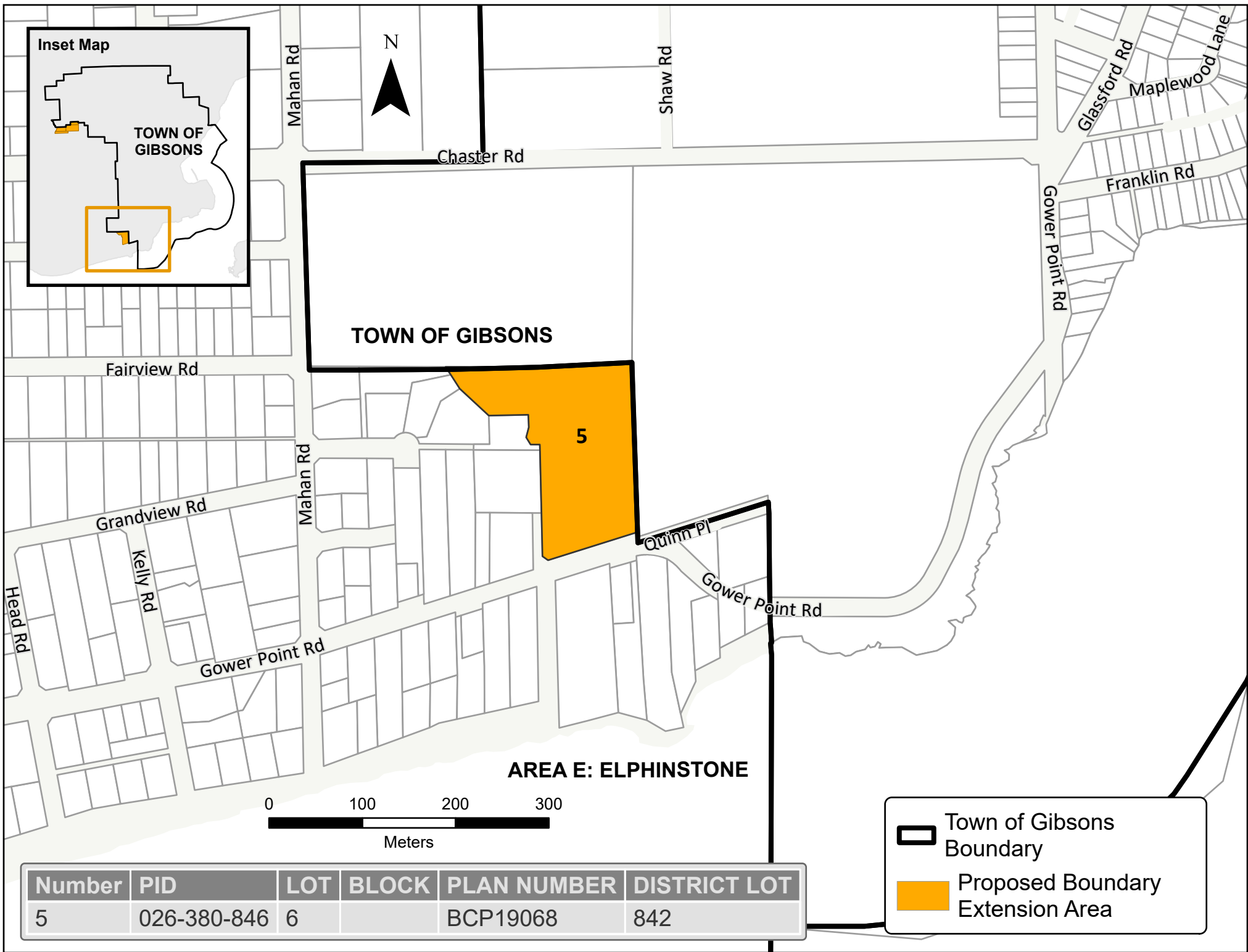
Town of Gibsons
Boundary



Proposed Boundary
Extension Area







Number	PID	LOT	BLOCK	PLAN NUMBER	DISTRICT LOT
5	026-380-846	6		BCP19068	842