



**ALBERNI-CLAYOQUOT
REGIONAL DISTRICT**

Sproat Lake Advisory Planning Commission Meeting

Tuesday, February 17, 2026

Zoom/Board Room (Hybrid) – 3008 Fifth Avenue, Port Alberni, BC

7:00 pm

Regular Agenda

Watch the meeting live at: <https://www.acrd.bc.ca/events/17-2-2026/>

Register to participate via Zoom Webinar at:

https://acrd-bc-ca.zoom.us/webinar/register/WN_fgZwfrRATJKkwil9ysTpfA

1. CALL TO ORDER

Recognition of Territories.

Notice to attendees and delegates that this meeting is being recorded and livestreamed to YouTube on the Regional District Website.

2. APPROVAL OF AGENDA

(motion to approve, including late items requires 2/3 majority vote)

3. DECLARATIONS

(conflict of interest)

4. MINUTES

a. Sproat Lake Advisory Planning Commission Meeting held November 24, 2025

THAT the minutes of the Sproat Lake Advisory Planning Commission meeting held on November 24, 2025 be adopted.

5. CORRESPONDENCE

6. PLANNING APPLICATIONS

- a. DVD26001 – 10170 Kyunim Road (Debruyne & Rehill, Agent: Smitty Construction)
- b. TUP25013 – 10411 Marina Vista Drive (Saywell Developments Ltd.)
- c. MISC25003 – 10412 Lakeshore Road (1257819 BC Ltd)

d. RD25005 – 10203 Woodslee Loop (Warren)

7. **LATE BUSINESS**

8. **ADJOURN**



Alberni-Clayoquot Regional District

MINUTES OF THE SPROAT LAKE ADVISORY PLANNING COMMISSION MEETING HELD ON MONDAY, NOVEMBER 24, 2025

7:00 PM

Hybrid - Zoom/Board Room, 3008 Fifth Avenue, Port Alberni, BC

MEMBERS

PRESENT: Roberta Jensen (Chairperson)
Joann Bessler
Geo Monrufet

REGRETS: Walter Konkin
Mark Molander
Mark Marley
Ken Watts
Len Watts
Sheri Gerigk

OTHERS PRESENT: Penny Cote, Director, Electoral Area "D" (Sproat Lake)
Rene Lacoursiere, Alternate Director

STAFF PRESENT: Alex Dyer, General Manager of Planning & Development
Alima Khoja, Planner 1

Note: Quorum was not achieved for this committee meeting; therefore, meeting was held for informational purposes.

The meeting can be viewed on the Alberni-Clayoquot Regional District website at:
<https://www.acrd.bc.ca/events/24-11-2025/>

1. CALL TO ORDER

The meeting was called to order at 7:03 pm.

It was recognized that this meeting was held throughout the Nuu-chah-nulth territories.

It was reported that this meeting is being recorded and livestreamed to YouTube on the Regional District website.

2. APPROVAL OF AGENDA

3. MINUTES

4. **PLANNING APPLICATIONS**

a. **TUP25014 – 8245 Dickson Drive (Russell)**

The committee received a brief overview of the application, noting that the owners are seeking to bring the property into compliance and operate it as a short-term rental with a minimum of one-week stay period as a requirement. It was noted that the intended use would be year-round rather than seasonal. Clarification was provided regarding the zoning with the western boundary subject to the WF1 designation. WF1 zoning was explained as relating to lakefront areas and regulating overnight use associated with foreshore activities. No further questions or comments were raised.

The members present at the Sproat Lake Advisory Planning Commission meeting support application TUP25014 as presented.

b. **TUP25011 – 9694 Lakeshore Road (Labrie)**

The committee reconsidered the application previously deferred at their September 15th meeting for further clarifications. Discussion focused on the number of RVs on the property, with confirmation that they are solely used for storage and not dwelling units. Questions were raised regarding the use of RV for summer activities onsite as well as neighbourhood concerns. The applicant's intention to operate the dwelling as a seasonal short-term rental was noted, along with confirmation that a long-term tenant currently occupies a spot for a time-period. The committee also discussed possible conditions to ensure RVs are not used for accommodation.

The members present at the Sproat Lake Advisory Planning Commission meeting support application TUP25011 as presented.

5. **ADJOURN**

The Chairperson adjourned the meeting at 7:59 pm.

Certified Correct:

Roberta Jensen
Chairperson

Alima Khoja
Planner 1



To: The Sproat Lake Advisory Planning Commission

Meeting Date: February 17, 2026

From: Jaleen Rousseau, Planning Manager

Voting Structure: Electoral Area Directors

Electoral Area: D - Sproat Lake

Subject: Development Variance Permit DVD26001 - 10170 Kyunim Rd (MARK A DEBRUYNESHARI L REHILL)

THAT the Board of Directors consider issuing Development Variance Permit DVD26001, subject to neighbouring properties being notified as per Local Government Act s. 499.

Development Proposal:

The applicant is requesting to construct an accessory building that is over the maximum allowable height to accommodate boat storage and general garage use.

Development Variance DVD26001:

To vary Section 6.5.1.e) to increase the maximum allowable height of an accessory structure in an RA1 zone from 12 ft (3.65 m) to 17 ft (5.18 m).

Property Owner(s): MARK A DEBRUYNESHARI L REHILL

Applicant/Primary Contact: DARREN SMITH C/O SMITTY CONSTRUCTION

Property Information:

The subject property is a residential strata lot zoned Acreage Residential District (RA1) and containing a single detached dwelling constructed in 2017.

Civic Address:	10170 Kyunim Rd						
Legal Description:	STRATA LOT 2, PLAN VIS6741, DISTRICT LOT 192, ALBERNI LAND DISTRICT, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V						
PID:	027-778-193	Folio:	770-01996.012	ALR? (Y/N):	No	Lot Area (ha):	0.17 (0.43 ac)
Current Zoning:	RA1 - Acreage Residential District						
Current OCP:	Sproat Lake, Residential Use						
Development Permit Area(s):	N/A						
Current Use & Description:	The property is currently utilized as a residential property with an existing house.						

PL20260001 / DVD26001

Alberni-Clayoquot Regional District | 3008 Fifth Avenue, Port Alberni, BC V9Y 2E3 | 250.720.2700 | www.acrd.bc.ca

Serving Port Alberni, Tofino, Ucluelet, Treaty First Nations: Huu-ay-aht, Yuułu?it̓'ath, Uchucklesaht Tribe Government, and Toquaht Nation, and Six Electoral Areas: "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek).

Surrounding Zoning and Land Use

North:	Internal strata Road that serves as an extension of Kyunim Road for accessing the residential strata properties	South:	Acreage Residential District (RA1) parcel that is largely vegetated and undeveloped
East:	Acreage Residential District (RA1) parcel that is developed	West:	Acreage Residential District (RA1) parcel that is common property of the strata. It has been cleared and is utilized to accommodate a community strata septic system

Services:

- a) **Sewage Disposal:** The property is serviced through a community strata septic system is a shared, on-site sewage treatment and disposal system located that services five (5) strata lots.
- b) **Water Supply:** The property is serviced through a community strata water system is a shared, on-site sewage treatment and disposal system located that services five (5) strata lots. The strata lot owners have a communal Condition Water License (No. 124745) issued by the Province, which allows for individual licensing that serves each of the five (5) lots with up to 500/gallons/day.
- c) **Fire Protection:** The property is located within the Sproat Lake Fire Protection Services Area.
- d) **Access:** The property is accessed from an internal strata road that extends from Kyunim Road into the strata subdivision that serves a total of multiple parcels.

Planning Policy Discussion:

- a) **Official Community Plan:**
The subject property is designated as Residential Use in the Sproat Lake Official Community Plan and complies with this use designation. The property is not impacted by any Development Permit Areas.
- b) **Zoning:**
The subject property is zoned Acreage Residential District (RAI) in accordance with ACRD Zoning Bylaw No. 15. This Bylaw contains regulations for the siting and height of *Accessory Buildings*.

<i>ACRD Zoning Accessory Building</i>	<i>Proposed Accessory Building Siting</i>	<i>Variance Required?</i>
Front Setback:	Not Permitted	No
Side Setback:	3 feet	No
Rear Setback:	3 feet	No
Maximum Height:	12 feet	Yes

The development proposal complies with the regulations for siting but does not comply with the regulations for height. To facilitate this, approval of a Development Variance is required.

Comments:

The applicant is proposing to construct an accessory building that is 5 ft taller than the maximum allowable *Accessory Building* height. The rationale for the height increase is to accommodate boat storage.

Building Design

The building design proposes a single storey rectangular footprint with a large mono-slope (single-pitch) roof. The applicant has designed located the building in a manner that situates the highest portion of the roof closest to the adjacent property utilized for the community strata septic system to reduce the impact to neighbours. The property owner has stated that due to site topography, it is not possible to relocate the structure further into the rear of the property.

Letters of Support

The applicant has included two letters of support from the property owners abutting the side (east) and rear (south) parcel boundaries of the subject property. These letters are attached

Staff Recommendation:

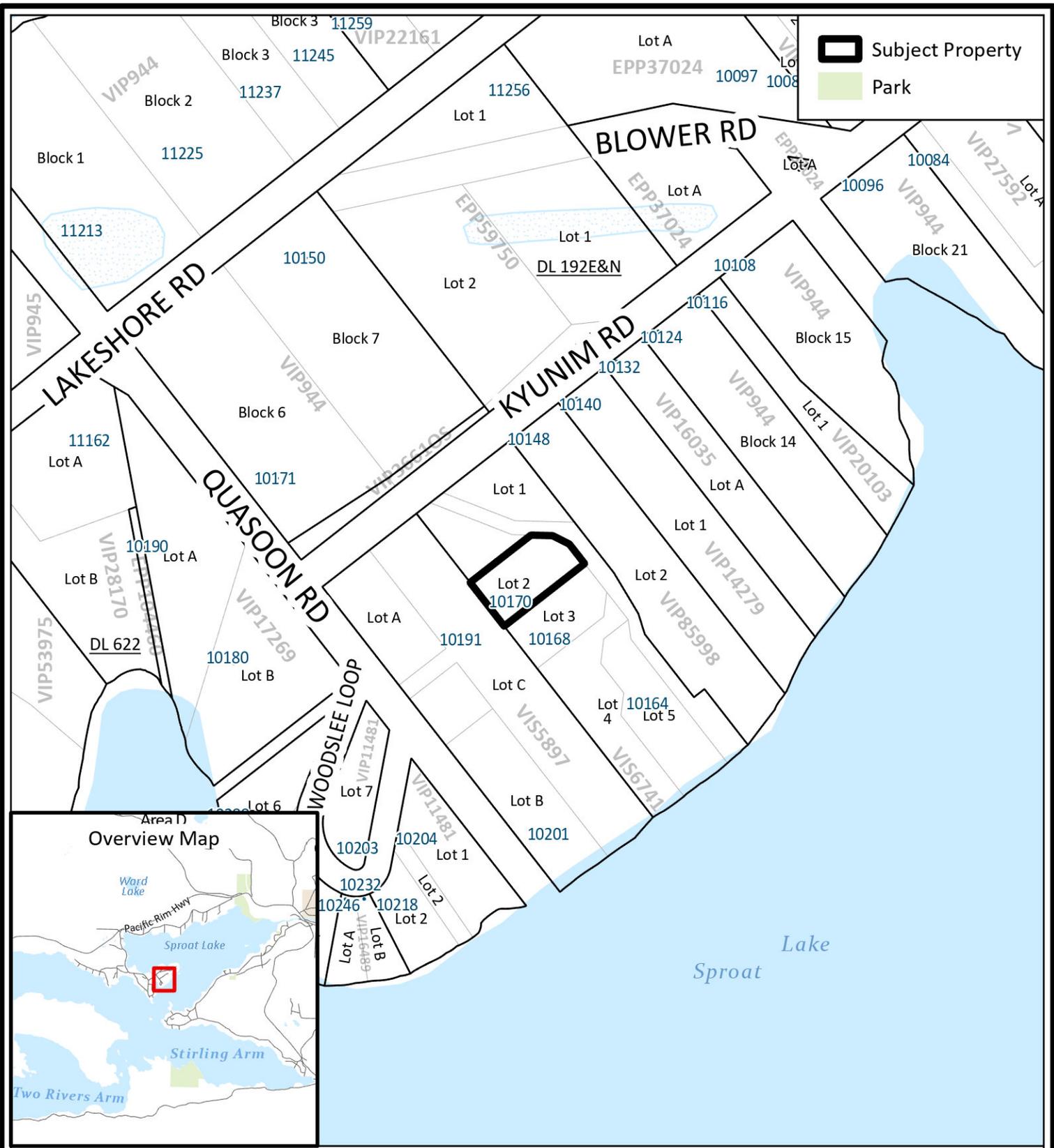
Staff are recommending approval of the Development Variance request for the following reasons:

- The proposed *Accessory Building* has been situated in a manner to reduce the impacts of height to neighbouring properties, where possible
- The applicant has provided two letters of support from property owners abutting the subject property confirming no object to the application

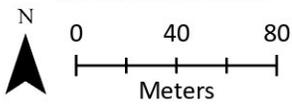
Submitted by: *Jaleen Rousseau*
Jaleen Rousseau, Planning Manager

Reviewed by: _____
Alex Dyer, MCIP, RPP, General Manager of Planning & Development

Approved by: _____
Daniel Sailland, MBA, Chief Administrative Officer



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT



 Address: 10170 Kyunim Rd
 Legal Description: STRATA LOT 2, PLAN VIS6741,
 DISTRICT LOT 192, ALBERNI LAND DISTRICT



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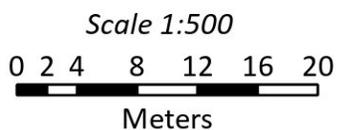
10170 Kyunim Rd
 STRATA LOT 2, PLAN VIS6741, DISTRICT
 LOT 192, ALBERNI LAND DISTRICT

 Subject Property



**ALBERNI-CLAYOQUOT
 REGIONAL DISTRICT**

Prepared 2026-01-27
 Sources: Microsoft, VantorProv. BC,
 ParcelMapBC; ACRD



B.C. LAND SURVEYORS BUILDING LOCATION CERTIFICATE

STRATA LOT 2, DISTRICT LOT 192, ALBERNI DISTRICT, PLAN VIS6741.

SCALE 1:300

ALL DISTANCES ARE METRIC AND ARE DERIVED FROM PLAN VIS6741.

JURISDICTION: ALBERNI-CLAYOQUOT REGIONAL DISTRICT

PID NO: 027-778-193

THIS LOT IS SUBJECT TO LTO CHARGE NUMBERS:

FB239915, FB260569 AND FB260570

CIVIC ADDRESS: 10170 KYUNIM RD,
SPROAT LAKE, BC

THIS SURVEY IS NOT VALID UNLESS
DIGITALLY SIGNED.

THIS SURVEY IS PROTECTED BY COPYRIGHT
AND MAY NOT BE REPRODUCED.

CERTIFIED CORRECT THIS 17TH DAY
OF OCTOBER, 2016 ACCORDING
TO LAND TITLE AND SURVEY AUTHORITY
RECORDS AND FIELD SURVEYS.
UNREGISTERED INTERESTS HAVE NOT
BEEN INCLUDED OR CONSIDERED.

MICHAEL
SIMS XXJIDU

Digitally signed by MICHAEL SIMS
XXJIDU
DN: c=CA, cn=MICHAEL SIMS
XXJIDU, o=BC Land Surveyor,
ou=Verify ID at www.juricert.com/
LKUP.cdn?id=XXJIDU
Date: 2017.10.20 10:05:21 -0700

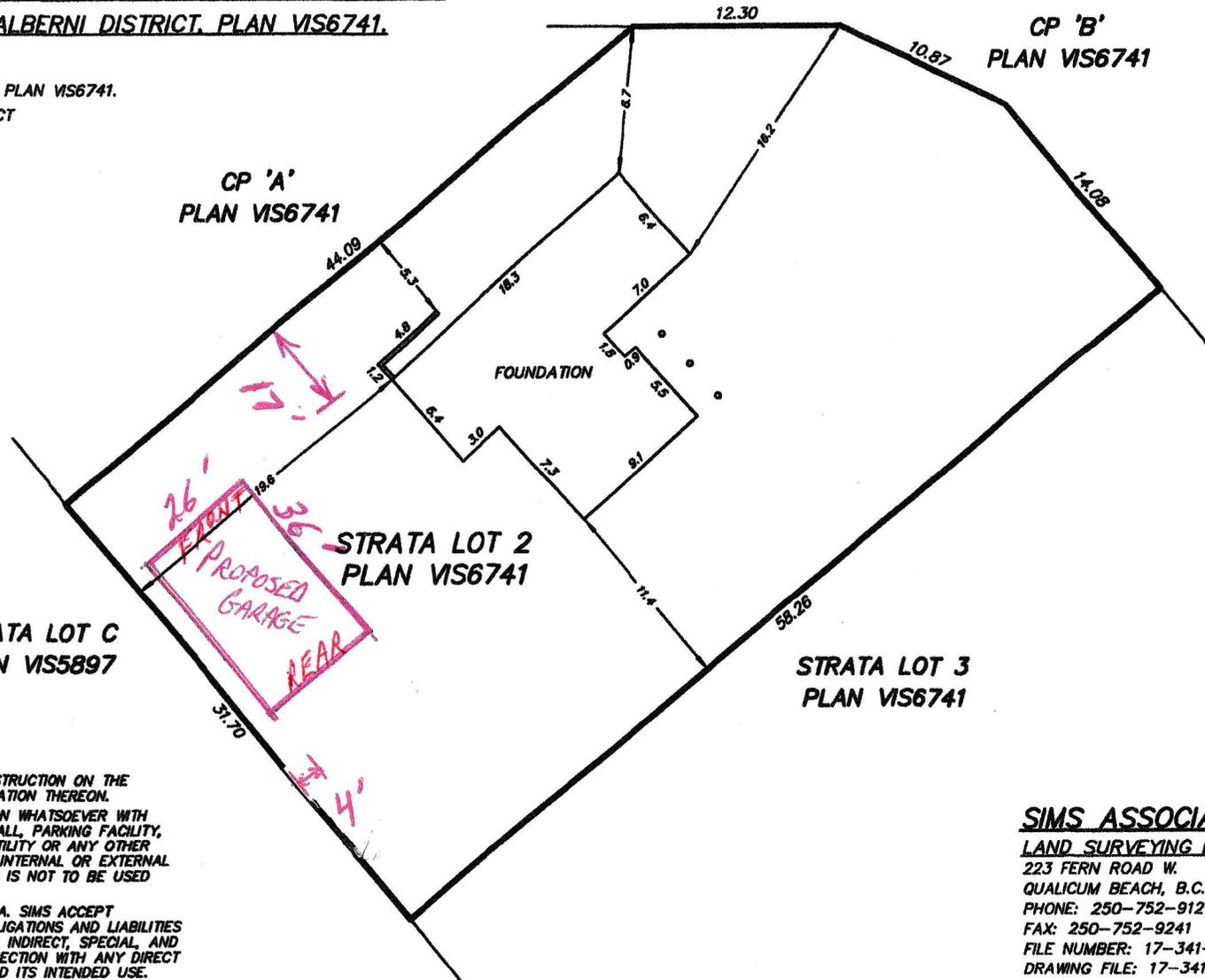
STRATA LOT C
PLAN VIS5897

CP 'A'
PLAN VIS6741

STRATA LOT 2
PLAN VIS6741

CP 'B'
PLAN VIS6741

STRATA LOT 3
PLAN VIS6741



NOTE:

1. THIS SURVEY PURPORTS TO SHOW ONLY THE NEW CONSTRUCTION ON THE ABOVE DESCRIBED PARCEL(S) AND THEIR RELATIVE LOCATION THEREON.
2. THIS PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO ANY OTHER BUILDING, PATIO, RETAINING WALL, PARKING FACILITY, FENCE, UNDERGROUND, ABOVEGROUND OR OVERHEAD UTILITY OR ANY OTHER IMPROVEMENTS AND THEIR RELATIVE LOCATION TO ANY INTERNAL OR EXTERNAL BOUNDARIES OF THE ABOVE DESCRIBED PARCEL(S) AND IS NOT TO BE USED TO RE-ESTABLISH PROPERTY LINES.
3. SIMS ASSOCIATES LAND SURVEYING LTD. AND MICHAEL A. SIMS ACCEPT NO RESPONSIBILITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES INCLUDING, BUT NOT LIMITED TO, DIRECT, INDIRECT, SPECIAL, AND CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE OR RELIANCE UPON THE PLAN BEYOND ITS INTENDED USE.

SIMS ASSOCIATES

LAND SURVEYING LTD.

223 FERN ROAD W.

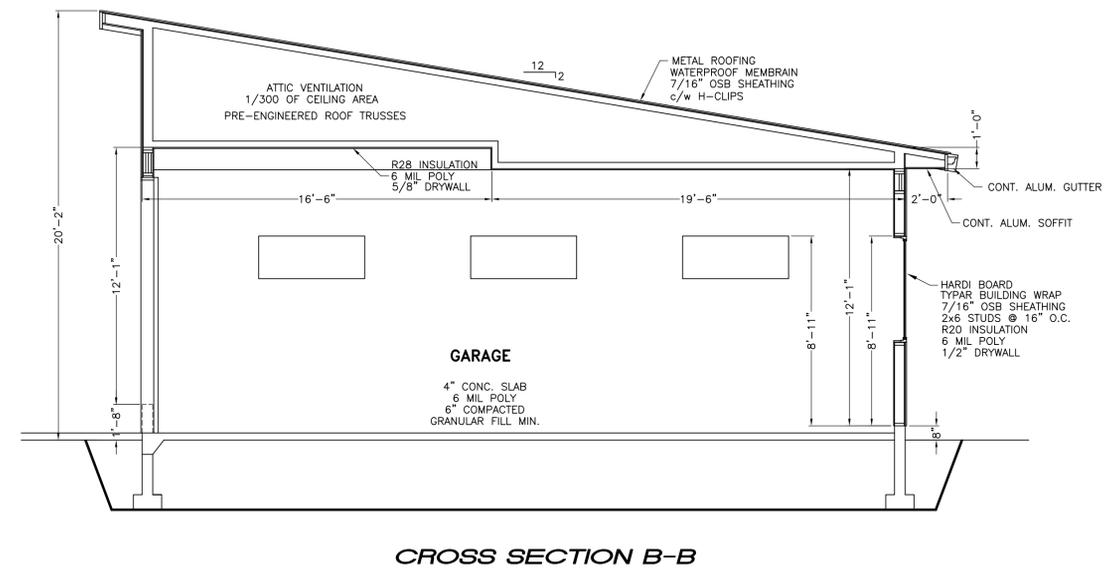
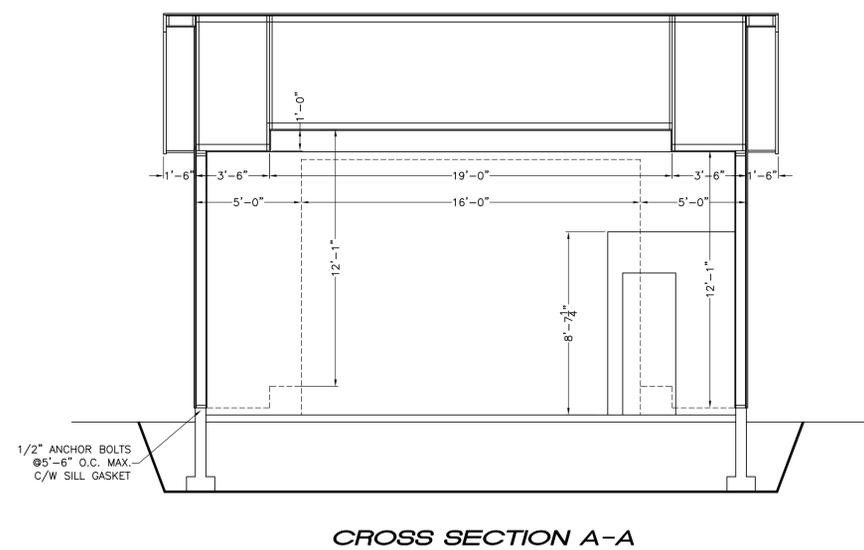
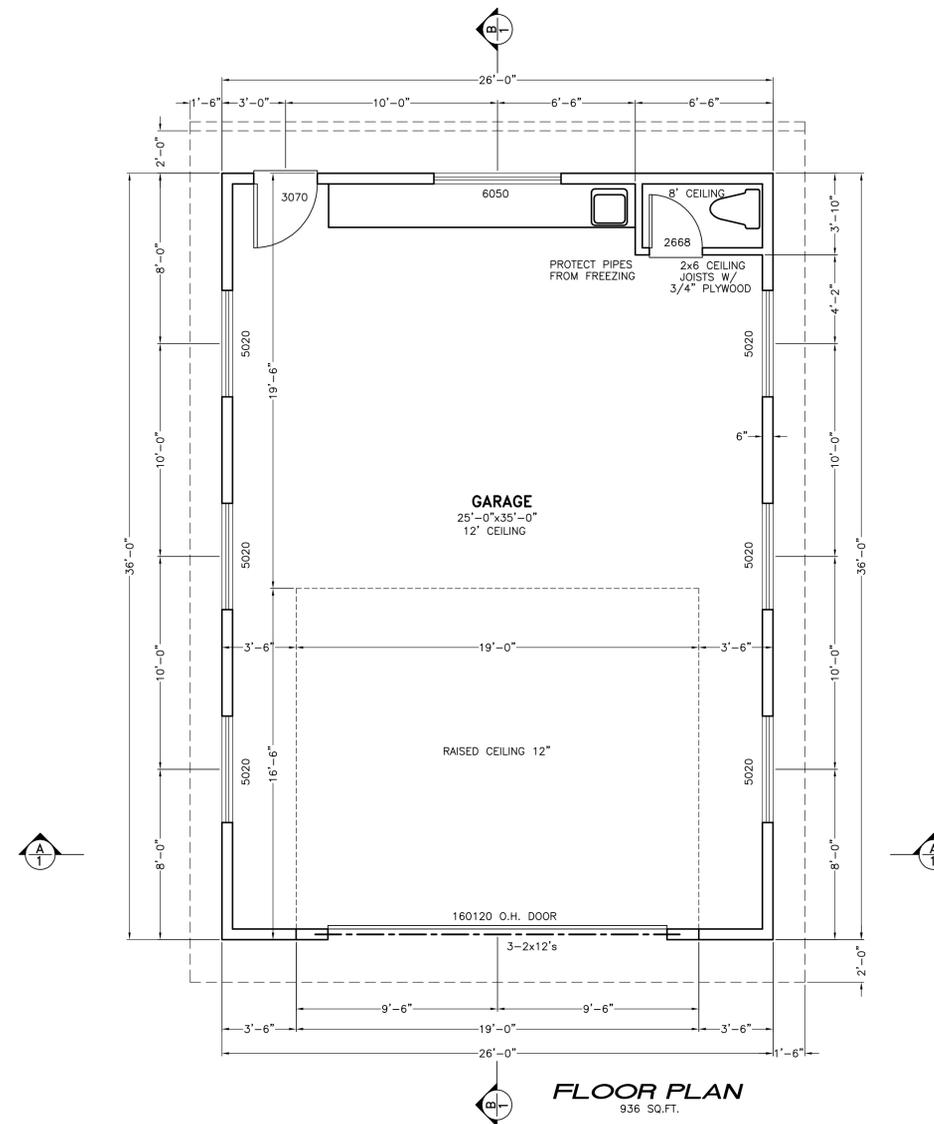
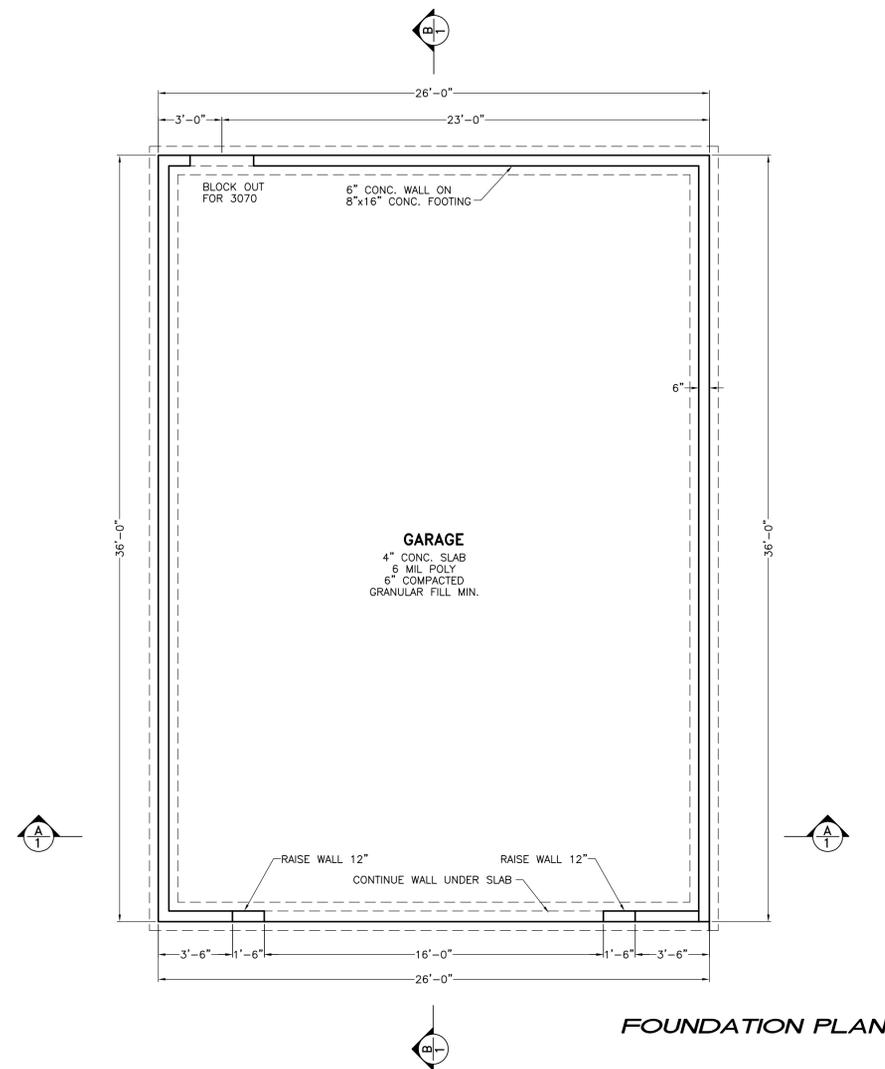
QUALICUM BEACH, B.C. V9K 1S4

PHONE: 250-752-9121

FAX: 250-752-9241

FILE NUMBER: 17-341-BL

DRAWING FILE: 17-341-BLC1.dwg



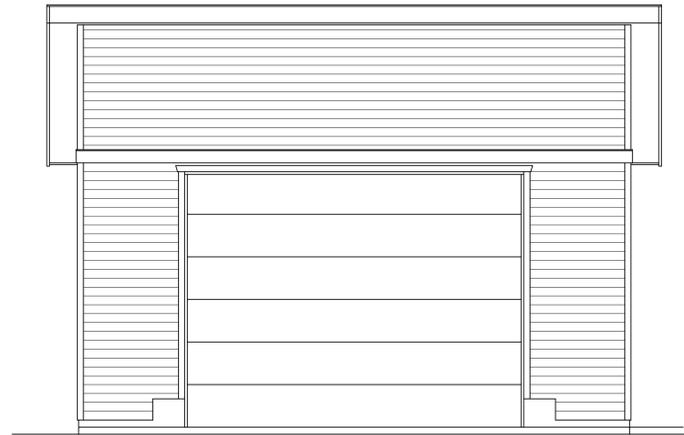
PREPARED BY:
LINDBERG CAD SERVICES
885 FISHERMAN'S CIRCLE, PARKSVILLE, B.C. V9P-1Z4 248-5449

GENERAL NOTES:
BUILDING CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION
ALL CONSTRUCTION TO COMPLY WITH THE LATEST B.C. BUILDING CODE
HEADER SIZES SHALL BE SUPPLIED BY TRUSS MANUFACTURER
DESIGNER ASSUMES NO RESPONSIBILITY FOR ANY ERRORS OR EMISSIONS
UNLESS ADVISED IN WRITING PRIOR TO ANY CONSTRUCTION.

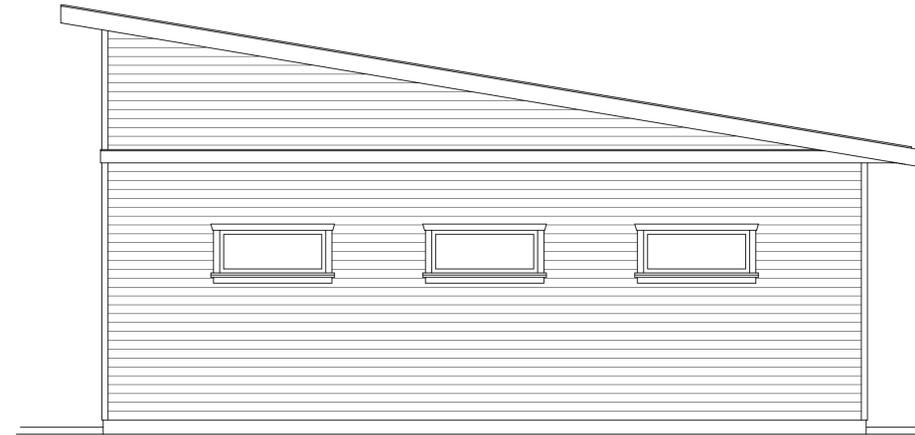
LEGEND:

PROPOSED GARAGE

DATE: 11-21-25	PREPARED FOR: SMITTY CONSTRUCTION	DRAWN BY: L.L.
SCALE: 1/4"=1'-0"	REVISED:	
FLOOR PLANS AND CROSS SECTIONS		
SHEET: 1 OF 2	APPROVED BY:	PLAN NO: 25-046



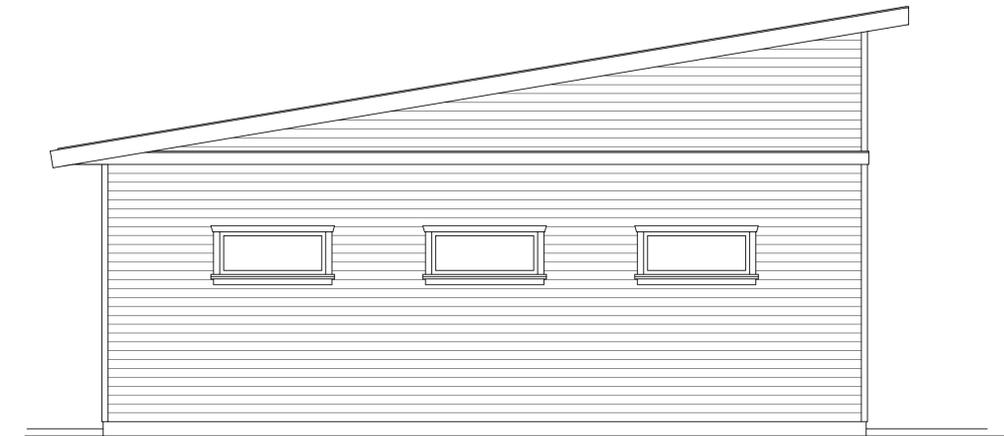
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



PREPARED BY:
LINDBERG CAD SERVICES
 885 FISHERMAN'S CIRCLE, PARKSVILLE, B.C. V9P-1Z4 248-5449

GENERAL NOTES:
 BUILDING CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION
 ALL CONSTRUCTION TO COMPLY WITH THE LATEST B.C. BUILDING CODE
 HEADER SIZES SHALL BE SUPPLIED BY TRUSS MANUFACTURER
 DESIGNER ASSUMES NO RESPONSIBILITY FOR ANY ERRORS OR EMISSIONS
 UNLESS ADVISED IN WRITING PRIOR TO ANY CONSTRUCTION.

LEGEND:

PROPOSED GARAGE		
DATE: 11-21-25	PREPARED FOR: SMITTY CONSTRUCTION	DRAWN BY: L.L.
SCALE: 1/4"=1'-0"		REVISED:
ELEVATIONS		
SHEET: 2 OF 2	APPROVED BY:	PLAN NO: 25-046

DVD26001 – Smith, 10170 Kyunim Road

Site Photos Taken February 9, 2026



Figure 1: Looking from neighbouring strata parcel where community strata septic system is located. Proposed location of accessory structure shown with red arrow.



Figure 2 : Looking from internal strata road where proposed accessory structure will be located (shown with red arrow.

January 30, 2026

Harmony Dyck
[REDACTED] Kyunim Rd
Port Alberni BC

Dear Harmony,
Mark and Shari from 10170 Kyunim are writing this letter saying you have seen the proposed building plans for our new garage and support or have no issues with the building being overheight.

Thank you
Mark DeBruyne

Harmony Dyck
[REDACTED]

January 30, 2026

Ian Fatt

[REDACTED] Quasoon Rd

Port Alberni BC

Dear Ian,

Mark and Shari from 10170 Kyunim are writing this letter saying you have seen the proposed building plans for our new garage and support or have no issues with the building being overheight.

Thank you

Mark DeBruyne

Ian Fatt

[REDACTED]



To: Sproat Lake Advisory Planning Commission

Meeting Date: February 17, 2026

From: Alima Khoja, Planner 1

Voting Structure: APC members

Electoral Area: D - Sproat Lake

Subject: Temporary Use Permit TUP25013 - 10411 Marina Vista Dr (Don Saywell Developments Ltd)

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors consider Temporary Use Permit Application TUP25013 subject to the following:

- **Neighbourhood notification as per Local Government Act s.494.**

Development Proposal: The property owners are applying for a Temporary Use Permit (TUP) to operate a short-term rental (STR) in the three-bedroom single family dwelling with a shop, 2- car garage and a workshop area on the lower level with 1,500 square feet of living area on the main floor. The house will be utilized as a STR during the summer months from May to September. The caretaker will be available within 20 minutes distance from the property.

Advisory Planning Commission Recommendation: The Sproat Lake Advisory Planning Commission (APC) will review the application in their February 17th, 2026, meeting.

Property Owner(s): Don Saywell Developments Ltd

Applicant/Primary Contact: Taylor Saywell

Property Information:

Civic Address:	10411 Marina Vista Dr						
Legal Description:	STRATA LOT 3 DISTRICT LOT 204 ALBERNI DISTRICT STRATA PLAN EPS681 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V						
PID:	028-853-512	Folio:	770-01666.053	ALR? (Y/N):	No	Lot Area (ha):	0.08 (0.20 ac)
Current Zoning:	R1 - Single Family Residential District		Proposed Zoning:	N/A			
Current OCP:	Sproat Lake, Residential Use		Proposed OCP:	N/A			
Development Permit Area(s):	N/A						

PL20250072 / TUP25013

Alberni-Clayoquot Regional District | 3008 Fifth Avenue, Port Alberni, BC V9Y 2E3 | 250.720.2700 | www.acrd.bc.ca

Serving Port Alberni, Tofino, Ucluelet, Treaty First Nations: Huu-ay-aht, Yuułu?it̓ath, Uchucklesaht Tribe Government, and Toquaht Nation, and Six Electoral Areas: "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek).

Current Use & Description:	This parcel contains a single-family dwelling. The building contains a shop, 2- car garage and a workshop area on the lower level, with 1,500 square feet of living area on the main floor. The building permit was issued in 2024.
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Surrounding Zoning and Land Use			
North:	Pacific Rim Highway	South:	Single Family Residential (R1) District
East:	Single Family Residential (R1) District	West:	Single Family Residential (R1) District

Services:

- a) **Sewage Disposal:** Bare land strata common sewage disposal system.
- b) **Water Supply:** Bare land strata common water system.
- c) **Fire Protection:** The parcel is within the Sproat Lake Fire Protection Area.
- d) **Access:** The parcel is accessed from a driveway on Marina Vista Drive.

Planning Policy Discussion:

- a) **Official Community Plan:** The parcel is designated ‘Residential Use’ in the Sproat Lake Official Community Plan. This designation provides for a range of residential uses and housing types including vacation rentals, recreational properties, small lots and acreages.

Section 3.2 of the OCP discusses general planning policies which apply to all properties within the OCP area. Section 3.2.11 allows the ACRD Board to issue Temporary Use Permits in accordance with s.493 of the Local Government Act.

This proposal generally complies with the requirements of the Sproat Lake Official Community Plan. The OCP supports the consideration and issuance of TUPs in all land use designations for a period of up to three years.

- b) **Zoning:** The parcel is zoned Residential (R1) District. The property owners are applying for a Temporary Use Permit to allow the rental of their three-bedroom single family dwelling. The parcel is part of a bare land strata development and is zoned single family residential (R1) District. Short term vacation rentals are not listed as a permitted use within the R1 zone.

A restrictive covenant is registered on each of the 10 parcels within the bare land strata that requires there to be no more than one dwelling per strata lot and each dwelling unit not to exceed 1,500 square feet of living space excluding any garage or carport.

	Current: R1
Minimum Lot Area (ha)	0.06
Minimum Lot Width (m)	18.2
Principal & Accessory Front Yard Setback (m)	7.62
Principal Side Yard Setback (m)	1.5
Principal Rear Yard Setback (m)	9.1
Accessory Side Yard Setback (m)	0.9
Accessory Rear Yard Setback (m)	0.9
Watercourse Setback (m)	30

This proposal is not in compliance with the ACRD Zoning Bylaw, and the TUP application is required for the STR use.

Temporary Use Permit Conditions:

A TUP to allow the short-term rental of an existing 3-bedroom single family dwelling on the property be issued for the use of a maximum of two (2) bedrooms for the short-term rental accommodation, subject to the following conditions and any other conditions that the ACRD Board of Directors deem appropriate at the time of issuance:

1. This permit is issued for the seasonal operation of a short-term rental within the two (2) bedrooms of the existing three-bedroom single family dwelling between the dates of May 1st through September 30th inclusive.
2. The short-term rental must be registered in accordance with the *Short-Term Rental Accommodations Act*.
3. No rental use shall occur prior to the issuance of Occupancy Permit.
4. A maximum occupancy of two (2) persons per bedroom shall be permitted for a total occupancy of four (4) guests at any one time.
5. The foyer, utility, shop, and garage areas located on the lower floor must not be used for overnight accommodation or rented to short-term guests.
6. The STR must operate in accordance with all ACRD bylaws specifically Bylaw No. R1024, 2013 – a Bylaw to provide for the control of noise in the Electoral Area 'D' (Sproat Lake). Quiet time must be observed between 11:00 pm to 8:00 am daily.
7. The STR shall accommodate a maximum of two (2) vehicles on the property. Boat trailers may not be parked on Marina Vista Drive. One parking space must be provided for each bedroom (2).
8. The owner or designated caretaker must be available to attend the property within 20 minutes.
9. Contact information for the owner and/or caretaker in addition to a copy of the TUP must be visible in a public location within the STR. This permit is valid for a term of three (3) years from the date of issuance. At the time the permit expires, the property owner may apply to renew the TUP, apply to rezone the parcel or return the property to the use permitted under the current zoning.
10. If the conditions of this permit are not met or if there is a change of ownership of the property, the ACRD may rescind or terminate the TUP.

Comments:*Neighbourhood*

The property is part of a bare land strata development. Several other properties on Marina Vista Drive have been granted TUPs for seasonal short-term rentals under similar conditions. There are two other active Temporary Use Permits for Short-Term Rental on Marina Vista Drive, one of which is on the adjacent property. This permit limits the STR operation to two of the three available bedrooms to maintain consistency with adjacent STRs and reduce potential impacts on the surrounding neighborhood.

Provincial Regulations

To operate a short-term rental in the Province of British Columbia, all owners must register their property in accordance with the *Short-Term Rental Accommodations Act*. All owners must indicate that their rental complies with all local bylaws. Upon registry, applicants are required to indicate a valid business license. Where business licenses are not provided, the applicant will be required to provide alternative documentation indicating compliance with the ACRD Zoning Bylaw.

Sewerage

As stated in the Island Health Sewage System Letter of Certification dated April 2012, the sewage disposal system is certified to accommodate 10 strata lots with a maximum of 20 bedrooms in total and is designated as a Type 3 treatment system.

Covenant

A restrictive covenant is registered on each of the 10 parcels within the bare land strata that requires there to be no more than one dwelling per strata lot and each dwelling unit not to exceed 1,500 square feet of living space excluding any garage or carport.

Staff recommend that the Sproat Lake Advisory Planning Commission review the application and provide recommendations.

Submitted by: *Alex Dyer*
Alex Dyer, MCIP, RPP, General Manager of Planning & Development

Reviewed by: _____
Cynthia Dick, General Manager of Administrative Services

Approved by: _____
Daniel Sailland, MBA, Chief Administrative Officer

Site Photos



View looking north from Marina Vista Drive towards the front of the subject property



View facing south from the north boundary of the subject property



View facing east from west boundary of subject property



Access from Marina Vista Drive

028-853-563
10412 Marina Vista Drive

FAXED
APR 28 12

Print Form

SEWERAGE SYSTEM
LETTER OF CERTIFICATION



SL8, DL204, EPS681

Filing # PA11/029

Date: 25/APRIL/2012

Day/Month/Year

Re: **Civic Address:** 10400 ALDAN ROAD, PORT ALBERNI

Legal Description: LOT1, DL 204, ALBERNI LD, PLAN

I hereby certify that the construction of the proposed sewerage system on the above property was completed on 17/APRIL/2012 Day/Month/Year

I, the undersigned, am an authorized person as defined in the Sewerage System Regulation, BC Reg. 326/2004 and certify that:

- The owner has been provided with:
 - a copy of the sewerage system plans and specifications as filed with the Health Authority;
 - a maintenance plan for the sewerage system that is consistent with standard practice; and
 - a copy of this letter of certification as filed with the Health Authority;
- The sewerage system has been constructed in accordance with standard practice.
- The sewerage system has been constructed substantially in accordance with the plans and specifications filed with the Health Authority.
- The estimated daily domestic sewage flow through the sewerage system will be less than 2,287 liters.
- If operated and maintained as set out in the maintenance plan, the sewerage system will not cause or contribute to a health hazard.
- I have supervised the construction of the Type 1 or 2 sewerage system by the owner on his/her own land; N/A ___ Y ___
If Yes, state the dates of supervision; _____
- I am a professional and have supervised the construction of a Type 3 system;
N/A ___ Y ___ x ___;
If Yes, state the name of the person constructing the sewerage system; GORDON FRASER
and the dates of supervision; JULY 10, 2011, JULY 29, 2011, NOVEMBER 15, 2011, FEB. 6, 2012,
APRIL 17, 2012

Appended to this Letter of Certification is a plan of the sewerage system as it was built and a copy of the maintenance plan.

Name: S. CARBALLEIRA, P. GEO. Signature:	Health Authority Use Only
Authorized Person's Seal 	Vancouver Island Health Authority Environmental Health - Port Alberni DATE RECEIVED APR 30 2012 Received By (WHA Staff Signature)

RECEIVED
APR 26 2012

POSTED

FEB 16 2012

FAKED

Print Form

FILING OF SEWERAGE SYSTEM



This form is required to administer the Sewerage System Regulation (326/2004) and the collection of personal information complies with the Freedom of Information and Protection of Privacy Act. Within the Capital Regional District, information collected may be used by the CRD for the purpose of administration and enforcement of the Onsite Sewerage System Maintenance Bylaw. For Bylaw information contact 250-360-3000

PID#(CRD only) FOLIO#(NORTH) 000-978-761 NEW CONSTRUCTION AMENDMENT ONLY/ PREVIOUS FILING NUMBER FILING NUMBER PA11/029

1. Lot Information

Descriptions where sewerage system is to be constructed

LEGAL DESCRIPTION OF PROPERTY LOT 1, DL 204, ALBERNI LD, PLAN GPS LOCATION OF SYSTEM Use Datum NAD83 PLEASE USE DECIMAL DEGREES LAT. 49.2869N LONG. 124.9666W

2. Owner Information

Mailing Address of Property Owner

SUITE/APT NUMBER BUILDING NUMBER STREET NAME CITY/MUNICIPALITY/AREA HORIZONTAL ACCURACY (M) 3 COLLECTION METHOD: RECREATIONAL GPS DIFFERENTIAL GPS

3. Authorized Person Information

Mailing Address of Authorized Person

NAME OF LEGAL OWNER OR STRATA CORPORATION TELEPHONE NUMBER C. CASAVANT

SUITE/APT NUMBER BUILDING NUMBER STREET NAME CITY POSTAL CODE N/A

NAME OF AUTHORIZED PERSON TELEPHONE NUMBER REGISTRATION NUMBER (if applicable) STEVEN M. CARBALLEIRA, P.GEO. 250-335-1864 APEG#27395

SUITE/APT NUMBER BUILDING NUMBER STREET NAME CITY POSTAL CODE N/A 3060 LAKE ROAD DENMAN ISLAND V0R 1T0

4. Facility Information

5. Site Information

SEWERAGE SYSTEM WILL SERVE: NO. OF BEDROOMS TOTAL LIVING AREA (INCL. FINISHED BASEMENT) (in m2) EST. DAILY SEWERAGE FLOW (in litres/day) LOT SIZE (in hectares)

6. System Information

WILL BE CONNECTED TO A COMMUNITY WATER SYSTEM? STRATA HYDRAULIC CONDUCTIVITY (K)(CM/DAY) 119 AVG. PERC RATE (MIN/IN) N/A SOIL TEXTURE / DESCRIPTION FINE LOAMY SAND

DISTANCE OF PROPOSED DISCHARGE AREA FROM (in metres): >3 WATER LINES N/A OWN WELL >30 NEIGHBOURING WELLS >7.5 BREAKOUT POINT >30 STREAM OR LAKE >30 DOMESTIC WATER SOURCES NATURAL SOIL VERTICAL SEPARATION (in cms) 95

TOTAL VERTICAL SEPARATION(incms) TYPE OF SEWERAGE SYSTEM IF TYPE 2 OR TYPE 3 IS PROPOSED GIVE: MAKE BIONEST MODEL BN2500 TREATMENT CAPACITY (in litres/day) 60

SEPTIC TANK MANUFACTURER SEPTIC TANK MATERIAL VOLUME OF TANK (litres) EFFLUENT PUMP HYDRAULIC LOADING RATE (in lpd/m2) DANS PRECAST CONCRETE 5455/11,360 YES NO 75

7. Restrictive Covenants

8. Plans and Specifications Orders

9. Authorized Person's Signature and Assurance Statement

ARE THERE ANY RESTRICTIVE COVENANTS/EASEMENTS, WHICH WILL AFFECT THE DESIGN OR LOCATION OF THE SEWERAGE SYSTEM? YES NO

Attachments: a site or layout plan of the proposal drawn to scale, and a set of specifications of the sewerage system. a copy of the Health Act Order pertaining to the sewerage system.

YES I have consulted with the MOHS' publication "Sewerage System Standard Practice Manual" NO I have used another source of standard practice listed below or copy attached. Name of alternate source of standard practice:

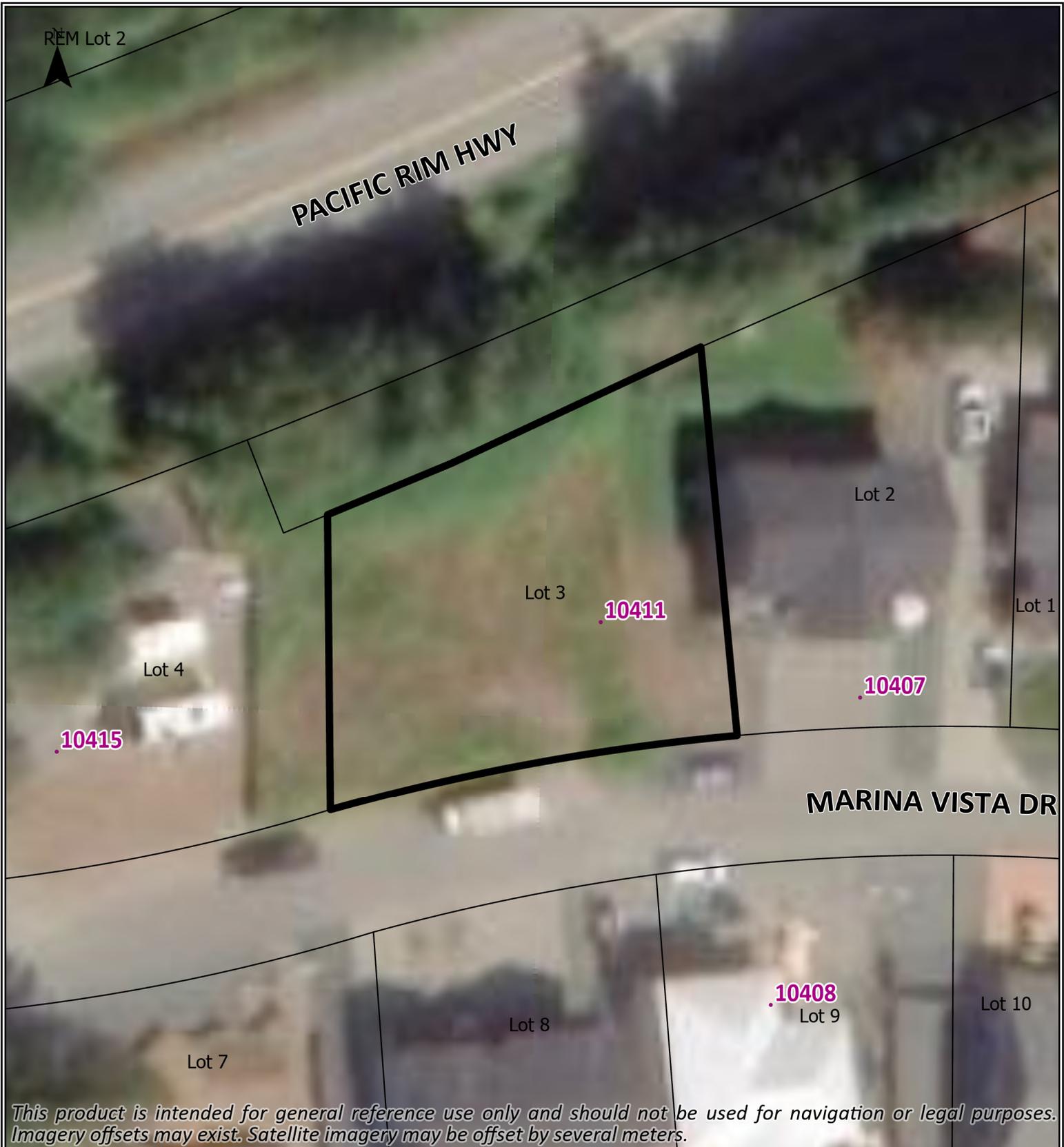
The information on this form is accurate and true to the best of my knowledge. I am an authorized person according to Sewerage System Regulation BC Reg 326/2004. The plans and specifications attached to this form are consistent with standard practice.

SIGNATURE PLEASE PRINT NAME DATE (DD/MM/YYYY) STEVEN M. CARBALLEIRA 25/JUN/2011

Please complete all applicable fields on this form. If the form is incomplete, the filing may not be accepted and it will be returned to the Authorized Person. The Letter of Certification must be submitted within two years of the Accepted Date noted below. The Authorized Person must also file the Letter of Certification, the Maintenance Plan and the as-built plans as per Sewerage System Regulation (326/2004) within 30 days of completing the construction of the sewerage system.

10. Authorized Person's Seal

AUTHORIZED PERSON'S SEAL PROFESSIONAL PROVINCE OF S. M. CARBALLEIRA #27395 BRITISH COLUMBIA GEO SCIEN TIST FILING RECEIVED DATE (DD/MM/YYYY) 05/July/11 RECEIPT #: 86887 DATE: July 5/11 VANCOUVER ISLAND HEALTH AUTHORITY FILING ACCEPTED WITH FILING ACCEPTED DATE JUL 5 2011 This Filing Does Not Constitute Approval for Further Subdivision INITIALS: gm



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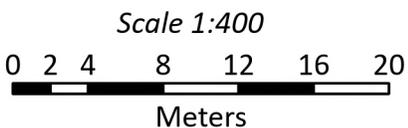
10411 Marina Vista Drive
 STRATA LOT 3 DISTRICT LOT 204 ALBERNI
 DISTRICT STRATA PLAN EPS681

-  Subject Property
-  Parcels

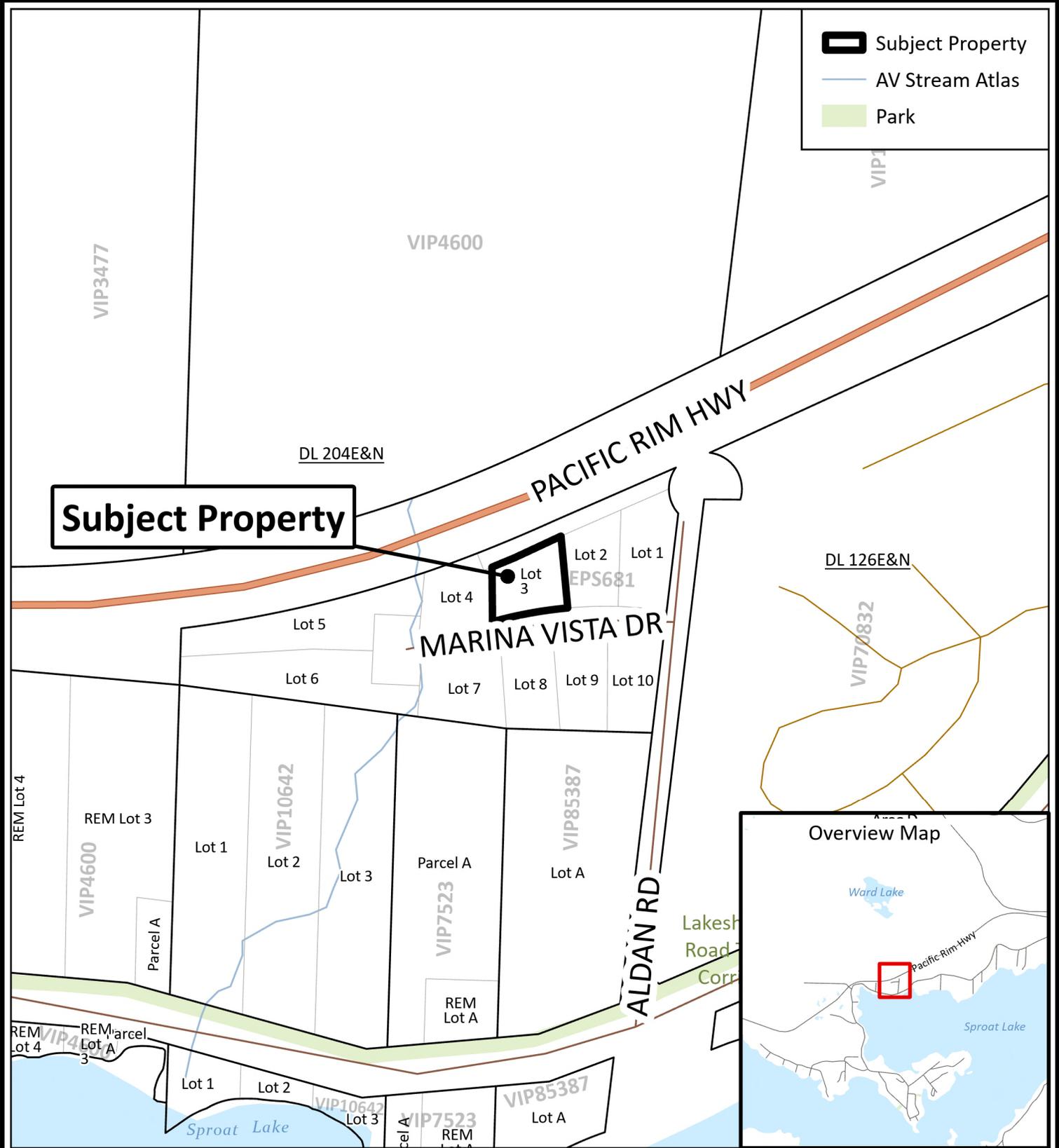


**ALBERNI-CLAYOQUOT
 REGIONAL DISTRICT**

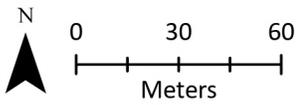
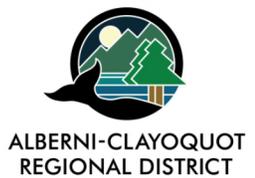
Prepared 2025-10-15
 Sources: Maxar, Microsoft Prov. BC,
 ParcelMapBC; ACRD



-  Subject Property
-  AV Stream Atlas
-  Park



Subject Property



 Civic Address: 10411 Marina Vista Drive
 Legal Description: STRATA LOT 3 DISTRICT LOT 204 ALBERNI
 DISTRICT STRATA PLAN EPS681





TUP25013

Whereas, pursuant to Section 493 of the *Local Government Act*, a local government may by resolution, on application of a property owner, issue a temporary use permit;

A Temporary Use Permit is hereby issued to:

Name: DON SAYWELL DEVELOPMENTS LTD,
Address: 10411 MARINA VISTA DR, PORT ALBERNI, BC

With respect to:

Legal Description: STRATA LOT 3 DISTRICT LOT 204 ALBERNI DISTRICT STRATA PLAN EPS681 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V

PID: 028-853-512

The Alberni-Clayoquot Regional District (ACRD) hereby issues a Temporary Use Permit (TUP) subject to the conditions as follows:

1. This permit is issued for the seasonal operation of a short-term rental within the two (2) bedrooms of the existing three-bedroom single family dwelling between the dates of May 1st through September 30th inclusive.
2. The short-term rental must be registered in accordance with the *Short-Term Rental Accommodations Act*.
3. No rental use shall occur prior to the issuance of Occupancy Permit.
4. A maximum occupancy of two (2) persons per bedroom shall be permitted for a total occupancy of four (4) guests at any one time.
5. The foyer, utility, shop, and garage areas located on the lower floor must not be used for overnight accommodation or rented to short-term guests.
6. The STR must operate in accordance with all ACRD bylaws specifically Bylaw No. R1024, 2013 – a Bylaw to provide for the control of noise in the Electoral Area 'D' (Sproat Lake). Quiet time must be observed between 11:00 pm to 8:00 am daily.
7. The STR shall accommodate a maximum of two (2) vehicles on the property. Boat trailers may not be parked on Marina Vista Drive. One parking space must be provided for each bedroom (2).
8. The owner or designated caretaker must be available to attend the property within 20 minutes.
9. Contact information for the owner and/or caretaker in addition to a copy of the TUP must be visible in a public location within the STR. This permit is valid for a term of three (3) years from the date of issuance. At the time the permit expires, the property owner may apply to renew the TUP, apply to rezone the parcel or return the property to the use permitted under the current zoning.
10. If the conditions of this permit are not met or if there is a change of ownership of the property, the ACRD may rescind or terminate the TUP.

If the conditions of this permit are not met or if there is a change of ownership of the property, the ACRD may rescind or terminate the TUP.

In accordance with the provision of Section 493 of the *Local Government Act*, approval of this permit was given by resolution of the Regional District of Alberni-Clayoquot Board of Directors on _____.

This permit was issued this _____ of _____, _____.

Daniel Sailland, MBA
Chief Administrative Officer

Chair of the Board of Directors



To: ACRD Board of Directors

Meeting Date: February 25, 2026

From: Alex Dyer, GM of Planning & Development

Voting Structure: Electoral Area Directors

Electoral Area: D - Sproat Lake

Subject: Covenant Amendment MISC25003 - 10412 LAKESHORE RD (1257819 BC LTD)

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors direct a public meeting to be held to gather input on the amendment of Restrictive Covenants FB194074 and FB194076 to allow for the proposed development of up to eleven (11) dwelling units, each with a maximum floor area of 2,000 square feet, on the property located at 10412 Lakeshore Road.

THAT the public meeting be delegated to the Director for Electoral Area 'D', the Alternate Director, or the Chairperson of the Regional District.

Development Proposal: The applicants intend to amend Restrictive Covenants FB194074 and FB194076 registered to the vacant property located at 10412 Lakeshore Road. The covenants, registered in 2008 as a condition of rezoning, limit the density to a maximum of ten (10) dwelling units, each with a maximum floor area of 1,200 square feet, limit the subdivision of the property into ten (10) lots, and require a 3-metre-wide vegetative leave strip along the property boundaries.

The applicants have applied to amend the covenants to allow for:

- i. an increase in the number of dwellings from ten (10) to eleven (11) units located on the portion of the property north of Lakeshore Road;
- ii. an increase in the maximum floor area of each dwelling unit from 1,200 square feet to 2,000 square feet, excluding garage and carport areas;
- iii. the subdivision of the property to a maximum of eleven (11) strata lots;
- iv. an increase from one to two 20-metre-wide road accesses along Aldan Road through the vegetative leave strip; and
- v. an adjustment of the covenant boundary to align with the existing C6 and MAR2 zoning boundaries.

The applicants intend to develop four (4) duplexes and three (3) single family dwellings, each with individual strata titles, on the 0.85 ha property. Conceptual building designs and standards are included in the applicant's submission. The property is zoned Tourist Commercial (C6) District which permits the units to be used as dwellings or as short-term vacation rental units.

Advisory Planning Commission Recommendation: The Sproat Lake APC will review this application at their February 17, 2026 meeting.

Property Owner(s): 1257819 BC LTD **Agent/Primary Contact:** RACHEL HAMLING, PRISM LAND SURVEYING

PL20250079 / MISC25003

Alberni-Clayoquot Regional District | 3008 Fifth Avenue, Port Alberni, BC V9Y 2E3 | 250.720.2700 | www.acrd.bc.ca

Serving Port Alberni, Tofino, Ucluelet, Treaty First Nations: Huu-ay-aht, Yuułu?it̓ath, Uchucklesaht Tribe Government, and Toquaht Nation, and Six Electoral Areas: "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek).

Property Information:

Civic Address:	10412 LAKESHORE RD						
Legal Description:	LOT A DISTRICT LOT 204 ALBERNI DISTRICT PLAN VIP85387						
PID:	027-581-039	Folio:	770-02030.005	ALR? (Y/N):	No	Lot Area (ha):	0.85 (2.10 ac)

Current Zoning:	C6 - Tourist Commercial District	Proposed Zoning:	n/a
Current OCP:	Sproat Lake, Commercial Use	Proposed OCP:	n/a

Development Permit Area(s): DPA I – Foreshore and Riparian Areas Protection.
DPA III – Objectives for Form and Character

Current Use & Description: The property is located approximately 600 metres east of the western intersection of Lakeshore Road and the Pacific Rim Highway. The property is split by Lakeshore Road. The northern portion of the property, comprising +/- 0.65 ha, is vacant with a gravel parking lot developed adjacent to the road. This portion of the property is cleared and increases in slope from south to north, away from the lake. The southern portion of the property, comprising +/- 0.2 ha, is developed into a two-tier graveled parking area to support the marina on the foreshore.

Historic uses on the site included a general store and house located on this portion of the property with the buildings demolished in 2008. There is a commercial marina operated from the lakefront portion of the property which includes three tiers of docks with +/- 60 boat slips. A boat fuel facility is located on the docks connected to an upland fuel storage tank installed adjacent to the parking area.

Surrounding Zoning and Land Use			
North:	R1 District. Ten-lot bare land strata development	South:	Commercial marina on Sproat Lake
East:	Tall Timbers Campground and Sproat Lake Mobile Home Park	West:	RA1 District. Acreage residential properties

Services:

- a) **Sewage Disposal:** On-site sewage disposal. The applicants engaged B4 Engineering Inc. and they have confirmed that an 11-unit sewage disposal system can be designed and located in the northwest corner of the property to comply with the BC Sewerage System Regulation and Standard Practice Manual.
- b) **Water Supply:** Private water system with intake to the lake. An existing water system services the ten-lot bare land strata to the north and the system was designed to scale up to 21 dwelling units, which would service the proposed new development in addition to the existing development.
- c) **Fire Protection:** Sproat Lake Fire Department. As part of the agency referral process completed ahead of the public meeting, the SLFD would have an opportunity to review and comment on the proposed development.
- d) **Access:** Cleared and graveled access is provided along the full width of the property on both the north and south sides of Lakeshore Road. Aldan Road bisects the east boundary of the property. The

development proposal includes two separate 6.4 metre wide paved shared access driveways from Aldan Road that would provide access to the dwelling units. The Ministry of Transportation and Transit has provided an indication that the two separate accesses to Aldan Road can be approved under the Ministry's regulations for residential uses.

Planning Policy Discussion:

- a) **Official Community Plan:** The Sproat Lake OCP designates the property as Commercial Use and the adjacent waterfront area as Marina Use. The Commercial Use designation supports a wide range of commercial uses including local, highway, service, recreation and campground commercial uses as specified by the Zoning Bylaw. This designation also supports short term vacation rental accommodation.

The Sproat Lake OCP designates two Development Permit Areas that impact development on the subject property: DPA I – Foreshore and Riparian Areas Protection and DPA III – Objectives for Form and Character. DPA I applies to all development within 30 metres of the natural boundary of the lake and DPA III applies to the form and character of multi-family residential, commercial, and industrial development. No development is planned within 30 metres of the lake. A development permit application may be required to satisfy the form and character requirements of DPA III prior to the issuance of a building permit.

- b) **Zoning:** The property is split-zoned Tourist Commercial (C6) District and Marina Two (MAR2) District. The C6 District covers the majority of the property and permits motels and motor hotels, accessory buildings and uses and one single family dwelling per lot. The MAR2 District encompasses the upland area used for marina parking and the marine fuel tank infrastructure.

	Current: C6
Minimum Lot Area (ha)	0.14
Minimum Lot Width (m)	36.6
Principal & Accessory Front Yard Setback (m)	6.1
Principal Side Yard Setback (m)	4.6
Principal Rear Yard Setback (m)	6.1
Accessory Side Yard Setback (m)	0.9
Accessory Rear Yard Setback (m)	0.9
Lake Setback (m) – from Covenant FB194076	12.2

The applicants intend to construct up to eleven (11) dwelling units divided between four duplexes and three single family dwellings spread throughout the property. The intention is for each unit to be individually strata-titled by building strata subdivision. Two separate access roads into the development and individual parking areas would be provided. The on-site sewage disposal system would be sited on the northwest corner of the property. The parking regulations in the ACRD Zoning Bylaw require the provision of 1.1 off-street parking spaces per motel/hotel dwelling unit. The conceptual site layout includes capacity for off-street parking and, as part of any future development permit and building permits, the applicants would need to provide up to 13 parking spaces for the full 11-unit build out.

All of the units would be located outside of the designated 200-year flood area mapped within the Somass Watershed Flood Management Plan. The applicants engaged Ryzuk Geotechnical to assess the development and confirm that the development sites may be used safely for the use intended.

- c) **Covenants:** Restrictive Covenant FB194076 was registered to the property in 2008 as a condition of rezoning. The covenant, registered in favour of the ACRD, limits the development of the property into one hotel/motel with a maximum of ten (10) sleeping units, or a maximum of ten (10) dwelling units, and restricts the useable floor area of each sleeping/dwelling unit to 1,200 square feet of living area excluding any garage or carport. The covenant also requires that the property not be subdivided into more than 10 lots and that any building must be located a minimum 40 feet from Sproat Lake. Restrictive Covenant FB194074 was registered at the same time to require a 3-metre-deep vegetated leave strip along the west and east property boundaries. The covenant allows for one 20-metre-wide access road from Lakeshore Road and Aldan Road.

A covenant is a private agreement between two parties, in this case the ACRD and the property owner. The process in which the Regional District follows to amend or discharge a covenant registered in favour of the ACRD is to hold a public meeting to allow for public input prior to the Board considering any changes to the covenant. The public meeting is not a public hearing but would follow similar procedures as a formal hearing including neighbour notification, advertising and conduct of the meeting.

In order to facilitate the proposed development, the applicants have applied to amend the covenants to:

- i. Allow an increase in the number of dwellings from ten (10) to eleven (11) dwelling units. The covenant would restrict the location of all dwelling units to the upland portion of the property north of Lakeshore Road.
- ii. Allow for an increase in the maximum floor area of each dwelling unit from 1,200 ft² to 2,000 ft², excluding garage and carport areas. The total gross floor area of the permitted development on the property would increase from 12,000 ft² to 22,000 ft².
- iii. Allow for the subdivision of the property to a maximum of eleven (11) strata lots. The covenant currently restricts the number of lots to ten (10).
- iv. Permit two 20-metre-wide road accesses from Aldan Road, north of Lakeshore Road, through the vegetative leave strip. The covenant currently restricts the development to only one access from Aldan and one from the south side on Lakeshore.
- v. Align the covenant boundary with the existing C6 and MAR2 zoning boundary. There was a discrepancy in the surveyed covenant boundary when the property was rezoned in 2008 and the adjustment would ensure that the covenant area would match the C6-zoned area, which was the original intent of the covenant.

Comments: The C6 zoning would allow for the 11 dwelling units to be individually strata-titled and used as any combination of permanent residences, seasonal residences, and short-term vacation rental units. The applicants have not proposed any development south of Lakeshore Road on the 0.2 ha portion of property adjacent to the lake and all construction would be meet flood construction level requirements established by the Geotechnical Engineer.

It is recommended that a public meeting be held to gather public input on the proposed amendments of Restrictive Covenants FB194074 and FB194076. The notification process for the public meeting would include a neighbourhood mailout and public advertising process that would be similar to a public hearing for an OCP amendment. The report and minutes from the public meeting would be provided for the Board to consider prior to making a final decision on the covenant amendments.

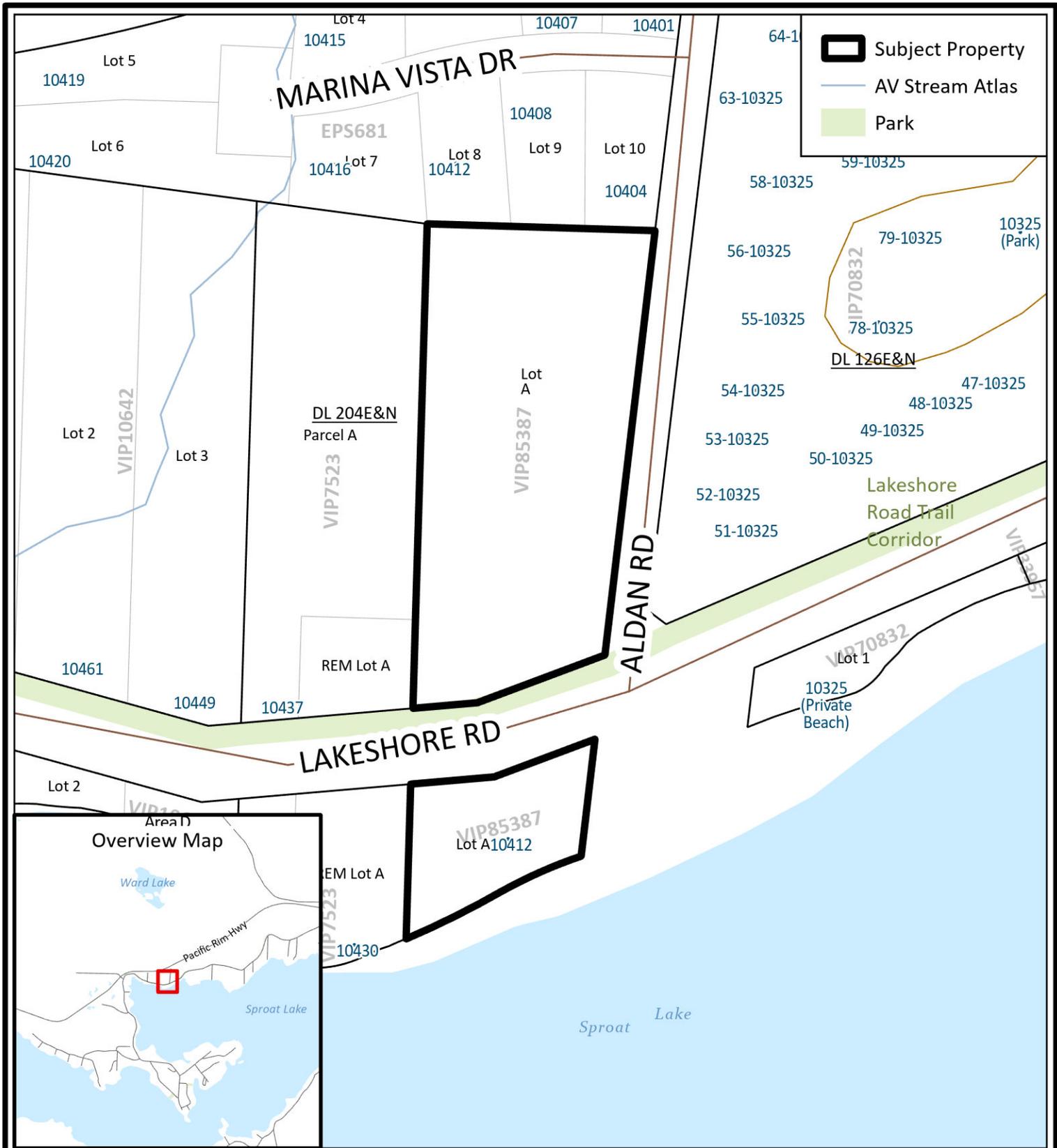
Planning staff recognize a need for a diversity of housing types at Sproat Lake, including attached duplex dwellings and strata-titled dwellings with common services, and are supportive of the Board proceeding with the public input process. The proposed development would allow an opportunity to provide flexibility for a diversity

of seasonal or permanent attached housing types while also providing the opportunity to short-term rental accommodation within an area zoned for tourist commercial uses.

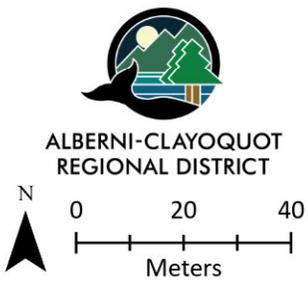
Submitted by: Alex Dyer
Alex Dyer, MCIP, RPP, General Manager of Planning & Development

Reviewed by: _____
Cynthia Dick, General Manager of Administrative Services

Approved by: _____
Daniel Sailland, MBA, Chief Administrative Officer



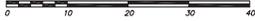
Civic Address: 10412 Lakeshore Road
 Legal Description: LOT A DISTRICT LOT 204 ALBERNI DISTRICT
 PLAN VIP85387



SITE PLAN OF LOT A, DISTRICT LOT 204, ALBERNI DISTRICT, PLAN VIP85387.

SHOWING PROPOSED BUILDING LAYOUT CONCEPT THEREON

SCALE 1:400



THE INTENDED PLOT SIZE IS 560mm IN WIDTH AND 865mm IN HEIGHT (D SIZE) WHEN PLOTTED AT A SCALE OF 1:400.

NOTES:

THIS PLAN IS NOT TO BE USED TO RE-ESTABLISH PROPERTY LINES. ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF AND ARE DERIVED FROM LTO RECORDS.

ELEVATIONS ARE GEOMETRIC IN METRES, REFERENCED TO CGVD2013 DATUM, DERIVED FROM DIFFERENTIAL DUAL FREQUENCY GNSS OBSERVATIONS POST-PROCESSED USING NATURAL RESOURCE CANADA'S PRECISE POINT POSITIONING (PPP) SERVICE.

CONTOUR INTERVAL: 0.2 METRES.

FLOOD CONSTRUCTION LEVEL ASSESSMENT FROM RYZYK GEOTECHNICAL CONSULTANTS: ASSESSED FLOOD CONSTRUCTION LEVEL = 35.13m FILE NO. 12181-1 (DATE: 2024/09/10)

JURISDICTION: ALBERNI-CLAYOQUIT REGIONAL DISTRICT

PARCEL ZONING: TOURIST COMMERCIAL DISTRICT (OC) / MARINA TWO DISTRICT (MAR2)

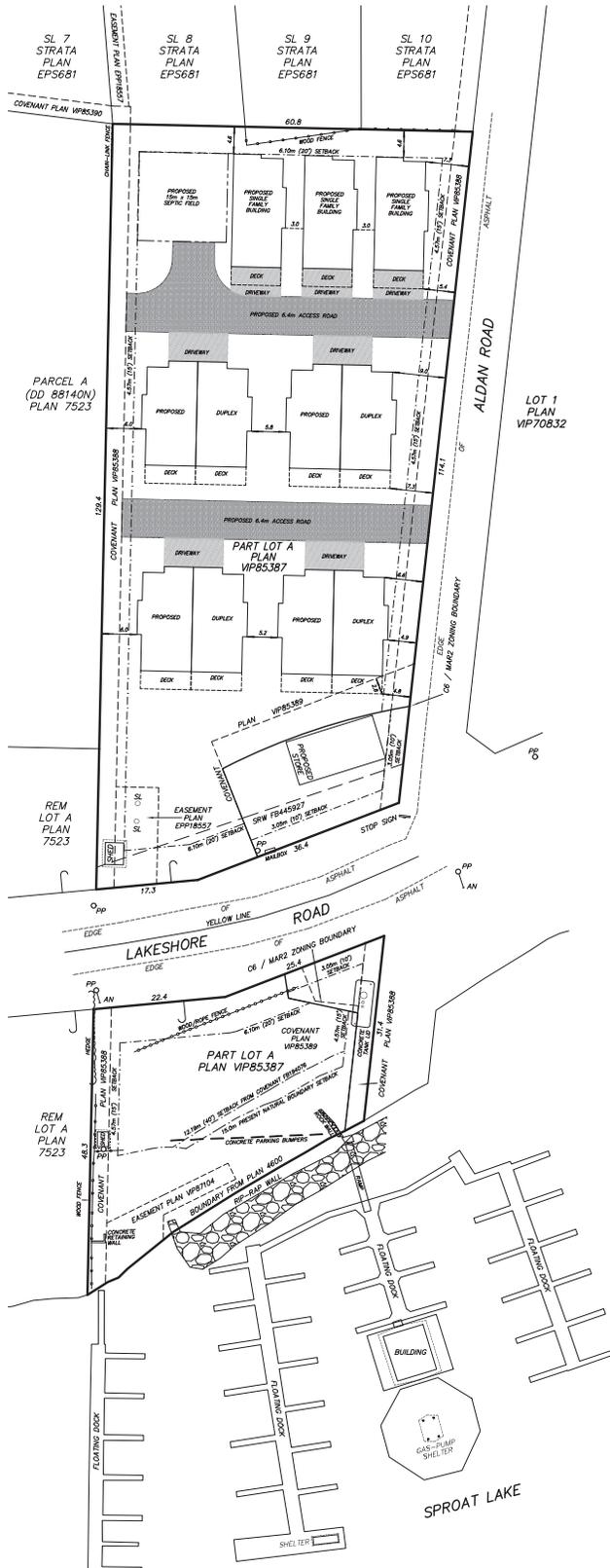
PID NO: 027-581-039

THIS LOT IS SUBJECT TO LTO CHARGE NUMBERS: NTR530, SF194074, FB194076, FB445927, FB445928, FB445927, FB446468, CA2585222 AND CA2585245.

CIVIC ADDRESS: 10412 LAKESHORE ROAD, PORT ALBERNI, BC

LEGEND:

- DENOTES SETBACK LINE
- DENOTES ROOF OVERHANG
- PP ○ DENOTES POWER POLE
- SL ○ DENOTES SEPTIC LID
- AN ○ DENOTES HYDRO ANCHOR
- CSP --- DENOTES CORRUGATED STEEL PIPE
- BOD --- DENOTES BASE OF DITCH



















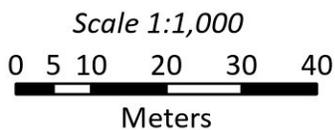
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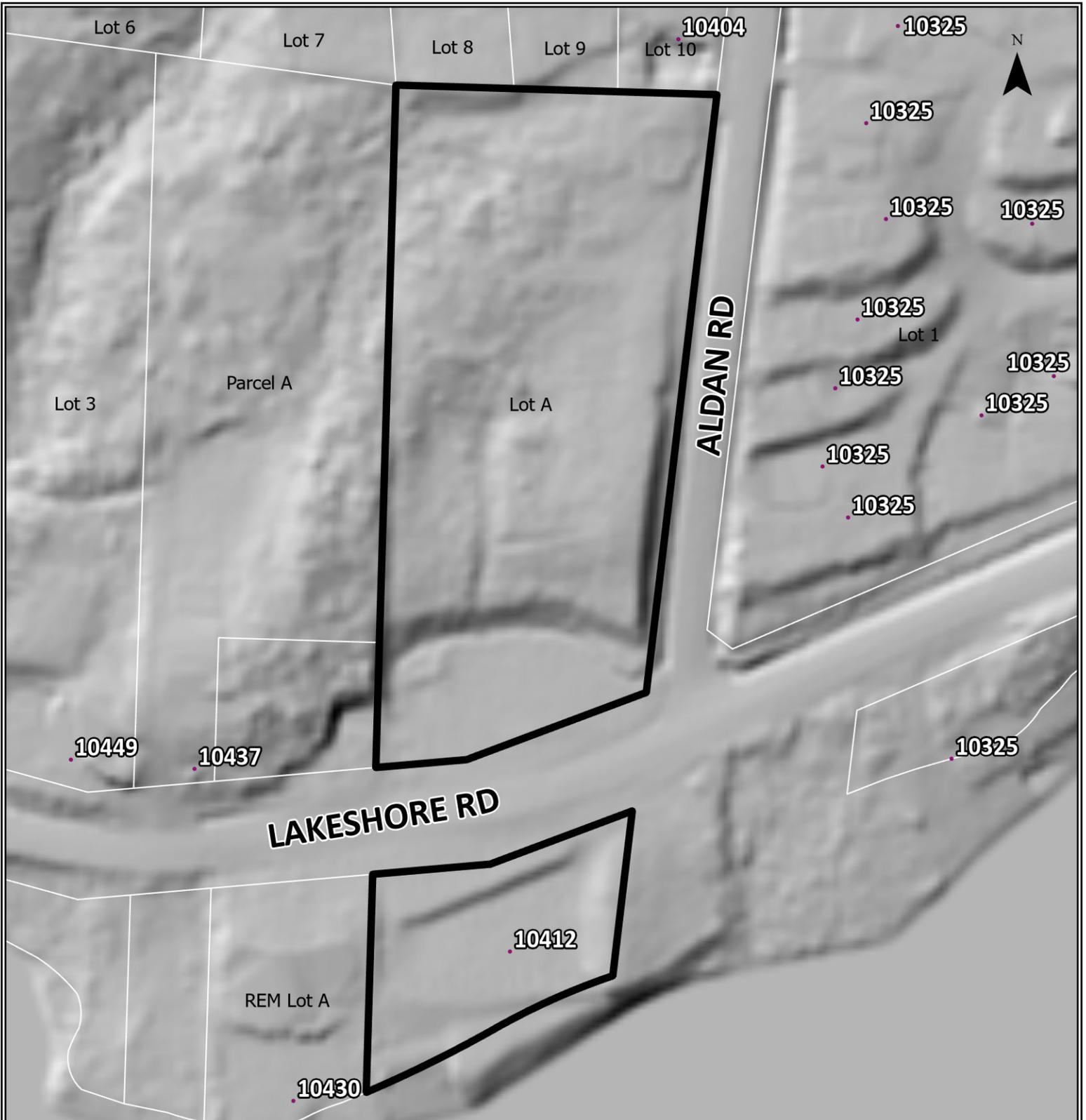
 Subject Property



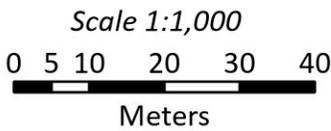
**ALBERNI-CLAYOQUOT
REGIONAL DISTRICT**

Prepared 2025-11-18
Sources: Microsoft, VantorProv. BC,
ParcelMapBC; ACRD





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 Subject Property



**ALBERNI-CLAYOQUOT
REGIONAL DISTRICT**

Prepared 2025-11-18
Sources: Prov. BC, ParcelMapBC; ACRD

QUICK CONVEY Software

FB194075

LAND TITLE ACT (Section 233)
Province of British Columbia

18 JUL 2008 14 05

FB194074

FORM C
GENERAL INSTRUMENT - PART 1

Page 1 of 8

1. APPLICATION: Client No: #10977 File No: 31295
Dorothy Clarkstone
Notary Public
3151 - 3rd Avenue
Port Alberni, BC V9Y 4C7
Tel: 250-723-9747

Deanne Ruel
Signature of Applicant's Agent

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:
(PID) (Legal Description)
000-100-722 LOT A, DISTRICT LOT 204, ALBERNI DISTRICT,
PLAN VIP 85387

3. NATURE OF INTEREST: <u>Description:</u> SECTION 219 COVENANT & PRIORITY AGREEMENT	Document Reference: <u>(page & paragraph)</u> ENTIRE DOCUMENT EXCEPT PRIORITY AGREEMENT PG 7, PARAGRAPH 16 & 17	<u>Person Entitled to Interest:</u> TRANSFeree	AC 08/07/18 14:07:07 01 VI CHARGE	B11370 \$132.30
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2c

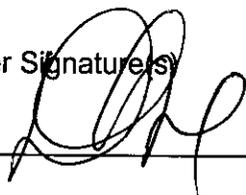
4. TERMS: Part 2 of this instrument consists of (select one only)
(a) Filed Standard Charge Terms D.F. Number: _____
(b) Express Charge Terms Annexed as Part 2
(c) Release There is no Part 2 of this instrument
A selection of (a) includes any additional or modified terms referred to in Item 7 or in a 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): 655,570 B.C. LTD. (Inc. no. 655,570) and COASTAL COMMUNITY CREDIT UNION and ALL ISLAND EQUITY MORTGAGE INVESTMENT CORP (Inc. No. 0537559)

6. TRANSFeree(S): (including postal address and postal code) ALBERNI-CLAYOQUOT REGIONAL DISTRICT, 3008 - 5th Avenue, PORT ALBERNI, B.C., V9Y 2E3

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 items, if any.

Officer Signature(s)


DOROTHY CLARKSTONE
Notary Public
3151 3RD AVENUE
PORT ALBERNI, B.C. V9Y 4C7
(250) 723-9747

Execution Date		
Y	M	D
2008	07	15

Party(ies) Signature(s):
655,570 B.C. LTD. by its authorized signatory(ies)


GARY CASAVANT

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.

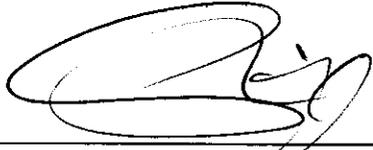
LAND TITLE ACT

FORM D
EXECUTIONS CONTINUED

Officer Signature(s)

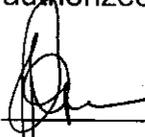
Execution Date

Transferor/Borrower/Party
Signature(s):



Y	M	D
2008	07 08	11
2008	07 04	18

CHARLES G. RADCLIFFE
Barrister & Solicitor
P.O. BOX 778
NANAIMO, B.C.
V9R 5M2

COASTAL COMMUNITY
CREDIT UNION by its
authorized signatories:

Susan Pope
Lending Clerk
Central Operations


SUSAN DUNN
ASSISTANT MANAGER
CENTRAL OPERATIONS



WENDY THOMSON
Deputy Corporate Secretary
REGIONAL DISTRICT OF ALBERNI CLAYOQUOT
Commissioner for Taking Affidavits
In the Province of British Columbia.
(ADDRESS - SAME AS ITEM 3)
(as to all signatures)

ALBERNI-CLAYOQUOT
REGIONAL DISTRICT by its
authorized signatories:


R.A. HARPER

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.

LAND TITLE ACT

**FORM D
EXECUTIONS CONTINUED**

Officer Signature(s)

Execution Date

Transferor/Borrower/Party
Signature(s):



John R. Manning
MANNING & KIRKHOPE
Barristers, Solicitors & Mediators
 430 Wentworth Street
 Nanaimo, B.C. V9R 3E1

Y	M	D
2008	07	10
2008	04	

ALL ISLAND EQUITY
MORTGAGE INVESTMENT
CORP. by its authorized
signatories:


 WILLIAM WALKER

(as to all signatures)

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.

PAGE 4

TERMS OF INSTRUMENT - PART 2

SECTION 219 COVENANT

BETWEEN:

655,570 B.C. LTD. (Inc. No. 655,570), of 10412 Lakeshore Road, PORT ALBERNI,
B.C., V9Y 7L7

(Hereinafter called the "Grantor")
OF THE FIRST PART

AND

ALBERNI -CLAYOQUOT REGIONAL DISTRICT, 3008 - 5th Avenue, PORT
ALBERNI, B.C., V9Y 2E3

(Hereinafter called the "Grantee")
OF THE SECOND PART

WHEREAS:

A. The Grantor is the registered owner in fee simple of:

PID
LOT A, DISTRICT LOT 204, ALBERNI DISTRICT, PLAN VIP 85387
(The "Land")

B. The Grantee is the Regional District of Alberni-Clayoquot;

C. The Grantor wishes to rezone the Land for the purpose of legalizing and developing a number of strata lots and a marina;

D. The Grantor has voluntarily agreed to grant this Covenant (the "Covenant") restricting use of the Land to facilitate the rezoning application.

NOW THEREFORE in consideration of the payment of the sum of ONE DOLLAR (\$1.00) BY THE Grantee to the Grantor and the premises and the covenants herein contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, the parties hereto covenant and agree each with the other as follows:

PAGE 5

1. In this Covenant:

“Vegetative Leave Strip” means an area on the Land within which the naturally occurring plants, trees and other indigenous vegetation must be supplemented, maintained, protected and preserved, and must not be removed without the prior written consent of the Grantee; except that if any living or dead tree within such Vegetative Leave Strip poses an imminent threat to the safety of persons or property, that tree may be cut down or trimmed without the prior written consent of the Grantee; This area is outlined in black as on Explanatory Plan VIP 85388, a copy of which is attached hereto.

2. The Land shall not be used or built upon except in strict accordance with the terms and conditions of this Covenant;
3. The Grantor must leave a Vegetative Leave Strip as shown outlined on Reference Plan VIP 85388 attached hereto as Schedule “A” except that the Grantor is permitted to construct fencing or quality pathways and one access area of no greater than twenty (20) metres in this Vegetation Leave Strip. Where this Vegetative Leave Strip is required for utility installation these elements are excluded from the Vegetative Leave Strip. Provided however, areas used for utilities will be landscaped to conform with the intent of the Vegetative Leave Strip. It is also understood that there will be two accesses which shall go through the Vegetative Leave Strip off Alden Road being one access north of Lakeshore Road and one access south of Lakeshore Road. Each access shall not exceed twenty (20) metres each in width. There shall also be parking and trailer storage for not greater than 8 spaces off Alden Road north of Lakeshore Road on the Vegetative Leave Strip.
4. The Grantor shall have also have one access from Lakeshore Road to the north part of the property and one access from Lakeshore Road to the south part of the property. Each access shall not exceed twenty (20) metres each in width.
5. The Grantor and the Grantee agree that the enforcement of this Covenant shall be entirely within the discretion of the Grantee and that the execution and registration of this Covenant against the title to the Land shall not be interpreted as creating any duty on the part of the Grantee to the Grantor or to any other person to enforce any provision or the breach of any provision of this Covenant;
6. Nothing contained or implied herein shall prejudice or affect the rights and powers of the Grantee in the exercise of its functions under any public or private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised in relation to the Land as if the covenant had not been executed and delivered by the Grantor;

PAGE 6

7. The Grantor hereby releases and forever discharges the Grantee of and from any claim, cause of action, suit, demand, expenses, costs and legal fees whatsoever which the Grantor can or may have against the said Grantee for any loss or damage or injury that the Grantor may sustain or suffer arising out of or in connection with this Covenant;
8. The Grantor covenants and agrees to indemnify and save harmless the Grantee from any and all claims, causes of action, suits, demands, expenses, costs and legal fees whatsoever that anyone might have as owner, occupier or user of the Land, or by a person who has an interest in or comes onto the Land, or by anyone who suffers loss of life or injury to his person or property, that arises out of or in connection with this covenant, the rezoning of the Land, the issuance of a building permit for any building or structure on the Land, or the use and development of the Land;
9. It is mutually understood, acknowledged and agreed by the parties hereto that the Grantee has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Grantor other than those contained in this Covenant;
10. This Covenant shall be registered in priority to all financial charges against the Land and the Grantor agrees to execute and deliver all other documents and provide all other assurances necessary to give effect to the covenants contained in this Covenant;
11. The Grantor shall pay the legal fees of the Grantee in connection with the preparation and registration of this Covenant. This is a personal covenant between the parties.
12. The Grantor covenants and and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions hereinbefore set out and they shall be binding upon the Grantor as personal covenants only during the period of its respective ownership of any interest in the Land;
13. The restrictions and covenants herein contained shall be covenants running with the Land and shall be perpetual and shall continue to bind all of the Lands (even if subdivided) and shall be registered in the Victoria Land Title Office pursuant to Section 219 of the Land Title Act as covenants in favour of the Grantee;
14. This Covenant shall enure to the benefit of the Grantee and shall be binding upon the parties hereto and their respective heirs, executors, successors and assigns.

PAGE 7

15. Wherever the expressions "Grantor" and "Grantee" are used herein, they shall be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require.
16. COASTAL COMMUNITY CREDIT UNION , the registered holder of charges by way of Mortgage and Assignment of Rents against the within described property which said charges are registered in the Land Title Office at Victoria, British Columbia, under Nos. EV32066 and EV32067, respectively for and in consideration of the sum of ONE DOLLAR (\$1.00) paid by the Grantee to the said Chargeholder (the receipt whereof is acknowledged) agrees with the Grantee, its successors and assigns, that the within Covenant shall be an encumbrance upon the within described property in priority to the said charge in the same manner and to the same effect as if it had been dated and registered prior to the said charge.
17. ALL ISLAND EQUITY MORTGAGE INVESTMENT CORP. (INC. NO. 0537559) , the registered holder of charges by way of Mortgage and Assignment of Rents against the within described property which said charges are registered in the Land Title Office at Victoria, British Columbia, under Nos. FB173758 and FB173759, respectively for and in consideration of the sum of ONE DOLLAR (\$1.00) paid by the Grantee to the said Chargeholder (the receipt whereof is acknowledged) agrees with the Grantee, its successors and assigns, that the within Covenant shall be an encumbrance upon the within described property in priority to the said charge in the same manner and to the same effect as if it had been dated and registered prior to the said charge.

IN WITNESS WHERE OF the parties hereto hereby acknowledge that this Agreement has been duly executed and delivered by the parties executing Form C (pages 1 and 2) attached hereto.

QUICK CONVEY Software

FB194077

LAND TITLE ACT (Section 233)
Province of British Columbia

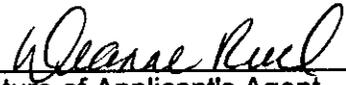
18 JUL 2008 14 06

FB194076

FORM C
GENERAL INSTRUMENT - PART 1

Page 1 of 8

1. APPLICATION: Client No: #10977 File No: 31295
Dorothy Clarkstone
Notary Public
3151 - 3rd Avenue
Port Alberni, BC V9Y 4C7
Tel: 250-723-9747


Signature of Applicant's Agent

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:
(PID) (Legal Description)
000-100-722 LOT A, DISTRICT LOT 204, ALBERNI DISTRICT,
PLAN VIP

2C

3. NATURE OF INTEREST: Description: SECTION 219 COVENANT & PRIORITY AGREEMENT
Document Reference: (page & paragraph) ENTIRE DOCUMENT EXCEPT PRIORITY AGREEMENT PG 7, PARAGRAPH 17 & 18
Person Entitled to Interest: TRANSFEREE
AC CHARGE 08/07/18 14:08:06 01 VI 811370 \$132.30

4. TERMS: Part 2 of this instrument consists of (select one only)
(a) Filed Standard Charge Terms D.F. Number: _____
(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): 655,570 B.C. LTD. (Inc. no. 655,570) and COASTAL COMMUNITY CREDIT UNION and ALL ISLAND EQUITY MORTGAGE INVESTMENT CORP (Inc. No. 0537559)

6. TRANSFEREE(S): (including postal address and postal code) ALBERNI-CLAYOQUOT REGIONAL DISTRICT, 3008 - 5th Avenue, PORT ALBERNI, B.C., V9Y 2E3

7. ADDITIONAL OR MODIFIED TERMS: N/A

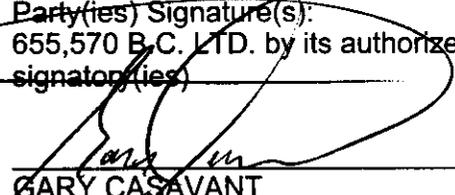
8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge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

Officer Signature(s)

DOROTHY CLARKSTONE
Notary Public
3151 3RD AVENUE
PORT ALBERNI, B.C V9Y 4C7
(250) 723-9747

Execution Date

Y	M	D
2008	07	18

Party(ies) Signature(s):
655,570 B.C. LTD. by its authorized signatory(ies)

GARY CASAVANT

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.

LAND TITLE ACT

FORM D
EXECUTIONS CONTINUED

Officer Signature(s)



CHARLES G. RADCLIFFE
Barrister & Solicitor
P.O. BOX 778
NANAIMO, B.C.
V9R 5M2

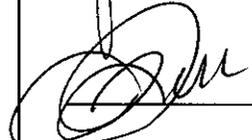
Execution Date

Y	M	D
2008	07 05	11
2008	07 04	18

Transferor/Borrower/Party
Signature(s):

COASTAL COMMUNITY
CREDIT UNION by its
authorized signatoreis:

Susan Pope
Lending Clerk
Central Operations


SUSAN DUNN
ASSISTANT MANAGER
CENTRAL OPERATIONS



WENDY THOMSON
Deputy Corporate Secretary
REGIONAL DISTRICT OF ALBERNI CLAYOQUOT
Commissioner for Taking Affidavits
In the Province of British Columbia.

(ADDRESS - SAME AS ITEM 3)
(as to all signatures)

ALBERNI-CLAYOQUOT
REGIONAL DISTRICT by its
authorized signatories:

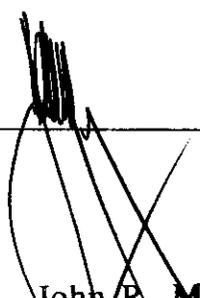

H.A. HARBER

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LAND TITLE ACT

**FORM D
EXECUTIONS CONTINUED**

Officer Signature(s)



John R. Manning
MANNING & KIRKHOPE
Barristers, Solicitors & Mediators
 430 Wentworth Street
 Nanaimo, B.C. V9R 3E1

Execution Date

Y	M	D
2008	07	10
2008	04	

Transferor/Borrower/Party
Signature(s):

ALL ISLAND EQUITY
MORTGAGE INVESTMENT
CORP. by its authorized
signatories:



WILLIAM WALKER

(as to all signatures)

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.

PAGE 4

TERMS OF INSTRUMENT - PART 2

SECTION 219 COVENANT

BETWEEN:

655,570 B.C. LTD. (Inc. No. 655,570), of 10412 Lakeshore Road, PORT ALBERNI,
B.C., V9Y 7L7

(Hereinafter called the "Grantor")
OF THE FIRST PART

AND

ALBERNI -CLAYOQUOT REGIONAL DISTRICT, 3008 - 5th Avenue, PORT
ALBERNI, B.C., V9Y 2E3

(Hereinafter called the "Grantee")
OF THE SECOND PART

WHEREAS:

- A. The Grantor is the registered owner in fee simple of:
- PID
LOT A, DISTRICT LOT 204, ALBERNI DISTRICT, PLAN VIP _____
(The "Land")
- B. The Grantee is the Regional District of Alberni-Clayoquot;
- C. The Grantor wishes to rezone the Land for the purpose of legalizing and developing a number of strata lots and a marina;
- D. The Grantor has voluntarily agreed to grant this Covenant (the "Covenant") restricting use of the Land to facilitate the rezoning application.

NOW THEREFORE in consideration of the payment of the sum of ONE DOLLAR (\$1.00) BY THE Grantee to the Grantor and the premises and the covenants herein contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, the parties hereto covenant and agree each with the other as follows:

PAGE 5

1. In this Covenant:

“Covenant Areas” means the areas identified and outlined in black on Reference Plan of Covenant over Part of Lot A, District Lot 204, Alberni District, Plan VIP _____, such plan being registered as plan VIP _____, a copy of which is attached hereto as Schedule “A”

“Dwelling Unit” means one or more habitable rooms, constituting a self-contained unit with a separate entrance, and used or intended to be used together for living and sleeping purposes for not more than one family and containing a separate and properly ventilated kitchen with a sink and cooking facilities and a bathroom with a water closet, wash basin and bath or shower;

“Hotel” means a building containing more than six sleeping units wherein accommodation is provided for transient lodgers. No sleeping unit shall contain private cooking facilities and in no case shall sleeping units be used for retail trade. A hotel shall ordinarily include such ancillary facilities as sample rooms, banquet rooms, rooms devoted primarily to the sale of alcoholic beverages, and other activities permitted in the zoning district in which it is located.

“Motel” means a building or group of buildings wherein accommodation is provided, occupied or intended to be occupied primarily by transient motorists in separate sleeping or dwelling units, none of which shall be used for retail trade. A motel may include a café or restaurant and such ancillary facilities as self-service laundry, and common recreational or cooking facilities. Where the motel is located as to be occupied primarily by transient motorists, each sleeping or dwelling unit shall have its own parking space conveniently located on the lot.

“Non-Residential” when used with reference to a building, structure or use, means designed, intended or used for purposes other than those of a residential use building.

“Setback” means the required minimum distance between the high water mark of Sproat Lake and any building on any lot;

“Side Lot Line” means a line, marking the boundary between the Land and another lot or between the Land and a lane or street, of which one or both ends intersect the Front Lot Line;

2. The Land shall not be used or built upon except in strict accordance with the terms and conditions of this Covenant;
3. The Grantor may subdivide Covenant Areas into no more than ten (10) lots or ten (10) strata lots or any combination of lots or strata lots not exceeding ten (10);

Page 6

4. The Grantor may build upon the Covenant Areas not more than one Hotel with not more than ten sleeping units; or one Motel with not more than ten sleeping units or dwelling units; or not more than ten dwelling units; where the maximum usable floor space of each Hotel sleeping unit or Motel sleeping unit or dwelling unit is no greater than twelve hundred (1200) square feet of living area excluding any garage or carport, and one Non-Residential unit for use as an office or administration unit where the maximum useable floor space is no greater than twelve hundred (1,200) square feet.
5. The Grantor must have a Setback for any building on this Lot of not less than forty (40) feet from Sproat Lake;
6. The Grantor and the Grantee agree that the enforcement of this Covenant shall be entirely within the discretion of the Grantee and that the execution and registration of this Covenant against the title to the Land shall not be interpreted as creating any duty on the part of the Grantee to the Grantor or to any other person to enforce any provision or the breach of any provision of this Covenant;
7. Nothing contained or implied herein shall prejudice or affect the rights and powers of the Grantee in the exercise of its functions under any public or private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised in relation to the Land as if the covenant had not been executed and delivered by the Grantor;
8. The Grantor hereby releases and forever discharges the Grantee of and from any claim, cause of action, suit, demand, expenses, costs and legal fees whatsoever which the Grantor can or may have against the said Grantee for any loss or damage or injury that the Grantor may sustain or suffer arising out of or in connection with this Covenant;
9. The Grantor covenants and agrees to indemnify and save harmless the Grantee from any and all claims, causes of action, suits, demands, expenses, costs and legal fees whatsoever that anyone might have as owner, occupier or user of the Land, or by a person who has an interest in or comes onto the Land, or by anyone who suffers loss of life or injury to his person or property, that arises out of or in connection with this covenant, the rezoning of the Land, the issuance of a building permit for any building or structure on the Land, or the use and development of the Land;
10. It is mutually understood, acknowledged and agreed by the parties hereto that the Grantee has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Grantor other than those contained in this Covenant;
11. This Covenant shall be registered in priority to all financial charges against the Land and the Grantor agrees to execute and deliver all other documents and provide all other assurances necessary to give effect to the covenants contained in this Covenant;

Page 7

12. The Grantor shall pay the legal fees of the Grantee in connection with the preparation and registration of this Covenant. This is a personal covenant between the parties.
13. The Grantor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions hereinbefore set out and they shall be binding upon the Grantor as personal covenants only during the period of its respective ownership of any interest in the Land;
14. The restrictions and covenants herein contained shall be covenants running with the Land and shall be perpetual and shall continue to bind all of the Lands (even if subdivided) and shall be registered in the Victoria Land Title Office pursuant to Section 219 of the Land Title Act as covenants in favour of the Grantee;
15. This Covenant shall enure to the benefit of the Grantee and shall be binding upon the parties hereto and their respective heirs, executors, successors and assigns.
16. Wherever the expressions "Grantor" and "Grantee" are used herein, they shall be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require.
17. COASTAL COMMUNITY CREDIT UNION , the registered holder of charges by way of Mortgage and Assignment of Rents against the within described property which said charges are registered in the Land Title Office at Victoria, British Columbia, under Nos. EV32066 and EV32067, respectively for and in consideration of the sum of ONE DOLLAR (\$1.00) paid by the Grantee to the said Chargeholder (the receipt whereof is acknowledged) agrees with the Grantee, its successors and assigns, that the within Covenant shall be an encumbrance upon the within described property in priority to the said charge in the same manner and to the same effect as if it had been dated and registered prior to the said charge.
18. ALL ISLAND EQUITY MORTGAGE INVESTMENT CORP. (INC. NO. 0537559) , the registered holder of charges by way of Mortgage and Assignment of Rents against the within described property which said charges are registered in the Land Title Office at Victoria, British Columbia, under Nos. FB173758 and FB173759, respectively for and in consideration of the sum of ONE DOLLAR (\$1.00) paid by the Grantee to the said Chargeholder (the receipt whereof is acknowledged) agrees with the Grantee, its successors and assigns, that the within Covenant shall be an encumbrance upon the within described property in priority to the said charge in the same manner and to the same effect as if it had been dated and registered prior to the said charge.

IN WITNESS WHERE OF the parties hereto hereby acknowledge that this Agreement has been duly executed and delivered by the parties executing Form C (pages 1 and 2) attached hereto.

Schedule "A" MIKE

REFERENCE PLAN OF COVENANT OVER PART OF LOT A,

D L 204, ALBERNI DISTRICT, PLAN VIP

(PURSUANT TO 99(1)(e) OF THE LAND TITLE ACT.

B C G S 92F.026

SCALE 1:500

PLAN VIP

(752-924)

Deposited in the Land Title Office
at Victoria, BC this _____ day of
2008

Registrar

LEGEND

- Boundary of the Plan
- Boundary of the Reference Plan



LOT 1 PLAN 38581

LOT A

0.758 ha.

LOT B
PLAN
7523

LOT A

LAKSHORE

PLAN
7523

PLAN
VIP

NATURAL
BOUNDARY
FROM
PLAN VIP

SPROAT LAKE

ALDAN ROAD

LOT 1
PLAN VIP70832

ROAD

DL 204
DL 126

This Plan lies within the Parish
District of Alberni-Clayquot

I, Michael A. Sims, a British Columbia
Land Surveyor, of the Town of Qualicum
Beach, in 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 field survey was completed on the
_____ day of MAY 2008. The plan
was completed and checked on the _____
day of MAY 2008.

SIMS ASSOCIATES

- Michael A. Sims
- Surveyor
- 1000 Alberni Street
- Alberni, BC V9Y 1A1
- Phone: 250-752-1111
- Fax: 250-752-1112
- www.michaelasims.com

Corrected



To: Sproat Lake Advisory Planning Commission

Meeting Date: February 17th, 2026

From: Alima Khoja, Planner 1

Voting Structure: APC members

Electoral Area: D - Sproat Lake

Subject: Rezoning RD25005 – 10203 Woodslee loop (Warren)

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors consider first reading to Bylaws P1536 and P1537 at a future date, and that notice be given in accordance with Section 467 of the Local Government Act.

THAT the Alberni-Clayoquot Regional District Board of Directors confirm that adoption of Bylaws P1536 and P1537 is subject to:

- a. Confirmation from the Sproat Lake Fire Department that access, and fire safety measures are in place to provide adequate fire protection to the site.***
- b. Meeting all technical referral agency requirements.***

Development Proposal: The property owners have applied to rezone the parcel. A new Zoning district and use regulation has been prepared - Residential Storage (SW 3) District zone. The proposed SW 3 Zone has been created to accommodate personal storage as a primary permitted use within a residential context. The intent of this new zoning district is to provide residents with the ability to store vehicles, recreational vehicles, equipment, and boats as a part of their personal use, within an enclosed structure on the property.

Advisory Planning Commission Recommendation: The Sproat Lake Advisory Planning Commission (APC) will review this application at their February 17, 2026, meeting and provide recommendations.

Property Owner(s): 700592 B.C. LTD., INC.NO. BC700592

Applicant/Primary Contact: Linda Warren

Property Information:

Civic Address:	10203 Woodslee loop		
Legal Description:	LOT 7, DISTRICT LOT 622, CLAYOQUOT DISTRICT, PLAN 11481		
PID:	005-047-200	Folio:	770-03540.000
ALR? (Y/N):	N	Lot Area (ha):	0.20 (0.50 ac)
Current Zoning:	RA1 - Acreage Residential District	Proposed Zoning:	Residential Storage (SW 3) District
Current OCP:	Sproat Lake, Residential Use	Proposed OCP:	N/A
Development Permit Area(s):	N/A		

PL20250086 / RD25005

Alberni-Clayoquot Regional District | 3008 Fifth Avenue, Port Alberni, BC V9Y 2E3 | 250.720.2700 | www.acrd.bc.ca

Serving Port Alberni, Tofino, Ucluelet, Treaty First Nations: Huu-ay-aht, Yuułu?iŋáth, Uchucklesaht Tribe Government, and Toquaht Nation, and Six Electoral Areas: "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek).

Current Use & Description:	The 0.20-hectare (0.50 ac) property have two sea cans temporarily located on-site. The property can be accessed from Woodslee Loop to the south and Quasoon Rd to the north. Three parcels located to the north-east of the subject property, accessed from Woodslee Loop, are also owned by the applicant. In addition, one lot located to the north of the subject property, accessed from Quasoon Road, is also under the applicant’s ownership. The proposed boat storage garage site is in the northern part of the property.
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Surrounding Zoning and Land Use			
North:	Acreage Residential (RA1) District	South:	Acreage Residential (RA1) District
East:	Three-lot bare land strata development zoned Acreage Residential (RA1) District	West:	Acreage Residential (RA1) District

Services:

- a) **Sewage Disposal:** On-site sewage disposal. The installation of a sewage disposal system approved by Island Health would be required as a condition for any building permit issued for the construction of a dwelling, or any accessory building or Residential Storage structure that includes plumbing facilities.
- b) **Water Supply:** On-site water system. Water servicing to the site would be provided by either a groundwater well or a licensed water intake from Sproat Lake.
- c) **Fire Protection:** The parcel falls within Sproat Lake Fire Protection Area. The rezoning would be referred to the Fire Department to review and provide recommendation.
- d) **Access:** The property can be accessed from Woodslee Loop to the south and Quasoon Road to the north.

Planning Policy Discussion:

- a) **Official Community Plan:** The property is designated as Residential Use in the Sproat Lake OCP. The Residential Use designation supports a range of housing options in the Plan area. The proposed use will accommodate Resident storage within an enclosed structure; however, the parcel will continue to maintain the Residential Use designation in the Sproat Lake Official Community Plan (OCP), preserving its long-term potential for residential development.

This proposal is consistent with the Sproat Lake Official Community Plan (OCP), no OCP amendment is required, and a public hearing will not be held.

- b) **Zoning:** The current zoning of the property is Acreage Residential (RA1) District. The property owner intends to utilize the parcel for boat storage and Residential storage use. The RA1 zone allows for One single family dwelling, Home Occupations, and Accessory Buildings and Uses. The current zoning does not permit the intended use, a new Zoning district and use regulation - Residential Storage (SW 3) District has been drafted. The SW 3 zoning would require closed storage as a primary permitted use for personal vehicles, recreational vehicles, equipment and boat storage associated with residential. In

addition to personal storage, the SW 3 zone permits One single-family dwelling, Home Occupations and Accessory Buildings and Uses.

	Current: RA1	Proposed: SW 3
Minimum Lot Area (ha)	0.167	0.24
Minimum Lot Width (m)	27.4	27.4
Principal & Accessory Front Yard Setback (m)	12.1	12.1
Principal Side Yard Setback (m)	4.5	4.5
Principal Rear Yard Setback (m)	9.1	9.1
Accessory Side Yard Setback (m)	0.91	0.91
Accessory Rear Yard Setback (m)	0.91	0.91
Lot Coverage	25%	25%

The Residential Storage (SW 3) District has been drafted to include the following definitions, permitted uses, conditions of use, and site development regulations:

Definition Specific to the SW 3 District

“Residential Storage” means the storage of personal vehicles, recreational vehicles, boats, and personal equipment associated with residential use within a fully enclosed building or structure. It excludes any commercial or industrial storage, use, or activity of any kind including but not limited to equipment storage for business, rental storage units, heavy equipment storage or any commercial operation.

Permitted Uses

- (1) One single family dwelling
- (2) Residential Storage
- (3) Home Occupations
- (4) Accessory Building and Uses

Conditions of Use in the SW 3 District

- (1) Residential Storage uses are required to be contained entirely within fully enclosed indoor structures. There shall be no commercial or industrial use of storage space.
- (2) No heavy equipment shall be stored on the property.
- (3) Residential Storage shall not be located, unless otherwise provided for in this by-law:
 - a. Within a required front yard;
 - b. Within 3 meters [9.84 feet] of a side or rear yard lot line.
- (4) Residential Storage shall not exceed 6 meters [20 feet] in height.

- (5) Residential Storage structure shall not exceed one (1) storey in height.
- (6) The total combined floor area of Residential Storage and Accessory Buildings shall not exceed five percent (5%) of the registered lot area.
- (7) Residential Storage shall not exceed a maximum floor area of 92.9 square meters (1,000 square feet), regardless of lot size.
- (8) All permitted uses shall be housed completely within an enclosed building except for permitted parking areas. A minimum of two (2) parking spaces and a maximum of four (4) parking spaces shall be provided on the property.
- (9) Vehicle parking areas shall not be located within any required front, rear, or side yard setback.

Density

- (1) The minimum lot size shall be 1.0 hectare (2.47 acres) where the lot is serviced by an on-site water and sewer system. The minimum lot size shall be reduced to 0.24 hectare (0.6 acre) where the lot is serviced by a community or communal water or sewer system, or both.

Site Development Regulations in the SW 3 District

Zoning District Or Use	Minimum Lot Width (feet)	Minimum Lot Area	Maximum Lot Coverage	Minimum Setbacks (feet)			Maximum Height (feet)
				Front	Rear	Side	
SW 3	90	See Section 169.4	25%	40	30	15	35

This proposal requires rezoning to a new Zoning district and use regulation Residential Storage (SW 3) District zone.

Comments:

The applicant intends to construct a boat storage garage towards the north boundary approximately 34' x 20' ft size on the 0.20 ha (0.50 ac) parcel. The parcel currently has two sea cans located on-site which will be removed once Residential Storage is constructed. The Residential Storage use is highlighted in Residential Storage (SW 3) District zone allowing storage of personal vehicles, recreational vehicles, boats, and personal equipment associated with residential within a fully enclosed building or structure. The zone would also permit One single-family dwelling, Home Occupations, and Accessory Buildings and Uses. No commercial or industrial storage/use is allowed on the parcel.

The current zoning of the property is Acreage Residential (RA1) District and Residential Use designation in the Sproat Lake OCP. While the applicant intends to use the parcel for personal storage, the parcel will maintain its residential use designation and continue to align with the OCP for future opportunities. As the use remain

consistent, no public hearing will be held. The SW 3 zoning would restrict the maximum lot coverage to 25%. The total combined floor area of Residential Storage and Accessory Buildings shall not exceed five (5%) of the registered lot area. Residential Storage shall not exceed a maximum of 92.9 square meters (1,000 square feet), regardless of lot size.

Under the proposed zoning, the minimum lot size would be 1.0 hectare for lots utilizing on-site well and septic services, and 0.24 hectare for lots serviced by a community or communal water or sewer system, consistent with the Sproat Lake OCP.

The proposed zoning is in alignment with the Official Community Plan. The subject property has a total area of 0.20 ha, which is 0.04 ha less than the minimum parcel size required in the proposed SW 3 zone. Given this, the if rezoned to SW 3, the subject property would function as an existing non-conforming lot under the new zoning, and any future subdivision will be required to meet the applicable minimum parcel size of 0.24 ha.

It is recommended that the Sproat Lake Advisory Planning Commission review the proposal and provide recommendations.

Submitted by: Alex Dyer
Alex Dyer, MCIP, RPP, General Manager of Planning & Development

Reviewed by: _____
Cynthia Dick, General Manager of Administrative Services

Approved by: _____
Daniel Sailland, MBA, Chief Administrative Officer



Access to the parcel via Quasoon Road and Woodslee Loop



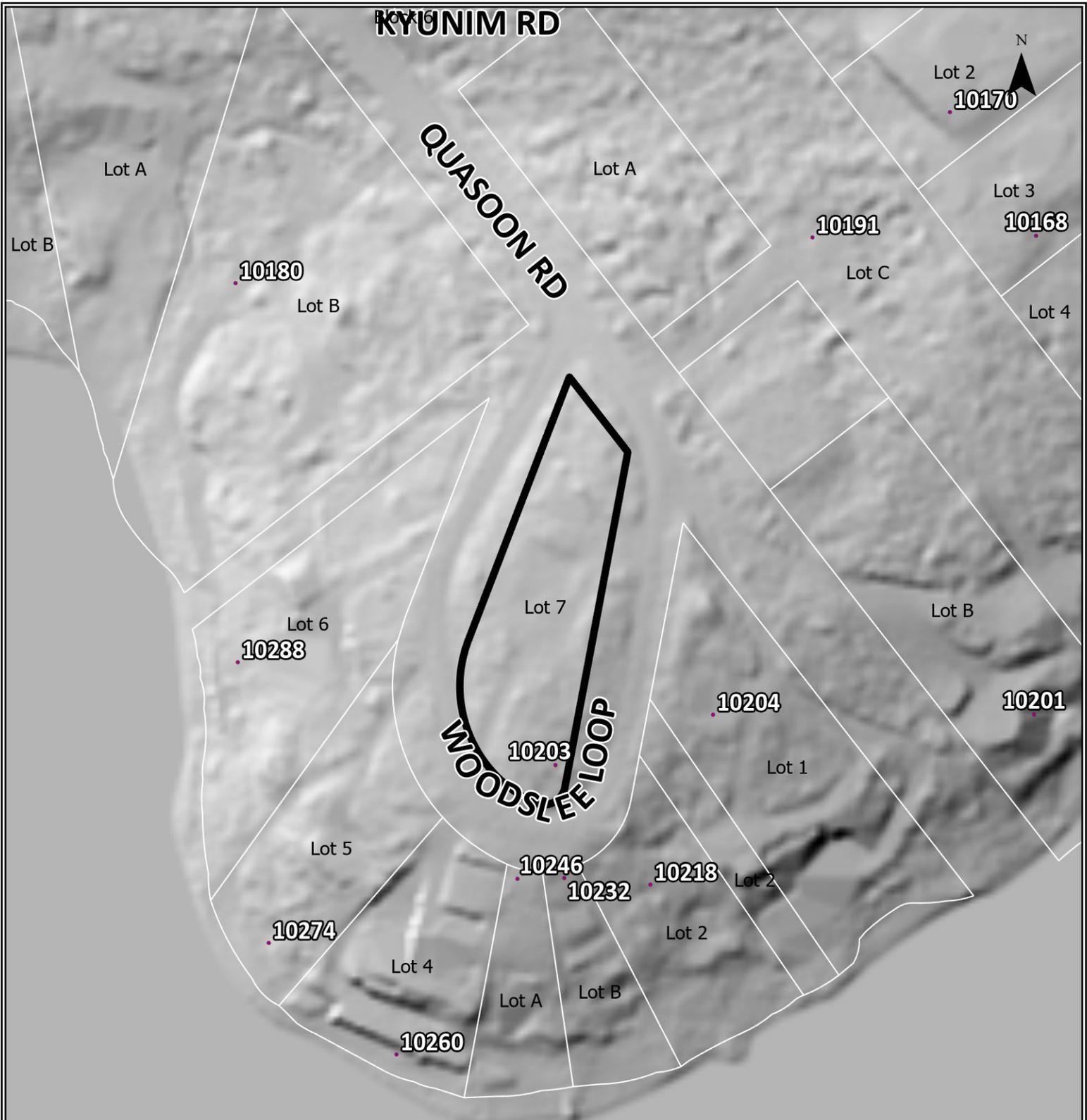
View towards Quasoon Road from north boundary of the parcel



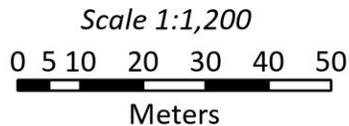
View of the container structure from east boundary looking west



South boundary of the parcel looking north



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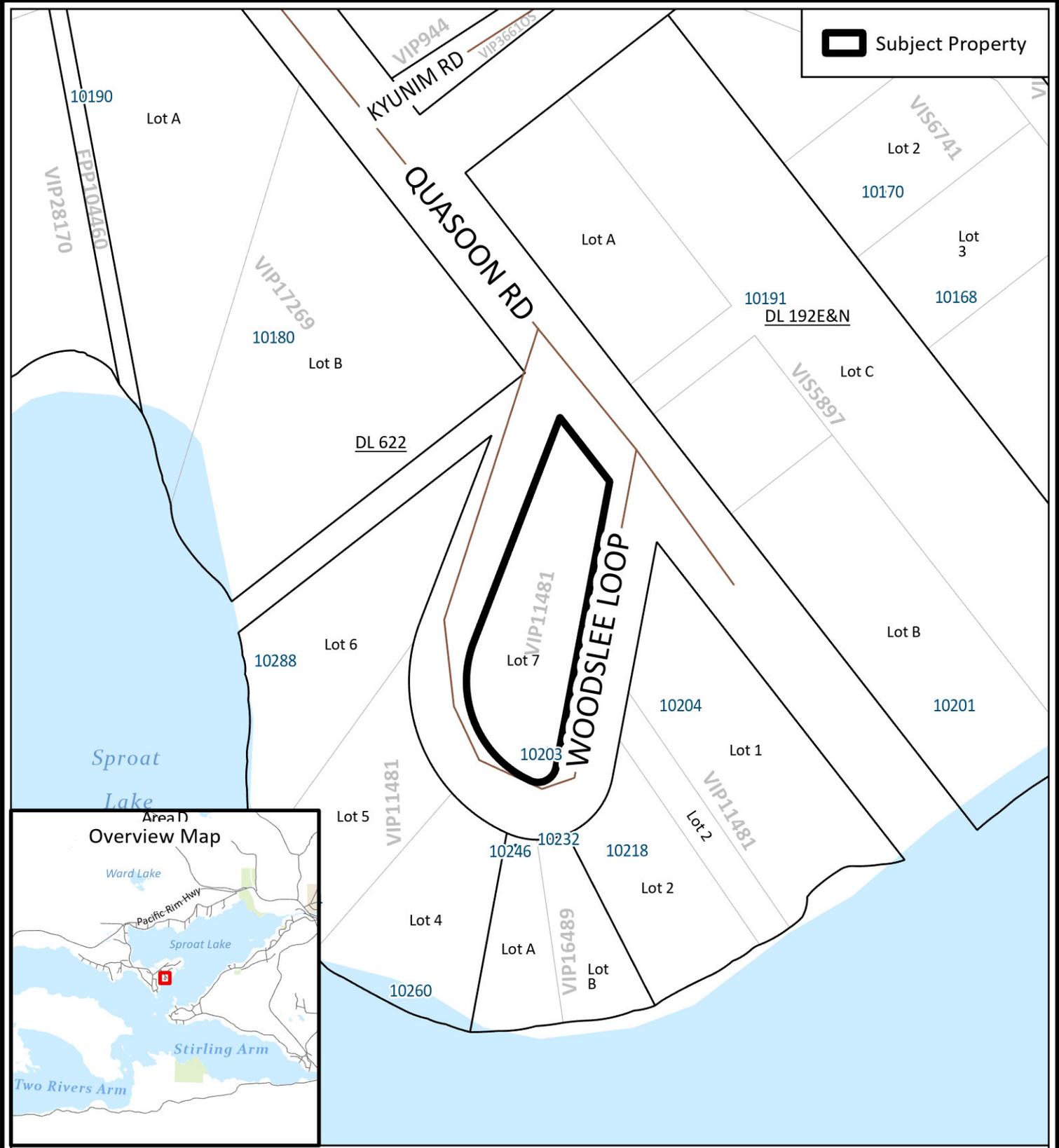
 Subject Property



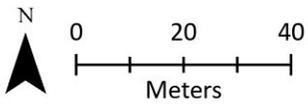
**ALBERNI-CLAYOQUOT
REGIONAL DISTRICT**

Prepared 2026-01-14
Sources: Prov. BC, ParcelMapBC; ACRD

 Subject Property



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT



 Address: 10203 Woodslee Loop
Legal Description: LOT 7, DISTRICT LOT 622, CLAYOQUOT
DISTRICT, PLAN 11481



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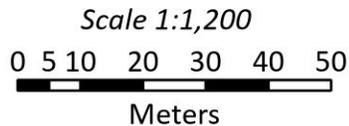
10203 Woodslee Loop
 LOT 7, DISTRICT LOT 622, CLAYOQUOT
 DISTRICT, PLAN 11481

 Subject Property



**ALBERNI-CLAYOQUOT
 REGIONAL DISTRICT**

Prepared 2026-01-14
 Sources: Microsoft, VantorProv. BC,
 ParcelMapBC; ACRD





REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1536

OFFICIAL ZONING TEXT AMENDMENT

A bylaw of the Regional District of Alberni-Clayoquot to amend Bylaw No. 15, being the “Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971”.

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a zoning bylaw upon the affirmative vote of the directors in accordance with Sections 464, 465, 470 and 479 of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts the following amendment to the text of the Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971:

1. TITLE

This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Text Amendment Bylaw No. P1536.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by:

- a. Adding Section “169 Residential Storage (SW 3) District” and sub-sections to read as follows:

169 Residential Storage (SW 3) District

This District provides for Residential storage in an enclosed space for residential purposes.

169.1 Definitions

“Residential Storage” means the storage of personal vehicles, recreational vehicles, boats, and personal equipment associated with residential use within a fully enclosed building or structure. It excludes any commercial or industrial storage, use, or activity of any kind including but not limited to equipment storage for business, rental storage units, heavy equipment storage or any commercial operation.

169.2 Permitted Uses

- (1) One single family dwelling
- (2) Residential Storage
- (3) Home Occupations
- (4) Accessory buildings and uses

169.3 Conditions of Use

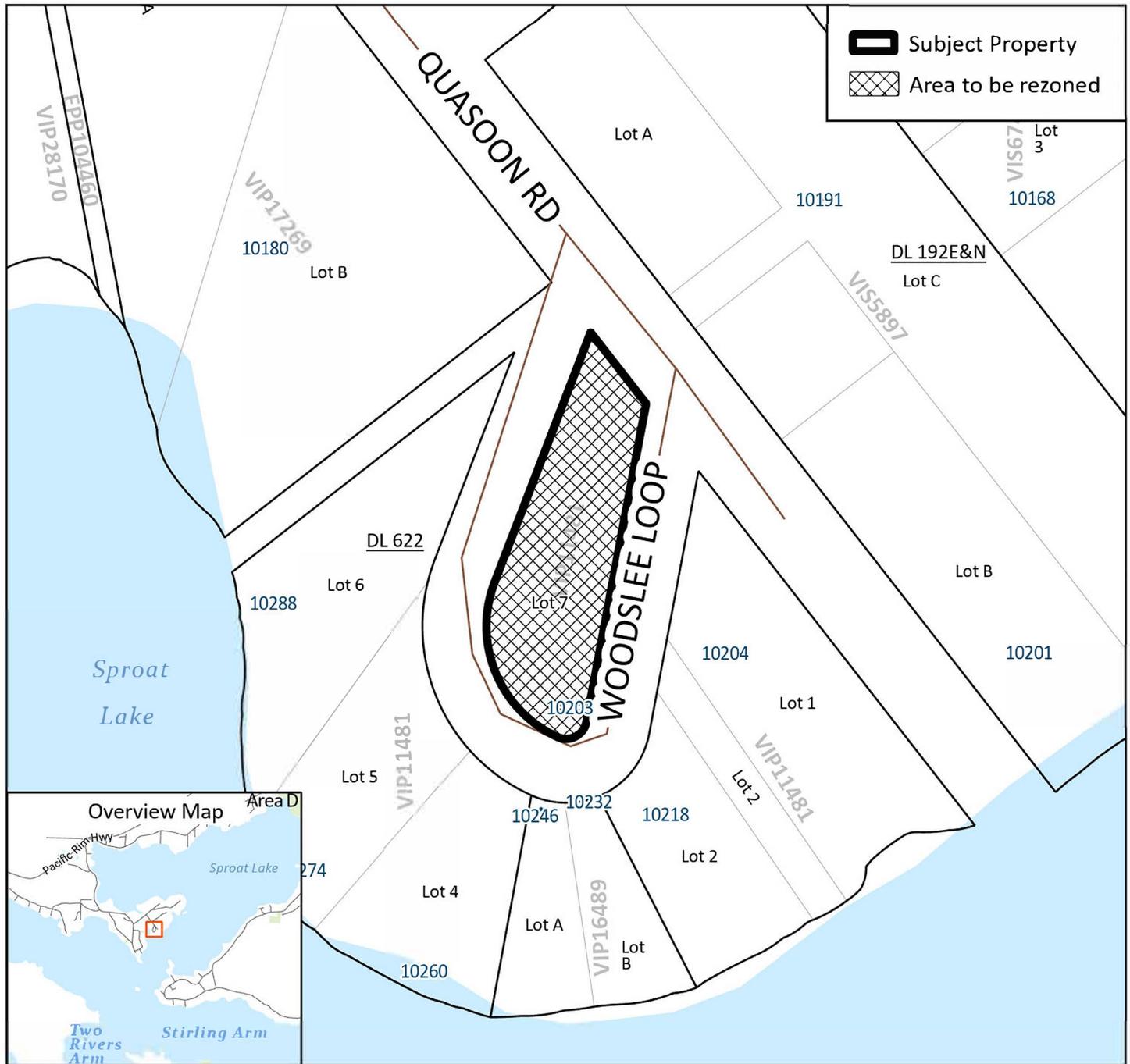
- (1) Residential Storage uses are required to be contained entirely within fully enclosed indoor structures. There shall be no commercial or industrial use of storage space.
- (2) No heavy equipment shall be stored on the property.
- (3) Residential Storage structures shall not be located, unless otherwise provided for in this by-law:
 - a. Within a required front yard;
 - b. Within 3 meters [9.84 feet] of a side or rear yard lot line.
- (4) Residential Storage structures shall not exceed 6 meters [20 feet] in height.
- (5) Residential Storage structures shall not exceed one (1) storey in height.
- (6) The total combined floor area of Residential Storage and Accessory buildings and structures shall not exceed five percent (5%) of the registered lot area.
- (7) Residential Storage structures shall not exceed a maximum floor area of 92.9 square meters (1,000 square feet), regardless of lot size.
- (8) All permitted uses shall be housed completely within an enclosed building except for permitted parking areas. A minimum of two (2) parking spaces and a maximum of four (4) parking spaces shall be provided on the property.
- (9) Vehicle parking areas shall not be located within any required front, rear, or side yard setback.

169.4 Density

The minimum lot size shall be 1.0 hectare (2.47 acres) where the lot is serviced by on-site water and sewer systems. The minimum lot size shall be 0.24 hectare (0.6 acre) where the lot is serviced by community or communal water or sewer system, or both.

Schedule 'A'

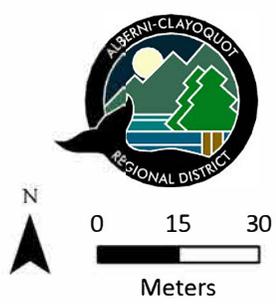
This schedule is attached to and forms part of the Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw P1537, 2026



 Subject Property
 Area to be rezoned



Legal Description: LOT 7, DISTRICT LOT 622, CLAYOQUOT DISTRICT, PLAN 11481
Address: 10203 Woodslee Loop



 To be rezoned from Acreage Residential (RA1) District to Residential Storage (SW 3) District.