



**REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE  
MEETING OF TUESDAY, OCTOBER 17, 2017**

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**SUBJECT**      **Park Dedication for Subdivision of Lot 1, Section 97, Renfrew District, Plan EPP24972 – 17086 Parkinson Road (SU000687)**

**ISSUE**

To consider cash-in-lieu of park dedication for a proposed 6-lot bare land strata subdivision of Lot 1, Section 97, Renfrew District, Plan EPP24972 pursuant to Section 510 of the *Local Government Act* (LGA).

**BACKGROUND**

The subject property is located at 17086 Parkinson Road in Port Renfrew (Appendix A). There is an existing house and accessory building on the property and the Port Renfrew Marina to the north is accessed through the subject property. The 1.87 ha property is zoned Community Residential One (CR-1) in the Comprehensive Community Plan for Port Renfrew, Bylaw No. 3109, and is bordered by CR-1 zoned property to the west, Parkinson Road to the south, and by Community Use (CU) zoned land owned by the Capital Regional District to the east.

The applicant is proposing to initially subdivide the property into two parcels (SU000686), and subsequently create a 6-lot bare land strata subdivision from a 0.7667 ha parcel (Appendix B). The subdivision layout includes more than three lots that are less than 2 ha in size, which triggers consideration of up to 5% park dedication pursuant to Section 510 of the LGA. 5% of the land area equals 383 m<sup>2</sup>, which has an estimated value of \$21,980 based on the 2017 BCAA property assessment. The subdivision proposal was considered by the Juan de Fuca Electoral Area (JdFEA) Parks and Recreation Advisory Commission at its meeting on September 12, 2017 and it was recommended that cash in lieu of parkland be accepted.

**ALTERNATIVES**

That the Land Use Committee recommends to the CRD Board:

- 1) That the requirement for park dedication in accordance with Section 510 of the *Local Government Act*, for the proposed bare land strata subdivision of Lot A, Section 97, Renfrew District, Plan EPP71912 as shown in the plan prepared by J.E. Anderson & Associates dated May 26, 2017, be received in the form of cash in lieu of parkland.
- 2) That the requirement for park dedication be received as land.
- 3) Refer the application back to staff for additional information.

**LEGISLATIVE IMPLICATIONS**

Section 510 of the LGA outlines requirements for the provision of parkland or payment for parks purposes. As the CRD provides a community parks service and the Comprehensive Community Plan for Port Renfrew contains policies and designations respecting the location and type of future parks, the local government may determine whether the owner must provide land or cash-in-lieu of up to 5% of the land being proposed for subdivision. The JdFEA Parks and Recreation Advisory Commission considers community park issues for the Electoral Area.

**PUBLIC CONSULTATION IMPLICATIONS**

There is no requirement to notify residents/tenants of a subdivision application under the Capital Regional District Fees and Procedures Bylaw No. 3110. JdFEA Community Parks and Recreation Advisory Commission meetings are open to the public and advertised in the local newspaper and on the CRD website.

**LAND USE IMPLICATIONS**

The proposed 6-lot bare land strata subdivision complies with the CR-1 zone, which permits a minimum parcel size of 0.1 ha when the parcel is connected to a community water and sewer system. The applicant has requested connection to the Port Renfrew community water system and proposes an on-site sewage disposal system on common property to achieve an average parcel size of 0.1 ha.

There are no mapped environmental features or designated development permit areas in Port Renfrew. Contour data shows that the area of the property adjacent to Parkinson Road is relatively level but the land drops steeply to the north towards the ocean. The property is forested and provides views to the Port of San Juan.

In accordance with Bylaw No. 3109, section 4.8, the provision of parkland must help the community achieve their quality of life goal objective. The form of parkland is determined by the Capital Regional District through input from the Regional Director and the JdFEA Parks and Recreation Advisory Commission in the form of trails, tot lots, community parks, sports fields, regional parks, interpretive parks, or a combination. At its discretion, the Capital Regional District may ask for cash-in-lieu, as per the requirement for compliance with Section 510 of the *LGA*, for the future purchase of land for parks in Port Renfrew.

The JdFEA Community Parks Strategic Plan identifies park acquisition objectives, including trail access and preservation of natural areas for community park purposes. However, no specific goals are identified with respect to parkland dedication in the vicinity of the subject property. The JdFEA Community Parks and Recreation division is currently pursuing grant funding to develop a public trail on the CU zoned property to the east and anticipates future trail potential along the shoreline over the adjacent property to the north. Trail or park development on the subject property has not been identified in this trail planning process and parkland dedication is not expected to enhance the network.

The JdFEA Parks and Recreation Advisory Commission considered the proposed park dedication at its meeting on September 12, 2017 and moved the following recommendation:

**MOVED** by Commissioner Jorna, **SECONDED** by Commissioner Kimmel that Juan de Fuca Electoral Area Parks and Recreation Advisory Commission recommend to the Juan de Fuca Land Use Committee that the requirement for parkland dedication in accordance with Section 510 of the *Local Government Act*, for the proposed bareland strata subdivision of Lot A, Section 97, Renfrew District, Plan EPP71912, be received in the form of cash-in-lieu. **CARRIED**

The value would be determined at such time a Preliminary Layout Approval is granted by the Ministry of Transportation and Infrastructure pursuant to Section 510 of the *LGA*.

### **CONCLUSION**

The proposed 6-lot subdivision requires consideration of 5% park dedication pursuant to Section 510 of the *LGA*. The JdFEA Parks and Recreation Advisory Commission recommend accepting cash in lieu of parkland.

### **RECOMMENDATIONS**

That the Land Use Committee recommends to the CRD Board:

That the requirement for parkland dedication in accordance with Section 510 of the *Local Government Act*, for the proposed bare land strata subdivision of Lot A, Section 97, Renfrew District, Plan EPP71912 as shown in the plan prepared by J.E. Anderson & Associates dated May 26, 2017, be received in the form of cash in lieu of parkland.

Submitted by:	Emma Taylor, MA, MCIP, RPP, Planner
Concurrence:	Mike Macintyre, Acting Manager, Juan de Fuca Parks and Recreation
Concurrence:	Iain Lawrence, MCIP, RPP, Manager, Local Area Planning
Concurrence:	Kevin Lorette, P.Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Larisa Hutcheson, P. Eng., General Manager, Parks & Environmental Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ET:wm

Appendices:

- A: Location Map
- B: Proposed Subdivision Plan