



*This letter cancels and replaces the previously issued Preliminary Layout Review letter dated February 7, 2022.*

Your File #: 61180  
eDAS File #: 2019-01997  
Date: Jun/20/2023

1170616 BC Ltd.  
c/o J E Anderson & Associates  
203-177 Weld Street  
Box 247  
Parksville, British Columbia V9P 2G4

Attention: Guy Fletcher

**Re: Proposed Subdivision of**

**PID: 005-485-525**

**Legal: Lot 3, District Lot 29, Nanoose District, Plan 8209**

**Location: 1055 Island Highway W, Parksville**

**Proposal: 13 Lot Conventional Subdivision**

Your application for preliminary review of the proposed subdivision as detailed above has been considered and this letter summarizes the additional information and requirements that are required for consideration of approval of the subdivision.

Although we have sought to list all the conditions, this letter does not constitute an approval. Upon further consideration, or review of additional information, changes or additions may occur.

1. Written confirmation from the Regional District of Nanaimo that all required bylaws & regulations have been met, that any required development permits and any development variance permits have been issued.  
Copies of any covenants completed as part of these processes are to be included with the confirmation.  
Confirmation that conditions of their letter dated July 30, 2019, have been satisfied is required.
2. The Regional District of Nanaimo, in their comments dated Jan 21, 2022, have drawn to the attention of the Provincial Approving Officer that the current zoning does not impose building setbacks as would be the case if the development were to take place on a residential-zoned property.

Local District Address
Vancouver Island District
Third Flr
2100 Labieux Road
Nanaimo, BC V9T 6E9
Canada
Phone: (250) 751-3246 Fax: (250) 751-3289

It is therefore possible to construct a residential building up to the property line of the adjacent lot. This is not appropriate for residential development and has the potential to injuriously affect adjacent properties.

Therefore, the applicant shall prepare a suitably worded covenant pursuant to Section 219 of the Land Title Act, that places suitable setbacks on all proposed lots as per the recommendation of the Regional District of Nanaimo. The covenant shall be in the name of the Regional District of Nanaimo with appropriate signature block for the Approving Officer and submitted with the final documents.

3. Provincial records indicate that development associated with this application may be in conflict with archaeological sites protected under the Heritage Conservation Act. It should be noted that there is a site identified as Borden Number: DiSc-3, DiSc-27, on or near the proposed development.

Therefore, the Provincial Approving Officer requires that as a condition of PLA, the applicant hire a qualified archaeologist to determine the need for an archaeological impact assessment of the subject property. The purpose of the archaeological impact assessment would be to accurately identify the location(s) of the known archaeological site(s), to record any additional sites that may be present, and to recommend any action that may be needed to manage archaeological values in conflict with future development. This might include the placement of covenants to ensure that such sites are not disturbed without proper authorization from the Archaeology Branch.

If the archaeologist determines that an archaeological impact assessment is not required, the archaeologist must forward a written statement to this office and copy to the Archaeology Branch containing the reasons for eliminating this requirement.

If an archaeological impact assessment is required, you should be aware that applications for Heritage Conservation Act permits take in the order of 6 weeks to process. This includes allowance for a 30-day comment period from local First Nation(s). Processing time can be shortened accordingly if, at the time of application, supporting letter(s) are received from local First Nations.

Information on archaeological consultants may be obtained by calling the B.C. Association of Professional Archaeologists at 604 924-3155 or by checking their web site (<http://www.bcapa.ca/>). Archaeological consultants are also listed in the Yellow Pages.

4. The applicant shall enter into a restrictive covenant pursuant to Sections 219 and 86(1)(d) of the Land Title Act, due to flooding concerns, with the following horizontal and vertical setback restrictions:  
Hereafter, no building, mobile home or unit, modular home or structure shall be constructed, reconstructed, moved, extended, or located within 15 meters of the natural boundary of any nearby oceans, rivers, creeks, streams, ponds, swamps, and marshes.

Hereafter, no area used for habitation, business, or storage of goods damageable by floodwaters shall be located within any building, modular home, or structure at an elevation such that the underside of the floor system thereof is less than 1.5 meters above the natural boundary of any nearby ponds, swamps, or marshes. In the case of a mobile home or unit, the found level or top of concrete or asphalt pad on which it is located shall be no lower than the above-described elevation.

The said document is to be in favor of His Majesty the King in the Right of the Province of British Columbia as represented by the Ministry of Transportation and Infrastructure as well as the Local Government.

5. Unnamed Road from West Island Highway shall be engineered and built to Ministry of Transportation and Infrastructure Road paved standards as specified in Chapter 1400 of the BC Supplement to TAC Manual. Attached for your information is a Geometric Design Criteria Sheet outlining design parameters for a Road.

Infrastructure that will be maintained by the Ministry upon completion of the subdivision shall include climate change considerations within the design. The Professional Engineer undertaking the road design shall follow the Engineers & Geoscientists British Columbia guideline Developing Climate Change-Resilient Designs for Highway Infrastructure in British Columbia (Interim) and a completed Design Criteria Sheet for Climate Change Resilience shall be included with the design drawings.

The applicant is to retain a Professional Engineer to supervise and certify that all road construction has been completed in accordance with the latest edition of the Ministry's Standard Specifications for Highway Construction. The Professional Engineer shall be responsible for submission of inspection reports, photographs of different stages of construction, a list of material sources, sieve analysis of all granular material and compaction testing results. Compaction testing results shall be a minimum of one test at ten (10) metre increments or stations and all road base materials shall be compacted such that 100% Standard Proctor Density is achieved as described in Section 202 of the Standard Specifications for Highway Construction.

Engineered projects within Ministry of Transportation and Infrastructure rights-of-way or proposed right-of-way dedications must comply with this Ministry's Engineer of Record and Field Review Guidelines which can be found on our website at [http://www.th.gov.bc.ca/publications/Circulars/All/T\\_Circ/2009/t06-09%20.pdf](http://www.th.gov.bc.ca/publications/Circulars/All/T_Circ/2009/t06-09%20.pdf).

The following must be adhered to:

- a) Upon completion of the final design, and prior to construction, the Engineer of Record (EOR) shall execute and submit to the Ministry representative the signed original Assurance of Professional Design and Commitment for Field Reviews (Form H1252).
- b) The parties will confirm the assignment of field review responsibilities in accordance with the assignments noted in Schedule A - Summary of Design and Field Review Assignments (Form H1252a).
- c) Upon completion of the construction the EOR will submit an Assurance of Professional Design - Post Construction (Form H1253), attaching copies of any Assurance of Field Reviews and Compliance (Form H1254) upon which the EOR is relying.

The applicant shall provide the Ministry with engineered drawings of the proposed road prior to commencement of any construction. The drawings must include, at minimum, a plan view, vertical alignment, horizontal alignment, cross section, and drainage. The drawings shall be submitted in a manner and scale as per the Transportation Association of Canada (TAC) Geometric Design for Canadian Roads Manual and the BC Supplement to TAC Geometric Design Guide.

The applicant shall provide record drawings in PDF format prepared and signed by a Professional Engineer indicating that all construction has been completed to Ministry of Transportation and Infrastructure standards. The record drawings must show all utilities and underground works.

Any required culverts shall have a minimum diameter of 600mm.

A roadworks permit is required for any road construction within an existing road right-of-way.

6. A stop sign is required at the intersection of Unnamed Road and West Island Highway. Unnamed Road shall have the stop.
7. Surveyor to ensure that all constructed roads are within a publicly dedicated road allowance (except for any internal strata roads).
8. The Provincial Approving Officer may consider granting absolute relief from the requirements regarding access to a body of water. Before granting absolute relief, the Provincial Approving Officer needs an affidavit of the subdivider or his/her agent as required by Section 76(4) of the Land Title Act. The affidavit should be executed by either the surveyor, the subdivider, or the subdivider's solicitor. It should, at a minimum, contain the following:
  - The deponent's full name, address, and occupation
  - A statement that the deponent is personally familiar with the land in question. The statement should refer to the owner of the land.

- A statement that the land to which the declaration pertains is that described on the plans attached thereto.
  - The reasons why Section 75(1)(c) or (d) of the Land Title Act should be waived or not strictly complied with
  - Alternative accesses or facilities that are being provided in lieu of those called for by Section 75(1)(c) or (d), if applicable
  - The distance from the border of the subdivided land of the nearest public access within 200 (400)-metre spacing of the subdivided land, together with the width of the access.
  - A sketch to scale showing the entire area together with the access, if the entire area of the subdivided land or the location of any access within 200 or 400 metres is not shown on the attached plan.
  - The purpose of the subdivision: residential, farming, resort, industrial, etc.
9. As the proposed subdivision includes a request for relief from strict compliance with the public access to water requirements in Section 76 of the Land Title Act, the plan image shall include the appropriate notation and the Application to Deposit Plan at Land Title Office shall include the required signature block for the Approving Officer pursuant to Section 76(5) of the Land Title Act. All notations and signature blocks shall comply with the most current Electronic Filing Guide.
  10. Ministry file number 2019-01997 to be notated on final plan(s).
  11. Recent State of Title is to be submitted along with final paperwork.
  12. All relevant documentation, covenants, final plans, fees, rural property tax report and written confirmations shall be submitted in one package to this office.

If you have questions or concerns about the conditions laid out in the PLR, please contact the Development Services Officer. If you still have questions or concerns after speaking with the Development Services Officer, you may contact the Provincial Approving Officer directly.

It is important to provide, in writing, any new information or changes that you wish to be considered during the reconsideration process.

Completion of the matters outlined above will not automatically bring approval. Changes to acts, regulations, bylaws, fees, or other matters happen from time to time and may have an impact on your proposal. This preliminary review of the subdivision proposal is valid for one year however it may be reconsidered at any time. After one year the applicant is advised to make a written request for an extension.

Submission of final plans and documents to be accompanied by a current tax certificate to show proof all property taxes are paid, together with a plan examination fee of \$50.00 plus \$100.00 per lot for a total of \$1350.00. If paying by cheque, make payable to the Minister of Finance.

If you have any questions or wish to set up an appointment, please do not hesitate to contact me at (250) 734-4801.

Please quote file number 2019-01997 when contacting this office. We encourage you to make use of our online file system eDAS to track the progress of your application.

Signed on behalf of Provincial Approving Officer by

A handwritten signature in black ink that reads "Tammy Thompson". The signature is written in a cursive, slightly stylized font.

Tammy Thompson  
Development Services Officer

Attachment: Proposed Subdivision Plan

Copy to: Regional District of Nanaimo

COMMON  
PROPERTY

STRATA LOT B

STRATA LOT C

PARK  
624 sq.m.

PLAN VIP9275

5  
825 sq.m.

PARK

6  
746 sq.m.

7  
734 sq.m.

8  
702 sq.m.

9  
701 sq.m.

10  
840 sq.m.

11  
702 sq.m.

12  
703 sq.m.

13  
732 sq.m.

4  
1641 sq.m.

3  
984 sq.m.

2  
1000 sq.m.

1  
1106 sq.m.

STRAIT OF GEORGIA

REM 2  
PLAN 9203

ROAD

ROAD

WEST ISLAND  
HIGHWAY



A  
PLAN 46006

NOTES:

Typical Building Envelope

CM6 Zoning Setbacks

Front Lot Lines - 8.0 m

Other Lot Lines - 5.0 m

Side Lot Lines between Lots - 0 m

Practical Setbacks for Fire Separation and Eaves / Gutters

Front Lot Line - 8.5 m

Other Lot Lines - 5.5 m

Side Lot Lines between Lots - 1.7 m

SUMMARY OF AREAS OF LOTS

Lot #	Total Lot Area	Area Exclusive of DP Line	Building Envelope
1	1106 sq.m.	866 sq.m.	302 sq.m.
2	1000 sq.m.	760 sq.m.	337 sq.m.
3	984 sq.m.	741 sq.m.	310 sq.m.
4	1641 sq.m.	1131 sq.m.	312 sq.m.
5	825 sq.m.	825 sq.m.	413 sq.m.
6	746 sq.m.	746 sq.m.	323 sq.m.
7	734 sq.m.	734 sq.m.	383 sq.m.
8	702 sq.m.	702 sq.m.	346 sq.m.
9	701 sq.m.	701 sq.m.	384 sq.m.
10	840 sq.m.	840 sq.m.	494 sq.m.
11	702 sq.m.	702 sq.m.	335 sq.m.
12	703 sq.m.	703 sq.m.	402 sq.m.
13	732 sq.m.	732 sq.m.	316 sq.m.

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in whole or in part without the consent of the signatory.

This Plan has been Prepared in Accordance with the Professional Reference  
Manual and is Certified Correct this 27th Day of October, 2021.

This document is not valid without the original plan. Page 7 of 7 TRA-2024-40090

**JEA** JE ANDERSON  
& ASSOCIATES

SURVEYORS AND ENGINEERS  
# 203 - 177 WELD ST., PO BOX 247  
PARKSVILLE, B.C. V9P 2G4  
250-248-5755 parksville@jeanderson.com

PROPOSED SUBDIVISION

LOT 3, DISTRICT LOT 29,  
NANOOSSE DISTRICT, PLAN 8209

PID 005-485-525

PREPARED FOR  
BALLARD FINE HOMES / 1170616 BC Ltd

OUR FILE : 61180-13-A

REVISION A - Add Test Pits

All Dimensions are in Metres and decimals thereof  
The Intended Scale of this Plan is 1:500  
when plotted on a 432 mm x 560 mm (17"x22") Sheet