



April 11, 2025

Port Renfrew Utility Services Committee

Port Renfrew, BC V0S 1K0

Re: Request for Amendment to Water Covenant – Port Renfrew Management Ltd.

Dear Committee Members,

Port Renfrew Management Ltd. (PRM), along with affiliated landholding entities 0983327 B.C. LTD, 0983328 B.C. LTD, and 0983329 B.C. LTD respectfully requests the Utility Services Committee's review and support for an amendment to the existing water covenant registered on our lands.

In 2020, PRM and Pacific Gateway Marina (PGM) jointly funded and constructed a new water reservoir for the community of Port Renfrew, significantly increasing the town's water storage capacity. This project was carried out under a Waterworks Extension Agreement, with the understanding that PRM would receive 40 Single Family Equivalents (SFEs) as a credit toward future development in recognition of the infrastructure investment.

At the time, the intent of the covenant was to allocate 40 SFEs to PRM at no additional cost, not to impose a cap on future development or limit the availability of additional SFEs as the water system continues to expand. However, upon registration, the legal language of the covenant created an unintended constraint by restricting development on over 400 acres of PRM-owned lands — all of which fall within the Regional Growth Strategy and are zoned for residential use under the Official Community Plan.

To align the covenant with the original intent of the agreement and ensure fair, future-oriented planning, PRM proposes the following amendments:



1. Amendment to Section 3:

“If the Lands are included in the Water Service, the Transferor shall not, nor shall it allow any person to construct, install, place, use, or occupy any building, structure or improvement on the Lands that results in a Single Family Equivalent Unit, including any subdivided part of the Lands, unless the Transferor has obtained the approval of the Transferee for such Single Family Equivalent Unit, which approval may be withheld in the Transferee’s sole discretion, acting reasonably, should there be insufficient water system capacity available in the Water Service.”

2. Amendment to Section 4:

“The Transferee shall not be obliged to issue a building permit or an occupancy permit with respect to any building or structure on the Lands that is connected to, or proposed to be connected to, the Water Service on the Parent Parcel, unless the Transferee is, in its sole discretion, acting reasonably, satisfied there is sufficient water system capacity available in the Water Service.”

These changes reflect both the intent of the original reservoir agreement and a reasonable, flexible approach to future development. They preserve the CRD’s ability to manage water capacity responsibly while enabling landowners to build in accordance with zoning and regional planning goals when capacity exists.

It is important to note that these amendments do not entitle Port Renfrew Management or its affiliates to automatic access to the full available capacity of the water system. Rather, they ensure that the lands included within the Water Service Area may apply for water service on a case-by-case basis through the standard subdivision and development approval process administered by the Ministry of Transportation and Infrastructure (MoTI). These applications will continue to be assessed based on the available system capacity at the time of application and in accordance with all regulatory and planning requirements.



Port Renfrew Management will, of course, retain access to the 40 SFEs originally granted under the Waterworks Extension Agreement. These SFEs are monitored jointly by PRM and the CRD, and no additional covenant is required for their use. Any future development proposals beyond the original 40 SFEs will follow the established process used in the past — including the potential for a new Waterworks Extension Agreement between PRM and the CRD. These agreements typically include negotiations regarding amenity contributions or infrastructure upgrades where applicable, with input from the Utility Services Committee. This structure ensures that future development aligns with both system capacity and the broader interests of the Port Renfrew community.

The CRD has indicated support for these revisions and has asked that we submit this letter and the proposed covenant language to the Utility Services Committee for review and approval.

We appreciate your consideration of this request and welcome the opportunity to discuss further if needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Karl Ablack", written over a horizontal line.

Karl Ablack

Managing Director

Port Renfrew Management Ltd.