



STAFF REPORT

DATE: October 14, 2020

FILE: 0550-04 Board

TO: Chair and Directors
Regional Board

FROM: David Leitch
Chief Administrative Officer

RE: QUADRA LINKS – DISCHARGE OF COVENANT

PURPOSE/PROBLEM

To consider a recommendation from the Electoral Areas Services Committee to discharge a restrictive covenant EX119330 against the former title to the Quadra Links golf course to allow registration of a strata subdivision over a part of the former property.

EXECUTIVE SUMMARY

At its October 7, 2020 meeting the Electoral Areas Services Committee considered the attached report and passed the following resolution:

Anderson/Whalley: EASC 184/20

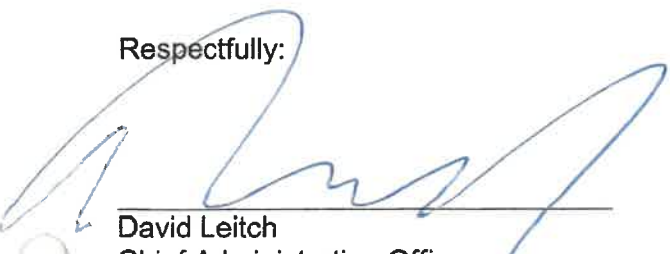
THAT the Committee recommend that the Chair and Corporate Officer be authorized to release Covenant EX119330 over Lot A, District Lots 122 and 154, Plan EPP98484 and do all things incidental thereto.

The following actions are offered in support of the Committee's recommendation.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the Chair and Corporate Officer be authorized to release Covenant EX119330 over Lot A, District Lots 122 and 154 Sayward District, Plan EPP98484 and do all things incidental thereto.

Respectfully:



David Leitch
Chief Administrative Officer

Prepared by: E. Watson, Senior Executive Assistant

Attachment: Copy of September 30, 2020 report to the Electoral Areas Services Committee

LAND TITLE ACT
FORM C (Section 233) RELEASE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996 c.250, that you certify this document under section 168.41(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

CR Lawyers
Barristers and Solicitors
906 Island Highway
Campbell River
BC V9W 2C3

Telephone: (250) 287-8355
LTO No. 10244
File no: 59486
- Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]
031-139-370

[LEGAL DESCRIPTION]
LOT A DISTRICT LOTS 122 AND 154 SAYWARD DISTRICT PLAN EPP98484
- STC? YES ☐

3. NATURE OF INTEREST BEING RELEASED

Covenant

CHARGE NO.
EX119330

ADDITIONAL INFORMATION

4. TERMS

The charge described in item 3 is released or discharged as a charge on the land described in item 2.

5. TRANSFEROR(S):

STRATHCONA REGIONAL DISTRICT (FORMERLY KNOWN AS REGIONAL DISTRICT OF COMOX-STRATHCONA)

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

Registered owner

7. ADDITIONAL OR MODIFIED TERMS:

NONE

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 terms, if any.

Officer Signature(s)

Execution Date		
Y	M	D
20		

Transferor(s) Signature(s)

STRATHCONA REGIONAL DISTRICT by its authorized signatories:

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.

Execution Date

Transferor / Borrower / Party Signature(s)

Y	M	D
20		

QUADRA LINKS LIMITED, by its
authorized signatories:

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.



STAFF REPORT

DATE: September 6, 2022 **FILE:** 0540-04 Board

TO: Chair and Directors
Regional Board

FROM: Dave Leitch
Chief Administrative Officer

RE: **BYLAW NO. 433 – QUADRA LINKS LTD. – PROPOSED AMENDMENT**

PURPOSE

To consider an amendment to Bylaw No. 433 which proposes to amend the zoning applicable to the Quadra Links property located on Quadra Island.

EXECUTIVE SUMMARY

The Board has given second reading to Bylaw No. 433 and authorized a public hearing to be held on November 23, 2022 to receive comments from the public on the rezoning proposal by Quadra Links Ltd. On August 6, 2022 a public event was sponsored by the applicant to provide additional information respecting its OCP amendment and rezoning application for a recreational vehicle park on the property. At this event it became apparent that certain amendments to the proposal would be necessary to ensure local community support, and the applicant has revised their proposal accordingly. Those changes are as follows:

- a) Reducing the number of RV sites from 30 to 20;
- b) Restricting the operation of the facility to between April 1 and October 31 each year; and
- c) Increasing the setback from the adjacent wetland from 10 metres to 30 metres.

Quadra Links Ltd. has requested that its proposal be revised as noted above which will necessitate certain changes to the proposed rezoning bylaw currently before the Board. These changes are reflected in the recommendations below and, if supported by the Board, will be incorporated in Bylaw No. 433 prior to finalizing any public notification for the upcoming public hearing process.

RECOMMENDATIONS:

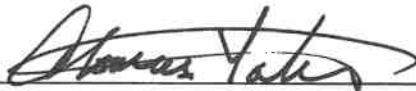
1. THAT the report from the Chief Administrative Officer be received.
2. THAT Bylaw No. 433 be amended by deleting proposed section 11.26.3 [*Conditions of Use*] and substituting therefor the following:

11.26.3 Conditions of Use

- a) The recreational vehicle park will operate only during the period of April 1 to October 31 annually.
- b) Recreational vehicle sites and tourist trailer sites are limited to a maximum density of 20 sites per parcel.
- c) A 10-metre wide vegetated buffer strip is to be provided along all property lines, including a 30-metre buffer from the wetland to the north east.

- d) No parking, loading or storage areas shall be located in any required yards.
- e) Buildings and structures shall be screened and buffered from adjacent properties through retention and maintenance of natural vegetation.
- f) On any lot: residential use is limited to one single family dwelling for caretaker and/or manager.
- g) Retail sales limited to those items required for the playing of golf.

Respectfully:



for Dave Leitch
Chief Administrative Officer

Prepared by: J. Neill, Planner

Attachment: August 12, 2022 correspondence from Quadra Links Ltd.
Bylaw No. 433



Quadra Links proposed amended RV site layout (August 2022)

Tom Yates

Subject: FW: Amendment

From: Bill Pirie <w.pirie@walcan.com>
Sent: August 12, 2022 9:30 AM
To: Meredith Starkey <mstarkey@srd.ca>; John Neill <JNeill@srd.ca>
Cc: Leslie Rombough <leslierombough@gmail.com>
Subject: Amendment

NOTICE: This email is from an external source.

Meredith and John,

Thank you for meeting with Les and I yesterday. We discussed the process required to amend the bylaw for the RV park. The first question is whether the changes that are being considered will require the application to go through first and second readings again. We understand that this is a technical issue and you will discuss it with Aniko when she returns to work in September.

The changes we intend to make are;

- 1 Reduce the number of sites to 20 plus one for a host. This will reduce density and increase the size of sites.
- 2 Specify the RV park will be operational from April 1 to October 31.
- 3 Increase the set back from the wetland to 30 m.

It is our goal to have the amendment done well before the Public Hearing on November 23. We discussed these changes at the Public Meeting. We will leave the changes as conceptual until we hear back from you on the required steps to make them official.

Let us know if you require anything else at this time. Revised site maps and service maps are available if you want them.

Best regards,
Bill



BYLAW NO. 433

A BYLAW TO AMEND THE ZONING REGULATIONS APPLICABLE TO QUADRA ISLAND

WHEREAS the former Comox-Strathcona Regional District has, by Bylaw No. 1213, adopted zoning regulations for Quadra Island and vicinity pursuant to Part 14 of the *Local Government Act*;

AND WHEREAS a bylaw of the former Comox-Strathcona Regional District that regulates the use or development of land within the area comprising the Strathcona Regional District remains in force until amended or repealed;

AND WHEREAS the Regional Board wishes to amend the aforesaid Bylaw No. 1213 having due regard to the requirements of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

Amendments

1. Bylaw No. 1213, being Quadra Island Zoning Bylaw 1990, is hereby amended as set out in Schedule 'A', attached to and forming part of this bylaw.

Citation

2. This bylaw may be cited for all purposes as Bylaw No. 433, being Quadra Island Zoning Bylaw 1990, Amendment No. 136.

READ A FIRST TIME ON THE 14TH DAY OF JULY, 2021

READ A SECOND TIME ON THE 14TH DAY OF JULY, 2021

PUBLIC HEARING HELD ON THE ____ DAY OF _____, 2021

READ A THIRD TIME ON THE ____ DAY OF _____, 2021

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE ____ DAY OF _____, 2021

Chair

Corporate Officer

SCHEDULE 'A'**SECTION ONE TEXT AMENDMENT**

- 2) Part 11 'ZONES', Section 11.26, 'Recreation Commercial One (RC-1)' is deleted and replaced by the following:

11.26**RECREATION COMMERCIAL ONE (RC-1)****11.26.1 PRINCIPAL USES**

- a) Golf courses;

11.26.2 PERMITTED ACCESSORY USES

- a) Recreational vehicle sites
- b) Clubhouse, offices and meeting rooms
- b) Residential
- c) Retail sales
- d) Accessory maintenance buildings, structures and uses.

11.26.3 CONDITIONS OF USE

- a) No parking, loading or storage areas shall be located in any required yards.
- b) Buildings and structures shall be screened and buffered from adjacent properties through retention and maintenance of natural vegetation.
- c) Recreational vehicle sites and tourist trailer sites are limited to a maximum density of 30 sites per parcel. A 10-metre wide vegetated buffer strip is to be provided along all property lines.
- d) On any lot: residential use is limited to one single family dwelling for caretaker and/or manager.
- e) Retail sales limited to those items required for the playing of golf.

11.26.4 LOT AREA

The minimum lot area in the Recreation Commercial One (RC-1) zone shall be 30 hectares (74.13 acres).

11.26.5 SETBACKS

Except where otherwise specified in this bylaw, buildings and structures shall be located:

- a) A minimum of 30.0 metres (98.4 feet) from a front lot line;
- b) A minimum of 30.0 metres (98.4 feet) from a rear lot line;
- c) A minimum of 30.0 metres (98.4 feet) from a side lot line;
- d) A minimum of 100.0 metres (328 feet) from the ocean;
- e) A minimum of 15.0 metres (49.2 feet) from the natural boundary of any wetlands and other bodies of water.

11.4B.6 LOT COVERAGE

The maximum coverage for all buildings and structures on a lot shall be 1 percent (1%).



STAFF REPORT

DATE: June 2, 2020

FILE: 0550-04 Board

TO: Chair and Directors
Regional Board

FROM: David Leitch
Chief Administrative Officer

RE: QUADRA LINKS – RIGHT OF WAY AGREEMENT

PURPOSE/PROBLEM

To consider approving a right of way agreement in respect of land owned by Quadra Links Ltd. which would provide access for the public in conjunction with development of a strata subdivision on Quadra Island.

EXECUTIVE SUMMARY

The attached right of way agreement has been prepared in accordance with a commitment by Quadra Links Ltd. for the provision of a public access amenity in connection with the strata lot development approved in 2018. The configuration of the right of way and the rights of access to be bestowed on the public as a result of the proposed agreement appear to be in order and consistent with the desires of the community expressed during the public hearing process for this proposal.

It is therefore recommended that the Regional Board consider approval of the right of way agreement whereupon it will be registered in the Land Title office to run with the land perpetually.

RECOMMENDATION

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the Chair and Corporate Officer be authorized to execute the proposed right of way agreement over part of Lot A of District Lots 122 and 154, Sayward District, Plan EPP98484 and do all things incidental thereto.

Respectfully:



David Leitch
Chief Administrative Officer

Prepared by: T. Yates, Corporate Services Manager

Attachment: Proposed Right of Way Agreement (Quadra Links)

LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART I Province of British Columbia

PAGE 1 OF 10 PAGES

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996 c.250, that you certify this document under section 168.41(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

CR Lawyers
 Barristers & Solicitors
 906 Island Highway
 Campbell River

BC V9W 2C3

Telephone: (250) 287-8355
 LTO No. 10244
 File no: 59486 - SRW

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
 [PID] [LEGAL DESCRIPTION]

SEE SCHEDULE

STC? YES ☐

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

SEE SCHEDULE

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

SEE SCHEDULE

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

STRATHCONA REGIONAL DISTRICT

301 - 990 CEDAR STREET
 CAMPBELL RIVER

V9W 7Z8

BRITISH COLUMBIA
 CANADA

7. ADDITIONAL OR MODIFIED TERMS:
 NONE

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 terms, if any.

Officer Signature(s)

Stewart Carstairs
 Barrister & Solicitor
 906 Island Highway
 Campbell River, BC V9W 2C3

Execution Date

Y	M	D
20	04	28

Transferor(s) Signature(s)

QUADRA LINKS LIMITED by its
 authorized signatory(ies):

Kelly Jensen
Bill Pire

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

PAGE 2 of 10 PAGES

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

Y M D

20

STRATHCONA REGIONAL DISTRICT
by its authorized signatory(ies):

20

As to priority
1188094 B.C. LTD. by its authorized
signatory(ies):

20

04 29

As to priority
W.R. ADDISON LUMBER CO. LTD. by
its authorized signatory(ies):

RICHARD N. RHODES

Barrister & Solicitor

111 WALLACE ST.

NANAIMO, BC V9R 5B2

Ph. (250) 754-3321 Fax: (250) 754-1148


 Margaret Pedersen Walker Addison

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

PAGE 2 of 10 PAGES

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

Y M D

20

STRATHCONA REGIONAL DISTRICT
by its authorized signatory(ies):


Stewart Cowstairs
Barrister & Solicitor

20

04 28

As to priority
1188094 B.C. LTD. by its authorized
signatory(ies):

906 Island Highway
Campbell River, BC V9W 2C3



Bill Pirie

Jim Graham

WITNESSED AS TO EXECUTION ONLY,
NO ADVICE SOUGHT OR GIVEN.

20

As to priority
W.R. ADDISON LUMBER CO. LTD. by
its authorized signatory(ies):

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 E

SCHEDULE

PAGE 3 OF 10 PAGES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

000-405-205**LOT 2 DISTRICT LOTS 122 AND 154 SAYWARD DISTRICT PLAN 36442
EXCEPT PART IN PLAN VIP75801 AND EPP98484**

STC?

YES ☐

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

NO PID NMBR LOT A, DISTRICT LOTS 122 & 154, SAYWARD DISTRICT, PLAN EPP98484

STC?

YES

[Related Plan Number]

EPP98484

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

STC?

YES ☐

**LAND TITLE ACT
FORM E****SCHEDULE**

PAGE 4 OF 10 PAGES

NATURE OF INTEREST**CHARGE NO.****ADDITIONAL INFORMATION****Statutory Right of Way**Over that part on Plan EPP98485
Entire Document except Page 5, paragraph 1.3**NATURE OF INTEREST****CHARGE NO.****ADDITIONAL INFORMATION****Statutory Right of Way**

Page 5, paragraph 1.3

NATURE OF INTEREST**CHARGE NO.****ADDITIONAL INFORMATION****Priority Agreement**Granting Statutory Right of Way herein priority over
Mortgage no. EX119331, page 8, paragraph 4.9(a)**NATURE OF INTEREST****CHARGE NO.****ADDITIONAL INFORMATION****Priority Agreement**as to page 5, paragraph 1.3
Granting Statutory Right of Way herein priority over
Mortgage no. EX119331 page 8, paragraph 4.9(a)**NATURE OF INTEREST****CHARGE NO.****ADDITIONAL INFORMATION****Priority Agreement**Granting Statutory Right of Way herein priority over
Mortgage no. CA7412663, page 9 paragraph 4.9(b)**NATURE OF INTEREST****CHARGE NO.****ADDITIONAL INFORMATION****Priority Agreement**as to page 5, paragraph 1.3
Granting Statutory Right of Way herein priority over
Mortgage no. CA7412663, page 9, paragraph 4.9
(b)

**LAND TITLE ACT
FORM E**

SCHEDULE

PAGE 5 OF 10 PAGES

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM, OR GENERAL INSTRUMENT FORM.

5. TRANSFEROR(S):

QUADRA LINKS LIMITED (Inc. No. BC0606938)

W.R. ADDISON LUMBER CO. LTD. (Inc. No. BC0056742) as to Priority

1188094 B.C. LTD. (Inc. No. BC1188094) as to Priority

TERMS OF INSTRUMENT - PART 2

WHEREAS:

A. The Transferor is the registered owner of:

PID: 000-405-205, LOT 2 DISTRICT LOTS 122 AND 154 SAYWARD DISTRICT PLAN 36442 EXCEPT PART IN PLAN VIP75801 AND EPP98484; and

PID: TBD, LOT A, DISTRICT LOTS 122 AND 154 SAYWARD DISTRICT PLAN EPP98484

(hereinafter, collectively referred to as the "Lands")

B. The Transferee is the Strathcona Regional District;

C. The Transferee wishes to be able to construct, operate and maintain a walkway (the "Walkway") over the Transferor's Lands for the purpose of providing pedestrian and bicycle traffic access;

D. As a condition of subdivision approval the Transferee requires, and the Transferor has agreed to grant a Statutory Right of Way on the terms hereinafter set forth;

E. To facilitate the construction, maintenance, alteration and repair of a Walkway, the Transferor has agreed to grant for that purpose the Right of Way in this Agreement over a portion of the Lands;

F. This Statutory Right of Way is necessary for the operation and maintenance of the Transferee's undertaking of the Walkway.

NOW THEREFORE, in consideration of the sum of One (\$1.00) Dollar of lawful money of Canada, now paid by the Transferee to the Transferor (the receipt and sufficiency of which is hereby acknowledged by the Transferor), and in consideration of the covenants and conditions agreed to be observed and performed by the parties and for other valuable consideration:

1.0 THE TRANSFEROR:

1.1 grants, conveys, confirms and transfers, in perpetuity, to the Transferee, its licensees and invitees, including the general public, for the purpose of public access, on foot or bicycle, by day or night, the full, free and uninterrupted right, licence, liberty, privilege, permission and right of way to enter, use, go, enter in, pass over and across that portion of the Lands shown outlined in bold on Plan EPP98485 as SRW Area 1 and SRW Area 2, a copy of which is attached hereto as Schedule "A" (the "Right of Way"), all at the sole risk of the Transferee;

1.2 grants, conveys, confirms and transfers, in perpetuity, to the Transferee, its employees, agents, workers and contractors, together with machinery, vehicles, equipment, and materials, the right to go upon, return, pass over and use the Right of Way for the purposes of maintaining, repairing, improving, inspecting and replacing the Walkway,

including any pavement, concrete, lighting, signage or drainage in connection therewith, at the Transferee's sole cost and risk;

1.3 grants, conveys, confirms and transfers, in perpetuity, to the Transferee, its employees, agents, workers and contractors, together with machinery, vehicles, equipment and materials, the right at all times to enter upon and to pass and repass over such of the Lands as may reasonably be required for the purpose of ingress to and egress from the Right of Way; and

1.4 transfers, assigns and conveys to the Transferee all right, title and interest in and to any Walkway that the Transferee, or the Transferor have prior to this Agreement established or constructed or maintained or operated within the Right of Way or in relation to any similar Walkway previously constructed by any person within the Right of Way.

2.0 THE TRANSFEROR COVENANTS:

2.1 not to erect, place, install or maintain any building, structure, addition to a building or structure, mobile home, concrete driveway or patio, pipe, wire or other conduit on, over or under any portion of the Right of Way;

2.2 not to do anything that in any way interferes with or damages or prevents access to or is likely to cause harm to the Walkway installed in or upon the Right of Way;

2.3 not to do or knowingly permit to be done any act or thing which will interfere with or injure the Walkway and in particular will not carry out any blasting on or adjacent to the Right of Way without the consent in writing of the Transferee, and consent shall not be unreasonably withheld;

2.4 not to substantially add to or diminish the soil cover over any of the Walkway installed in the Right of Way and in particular, without limiting the generality of the foregoing, will not construct open drains or ditches along or across any part of the Walkway installed in the Right of Way without the consent of the Transferee, and consent shall not be unreasonably withheld and

2.5 from time to time and at all times at the reasonable request and at the cost of the Transferee to do and execute or cause to be made, done or executed any further and other lawful acts, deeds, things, devices, conveyances and assurances in law required to ensure the Transferee of its rights under this Agreement.

3.0 THE TRANSFEE COVENANTS:

3.1 to carry out all work with respect to the Walkway in a proper and workmanlike manner so as to do no injury to the Lands;

3.2 to immediately make good at its own expense all damage or disturbance which may be caused to the Lands in the exercise of its rights hereunder;

3.3 to restore any fences, lawns, flower beds or other features, at its cost as nearly as may be reasonably possible to the same condition that they were in prior to any entry by the Transferee upon the Lands; and

- 3.4 The Transferee agrees to indemnify and save harmless the Transferor from any and all claims, causes of action, suits, demands, expenses, costs and legal fees whatsoever that it or anyone might have as owner, occupier or user of the Lands, or by a person who has an interest in or comes onto the Lands, or by anyone who suffers loss of life or injury to his person or property, that arises out of the use of the Lands as a result of the exercise by the Transferee or any other person of its rights hereunder, except where the same arise out of the wilful misconduct of the Transferor.

4.0 THE PARTIES COVENANT TO AND AGREE WITH EACH OTHER, as follows:

- 4.1 In spite of any rule of law or equity to the contrary, the Walkway brought on to, set, constructed, laid, erected in, upon or under the Right of Way by the Transferee shall at all times remain the property of the Transferee, even if the Walkway is annexed or affixed to the freehold, and the Walkway shall at any time and from time to time be removable in whole or in part by the Transferee.
- 4.2 In the event that the Transferee abandons the Walkway or any part of it, the Transferee may, if it so elects, leave the whole or any part of the Walkway in place and if so abandoned the Walkway, or part thereof, shall become the property of the Transferor.
- 4.3 No part of the title in fee simple to Lands shall pass to or be vested in the Transferee under or by virtue of this Agreement and the Transferor may fully use and enjoy all of the Lands subject only to the rights and restrictions in this Agreement.
- 4.4 The Transferor acknowledges that (a) these covenants are enforceable against the Transferor and its successors in title, but (b) the Transferor is not personally liable for breach of these covenants after the Transferor has ceased to be the owner of the Lands.
- 4.5 If at the date hereof the Transferor is not the sole registered owner of Lands, this Agreement shall nevertheless bind the Transferor to the full extent of his interest therein, and if it shall acquire a greater or the entire interest in fee simple, this Agreement shall likewise extend to such after-acquired interests.
- 4.6 Where the expression "Transferor" includes more than one person, all covenants made by the Transferor shall be construed as being several as well as joint with respect to all persons constituting the Transferor.
- 4.7 This Agreement shall continue to benefit and be binding upon the Transferor and Transferee, and their respective heirs, administrators, executors, successors and assigns, as the case may be.
- 4.8 Gender specific terms include both genders and corporations, and the singular and plural forms are interchangeable, according to the context.
- 4.9 **Priority Agreement**
- (a) W.R. ADDISON LUMBER CO. LTD. (the "1st Chargeholder") is the registered holder of a charge by way of first Mortgage against the Lands and registered under No EX119331 (the "1st Charge") in the Land Title Office at Victoria, British Columbia, for and in consideration of the sum of One (\$1.00) Dollar paid by the Transferee to the said 1st Chargeholder (the receipt whereof is hereby

acknowledged), agrees with the Transferee, its successors and assigns, that the within Right of Way shall be an encumbrance upon the Lands in priority to the 1st Charge in the same manner and to the same effect as if it had been dated and registered prior to the 1st Charge.

- (b) 188094 B.C. LTD. (the "2nd Chargeholder") is the registered holder of a charge by way of first Mortgage against the Lands and registered under No. CA7412663 (the "2nd Charge") in the Land Title Office at Victoria, British Columbia, for and in consideration of the sum of One (\$1.00) Dollar paid by the Transferee to the said 2nd Chargeholder (the receipt whereof is hereby acknowledged), agrees with the Transferee, its successors and assigns, that the within Right of Way shall be an encumbrance upon the Lands in priority to the 2nd Charge in the same manner and to the same effect as if it had been dated and registered prior to the 2nd Charge.

The Transferor and Transferee acknowledge that this Agreement has been duly executed and delivered by the parties executing Forms C and D (pages 1, 2 and 3) attached hereto.

**STATUTORY RIGHT-OF-WAY PLAN OF:
PART OF LOT A, PLAN EPP98484 AND PART OF LOT 2 EXCEPT PARTS
IN PLANS VIP75891 AND EPP98484, DISTRICT LOTS 122 AND 154,
SAYWARD DISTRICT.**

PURSUANT TO SECTION 113 OF THE LAND TITLE ACT
B.C.S.S. 82K.005

SCALE 1:1000 ALL DISTANCES ARE IN METERS AND DECIMALS THEREOF

THE INTENDED PLOT SIZE OF THIS PLAN IS 500m IN WIDTH BY 804m IN
HEIGHT (D. 642) WHEN PLOTTED AT A SCALE OF 1:1000.

LEGEND

GRID BEARINGS ARE DERIVED FROM GNSS DUAL FREQUENCY OBSERVATIONS
AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 18 (120°)
NAD83 (CSRS) 1987.0 DATUM.

THE UTM COORDINATES AND ESTIMATED ABSOLUTE POSITIONAL ACCURACY
ACHIEVED ARE DERIVED FROM GNSS DUAL FREQUENCY OBSERVATIONS USING
THE PRECISE POINT POSITIONING SERVICE OF NATURAL RESOURCES CANADA.

THIS PLAN SHOWS HORIZONTAL GROUNDLEVEL DISTANCES, UNLESS
OTHERWISE SPECIFIED, TO COMPUTE GROUNDLEVEL DISTANCES, MULTIPLE
GROUNDLEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.999 862 23.
THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED BASED ON AN
ELLIPSOID ELEVATION OF 46.5 METERS.

● INDICATES STANDARD POINT FOUND

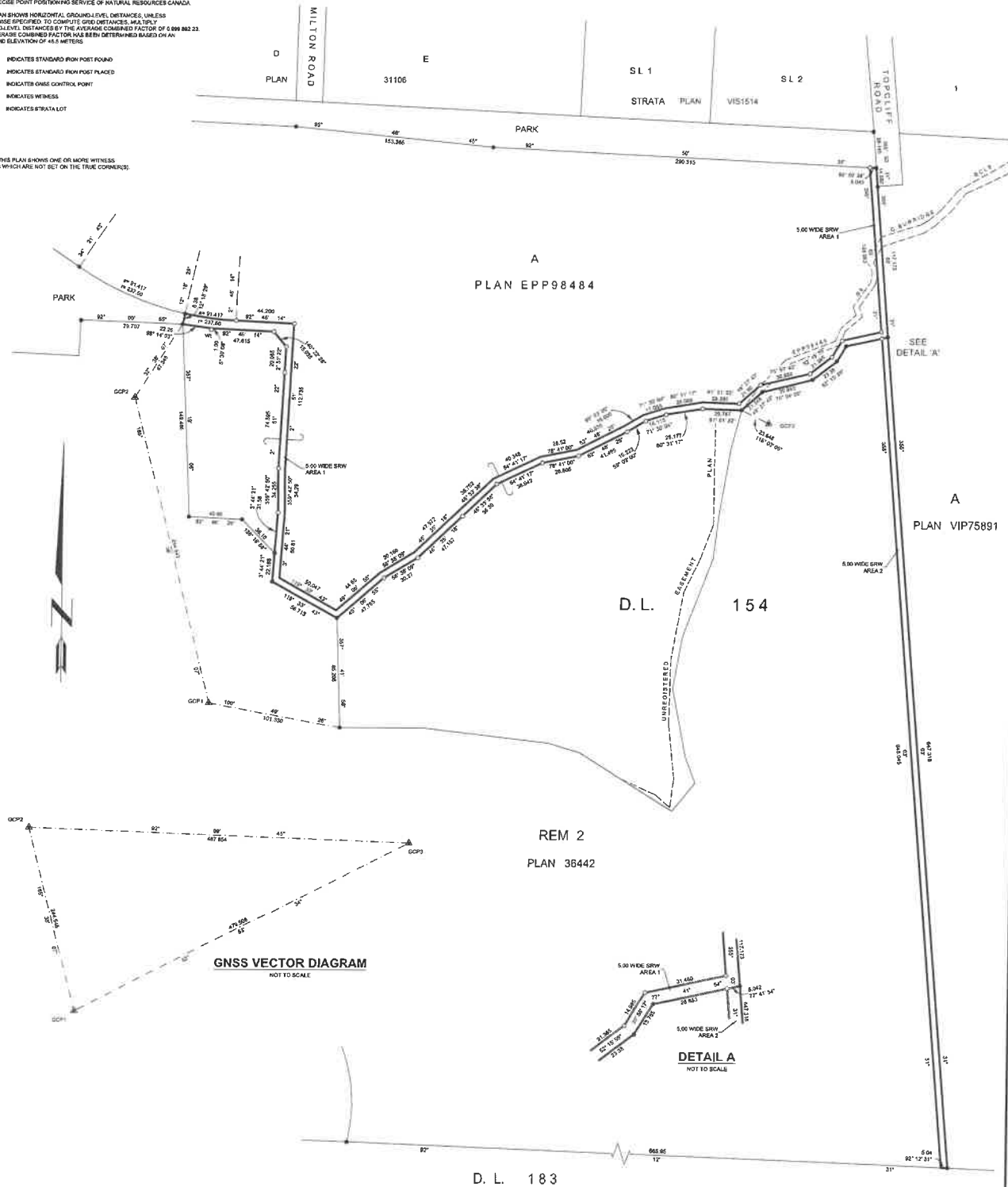
○ INDICATES STANDARD POINT PLACED

GCP ▲ INDICATES GNSS CONTROL POINT

W INDICATES WITNESS

SL INDICATES STRATA LOT

NOTE: THIS PLAN SHOWS ONE OR MORE WITNESS
POINTS WHICH ARE NOT SET ON THE TRUE CORNERS.



REM 2
PLAN 36442

GNSS VECTOR DIAGRAM
NOT TO SCALE

DETAIL A
NOT TO SCALE

D. L. 183

TABLE OF CONTROL POINTS

GCP 1	GCP 2	GCP 3
Datum: NAD83 (CSRS) 1987.0	Datum: NAD83 (CSRS) 1987.0	Datum: NAD83 (CSRS) 1987.0
UTM Northing: 5 547 507.54	UTM Northing: 5 547 744.41	UTM Northing: 5 547 728.01
UTM Easting: 343 088.73	UTM Easting: 343 838.07	UTM Easting: 344 125.32
Point Combined Factor: 0.999 860 6	Point Combined Factor: 0.999 890 9	Point Combined Factor: 0.999 895 2
Convergence to astronomic meridian: 1° 40' 25"	Estimated Absolute Accuracy: 0.05m	Estimated Absolute Accuracy: 0.05m
Substrate: 1° 40' 25"		
Estimated Absolute Accuracy: 0.05m		

LEGAL DESCRIPTION	AREA
SRW AREA 1	0.602 ha
PART LOT A, PLAN EPP98484	
SRW AREA 2	0.333 ha
PART REM 2, PLAN 36442	
TOTAL SRW	0.935 ha



STAFF REPORT

DATE: April 20, 2022 **FILE:** 0550-04 Board

TO: Chair and Directors,
Regional Board

FROM: Dave Leitch
Chief Administrative Officer

RE: BYLAWS No. 432 & 433 – OCP/ REZONING (CP 1C 21/RZ 1C 21 – QUADRA LINKS)

PURPOSE/PROBLEM

To consider additional information regarding the public hearing schedule for the proposal by Quadra Links Ltd. to develop a recreational vehicle site at the applicant's golf course on Quadra Island.

EXECUTIVE SUMMARY

At its April 13, 2022 meeting the Regional Board considered the attached report and passed the following resolution:

Abram/Whalley: SRD 315/22

THAT the public hearing for Bylaws No. 432 and 433 currently scheduled for Wednesday, April 27, 2022 be rescheduled to May 18, 2022 in person at the Quadra Island Community Centre.

Subsequent to the above meeting the Regional District received the attached correspondence from the applicant which outlines several reasons why it disagrees with the Board's decision. Following its review of this matter the Board may wish to consider the following alternatives:

Option A – THAT the Board re-affirm its decision to proceed with a public hearing for Bylaws No. 432 and 433 on May 18, 2022.

Option B – THAT the May 18, 2022 public hearing for Bylaws No. 432 and 433 be cancelled, and

THAT a further report with possible dates for holding the public hearing be prepared for the Board's consideration.

Option C – THAT the public hearing for Bylaws No. 432 and 433 currently scheduled for May 18, 2022 be rescheduled to November 23, 2022.

The Board is reminded that the logistics for holding a public hearing typically include confirming staff, director and applicant availability, booking a hearing venue, and public notification procedures which can take the better part of a month.

RECOMMENDATION

THAT the report from the Chief Administrative Officer be received.

Respectfully:

A handwritten signature in black ink, appearing to read 'Dave Leitch', is written over a horizontal line.

Dave Leitch
Chief Administrative Officer

Prepared by: T. Yates, Corporate Services Manager

Attachments: April 16, 2022 correspondence from Quadra Links Limited
Copy of April 6, 2022 report to the Board

April 16, 2022

Hello Aniko and Meredith,



We were surprised to hear that at the April 13 council meeting there was a motion to move the public hearing date for our proposed RV site to May 18. There was no consultation whatsoever with us prior to that meeting.

We made the request to delay the public hearing until October on February 22. On March 15 Jim Abram confirmed by email that the meeting would be moved to November with a date to be announced. The most recent correspondence with staff at the SRD set a meeting date for November 23, 2022. We agreed to that date. There is no legitimate reason for that date to be changed. This is a deliberate attempt to damage the applicant.

There have been a number of delays in the process leading to a public hearing and a number of public hearing dates that have been postponed. All the delays have been at the discretion of the Area Director. There seems to be a different standard in place when we, as the applicant, require more time.

Quadra Links Limited has a history of listening to public comments and incorporating suggestions where possible. This was the case when the golf course and the residential subdivision were rezoned. In both cases the projects were improved by public input. We continue to analyze comments made in public submissions regarding the proposed RV Site. The changes we are considering require a careful technical and financial study. This takes time and time is limited during the busy part of the golfing season. In any case, the changes currently under review will require an amendment to the current bylaw.

The arbitrary date of May 18th is not acceptable to QLL. We want to be very clear: QLL will *not* attend and will *not* participate in any way if the Area Directors move forward with that date. We expect the public hearing will continue to be scheduled for November 23 as previously agreed by Director Abram. It's completely unfair and undemocratic for the SRD to try to force an applicant to a public hearing when the applicant has clearly stated they need *and have been granted* a later date.

On Behalf of the Board of Directors

Bill Pirie

President

Quadra Links Limited



STAFF REPORT

DATE: April 6, 2022 **FILE:** 0550-04 Board

TO: Chair and Directors,
Regional Board

FROM: Dave Leitch
Chief Administrative Officer

RE: BYLAWS No. 432 & 433 – OCP/ REZONING (CP 1C 21/RZ 1C 21 – QUADRA LINKS)

PURPOSE/PROBLEM

To consider rescheduling the date for a public hearing on the proposal by Quadra Links Ltd. to develop a recreational vehicle site at the applicant's golf course on Quadra Island.

EXECUTIVE SUMMARY

At its March 16, 2022 meeting the Regional Board considered a request from the President of Quadra Links Ltd. to delay the holding of the public hearing on Bylaws No. 432 and 433 to allow further analysis and preparation of responses to technical issues raised regarding the official community plan and rezoning applications. At that time the following resolution was passed:

Colborne/Evans: SRD 227/22

THAT a staff report to evaluate possible dates after October 2022 for a public hearing on Bylaws No. 432 and 433 be prepared for the Board's consideration.

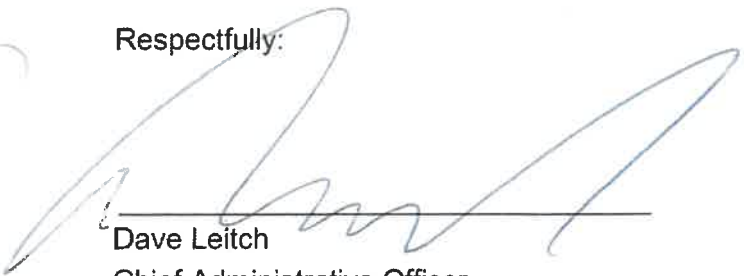
Based on the direction given by the Board, staff have researched possible dates for rescheduling the public hearing for this proposal and are recommending Wednesday, November 23, 2022 as the new date. This coincides with the Board's meeting date for late November and the availability of staff, the applicant and the meeting venue for this date have all been confirmed. If this date does not meet the requirements for the directors who would be participating in the public hearing, additional dates can be researched for the Board's consideration.

The public hearing for Bylaws No. 432 and 433 is currently scheduled for Wednesday, April 27, 2022 in accordance with Res. SRD 73/22 passed by the Board at its January 26, 2022 meeting.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the public hearing on Bylaws No. 432 and 433 currently scheduled for April 27, 2022 be rescheduled to 7:00 p.m. on Wednesday, November 23, 2022 at the Quadra Island Community Centre.

Respectfully:



Dave Leitch

Chief Administrative Officer

Prepared by: T. Yates, Corporate Services Manager

Attachments: Bylaws No. 432 and 433
Copy of March 10, 2022 report to the Board



BYLAW NO. 432

A BYLAW TO AMEND THE QUADRA ISLAND OFFICIAL COMMUNITY PLAN

WHEREAS the former Comox-Strathcona Regional District has, by Bylaw No. 3050, adopted an official community plan for part of Electoral Area 'C' (Quadra Island) pursuant to Part 14 of the *Local Government Act*;

AND WHEREAS a bylaw of the former Comox-Strathcona Regional District that regulates the use or development of land within the area comprising the Strathcona Regional District remains in force until amended or repealed;

AND WHEREAS the Regional Board wishes to amend the aforesaid Bylaw No. 3050 having due regard to the requirements of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

Amendments

1. Bylaw No. 3050, being Quadra Island Official Community Plan Bylaw 2007, is hereby amended as set out in Schedule 'A', attached to and forming part of this bylaw.

Citation

2. This bylaw may be cited for all purposes as Bylaw No. 432, being Quadra Island Official Community Plan Bylaw 2007, Amendment No. 16.

READ A FIRST TIME ON THE 14TH DAY OF JULY, 2021

READ A SECOND TIME ON THE 14TH DAY OF JULY, 2021

PUBLIC HEARING HELD ON THE ____ DAY OF _____, 2021

READ A THIRD TIME ON THE ____ DAY OF _____, 2021

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE ____ DAY OF _____, 2021

Chair

Corporate Officer

SCHEDULE 'A'

SECTION ONE TEXT AMENDMENT

Part III 'Community Plan Policies' 5(c) "The following are commercial designations:" is amended by deleting Section 3.5(c)(iii) and replacing it with the following:

- 3.5(c)(iii) Recreation commercial developments shall reflect commercial activities that cater to large lot outdoor uses for visitors and Island residents alike, such as *principal* golf course *uses and associated secondary accessory recreational vehicle sites uses*.



BYLAW NO. 433

A BYLAW TO AMEND THE ZONING REGULATIONS APPLICABLE TO QUADRA ISLAND

WHEREAS the former Comox-Strathcona Regional District has, by Bylaw No. 1213, adopted zoning regulations for Quadra Island and vicinity pursuant to Part 14 of the *Local Government Act*;

AND WHEREAS a bylaw of the former Comox-Strathcona Regional District that regulates the use or development of land within the area comprising the Strathcona Regional District remains in force until amended or repealed;

AND WHEREAS the Regional Board wishes to amend the aforesaid Bylaw No. 1213 having due regard to the requirements of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

Amendments

1. Bylaw No. 1213, being Quadra Island Zoning Bylaw 1990, is hereby amended as set out in Schedule 'A', attached to and forming part of this bylaw.

Citation

2. This bylaw may be cited for all purposes as Bylaw No. 433, being Quadra Island Zoning Bylaw 1990, Amendment No. 136.

READ A FIRST TIME ON THE 14TH DAY OF JULY, 2021

READ A SECOND TIME ON THE 14TH DAY OF JULY, 2021

PUBLIC HEARING HELD ON THE ____ DAY OF _____, 2021

READ A THIRD TIME ON THE ____ DAY OF _____, 2021

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE ____ DAY OF _____, 2021

Chair

Corporate Officer

SCHEDULE 'A'**SECTION ONE TEXT AMENDMENT**

- 2) Part 11 'ZONES', Section 11.26, 'Recreation Commercial One (RC-1)' is deleted and replaced by the following:

11.26**RECREATION COMMERCIAL ONE (RC-1)****11.26.1 PRINCIPAL USES**

- a) Golf courses;

11.26.2 PERMITTED ACCESSORY USES

- a) Recreational vehicle sites
- b) Clubhouse, offices and meeting rooms
- b) Residential
- c) Retail sales
- d) Accessory maintenance buildings, structures and uses.

11.26.3 CONDITIONS OF USE

- a) No parking, loading or storage areas shall be located in any required yards.
- b) Buildings and structures shall be screened and buffered from adjacent properties through retention and maintenance of natural vegetation.
- c) Recreational vehicle sites and tourist trailer sites are limited to a maximum density of 30 sites per parcel. A 10-metre wide vegetated buffer strip is to be provided along all property lines.
- d) On any lot: residential use is limited to one single family dwelling for caretaker and/or manager.
- e) Retail sales limited to those items required for the playing of golf.

11.26.4 LOT AREA

The minimum lot area in the Recreation Commercial One (RC-1) zone shall be 30 hectares (74.13 acres).

11.26.5 SETBACKS

Except where otherwise specified in this bylaw, buildings and structures shall be located:

- a) A minimum of 30.0 metres (98.4 feet) from a front lot line;
- b) A minimum of 30.0 metres (98.4 feet) from a rear lot line;
- c) A minimum of 30.0 metres (98.4 feet) from a side lot line;
- d) A minimum of 100.0 metres (328 feet) from the ocean;
- e) A minimum of 15.0 metres (49.2 feet) from the natural boundary of any wetlands and other bodies of water.

11.4B.6 LOT COVERAGE

The maximum coverage for all buildings and structures on a lot shall be 1 percent (1%).

END – RC-1



STAFF REPORT

DATE: March 10, 2022 **FILE:** 0550-04 Board

TO: Chair and Directors,
Regional Board

FROM: David Leitch
Chief Administrative Officer

RE: BYLAWS NO. 432 AND 433 - OCP/REZONING (CP 1C 21/RZ 1C 21 – QUADRA LINKS)

PURPOSE/PROBLEM

To consider a request from Quadra Links Ltd. that the public hearing for Bylaws No. 432 and 433 currently scheduled for April 27, 2022 be delayed until October 2022.

EXECUTIVE SUMMARY

The Regional District is in receipt of the attached correspondence from Quadra Links Ltd. wherein it is requested that the public hearing for its development proposal be delayed until October 2022. The proponent has since clarified that it is actually seeking a re-schedule of the hearing to November 7, 2022.

Since many staff who are normally involved in the public hearing process will be fully focused on the winding down of director elections in preparation for the inaugural Board meeting early in November, there may be challenges in trying to accommodate the scheduling request. It will also be necessary to verify the availability of a public hearing venue before committing to a specific date several months from now.

The following alternatives are provided for the Board's consideration:

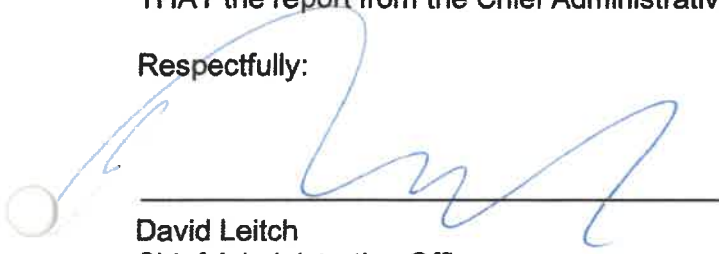
Option A – that a staff report to evaluate possible dates after October 2022 for a public hearing on Bylaws No. 432 and 433 be prepared for the Board's consideration.

Option C – that the Regional District proceed with a public hearing for Bylaws No. 432 and 433 on April 27, 2022 as currently authorized.

RECOMMENDATION

THAT the report from the Chief Administrative Officer be received.

Respectfully:



David Leitch
Chief Administrative Officer

Prepared by: T. Yates, Corporate Services Manager

Attachment: February 22, 2022 correspondence from Quadra Links Ltd.

Tom Yates

Subject: FW: Public Hearing

Importance: High

From: Bill Pirie <w.pirie@walcan.com>
Sent: February 22, 2022 11:41 AM
To: Meredith Starkey <mstarkey@srd.ca>
Subject: Public Hearing

NOTICE: This email is from an external source.

Hello Meredith,

On behalf of the BOD for Quadra Links Ltd., we ask for the public hearing for the proposed RV site to be delayed until October of 2022. We want to be able to analyze and respond to some of the technical issues that have been raised in public submissions.

Best regards,
Bill Pirie
President
QLL



STAFF REPORT

DATE: January 18, 2022 **FILE:** 0550-04 Board

TO: Chair and Directors,
Regional Board

FROM: David Leitch
Chief Administrative Officer

RE: BYLAWS NO. 432 AND 433 - OCP/REZONING (CP 1C 21/RZ 1C 21 – QUADRA LINKS)

PURPOSE/PROBLEM

To consider setting the date for the re-scheduled public hearing to allow input from the public on applications to amend the official community plan and zoning bylaw applicable to Quadra Island.

EXECUTIVE SUMMARY

At its January 12, 2022 meeting the Board considered the matter of the public hearing schedule for Bylaws No. 432 and 433 and passed the following resolution:

Abram/Anderson: SRD 33/22

Due to the most recent Omicron variant outbreak of Covid 19, that the public hearing for the Quadra Links development scheduled for January 19, 2022 be rescheduled to an available date in late April 2022, at 7pm at the Quadra Island Community Centre. All COVID protocols will apply.

In order to hold a public hearing, there are many details that must be sorted out well in advance including the availability of preferred meeting venue, public notice schedules, and notification of adjacent property owners. The date must also be specified in a Board resolution to be valid.

The date outlined below has been researched by staff and would meet all known logistical requirements.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the public hearing for Bylaws No. 432 and 433 originally scheduled for January 19, 2022 be re-scheduled for 7:00 p.m. on Wednesday, April 27, 2022.

Respectfully:



David Leitch
Chief Administrative Officer

Prepared by: T. Yates, Corporate Services Manager