

Attachment 3
Applicant's Submission

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Kristy Marks

From: Darren Moss <[REDACTED]>
Sent: Friday, July 1, 2022 12:38 PM
To: Lisa Grant; Kristy Marks
Cc: Cynthia Dyer
Subject: 0294-001_Discover Covenant Amendment Background

Follow Up Flag: Follow up
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 **EXTERNAL** Verify links before clicking.

Hello Lisa/Kristy,

In case it is helpful as you prepare the report for the Board's consideration, below is some text around the background leading up to current requested adjustment.

"When the original covenant was prepared, it was assumed by all parties that a water license for a new well would be relatively straight forward. In mid-June 2022, years into the process, the Ministry of FLNR indicated that they have significant concerns about the aquifer' stability and that if they were willing to issue a new license First Nation consultation will be required prior to any license issuance. We are currently waiting for the Ministry's technical memo in response to our application and updated reports, however given the Ministry's concern for the aquifer and Discover Montessori's role as an environmental steward, we have adjusted our water supply system to rely on rainwater collection and delivered water. We do have source approval from Island Health that approves rainwater and delivered water as appropriate water sources for the school.

Unfortunately, this was an unforeseen twist in the road and the wording of covenant CA9920305 explicitly requires the water license for a new well prior to issuance of building permit, and does not contemplate alternate means of providing water to the school. We are working with RDN staff to prepare the necessary reports to substantiate the change from well to delivered water, however, due to the late development of this challenge, we do not have time to wait for our building permit issuance once this adjustment is reviewed by the RDN Board in September as our new school needs to be open to students before December 31 , 2022 or Discover Montessori will be forced to close its doors. It is our understanding that all technical documents have been reviewed and the permit is ready to issue once this covenant is satisfied. After discussions with RDN staff, we are requesting that the Board expedite an amendment to covenant CA9920305 section 2.11 from referencing "prior to the issuance of building permit" to reference "prior to final inspection" to enable staff to issue the building permit while we work on the more technical amendment to change the water source from a well to rainwater collection & delivered water."

Please do not hesitate to reach out if I can be of any assistance as you prepare the report.

Thank you,

Darren

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