



Making a difference...together

## JUAN DE FUCA ELECTORAL AREA PARKS AND RECREATION ADVISORY COMMISSION

Notice of Meeting on Tuesday, **May 26, 2020 at 3 pm**

Juan de Fuca Local Area Services Building, #3 – 7450 Butler Road, Otter Point, BC

---

### AGENDA

1. Approval of Agenda
2. Adoption of Minutes of February 25, 2020
3. Chair's Report
4. Director's Report
5. Delegation – Juan de Fuca Community Planning
  - a) Subdivision Application SU000720 - Lot A, District Lot 17, Renfrew District, Plan EPP10506 (6505 Powder Main Road)
  - b) Subdivision Application SU000721 - Parcel A (DD 143426I) of Section 97, Renfrew District, Except that part in Plans 15462, VIP77871 and EPP24972 (17151 Parkinson Road)
6. Staff Report
  - a) Staff News
7. New Business
  - a) Annual Amendment to Bylaw No. 3623, Recreation Services and Facilities Fees and Charges Bylaw (Amendment Bylaw No. 4359)
8. Unfinished Business
  - a) Kemp Lake Fishing Pier and Boat Launch Project
  - b) Review of Bylaw No. 3623, Recreation Services and Facilities Fees and Charges Bylaw
  - c) Amendment to Bylaw No. 3763, Juan de Fuca and Salt Spring Island Parks and Recreation Advisory Commissions
  - d) Subdivision Application S-03-14 - Lot 2, District Lot 17, Renfrew District, Plan 32241 (6649 Godman Road)
  - e) Becher Bay Trail and Petrel Drive Trail Development Plans
  - f) Statutory Right-of-Way: Priest Cabin Park to Matterhorn Trail
  - g) Waters Edge Drive Access Trail
  - h) Park Volunteerism
9. Next Meeting: June 23, 2020
10. Adjournment



Making a difference...together

**Minutes of a Meeting of the  
Juan de Fuca Electoral Area Parks and Recreation Advisory Commission  
Held Tuesday, February 25, 2020 at the Juan de Fuca Local Area Services Building,  
3 – 7450 Butler Road, Otter Point, BC**

---

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

The meeting was called to order at 3:02 pm.

**1. Approval of the Agenda**

**MOVED** by Commissioner Braunschweig, **SECONDED** by Commissioner Sloan that the agenda be approved as amended to include Recognition of Commission Chair, Louise Paterson under New Business.

**CARRIED**

**2. Adoption of the Minutes of January 28, 2020**

**MOVED** by Commissioner Gaston, **SECONDED** by Commissioner Sloan that the minutes from the meeting of January 28, 2020 be adopted.

**CARRIED**

**3. Chair's Report**

The Chair spoke to the recent passing of Louise Paterson, Commission Chair from 2004 – 2019, acknowledging her commitment to the environment, the community and the JdF Community Parks and Recreation Program.

**4. Director's Report**

No report.

**5. Staff Reports**

**a) Staff News**

**Port Renfrew – Gazebo Request**

CRD Building Inspection closed building permit application BP005594 on December 19, 2019. The volunteer group wishing to construct a gazebo would have to re-apply for a new building permit for the project to be reconsidered.

**Recreation Programs – Meditation Program**

There has been some interest in delivering a meditation program at the JdF Local Area Services Building. Don Closson advised that he is waiting on a detailed proposal at which time options for delivery will be determined/finalized.

**Bylaw No. 3763 Amendment**

A meeting was held at CRD HQ on Monday, February 10, 2020. A good discussion proceeded with a commitment to move forward with amendment to the Commission's bylaw in the next 6 months. CRD HQ staff were receptive to the points brought forward by the JdF EA staff and a better understanding by both parties will benefit the final outcome.

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

Don Closson advised that:

- grass seeding will be done by the Parks crew when they start in May
- a portable toilet will be on site effective May 1, 2020
- he will be meeting with a fabricator in late March/early April to discuss installation of a picnic table

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**

A meeting with staff at Regional Parks has been tentatively scheduled for February 26, 2020 to discuss the next steps related to the earthen dam. Don Closson confirmed that there are several homes downstream in the vicinity of the waterbody. The adjacent watercourse should handle any water release from the pond structure.

**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 allocated to this project fund. Work will commence when appropriate depending on the timing of the Otter Point Road improvements and potential impacts to the park. At this time, it is anticipated that additional spilt rail fencing along the road frontage will be required to mitigate vegetation loss due to road improvements.

The Commission noted that existing trails need minor work due to winter storm damage.

**Abandoned House Removal William Simmons**

As previously reported, 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 project window is March - May 2020. Tree work is required in advance of demolition start to clear the driveway leading to the house.

As requested at the January meeting, photos of the house and project area were presented.

**Auxiliary Staffing Request 2020**

Postings for the 2020 auxiliary season have closed. Chris Hart will be returning to the Park Worker 2 position. Interviews will be scheduled for the Park Worker 5 position. 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. Parking signage has been requested by a member of the public.

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

As previously reported, two contractors showed interest in bidding on this work. Site visits were performed by both contractors and both have withdrawn their interest in submitting a bid for this work. The contractors indicated that the cost of the feasibility studies would be \$37,000 - \$42,000. The contractors further indicated that improvements would cost \$180,000 - \$230,000 to meet trail construction standards and engineering standards for the anticipated infrastructure (bridges/stairs).

Don Closson responded to questions from the Commission confirming that:

- the Community Works Fund (CWF) can be used for trail improvements
- CWF funding would not be able cover the full cost of the two projects
- it is anticipated that use of the CWF would not be supported due to the level of use of the two project areas
- improvements to the two project areas can be included in the Commission's ten year priority review

A site visit with the Commission is scheduled for April 15, 2020.

**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. An inspection of a park on Mayne Island was completed on February 6, 2020, at the request of Regional Parks.

**Waters Edge Access Trail Request**

A site visit 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 was completed with JdF Community Planning staff on February 11, 2020.

Web mapping showing the location of the right-of-way (RoW) held for park on Waters Edge Drive and Whalers Cove Lane was presented.

Don Closson presented photos from the site visit and advised that the Waters Edge Drive RoW is extremely steep and not amenable to trail construction. The Whalers Cove Lane RoW would support the community's interest in safer walking routes.

The Commission requested information on the community's current and anticipated buildout population.

Commission comment included:

- interest in visiting The Shores Community Park
- The Shores Community Park is grown-in and is encompassed by a watercourse and unstable slopes
- out of the three areas identified for potential improvements in The Shores development, it may be most advantageous to develop an access to the waterfront

Area to be included in the site visit scheduled for April 15, 2020.

#### **Meeting with Seagirt Ponds Preservation Society**

Don Closson reported that he met with the Seagirt Ponds Preservation Society on February 19, 2020 to discuss the renewal of the 5 year Seagirt Ponds Community Park Stewardship Strategy. It was advised that the society has been working on an inventory of species found in the park as well as offering public education sessions. It was confirmed that the strategy will be presented to the Commission prior to its approval by staff.

#### **April Commission Meeting**

The April meeting is rescheduled to Wednesday, April 22, 2020 at 3:00 pm.

### **6. New Business**

#### **a) Subdivision Application SU000684 - Lot 1, Section 89, Sooke District, Plan 26576, except part in Plan 35281 (1381 Pike Road)**

Don Closson spoke to the referral received from JdF Community Planning confirming that:

- the Commission considered the referral of an application (Z-01-10) to rezone the subject property from Rural Residential 3 (RR-3) to Rural Residential 6 (RR-6) in order to permit a 4-lot subdivision at its June 22, 2010 meeting
- at that time, the Commission resolved to report its preference for cash-in-lieu of park land
- in 2019 the applicant chose to pursue a 3-lot subdivision which does not require the provision of park land or payment for parks purposes
- the applicant has now submitted an updated 4-lot subdivision plan

Web mapping showing the subject property and its vicinity to East Sooke Regional Park was presented.

The Commission noted that public access and parking is well established for users of East Sooke Regional Park.

**MOVED** by Commissioner Braunschweig, **SECONDED** by Commissioner Sloan that the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission recommend to the Juan de Fuca Land Use Committee that the requirement for park land dedication in accordance with Section 510 of the *Local Government Act*, for proposed subdivision of Proposed Subdivision of Lot 1, Section 89, Sooke District, Plan 26576, except part in Plan 35281 (SU000684), be received in the form of cash-in-lieu.

**CARRIED**

**b) Subdivision Application SU000720 - Lot A, District Lot 17, Renfrew District, Plan EPP10506 (6505 Powder Main Road)**

Don Closson spoke to the referral received from JdF Community Planning for a proposed 13-lot bare land strata subdivision that will require provision of park land pursuant to Section 510 of the *Local Government Act*.

Web mapping showing the subject property as well as the proposed subdivision plan and conceptual trail plan for Port Renfrew were presented.

The Commission stated support for a site visit. It was asked that Commissioner Croteau be in attendance.

**c) Subdivision Application SU000721 - Parcel A (DD 143426I) of Section 97, Renfrew District, Except that part in Plans 15462, VIP77871 and EPP24972 (17151 Parkinson Road)**

Don Closson spoke to the referral received from JdF Community Planning for a proposed 4-lot bare land strata subdivision that will require provision of park land pursuant to Section 510 of the *Local Government Act*.

Staff to circulate a date for a site visit to the subject properties for application SU000720 and SU000721.

**d) Recognition of Commission Chair, Louise Paterson**

Commission comment included:

- support for a memorial amenity at Becher Bay Community Park
- Becher Bay Community Park provides a view of Murder Bay
- support for a bench and/or plaque
- support for opportunity to donate to support purchase of the amenity

Staff presented a photo of the bench model installed in community parks. The Commission requested bench dimensions.

Don Closson advised that that a bench for Becher Bay Community Park can be ordered when the benches for William Simmons Community Park and Kemp Lake are ordered. It was further advised that Louise provided an account of the history of Murder Bay. Staff to circulate to the membership.

**7. 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**

To be considered at the March meeting.

- 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)**  
No update.
- e) **Becher Bay Trail and Petrel Drive Trail Development Plans**  
Discussed under Staff News.
- f) **Statutory Right-of-Way: Priest Cabin Park to Matterhorn Trail**  
Discussed under Staff News.
- g) **Waters Edge Drive Access Trail**  
Discussed under Staff News.
- h) **Park Volunteerism**  
Comment was received from the Commission advising that the Girl Guides have expressed interest in volunteering in a park program as part of its provincial rendezvous scheduled from July 24 – August 1.

Don Closson advised that he will reach out to his counterparts to request presentation from the Regional Parks volunteer program.

**8. Next Meeting:**  
March 24, 2020

**9. Adjournment**

The meeting adjourned at 4:41 pm.

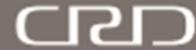
---

Sid Jorna, Chair

---

Wendy Miller, Recorder

# Memo



**TO:** Juan de Fuca Electoral Area Parks and Recreation Advisory Commission

**FROM:** Regina Robinson, Planning Assistant – JdF Community Planning  
Don Closson, Manager - JdF Community Parks and Recreation

**DATE:** May 26, 2020 **FILE:** SU000720

**SUBJECT: Proposed Subdivision of Lot A, District Lot 17, Renfrew District, Plan EPP10506 – 6505 Powder Main Road**

---

The Community Planning department received a referral from the Ministry of Transportation and Infrastructure (MoTI) for a proposed 13-lot bare land strata subdivision of Lot A on Powder Main Road. The proposed subdivision will require provision of park land pursuant to Section 510 of the *Local Government Act*.

This application was brought before the Commission at their meeting of February 25, 2020; the Commission requested a site visit prior to providing comment on the provision of park land. Members of the Commission attended the site on May 12, 2020.

Please review the application and advise Juan de Fuca Community Planning of your Commission's recommendation, so that it may be forwarded to the Land Use Committee and CRD Board for consideration.

The following information is provided to aid you in reviewing the subdivision proposal:

<b>Lot Size:</b>	1.85 hectares (4.571 acres)
<b>Proposed # of Lots:</b>	13 bare land strata lots
<b>Zoning:</b>	TC-1 (Tourism Commercial - One)
<b>TC-1 Zone Min. Lot Size:</b>	If the parcel is connected to a community sewer and water system, then there is no minimum parcel size.
<b>Bylaw:</b>	Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 3109
<b>Land Use Designation:</b>	Residential (R)
<b>Development Permit Areas:</b>	Riparian and Sensitive Ecosystem DP areas
<b>Services:</b>	Port Renfrew Water Supply Area Port Renfrew Fire Protection Service Area Community on-site engineered septic system (proposed) Common property access from Powder Main Road (proposed)
<b>5% Land Area:</b>	0.09 ha (0.23 acres)
<b>2020 Assessed Land Value:</b>	\$240,000
<b>5% Assessed Equivalent:</b>	\$12,000
<b>Park Land OCP Policies:</b>	In accordance with Bylaw No. 3109, Section 4.8, the provision of parkland must help the community achieve their quality of life goal objective. This can be accomplished through the provision of having the developer provide park land, without compensation, to the community. Depending upon the number of parcels of land being created, the size and location of the parcel being subdivided, the form of park land will be determined by the Capital Regional District through input from the Juan de Fuca Electoral Area Director and the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission. The provision of park land must be in the form of: a) trails, b) tot lots, c) community parks, d) sports fields, e) regional parks, f) interpretive parks, or g) any combination of the above.

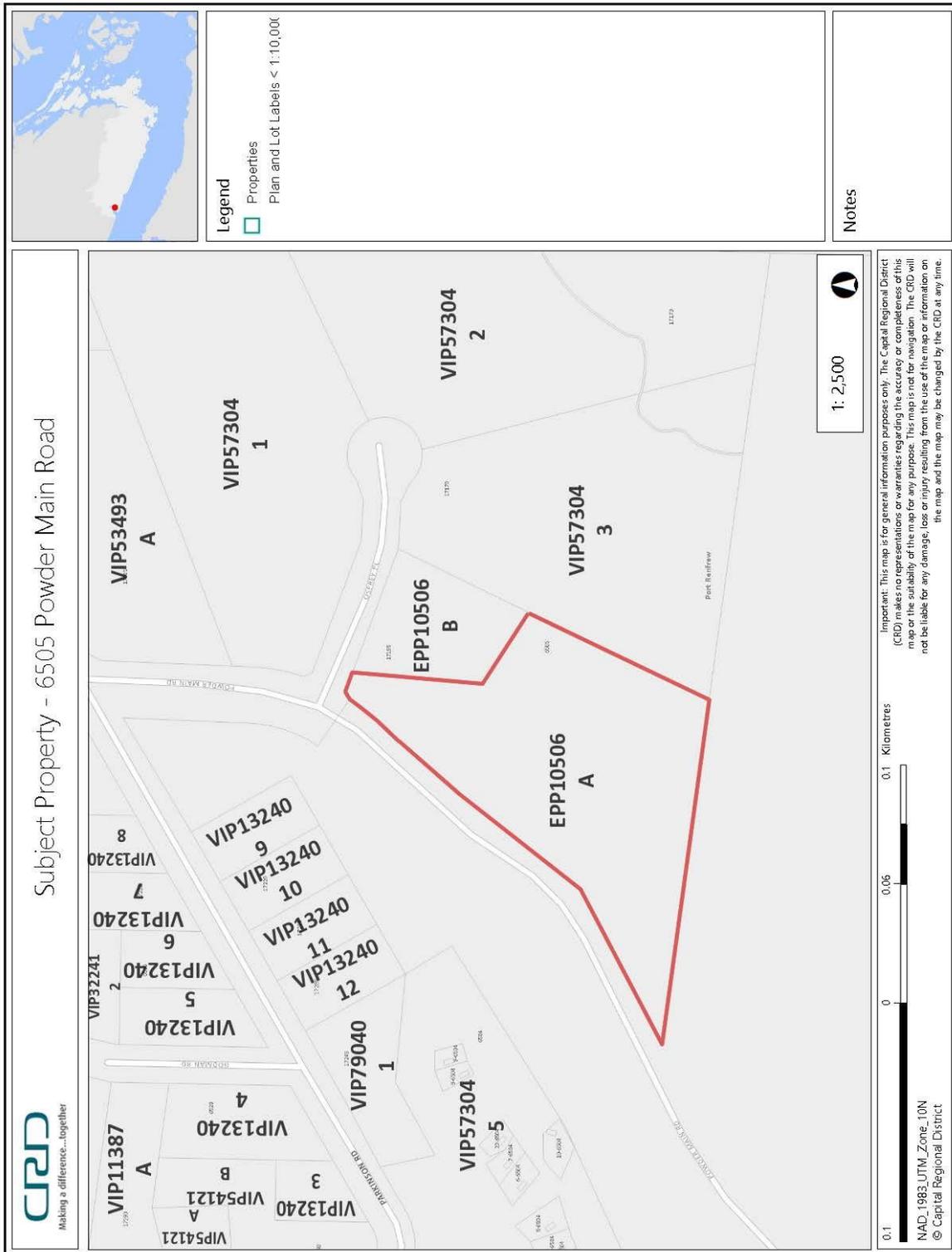
**SU000720**

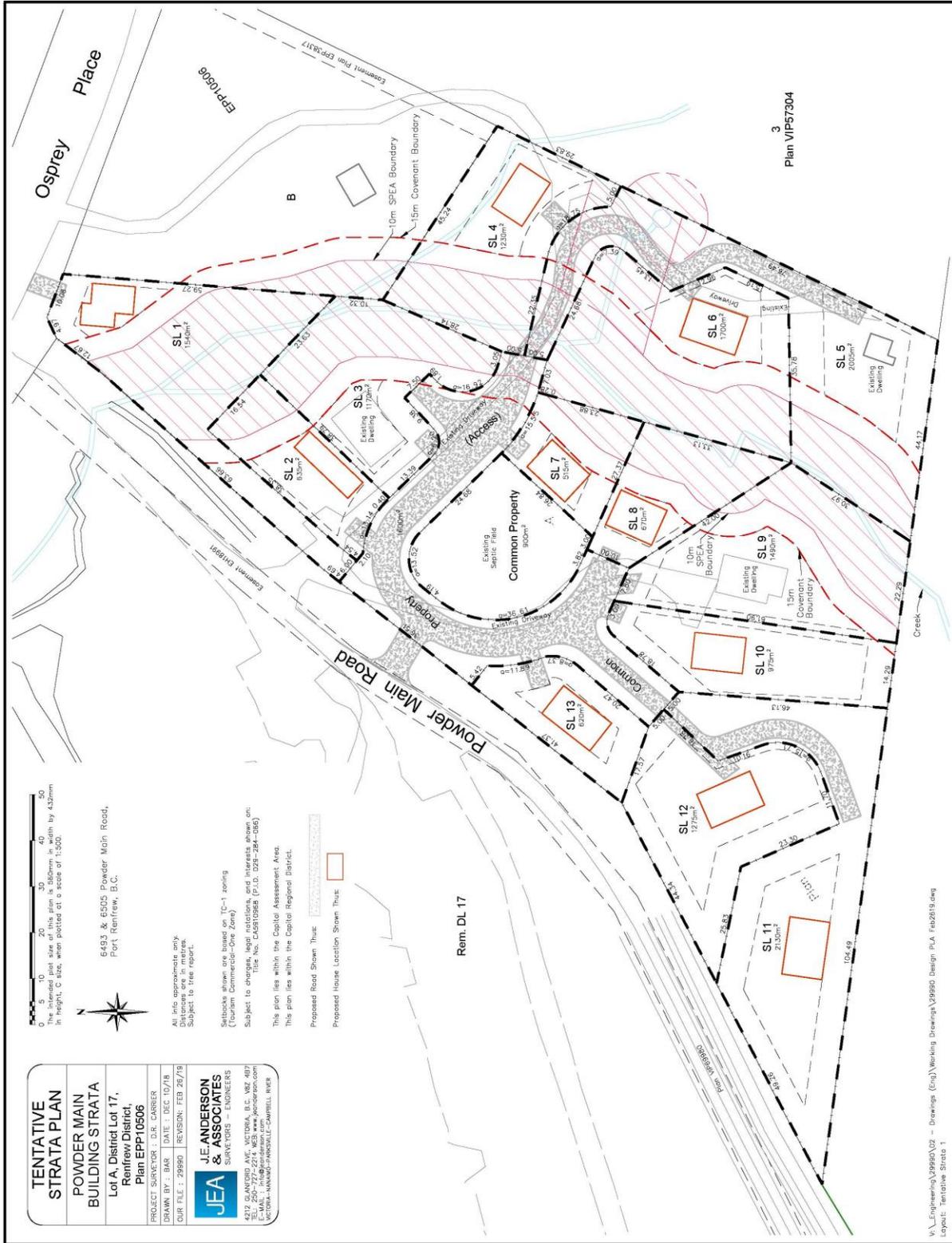
At its discretion, the Capital Regional District may ask for cash-in-lieu, as per the requirement for compliance with Section 510 of the *Local Government Act*, for the future purchase of land for parks in Port Renfrew.

**ATTACHMENTS:**

- Appendix A: Property Location Map
- Appendix B: Proposed Subdivision Plan
- Appendix C: Section 510 LGA

Appendix A: Property Location Map





**Requirement for provision of park land or payment for parks purposes**

- 510** (1) Subject to this section and section 516 (3) (h) and (4) [*phased development agreement rules*], an owner of land being subdivided must, at the owner's option,
- (a) provide, without compensation, park land of an amount and in a location acceptable to the local government, or
  - (b) pay to the municipality or regional district an amount that equals the market value of the land that may be required for park land purposes under this section as determined under subsection (6) of this section.
- (2) Despite subsection (1),
- (a) if a regional district does not provide a community parks service, the option under subsection (1) (b) does not apply and the owner must provide land in accordance with subsection (1) (a), and
  - (b) subject to paragraph (a), if an official community plan contains policies and designations respecting the location and type of future parks, the local government may determine whether the owner must provide land under subsection (1) (a) or money under subsection (1) (b).
- (3) Subsection (1) does not apply to the following:
- (a) subject to subsection (4), a subdivision by which fewer than 3 additional lots would be created;
  - (b) a subdivision by which the smallest lot being created is larger than 2 hectares;
  - (c) a consolidation of existing parcels.
- (4) Subsection (1) does apply to a subdivision by which fewer than 3 additional lots would be created if the parcel proposed to be subdivided was itself created by subdivision within the past 5 years.
- (5) The amount of land that may be required under subsection (1) (a) or used for establishing the amount that may be paid under subsection (1) (b) must not exceed 5% of the land being proposed for subdivision.
- (6) If an owner is to pay money under subsection (1) (b), the value of the land is whichever of the following is applicable:
- (a) if the local government and the owner agree on a value for the land, the value on which they have agreed;
  - (b) the average market value of all the land in the proposed subdivision calculated
    - (i) as that value would be on the date of preliminary approval of the subdivision or, if no preliminary approval is given, a date within 90 days before the final approval of the subdivision,
    - (ii) as though the land is zoned to permit the proposed use, and
    - (iii) as though any works and services necessary to the subdivision have not been installed.
- (7) If an owner and a local government do not agree on the average market value for the purpose of subsection (6), it must be determined in the manner prescribed in the regulations that the minister may make for this purpose.
- (8) If an area of land has been used to calculate the amount of land or money provided or paid under this section, that area must not be taken into account for a subsequent entitlement under subsection (1) in respect of any future subdivision of the land.
- (9) Subject to subsection (11), the land or payment required under subsection (1)

must be provided or paid to a municipality or regional district as follows

(a) subject to paragraph (b), before final approval of the subdivision is given;

(b) if the owner and the local government enter into an agreement that the land or payment be provided or paid by a date specified in the agreement, after final approval of the subdivision has been given.

(10) Notice of an agreement under subsection (9) (b) must be filed with the registrar of land titles in the same manner as a notice of a permit may be filed and section 503 *notice of permit on land title* applies.

(11) Despite subsection (9), the minister may, by regulation,

(a) authorize the payment that may be required by this section to be made by instalments, and

(b) prescribe the conditions under which instalments may be paid.

(12) If land is provided for park land under this section, the land must be shown as park on the plan of subdivision.

(13) Section 107 [*deposit in land title office operates to dedicate and vest park land*] of the *Land Title Act* applies to park land referred to in subsection (12), except that,

(a) in the case of land within a municipality, title vests in the municipality, and

(b) in the case of land outside a municipality, title vests in the regional district if it provides a community parks service.

(14) If an owner pays money for park land under this section, the municipality or regional district must deposit this in a reserve fund established for the purpose of acquiring park lands.

# Memo



**TO:** Juan de Fuca Electoral Area Parks and Recreation Advisory Commission

**FROM:** Regina Robinson, Planning Assistant – JdF Community Planning  
Don Closson, Manager - JdF Community Parks and Recreation

**DATE:** May 26, 2020 **FILE:** SU000721

**SUBJECT:** **Proposed Subdivision of Parcel A (DD 143426I) of Section 97, Renfrew District, Except that part in Plans 15462, VIP77871 and EPP24972 – 17151 Parkinson Road**

---

The Community Planning department received a referral from the Ministry of Transportation and Infrastructure (MoTI) for a proposed 4-lot bare land strata subdivision of Parcel A on Parkinson Road. The proposed subdivision will require provision of park land pursuant to Section 510 of the *Local Government Act*.

Earlier subdivision proposals that included this parcel (S-22-07 and S-11-08) resulted in referrals to the Commission for park land dedication requirements. These applications were not completed; however, the referrals initiated a larger conversation regarding the desire for park resources in Port Renfrew. In response to various development proposals, several trail network versions were drafted. Based on these plans and discussions, the Commission resolved to accept the voluntary commitment by the applicant for subdivision SU000679 to construct a 1.5 m wide trail to Juan de Fuca Electoral Area Parks and Recreation standards within the public road right-of-way on a parcel located to the west of the subject property. Subdivision application SU000679 received Preliminary Layout Approval (PLA) in August 2019. One of the conditions of the PLA is written confirmation from the CRD that park land provisions have been met. The CRD also made application to the BC Rural Dividend Grant in 2015 to assist with funding to initiate the Port Renfrew Tourism Trail network by completing a trail connection through Lot 64.

This application was brought before the Commission at their meeting of February 25, 2020; the Commission requested a site visit prior to providing comment on the provision of park land. Members of the Commission attended the site on May 12, 2020.

Please review the application and advise Juan de Fuca Community Planning of your Commission's recommendation, so that it may be forwarded to the Land Use Committee and CRD Board for consideration.

The following information is provided to aid you in reviewing the subdivision proposal:

<b>Lot Size:</b>	30.9 hectares (76.4 acres)
<b>Proposed # of Lots:</b>	4 bare land strata + common property
<b>Zoning:</b>	Community Residential - 1 (CR-1)
<b>Zone Min. Lot Size:</b>	The CR-1 zone establishes a minimum lot size of 1.0 Ha (2.5 acres) when there is no community sewage or water system to hook into or the owner decides not to hook into both a community sewage and water system.
<b>Bylaw:</b>	Comprehensive Community Plan for Port Renfrew, Bylaw No. 3109
<b>Land Use Designation:</b>	Residential (R)
<b>Development Permit Areas:</b>	None
<b>Services:</b>	Port Renfrew Fire Protection Service Area Common property access from Parkinson Road (proposed) Individual wells Individual on-site septic systems
<b>5% Land Area:</b>	1.045 ha (based on total area) 0.335 ha (based on area of land being subdivided)
<b>2020 Assessed Land Value:</b>	\$1,395,000

**SU000721**

**5% Assessed Equivalent:** \$69,750 (based on total area)

\$15,066 (based on area of land being subdivided)

**Park Land OCP Policies:**

In accordance with Bylaw No. 3109, Section 4.8, the provision of parkland must help the community achieve their quality of life goal objective. This can be accomplished through the provision of having the developer provide park land, without compensation, to the community. Depending upon the number of parcels of land being created, the size and location of the parcel being subdivided, the form of park land will be determined by the Capital Regional District through input from the Juan de Fuca Electoral Area Director and the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission. The provision of park land must be in the form of: a) trails, b) tot lots, c) community parks, d) sports fields, e) regional parks, f) interpretive parks, or g) any combination of the above.

At its discretion, the Capital Regional District may ask for cash-in-lieu, as per the requirement for compliance with Section 510 of the *Local Government Act*, for the future purchase of land for parks in Port Renfrew.

**ATTACHMENTS:**

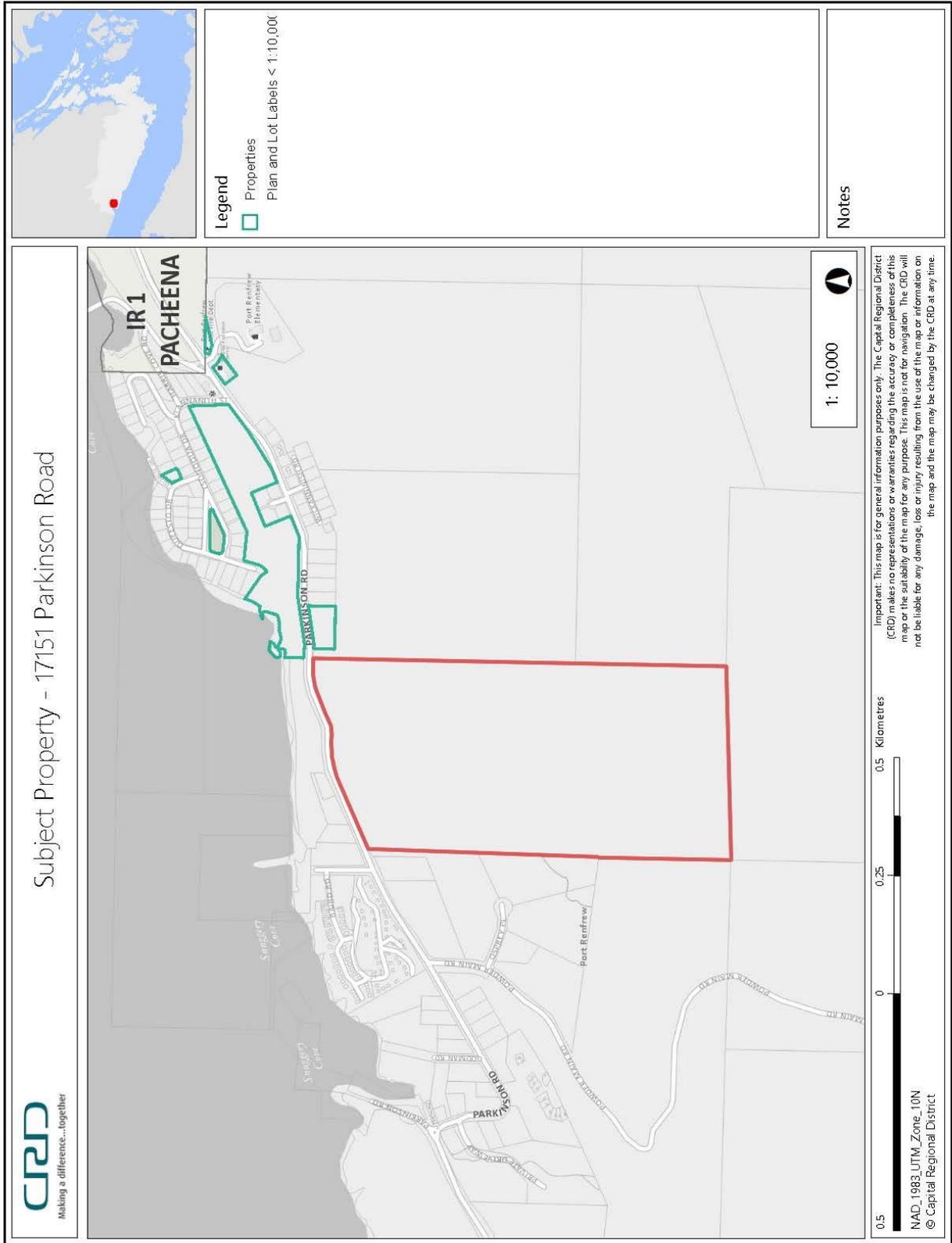
Appendix A: Property Location Map

Appendix B: Proposed Subdivision Plan

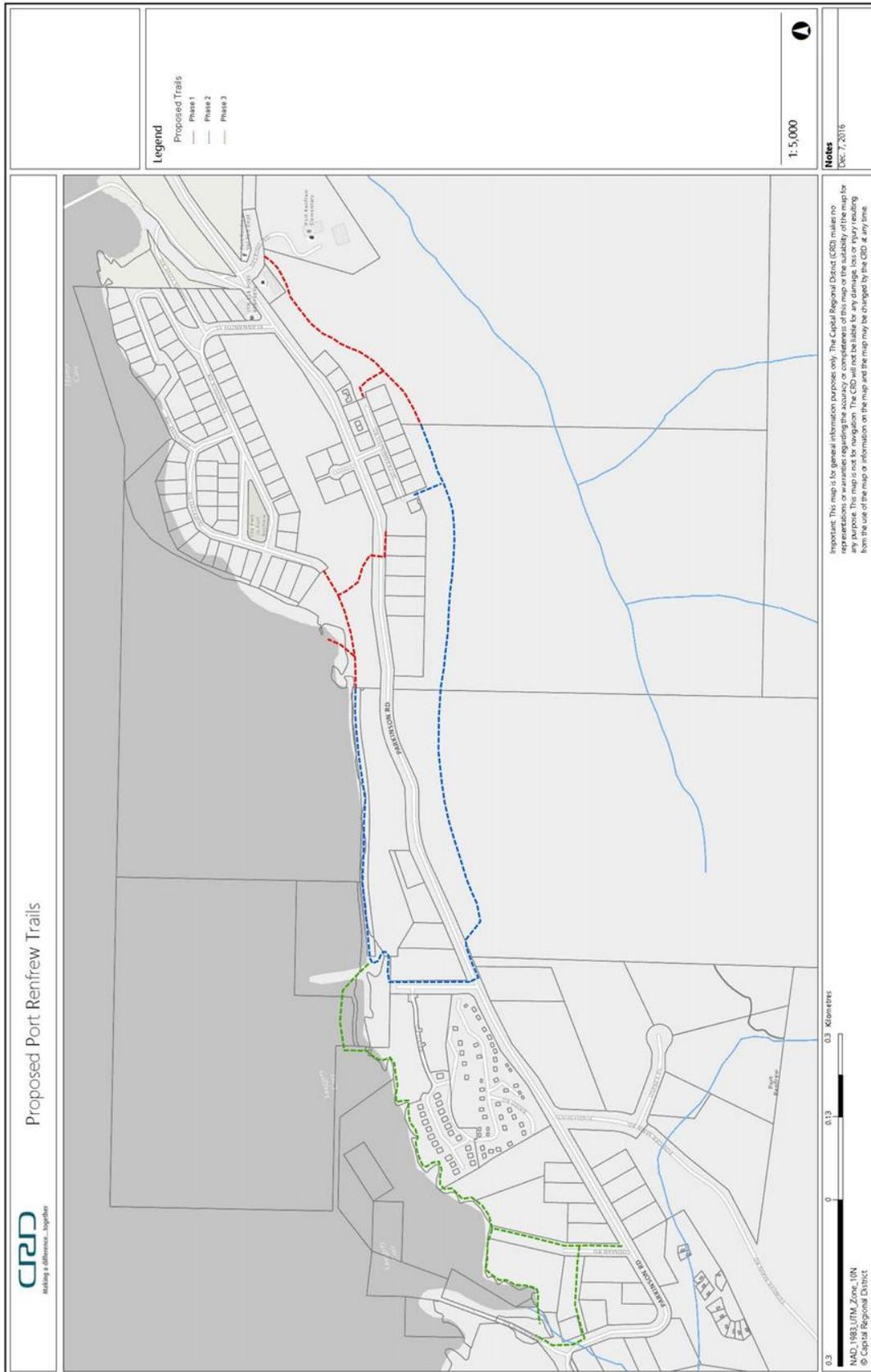
Appendix C: Draft Version of Port Renfrew Trails Plan

Appendix D: Section 510 LGA

Appendix A: Property Location Map







**Requirement for provision of park land or payment for parks purposes**

- 510** (1) Subject to this section and section 516 (3) (h) and (4) [*phased development agreement rules*], an owner of land being subdivided must, at the owner's option,
- (a) provide, without compensation, park land of an amount and in a location acceptable to the local government, or
  - (b) pay to the municipality or regional district an amount that equals the market value of the land that may be required for park land purposes under this section as determined under subsection (6) of this section.
- (2) Despite subsection (1),
- (a) if a regional district does not provide a community parks service, the option under subsection (1) (b) does not apply and the owner must provide land in accordance with subsection (1) (a), and
  - (b) subject to paragraph (a), if an official community plan contains policies and designations respecting the location and type of future parks, the local government may determine whether the owner must provide land under subsection (1) (a) or money under subsection (1) (b).
- (3) Subsection (1) does not apply to the following:
- (a) subject to subsection (4), a subdivision by which fewer than 3 additional lots would be created;
  - (b) a subdivision by which the smallest lot being created is larger than 2 hectares;
  - (c) a consolidation of existing parcels.
- (4) Subsection (1) does apply to a subdivision by which fewer than 3 additional lots would be created if the parcel proposed to be subdivided was itself created by subdivision within the past 5 years.
- (5) The amount of land that may be required under subsection (1) (a) or used for establishing the amount that may be paid under subsection (1) (b) must not exceed 5% of the land being proposed for subdivision.
- (6) If an owner is to pay money under subsection (1) (b), the value of the land is whichever of the following is applicable:
- (a) if the local government and the owner agree on a value for the land, the value on which they have agreed;
  - (b) the average market value of all the land in the proposed subdivision calculated
    - (i) as that value would be on the date of preliminary approval of the subdivision or, if no preliminary approval is given, a date within 90 days before the final approval of the subdivision,
    - (ii) as though the land is zoned to permit the proposed use, and
    - (iii) as though any works and services necessary to the subdivision have not been installed.
- (7) If an owner and a local government do not agree on the average market value for the purpose of subsection (6), it must be determined in the manner prescribed in the regulations that the minister may make for this purpose.
- (8) If an area of land has been used to calculate the amount of land or money provided or paid under this section, that area must not be taken into account for a subsequent entitlement under subsection (1) in respect of any future subdivision of the land.
- (9) Subject to subsection (11), the land or payment required under subsection (1)

must be provided or paid to a municipality or regional district as follows

- (a) subject to paragraph (b), before final approval of the subdivision is given;
  - (b) if the owner and the local government enter into an agreement that the land or payment be provided or paid by a date specified in the agreement, after final approval of the subdivision has been given.
- (10) Notice of an agreement under subsection (9) (b) must be filed with the registrar of land titles in the same manner as a notice of a permit may be filed and section 503 *notice of permit on land title*] applies.
- (11) Despite subsection (9), the minister may, by regulation,
- (a) authorize the payment that may be required by this section to be made by instalments, and
  - (b) prescribe the conditions under which instalments may be paid.
- (12) If land is provided for park land under this section, the land must be shown as park on the plan of subdivision.
- (13) Section 107 [*deposit in land title office operates to dedicate and vest park land*] of the *Land Title Act* applies to park land referred to in subsection (12), except that,
- (a) in the case of land within a municipality, title vests in the municipality, and
  - (b) in the case of land outside a municipality, title vests in the regional district if it provides a community parks service.
- (14) If an owner pays money for park land under this section, the municipality or regional district must deposit this in a reserve fund established for the purpose of acquiring park lands.



Making a difference...together

**STAFF REPORT TO THE  
JUAN DE FUCA ELECTORAL AREA PARKS AND RECREATION ADVISORY COMMISSION  
MEETING OF TUESDAY, MAY 26, 2020**

---

**SUBJECT:** Staff News

**ISSUE:** Information

**Recreation Programs**

All contract recreation programs are on hold at this time.

**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.

No response has been received from Legislative Services as of May 19, 2020.

**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 has been completed and installation of a picnic table and a portable toilet will commence this spring. The aquatic portion (docks) of the project will be installed between June 15 and September 15. Signage is planned to be installed in the next month.

**William Simmons Trail Work**

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 mid to late summer depending on the timing of the Otter Point Road improvements and potential impacts to the park.

**Abandoned House Removal William Simmons**

The house at William Simmons Park (3176 Otter Point Rd.) has been demolished. Site remediation is part of the William Simmons Trail Work project.

**Auxiliary Staffing Request 2020**

The Manager submitted staffing request forms for the 2020 auxiliary season. The complement requested is 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 is from May – September, 2020.

Chris Hart has returned to the PW2 position.

Blair Barrett has returned to the PW5 position

### **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**

Both contractors declined to provide a quote for this work. It was clear from both contractors that the costs involved in completing this work would be untenable. Therefore neither project is planned to move ahead at this time.

Further to interest expressed by the Commission, a site visit with the Commission to the two park project locations is on hold and a decision is required to determine if a site visit is warranted.

### **Playground Inspection Policy**

The Manager 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. The draft policy has been completed and forwarded to the Senior Manager, Regional Parks for further action/approval.

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

A site visit 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 was completed with JdF Community Planning staff on February 11, 2020. Two locations were visited:

1. Water’s Edge Road – RoW Park location
2. Whalers Cove Lane – RoW location

This area can be added to the Commission site visit which is currently on hold.

### **Meeting with Seagirt Ponds Conservation Society**

The Manager attended a meeting with the Seagirt Ponds Preservation Society on February 19, 2020 to discuss the renewal of the 5 year Seagirt Ponds Community Park Stewardship Strategy. The intent is to have the Society draft a 5 year plan that would address:

1. Invasive Species Removal
2. Restoration of Natural Systems
3. Inventory requirements
4. Environmental and Conservation Awareness Education
5. Infrastructure Needs
6. Signage and Messaging

### **Hiking Program - Juan de Fuca Community Trails Society**

A total of \$800 has been allocated to support the Juan de Fuca Community Trails Society’s monthly guided hikes.

### **Subdivision Application SU000684 - Lot 1, Section 89, Sooke District, Plan 26576, except part in Plan 35281 (1381 Pike Road)**

At its meeting of February 25, 2020 the Commission resolved to recommend to the Juan de Fuca Land Use Committee (LUC) that the requirement for park land dedication for the proposed subdivision be received in the form of cash-in-lieu. For the 4-lot subdivision to proceed in its current configuration, the applicant must submit a development variance permit application to request consideration of a reduction in the minimum frontage. The Commission’s recommendation will proceed to the LUC when the frontage exemption is considered. At this time, the applicant has not applied for the variance.

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

Each year the Commission is asked to forward a recommendation to CRD Board regarding its fee schedules for the upcoming year (2020-2021).

The Commission was scheduled to review its fee schedules in detail at its March meeting.

Due to the dynamic situation resulting from COVID-19, the number of park permits and community hall rentals in 2020 has decreased.

Staff recommends that the Commission make no change to its fee schedules for 2020-2021 and that a detailed review be scheduled 2021.

Current fee schedules are attached.

Submitted by:	Don Closson, Manager, Parks and Recreation, Juan de Fuca Electoral Area
---------------	---

**SCHEDULE "D"**

**JUAN DE FUCA ELECTORAL AREA PARKS AND RECREATION  
FEES AND CHARGES  
Effective September 1, 2019**

**Special Events or Activities**

<b>PARK USE PERMIT SPECIAL USE CATEGORIES</b>	<b>PERMIT FEE (Subject to applicable tax)</b>
For community events or activities such as a festival, tournament, competition, show or outdoor ceremony which attracts participants and spectators.	\$ 30.00/permit
Frequent Users:5 or more events/year	\$ 120.00/permit
For private event such as weddings or birthdays with 10 or more participants.	\$ 100.00/permit

**SCHEDULE “E”****PORT RENFREW COMMUNITY RECREATION CENTRE  
FEES AND CHARGES**

Effective September 1, 2019

<b>Dance Hall (Subject to applicable tax)</b>	
Events up to 100 people (per night)	\$ 200.00
Events with greater than 100 people (per night)	Negotiated
Set-up Fee	\$ 50.00
Clean-up Fee (minimum 4 hours)	\$ 25.00
Damage deposit – events up to 100 people	\$100.00
Damage deposit – events greater than 100 people	\$ 500.00
<b>Meeting Room (Subject to applicable tax)</b>	
Rate per hour (4 hour minimum)	\$ 25.00
Fee for use of kitchen	\$ 50.00
<b>Offices (Subject to applicable tax)</b>	
Monthly lease	Negotiated