

Subject Property: 1055 Island Highway West

Proposal Description: The applicant proposes to subdivide the subject property into 13 parcels between 701 m² and 1278 m² in area – see attached proposed plan of subdivision. The applicant is proposing to provide 5% cash-in-lieu of park land. The subject property is a waterfront parcel located in French Creek near the French Creek Marina and is immediately south of the Lee Road Community Park and Trail. The Electoral Area G Official Community Plan (OCP) contains policies that support the protection of existing beach accesses and identify a need for additional beach access, access to water and linear walking trails. Section 6 Enhancing and Maintaining Park Land, Green Space, and Natural Areas of the OCP notes that the RDN may consider accepting park land at the time of subdivision where there is an opportunity to meet preferred park criteria outlined in that section. In addition, Section 6.4 contains policies regarding the acquisition of park land where there is an opportunity for park dedication to meet one or more of a list of preferred park criteria including the land improves access to water – see attached OCP excerpt for additional policies.

In addition, to the policies noted in the paragraph above, the OCP also identifies the following policies, which are consistent with the requirements for the provision of park land or payment outlined in the Local Government Act (LGA).

6.4 Acquisition of Park land, Green Space, and Natural Areas

Policies:

Pursuant to the ***Local Government Act***, at the time of subdivision, the Regional District shall determine whether the owner of land being subdivided shall:

- a. Provide, without compensation, useable park land equivalent to 5% of the parcel size and in a location acceptable to the RDN; or
- b. Pay to the Regional District an amount that equals 5% of the market value of all of the land being subdivided; or
- c. Provide a combination of land and cash to the satisfaction of the Regional Board.

Section 510 of the LGA reads as follows:

Requirement for provision of park land or payment for parks purposes

510 (1) Subject to this section and section 516 (3) (h) and (4) [*phased development agreement rules*], an owner of land being subdivided must, at the owner's option,

- (a) provide, without compensation, park land of an amount and in a location acceptable to the local government, or
- (b) pay to the municipality or regional district an amount that equals the market value of the land that may be required for park land purposes under this section as determined under subsection (6) of this section.

(2) Despite subsection (1),

- (a) if a regional district does not provide a community parks service, the option under subsection (1) (b) does not apply and the owner must provide land in accordance with subsection (1) (a), and
- (b) subject to paragraph (a), if an official community plan contains policies and designations respecting the location and type of future parks, the local government may determine whether the owner must provide land under subsection (1) (a) or money under subsection (1) (b).

LEE ROAD

C.P.

STRATA LOT C
STRATA PLAN VS5828

PARK

STRAIT OF GEORGIA

REM 2
PLAN 9203

ROAD

ROAD

WEST ISLAND HIGHWAY

ROAD

A
PLAN 46006

This Plan has been prepared for an Application for Subdivision only. It is not to be interpreted that Final Approvals have, or will, be Granted by Approval Agencies.

JEA JE ANDERSON & ASSOCIATES

SURVEYORS AND ENGINEERS
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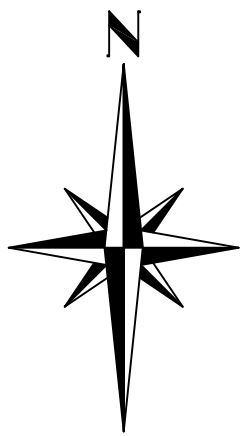
PROPOSED SUBDIVISION

LOT 3, DISTRICT LOT 29,
NANOOSE DISTRICT, PLAN 8209

PID 005-485-525

PREPARED FOR
BALLARD FINE HOMES / 1170616 BC Ltd

OUR FILE : 61180-3-1 REVISION :



SUMMARY OF AREAS OF LOTS WITHIN DEVELOPMENT PERMIT AREA			
Lot #	Total Lot Area	Area Exclusive of DP Line	Building Envelope
1	1022 sq.m.	760 sq.m.	320 sq.m.
2	1029 sq.m.	762 sq.m.	328 sq.m.
3	1013 sq.m.	742 sq.m.	279 sq.m.
4	1278 sq.m.	997 sq.m.	347 sq.m.

ELEVATIONS:

Orthometric Elevations are to CGVD28BC Geodetic Datum and are derived from Dual Frequency GNSS ties to the Nanoose Bay Active Control Station GCM 816868.

LEGAL NOTATIONS:

Permit under the L.G.A. - ET43570
E & N Railway Exceptions and Reservations - M76300
Covenant - EF26206 - R.D.N.

All Dimensions are in Metres and decimals thereof

The Intended Scale of this Plan is 1:500
when plotted on a 432 mm x 560 mm (17"x22") Sheet

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This Plan has been Prepared in Accordance with the Professional Reference Manual and is Certified Correct this 5 th Day of March, 2019.

[Signature]
This document is not valid unless digitally signed.

