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**Minutes of a Meeting of the
Juan de Fuca Electoral Area Parks and Recreation Advisory Commission
Held Tuesday, January 29, 2019 at the Juan de Fuca Local Area Services Building,
3 – 7450 Butler Road, Otter Point, BC**

PRESENT: S. Jorna (Chair), V. Braunschweig, B. Croteau, J. Gaston, A. Marchand, P. Sloan
Staff: D. Closson, Manager, Juan de Fuca Parks and Recreation;
I. Lawrence, Manager, Juan de Fuca Community Planning; R. Robinson, Planning
Assistant, W. Miller, Recorder
ABSENT: C. Bennett, W. Vowles (Alternate Director)
PUBLIC: 1

The meeting was called to order at 3:00 p.m.

1. Elections

Don Closson called for nominations for the position of Chair of the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission for 2019 and Louise Paterson's name was put forward. Staff confirmed that Louise Paterson has given notice that she will be standing down from the Commission.

Don Closson called again for nominations for the position of Chair and Commissioner Jorna's name was put forward. Don Closson called two additional times for further nominations and, as there were none, Commissioner Jorna was acclaimed Chair.

The Chair called for nominations for the position of Vice Chair of the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission for 2019 and Commissioner Braunschweig's name was put forward. The Chair called two additional times for further nominations and, as there were none, Commissioner Braunschweig was declared Vice Chair.

2. Approval of the Agenda

MOVED by Commissioner Croteau, **SECONDED** by Commissioner Gaston that the agenda be approved.

CARRIED

3. Adoption of the Minutes of November 27, 2018

MOVED by Commissioner Sloan, **SECONDED** by Commissioner Croteau that the minutes from the meeting of November 27, 2018, be adopted.

CARRIED

4. Chair's Report

The Chair welcomed Commissioner Marchand, the representative for the Shirley and Jordan River, to the meeting.

5. Director's Report

None.

6. Delegation – Juan de Fuca Community Planning

a) Comprehensive Community Plan Amendment Application - RZ000242

That Part of Section 97, Renfrew District as Shown Coloured Red on Plan 344R (PID: 009-592-342);

Lot 1, Section 97, Renfrew District, Plan EPP24972 (PID: 028-991-125) (17110 Parkinson Road);

That Part of District Lot 17, Renfrew District Shown Outlined in Red on Plan 347R (PID: 009-575-006) (6598 Baird Road); and

Those Parts of Block A and B, District Lot 751, Together with Unsurveyed Crown Foreshore or Land Covered by Water Being Part of the Bed of Port San Juan, All Within Renfrew District, Shown Outlined in Red on Licence V905027, Containing 3.86 Hectares, More or Less

Iain Lawrence spoke to staff report to the Juan de Fuca Land Use Committee and the request to redesignate the subject properties from Marine Protection (M) and Residential (R) to a new Pacific Gateway Marina (PGM) designation, and to rezone the subject properties from Marine (M) and Community Residential – One (CR-1) to a new Pacific Gateway Marina Comprehensive Development (PGM-CD) zone, in order to permit a mix of community uses, year-round residential accommodation, vacation properties, and commercial tourism, recreation and marina services to the general public. Iain Lawrence provided an overview of the six development areas proposed by the PGM-CD zone.

Iain Lawrence responded to questions from the Commission confirming that:

- the current marina is operated under a temporary use permit issued by the CRD
- Bylaw No. 4017, “Capital Regional District Regional Growth Strategy Bylaw No.1, 2016” (RGS) designates the marina properties as an Urban Containment Policy Area
- Section 445 of the *Local Government Act* requires that all bylaws adopted by a regional district board after the Board has adopted a RGS, be consistent with the RGS
- as the application proposes an amendment to the Port Renfrew Official Community Plan (Schedule A, Bylaw No. 3109, “Comprehensive Community Plan for Port Renfrew Bylaw No. 1, 2003”), the bylaw will be referred to the CRD Board for a determination of consistency prior to first reading
- the CRD is reviewing the sewer and water services proposed by Bylaw No. 4096

Iain Lawrence directed attention to Section 4.5.1 of Bylaw No. 4096 which proposes construction of a public trail and staircase providing connection between the Juan de Fuca Community Parks trail on Lot 64 and Baird Road.

Commission comments included:

- stairs at Baird Road are in poor condition
- concern for maintenance costs related to the staircase
- the development will want to keep the staircase in good condition as the focus of the proposal is to draw tourists to the community
- there is a roughed-in trail that has been used by residents that connects to Godman Road
- support for considering locating a trail with guard rails on higher land to avoid pedestrian and boat trailer conflicts
- a trail on the higher land would continue to provide water views

- the buildings proposed by the application have not been built
- the proposed higher land trail may not have the same water views once these structures are built
- the dominant user of the waterfront trail may be limited to the users of the marina
- the public generally desires continued access to and along the waterfront

Iain Lawrence responded to a question from the Commission, confirming that the Commission previously considered park dedication requirements for the 6-lot bareland strata subdivision (SU000687) on Lot 1, Plan EPP24972. It was advised that the CRD Board supported the Commission's recommendation that parkland dedication be received in the form of cash-in-lieu for application SU000687 and that the trail and staircase proposed by Bylaw No. 4096 are amenity provisions.

In response to Commission concerns related to trail standards, Don Closson noted that staff will be working with the developer as proposed Bylaw No. 4096 outlines the requirement that provision of a public walking trail and staircase are to be constructed in a location and to a standard approved by Juan de Fuca Electoral Area Community Parks and Recreation.

MOVED by Commissioner Braunschweig, **SECONDED** by Commissioner Sloan that the Commission accept the amenity in the form of a continuous statutory right-of-way, trail and stairway from Lot 64 to Baird Road which is open to the public with the trail and staircase maintained by the development.

CARRIED

b) Subdivision Application SU000697 - Subdivision of Lot 93, Renfrew District, Except Part in Plan 23812 – West Coast Road

Regina Robinson spoke to staff memo to the Commission and the referral received from the Ministry of Transportation and Infrastructure (MoTI) for a proposed 3-lot subdivision of Lot 93 on West Coast Road. It was confirmed that no park dedication is required for the application; however, Section 75(c) of the *Land Title Act* requires that if land to be subdivided borders on a body of water, the bed of which is owned by the Crown, access must be given by highways 20 m wide to the body of water at distances not greater than 200 m between centre lines, or, in a rural area where the parcels into which the land is subdivided all exceed 0.5 ha, at distances not greater than 400 m between centre lines. A Memorandum of Understanding (MoU) between the CRD and the MoTI allows that subdivision applications that require access to water in accordance with Section 75 will be referred to the Commission prior to issuance of preliminary layout approval. It was further confirmed that the applicant submitted a request to the CRD and the MoTI to waive the statutory requirement to provide access to water.

Don Closson stated that:

- there is a provincial access to water to the east of Fossil Bay Resort, which is located between proposed Lot 1 and proposed Lot 2
- the subject property is steep and benched
- there is little sign of public historic use of the subject property
- should the waiver not be supported, the applicant has proposed that the water access be located at the west end of proposed Lot 2

An agent for a potential purchaser of proposed Lot 2 commented that his client was concerned about the location of the public access.

Community Planning staff confirmed that the Province owns the stream bed of the creek located on the property and that the Riparian Areas Regulation (RAR) assessment report submitted as part of the subdivision process required that the Streamside Protection and Enhancement Area (SPEA) setback be 10 m.

MOVED by Commissioner Jorna, **SECONDED** by Commissioner Sloan that the Commission supports a 20 m wide road allowance on the west side of Vye Creek for park interest for a future park trail consistent with the Riparian Areas Regulation (RAR).

CARRIED

7. Staff Reports

a) Staff News

Community Works Fund Grant Application and BC Rural Dividend Grant – Port Renfrew Tourism Trail

The Port Renfrew Community Trail has been completed. The final cost for the project was \$117,714 with a surplus of \$7,631 returned to the Community Works Fund.

Rezoning Application Z-01-10 – District Lot 1, Section 89, Sooke District, Plan 26576, Except Park in Plan 35281 (1381 Pike Road)

At its June 22, 2010 meeting, the Commission considered an application to rezone the subject property from Rural Residential 3 (RR-3) to Rural Residential 5 (RR-5) to permit a four-lot subdivision and resolved to report its preference for cash-in-lieu of park land. The applicant is now pursuing a 3-lot subdivision which does not require the provision of park land or payment for parks purposes.

Subdivision Application S-03-14 - Lot 2, District Lot 17, Renfrew District, Plan 32241 (6649 Godman Road)

At its meeting of December 12, 2018, the CRD Board considered and supported the Juan de Fuca Land Use Committee's recommendation:

- a) That the Board motion of November 12, 2014, requesting cash in-lieu of land for subdivision application S-03-14, for Lot 2, District Lot 17, Renfrew District, Plan 32241, be rescinded.
- b) That 5% park land dedication be requested pursuant to Section 510 of the *Local Government Act* for the proposed subdivision of Lot 2, District Lot 17, Renfrew District, Plan 32241 pursuant to securing dedication of land for a trail connection.

Don Closson confirmed that he and Community Planning staff will be meeting with the applicant in late February or March to address concerns/questions which have arisen due to the possible location of the 5% park land dedication.

Working with residents at Jordan River on “The Shores Community Park”

Don Closson reported that a Hazardous Material Assessment has been conducted on the “Real Estate Trailer”. Three quotes for the removal and disposal of the trailer will be requested.

Friends of Coppermine Park Society- Picnic Shelter Proposal

The Building Permit has been approved and a Project Supervisor has been contracted to manage the project. A letter was drafted by the CRD Biologist which spoke to the ability to construct the shelter within the riparian area as defined in the Development Permit application. The letter has been sent to file and will adequately address the riparian concern and has recommended some remedial action.

Port Renfrew Electric Vehicle Charging Station

Waiting on finalization of the installation plan for the EV Charging Station at the Port Renfrew Community Centre. The contractor doing the work is close to completion and a permit (lease) to occupy the site has been negotiated. Clarification has been received which states that: The MoTI will be installing equipment on CRD property and that permission has been granted which specifies a 20 year time frame. It also indicates that the Ministry is responsible for operating and maintenance costs of the equipment.

Priest Cabin Park

As of January 16, 2019, the gate at West Coast Road and Cedar Coast Road has yet to be moved. The trail on the right-of-way leading from Cedar Coast Road to Priest Cabin Park has been cleared of any hazard trees and trail blocking impediments. It is anticipated that, due to the recent wind storms, there may be additional trees blocking the trail. These trees will be dealt with this spring. Once this work is completed, signage will be erected at Cedar Coast Road identifying the trailhead and outlining trail safety and trail route.

Kemp Lake Fishing Pier and Boat Launch Project

Don Closson reported that he and Community Planning staff recently met with the MoTI to discuss local resident inquiries about the project. The project will continue to be delayed until such time as the water line installation has been completed. A parking plan for public vehicles using the access was developed by staff and submitted to the MoTI for review. Some modifications were required to the "parking plan" by the MoTI and a site visit is scheduled for January 30, 2019. The project required a "Staking Notice" as directed by the MoTI which was done on December 10, 2018. This requires a "Proof of Advertising" which was accomplished on January 7, 2019. It is anticipated that construction can begin on this project in the spring.

JdFEA Recreation Program Guidelines - Review

To be considered at the February meeting.

Caretaker Agreement – Wrigglesworth Lake

Don Closson advised that it has been determined that the access used by the Caretaker at Wrigglesworth Lake is in trespass. Due to this issue and due to concerns raised about the trailer being located in the riparian area, it has been concluded that the current arrangement with the Caretaker is untenable. It has been decided that the trailer will be removed and the access road will be blocked. The Caretaker has been approached to provide "Caretaker Services" under an alternate agreement which would pay a small stipend of \$100/month for 6 months during the summer and shoulder season. This has yet to be finalized. The trailer is required to be removed by March 31, 2019.

Contracts and Agreements

Don Closson reported that he has started the process for renewing contracts and agreements for Recreation Services (2), Maintenance Services (1) and Park Services for 2019 (1).

February Meeting

The next regular meeting of the Commission is scheduled for February 26. Don Closson advised that he is not available on this date and proposed that the monthly meeting be scheduled on February 20. Staff will follow up with the membership to confirm the meeting.

8. New Business

9. Unfinished Business

a) Friends of Coppermine Park Society-Picnic Shelter Proposal

Discussed under Staff News.

b) Port Renfrew Tourism Trail – Final Report Outstanding

Discussed under Staff News.

c) Electric Vehicle Charging Station – Port Renfrew

Discussed under Staff News.

d) Priest Cabin Trail Improvements

Discussed under Staff News.

e) Recreation Program Guidelines Review

To be considered at the February meeting.

f) Kemp Lake Fishing Pier and Boat Launch Project

Discussed under Staff News.

10. Next Meeting:

February 20, 2019 to be confirmed.

11. Adjournment

The meeting adjourned at 4:38 p.m.

Sid Jorna, Chair

Wendy Miller, Recorder