

DP-21-18 Schedule 'A'

Adherence to Development Plans:

- No further or variance in construction of, addition to or alteration of a building or structure; or alteration or clearing of land is to occur within the Development Permit Areas as outlined in the Ellison Official Community Plan Bylaw No. 1124 without prior notification and approval by RDCO; other than that recognized and approved in this Development Permit.
- No further buildings, structures or improvements of any kind shall be constructed nor located within the 15m setback from the natural boundary of Scotty Creek, Rockface Creek, and its tributaries. Any works proposed within the 15m setback may require approvals from the Province in accordance with the *Riparian Areas Protection Regulation*. And further, there shall be no removal or disturbance of any soil, vegetation, or trees (with the exception of noxious weeds) from within the 30 m setback area without first obtaining the written consent of the RDCO.
- Further modifications including changes in and about a stream, construction/alteration of culverts, retaining walls, and substrate modification must not occur at any time without further environmental assessment being conducted and appropriate approvals received from the Province in accordance with the *BC Water Sustainability Act* (Section 11).
- Development Permit (DP-21-18) has been issued exclusively for works associated with the proposed residential development of Sunset Ranch (Phase 4.3, 4.4, 6.1, 6.2, & 6.3) as well as associated environmental monitoring and habitat restoration works.

Adherence to Professional Reports:

- All construction, mitigation, and restoration activities must be completed as per the August 31, 2021 Stormwater Runoff Strategy prepared by Watson & Burns Consulting, the February 6, 2022 Stormwater Management Report & Culvert Design Brief prepared by Alpine Consultants Ltd., the February 2, 2022 Phasing Plan prepared by Alpine Consultants Ltd., the October 18, 2021 Geotechnical Investigation Reports prepared by Geopacific Consultants Ltd., and the March 2022 Environmental Assessment and Environmental Management Plan prepared by Ecoscape Environmental Consultants Ltd.

Monitoring:

- The land owner shall obtain the services of an Environmental Monitor and Registered Professional Engineer to ensure the recommendations of the Development Permit are implemented and in accordance with the following schedule and conditions:
 - Pre-construction meeting with the contractor, owner, Engineer(s), and Environmental Monitor;
 - On-going communication and notification required between contractors and applicable Registered Professional Engineers to monitor construction, assess drainage, erosion and sediment control works, and stability of slopes throughout development;
 - Submit monthly monitoring reports to RDCO, or as indicated by the Qualified Professionals;
 - Prepare a substantial completion report and submit to RDCO upon completion of construction and restoration works indicating substantial completion of the conditions and requirements of the Development Permit have been carried out; and,
 - In the event that greater disturbance occurs due to unforeseen circumstances, the Environmental Monitor will recommend further measures to protect/restore the natural integrity of the site and report on these measures to the RDCO.

Security:

- The applicant shall post a letter of credit or bank draft in the amount of \$59,225.00 in order to ensure completion of works and associated remediation landscaping within 1 year of the issuance of the Development Permit.

- Ninety per cent (90%) of this amount is refundable upon completion of said works and receipt of a substantial completion report signed by a registered professional, and to the satisfaction of Regional District Community Services staff.
- The remainder of the bond shall be held for a minimum of two (2) years (growing seasons) to ensure that the required mitigation has been fully implemented and demonstrated to function (ecologically or as designed). The maintenance bond may be held for longer periods if, throughout the initial 2-year period the persistent failure of the works is documented.

Further Conditions or Restrictions:

- The landowner/applicant must apply for and receive a building permit to the satisfaction of the RDCO Building Inspection Services.
- The landowner/applicant must apply for and receive the appropriate approvals from the Province of BC in accordance with the BC *Water Sustainability Act* (Section 11).
- The property owner is responsible for complying with the conditions outlined in all covenants, easements, and statutory right of ways registered on title.
- Registration of a Section 219 no-build / no disturb covenant for the proposed environmental covenant areas as shown on Figure 2 of the March 2022 Environmental Assessment prepared by Ecoscape Environmental Consultants Ltd.
- Registration of an amended Section 219 'non-disturbance zone' as shown on a portion of Plan KAP72370 by removing the two sections (0.177ha & 0.410ha) from the plan.
- The property owner is responsible for all costs associated with covenant amendments and registration including legal fees and land surveyor fees.
- The riparian setbacks, covenant areas, and Sunset Ranch Park boundaries must be surveyed by a legal land surveyor, staked, and clearly delineated to prevent encroachment.
- Prior to any disturbance on site, the contractor is required to install silt fencing around the development footprint adjacent to the riparian area and park to provide erosion and sediment control.
- Construction debris and materials must not be stored or deposited within the riparian setbacks, covenant areas, or Sunset Ranch Park and must be removed from the property on a regular basis.
- Geopacific Consultants Ltd. must be retained at time of site stripping, subgrade works, compaction of engineered fills, slab on grade review, pavement structure placement, excavation works, and review of retaining wall construction to ensure that the structural considerations of soil, including slope stability, site drainage, and erosion and sediment control will be supervised and approved by the Engineer.
- A detailed restoration plan must be prepared by a qualified professional and submitted to and approved by the RDCO prior to commencement of any restoration works.
- Should clearing activities be required during the identified avian nesting period (March 9 – September 12), pre-clearing surveys must be conducted by the EM to identify active nests and other critical habitat features. Clearing and other construction activities must be conducted within 72 hours following the completion of the pre-clearing nest surveys. Additional buffers and no-disturbance zones may be required at this time.
- In accordance with the RDCO Noxious Weed Control Bylaw No. 179, the owner or occupier of the land shall prevent the infestation of noxious weeds and cut down or otherwise destroy and mulch or remove all noxious weeds and plant with native grasses or other native vegetation.
- A retaining wall must not exceed a maximum of 2.5 m (8.2 ft.) in height. Any retaining wall greater than 2.5m requires a Development Variance Permit application and approvals from the Regional Board. Any retaining wall 1.5 m (4.9 ft.) or greater requires engineering and a building permit.