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**Minutes of a Meeting of the  
Juan de Fuca Electoral Area Parks and Recreation Advisory Commission  
Held Tuesday, January 28, 2020 at the Juan de Fuca Local Area Services Building,  
3 – 7450 Butler Road, Otter Point, BC**

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**PRESENT:** S. Jorna (Chair), V. Braunschweig, B. Croteau, A. Marchand, P. Sloan  
**Staff:** D. Closson, Manager, Juan de Fuca Community Parks and Recreation;  
W. Miller, Recorder  
**ABSENT:** J. Gaston, Director M. Hicks  
**PUBLIC:** 0

The meeting was called to order at 3:07 pm.

**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 2020 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 2020 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 acclaimed Vice Chair.

**2. Approval of the Agenda**

**MOVED** by Commissioner Sloan, **SECONDED** by Commissioner Braunschweig that the agenda be approved.

**CARRIED**

**3. Adoption of the Minutes of November 26, 2019**

**MOVED** by Commissioner Sloan, **SECONDED** by Commissioner Braunschweig that the minutes from the meeting of November 26, 2019 be adopted.

**CARRIED**

Commissioner Marchand entered the meeting at 3:11 pm.

**4. Chair's Report**

No report.

**5. Director's Report**

No report.

6. Staff Reports

a) Staff News

**Port Renfrew - The Park**

Further to comment received at the last meeting, Don Closson reported that the accumulated leaves were removed by the local Port Renfrew Community Centre maintenance staff person.

**Port Renfrew – Gazebo Request**

Building Inspection has contacted the volunteer group interested in constructing a gazebo at The Park to confirm the status of the building permit application.

**Recreation Programs - Yoga**

The yoga contract has been finalized and classes have begun.

**Bylaw No. 3763 Amendment**

The Director requested that the bylaw for the Commission, Bylaw No. 3763, be amended to reflect desired changes to the operation/structure of the Commission. Work was done by JdF Community Planning and JdF Community Parks and Recreation staff to draft changes to the bylaw. Requested changes were submitted to Legislative and Legal Services for review. A meeting will be scheduled between JdF EA staff and Legislative Services staff to better understand the needs of the Commission and the rationale for the amendments.

**Kemp Lake Fishing Pier and Boat Launch Project**

The terrestrial portion of the Kemp Lake Foreshore Improvement project was completed on October 29, 2019. Grass seeding and installation of a picnic table and a portable toilet will commence in the spring of 2020. The aquatic portion of the project will continue to be delayed until such time as the water line installation is complete. Section 11 approval (as required by the *Water Sustainability Act*) has been granted by the Province for the aquatic portion of the project. A work window of June – August has been granted.

**Carpenter Road Park**

Don Closson reported that he inspected the spillway at the Carpenter Road Park earthen dam this past week. The spillway appears to be in working order. A meeting has been requested with staff at Regional Parks to discuss the next steps to determine the risk rating and a path going forward.

**Budget Allocation for William Simmons Trail Work**

Funding for trail development has been secured through the Community Works Fund. This project is designed to complete the works identified in the William Simmons Management Plan and will also assist in providing beautification and infrastructure to the abandoned building area. A budget of \$20,000 has been transferred to a project fund and coding has been allocated at CRD Finance. Work will commence when appropriate depending on the timing of the Otter Point Road improvements and potential impacts to the park.

### **Abandoned House Removal William Simmons**

At the request of the Director, Don Closson reported that he has been working with CRD Finance to determine what, if any, surplus funds would be available for the “abandoned building removal” at William Simmons Community Park.

In discussion with Finance, it was determined that the house is considered an asset and will have to be written down and removed from the asset list for JdF Community Parks and Recreation Program. This provides the opportunity to use “capital reserve funds” to complete the project. This is considered the best situation by the Manager and will not impact the 2020 operational budget as previously planned. \$40,000 is allocated for this project in 2020.

The tender was sent out to various qualified contractors to submit quotes for this work with a closing date of December 13, 2019. The project window is March - May 2020. The winning bid was submitted by R&G Contracting at \$37,500. The contract has been written and is with Legal Services for processing. The contract includes removal of yard debris and decommissioning of the well, septic and power poles.

The Commission requested photos of the house and project area.

### **Disposition of Interest in CRD Owned Property (William Simmons Park)**

Don Closson reported that a notice of intention to dispose of land at William Simmons Community Park has been posted in the Sooke News Mirror. The disposition would allow BC Hydro power lines to have overhead trespass for powerlines.

### **Auxiliary Staffing Request 2020**

Staff request forms for the 2020 auxiliary season have been submitted. The complement requested would be the same as previous years, a Park Worker 2 (PW2) and Park Worker 5 (PW5). The staff will be drawn from the Regional Parks staffing complement. Planned employment window will be May – September, 2020.

### **Priest Cabin Access Agreement**

No update on the access agreement between the CRD, the JdF EA and the land owner. This agreement is being negotiated by the CRD Real Estate Program.

### **Feasibility Studies - Becher Bay and K2/Petrel Drive Trail Construction**

“Notice of Intent” requests have been sent to various qualified contractors for the feasibility studies proposed for the planned trail development and improvements at Becher Bay and The Shores (K2/Petrel Drive) Community Parks. Two contractors have shown interest in bidding on this work and a site visit has been set for February 4, 2020. The intent is to have feasibility studies done to determine the nature of work required to construct and/or improve trails at these park locations.

Further to interest expressed by the Commission, a site visit to the two locations is tentatively scheduled for April 21, 2020.

Don Closson responded to questions from the Commission confirming that;

- the successful contractor will be responsible for determining if there are any archeological implications associated with the proposed trail locations

- staff will report back to the Commission regarding the status of the bids
- the bids can be declined if it is determined the bids are too high

#### **Playground Inspection Policy**

Don Closson reported that he has been tasked with writing a “playground inspection policy” for the CRD to mitigate liability that may arise from the operation and provision of playgrounds. A draft policy has been sent to Regional Parks for review.

Don Closson responded to questions from the Commission confirming that the policy, once approved, would extend to all CRD playgrounds and that the policy would address natural playground features.

#### **Waters Edge Access Trail Request**

Don Closson reported that he is working with the JdF Community Planning to identify a date for a site visit to Jordan River to determine the exact location and potential feasibility for the creation of an access trail from Waters Edge Drive to West Coast Road near the beach at Jordan River. A tentative date with JdF Community Planning has been set for February 11, 2020.

Don Closson confirmed that this location can be added to the Commission site visit tentatively scheduled for April 21, 2020.

#### **Rezoning Application RZ000236 – Lot 205, Renfrew District (6215 Powder Main Road)**

At its meeting of June 23, 2015, the Commission considered the request to rezone a portion of the subject property from Rural Resource Land (RRL) to Tourist Commercial – Soule Creek (TC-SC) in order to permit tourist accommodation. At that meeting, the Commission passed the following resolution:

**MOVED** by Commissioner Jorna, **SECONDED** by Commissioner Kimmel that the Commission state that it:

- is neutral on the issue of rezoning
- is aware of potential critical habitats (osprey and elk)
- is aware of the desirability of future trails
- supports these elements being considered as the development moves forward

**CARRIED**

The property transferred to new ownership in November 2019. The rezoning application has been closed.

#### **Rezoning Application RZ000260 - Lot 9, Section 129, Sooke District, Plan VIP67208 (590 Seedtree Road)**

At its meeting of November 27, 2018, the Commission considered the request to rezone the subject property from Rural A to Rural Residential 6A (RR-6A) for the purpose of permitting a 4-lot bare land strata subdivision as an alternative to a building strata. At that meeting, the Commission passed the following resolution:

**MOVED** by Commissioner Jorna, **SECONDED** by Commissioner Kimmel that the Commission receive the report for rezoning application RZ000260 and that the Commission consider park dedication at the time of subdivision.

**CARRIED**

The CRD Board adopted Bylaw No. 4265 on May 8, 2019, rezoning the property from Rural A to RR-6A.

On January 8, 2020, the subdivision application (SU000703) was withdrawn by the applicant.

### **Update on Sea to Sea and Sooke Hills Wilderness Regional Parks**

The Lakes Section of the Sea to Sea Regional Park is now officially open.

Some of the major accomplishments that have gone into opening the Lakes Section include:

- A new multi-use aluminum bridge across Charters River to link the Mount Manuel Quimper Section to the Lakes Section;
- New wooden bridges constructed on the Grass Lake Trail, the Peden Lake Trail, and on the Lakes Connector Trail;
- A wooden staircase over the flowline on the Peden Lake Trail;
- Removal of the old cabin at Peden Lake and rehabilitation of the site;
- Trail maintenance on many of the Lakes Section official trails including vegetation brushing, hazard tree management, and erosion control;
- Installation of park signs and directional maps on official park trails; and
- Removal of old fencing and gates on the Grass Lake Trail near the Charters Reservoir.

It is anticipated that the Sooke Hills Wilderness Regional Park will be ready for opening this fall.

The Commission stated that negative comment has been received from members of the public regarding removal of the cabin as well as the amount of restrictive signage now posted at Peden Lake.

## **7. New Business**

### **a) Ministry of Transportation and Infrastructure Referral – Close and Acquire Public Land in a Public Road Application (Mark Lane)**

Don Closson spoke to the staff memo to the Commission regarding the referral received from the Ministry of Transportation and Infrastructure (MoTI) for a proposed road closure application for land adjacent to 6900 Mark Lane.

Commission comments included:

- the *Land Title Act*, Section 75, requires subdivisions to provide access to water in rural areas every 400 m if the land borders the ocean

- the 2003 CRD Juan de Fuca Electoral Area Foreshore Access Report notes that there is a growing need for new sustainable access routes to the foreshore in many areas of the JdF EA and that, as new subdivisions and residences are created, pressure is put on the existing public foreshore access sites
- the 2005 Ministry of Environment Paper entitled Riparian Rights and Public Foreshore Use in the Administration of Aquatic Crown Land outlines the right of access to and from the water
- regardless of slope, accesses can provide opportunity for views
- regardless of slope, there are infrastructure opportunities to provide access to the shore
- accesses can provide ingress/egress in the event of an emergency/fire
- residents are concerned regarding increasing encroachment onto foreshore accesses and lack of signage identifying the foreshore accesses
- these concerns are anticipated to increase as the population grows
- should the closure application be supported, it may be precedent setting
- the Commission's Public Access to Water Agreement with the MoTI could, in principle, be applied to this access
- closure of the access could potentially increase the density of the applicant's property

At this time, Don Closson read aloud a letter received from the Willis Point Community Association in 2008 which indicates support for further community dialogue regarding opportunity to utilize the accesses for public benefit. A second letter sent under the Commission Chair's signature to the Willis Point Advisory Planning Commission in 2009 was read aloud which relays the Commission's ability to identify and apply for CRD tenure over identified water accesses to water, should there be community support.

**MOVED** by Commissioner Braunschweig, **SECONDED** by Commissioner Marchand that the Commission state that it does not support the road closure application between 6900 Mark and 6930 Mark Lane as there may be future public interest in developing the foreshore access.

**CARRIED**

At this time, it was:

**MOVED** by Commissioner Braunschweig, **SECONDED** by Commissioner Sloan that the Commission thank Don Closson, Wendy Miller and the JdF Parks staff for all their work in 2019.

**CARRIED**

## **8. Unfinished Business**

### **a) Kemp Lake Fishing Pier and Boat Launch Project**

Discussed under Staff News.

### **b) Review of Bylaw No. 3623, Recreation Services and Facilities Fees and Charges Bylaw**

Discussed under Staff News.

- c) Amendment to Bylaw No. 3763, Juan de Fuca and Salt Spring Island Parks and Recreation Advisory Commissions**  
Discussed under Staff News.
- d) Subdivision Application S-03-14 - Lot 2, District Lot 17, Renfrew District, Plan 32241 (6649 Godman Road)**  
Don Closson confirmed that the application is still active.
- e) Subdivision Application S-22-08 – Goldstream Heights/Great Trail Park Dedication**  
Struck from the agenda.
- f) Becher Bay Trail and Petrel Drive Trail Development Plans**  
Discussed under Staff News.
- g) Statutory Right-of-Way: Priest Cabin Park to Matterhorn Trail**  
Discussed under Staff News.
- h) Waters Edge Drive Access Trail**  
Discussed under Staff News.
- i) Park Volunteerism**  
Discussed under Staff News.

**9. Next Meeting:**  
February 25, 2020

**10. Adjournment**

The meeting adjourned at 4:41 pm.

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Sid Jorna, Chair

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Wendy Miller, Recorder