



## ***Toth and Associates Environmental Services***

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September 21, 2015

**Alan Steeves**

0766010 BC Ltd.

Unit #2B – 3411, Shenton Road

Nanaimo, B.C. V9T 2H1

**Re: Assessment of proposed re-alignment of an unnamed seasonal watercourse on 527 Ninth Street, Nanaimo**

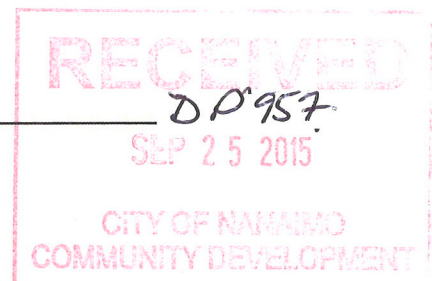
I, Steve Toth, AScT, R.P.Bio (Toth and Associates Environmental Services) conducted a watercourse survey of 527 Ninth Street, Nanaimo for a proposed subdivision development on July 21, 2015 and March 17, 2015.

A small watercourse originating from two ponds off the property near the Nanaimo Parkway, as well as run-off from the Nanaimo Parkway and a small natural catchment area upstream of the Parkway runs through 527 Ninth Street to a ditch along Ninth Street. The ditch along Ninth Street runs to a 750mm storm drain on the west side of Bruce Avenue. The storm drain system discharges to an open ditch along Stirling Avenue 995m downstream of the property which discharges to the Chase River.

The watercourse on 527 Ninth Street is not an assessable watercourse under the *Riparian Areas Regulation* (RAR) due to a lack of surface water connection with downstream fish-bearing waters. The City of Nanaimo's mapping shows a 7.5m setback requirement for the stream.

The proposed development plan includes realignment of the watercourse (Figure 1). The watercourse through the property consists of a winter drainage channel with consistent channel widths of 0.3 – 0.7 m (Photographs 1 - 2). The downstream end of the channel is ditched along an overgrown roadway, and the remainder of the drainage on the property is relatively unnoticeable (Photograph 3) except in the winter when the drainage has surface flows. The channel is heavily matted with English ivy and provides little in the way of wildlife habitat.

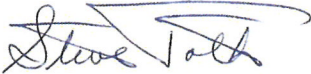
The development plan indicates that the drainage channel will be relocated northerly to a 15.0 m wide leave strip and will be meandered to avoid requiring removal of trees where possible. The finished result will result in an enhanced section of the drainage channel and a marked improvement over the current conditions.



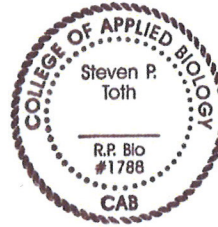
Under the provincial *Water Act* a stream includes “a natural watercourse or source of water supply, whether usually containing water or not, and a lake, river, creek, spring, ravine, swamp and gulch”. It is likely that despite its low values and seasonal nature the Ministry of Environment will require at least a *Water Act* Section 9 Notification, and possibly an Approval for the proposed channel relocation.

Please contact us if you require any additional information.

Sincerely,  
Steve Toth, AScT, R.P.Bio.



**Toth and Associates Environmental Services**



Photograph 1. March 17, 2015. View of drainage channel through 527 Ninth Street.



Photograph 2. March 17, 2015. View of drainage channel under walking trail.



Photograph 3. July 21, 2015. View of drainage channel in summer.

Figure 1. View of existing channel location, and proposed channel re-alignment location

