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JUAN DE FUCA ELECTORAL AREA PARKS AND RECREATION ADVISORY COMMISSION

Notice of Meeting on Tuesday, **November 23, 2021 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 October 26, 2021
3. Chair's Report
4. Director's Report
5. Staff Report
 - a) Staff News
6. Unfinished Business
 - a) Community Parks Strategic Plan Update
 - b) Amendment to Bylaw No. 3763, Juan de Fuca and Salt Spring Island Parks and Recreation Advisory Commissions
 - c) Statutory Right-of-Way: Priest Cabin Park to Matterhorn Trail
7. Next Meeting: January 25, 2022
8. Adjournment

Please note that during the COVID-19 situation, the public may attend the meeting electronically through video or teleconference. Should you wish to attend, please contact us by email at jdfinfo@crd.bc.ca so that staff may forward meeting details. Written submissions continue to be accepted until 4:00 pm the day before the meeting.



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**Minutes of a Meeting of the
Juan de Fuca Electoral Area Parks and Recreation Advisory Commission
Held Tuesday, October 26, 2021, at the Juan de Fuca Local Area Services Building,
3 – 7450 Butler Road, Otter Point, BC**

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

EP – Electronic Participation

The meeting was called to order at 3:00 pm.

1. Approval of the Agenda

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

2. Adoption of the Minutes of September 28, 2021

MOVED by Commissioner Sloan, **SECONDED** by Commissioner Croteau that the minutes from the meeting of September 28, 2021 be adopted, as amended. **CARRIED**

3. Chair's Report

No report.

4. Director's Report

No report.

5. Staff Reports

a) Staff News

Bylaw No. 3763 Amendment

No update has been received from CRD Legislative and Legal Services regarding the initiative to update the bylaw for the Commission.

The Chair asked that staff provide an outline of requested changes at the next meeting.

Carpenter Road Dam Remediation/Safety Report

Further to the orders received by the Province in accordance to the *Dam Safety Regulation (DSR)*, Don Closson provided an update advising that:

- the report regarding emergency works has yet to be received
- Community Works Funds (CWF) may not be available as no new infrastructure or capital amenity will be created as part of the project
- it appears that a smaller spillway may reduce the expenditures initially anticipated
- should the Dam Safety Office support the smaller spillway, CWF support may not be required
- site visit with interested contractors to be held in November

Seagirt Ponds Community Park

- native plantings have been purchased and provided to the Friends of Seagirt Ponds
- an Qualified Environmental Professional has submitted a report regarding the potential impacts of constructing a short trail to a bench location which will create a viewing location for the second pond
- mapping for the recently installed information shelter is with Regional Parks

Priest Cabin Access Agreement

- the maintenance access agreement between the CRD, the JdF EA and the land owner has been rekindled
- a survey has been completed for the statutory right-of-way (SRW) through Lot 177 which provides the trail connector to the Matterhorn

The Chair noted that vegetation is starting to grown back on the surrounding clear cut lands and that the SRW requires clearing.

Sheringham Point Community Park

Don Closson directed attention to the letter received from the Sheringham Lighthouse Society, as circulated with the agenda, requesting a portable toilet at the lower parking lot.

Don Closson reported that:

- the Regional Director supports the request as there are no washroom facilities at the lighthouse
- portable toilets have been in high demand during COVID-19 and supply has been an issue
- the Regional Director has supported use of COVID-19 relief funds to supply portable toilets in the JdF
- delivery date and servicing duration yet to be determined

The Commission forwarded positive comment regarding this initiative as it will provide a service to residents and visitors.

Kemp Lake Fishing Dock

Don Closson responded to questions from the Commission advising that funds have been transferred to the capital budget to consider relocation of the dock in 2022 and that there may be opportunity for public consultation regarding this initiative to be considered as part of the Community Parks Strategic Plan review.

Community Parks Strategic Plan Update

- the Request for Proposal is now available on BC Bid and on the CRD website
- an information meeting was held with interested contractors on October 25, 2021 with proposals due in November
- the successful contractor, working with the project team, will be reaching out to each geographic area in the JdF and to various stakeholders including the Commission
- consultation framework will not be known until proposals are reviewed

The Chair stated that Commission members act as the communities' representatives and, as such, the Commission should be central to the review process as the primary stakeholder.

The Commission provided positive comment regarding staff's regular updates as time is required for Commissioners to communicate information and garner interest from community groups and residents.

William Simmons Trail Lift and Capping Project

This project is now complete.

Coppermine Park CWF Application

An Invitation to Quote for paving the court surface has been sent out to potential contractors with a submission date of October 29, 2021.

A quote for the line painting and colour texturizing has already been received.

It appears that CRD JdF EA has sufficient funds to complete the project in 2022.

Auxiliary Staff

Auxiliary staff terms have now concluded.

Port Renfrew Community Hall

Don Closson outlined hall bookings since the last meeting.

The Commission forwarded support for receiving monthly updates on park permits and hall rentals.

6. Correspondence

a) Sheringham Point Lighthouse Preservation Society – Sheringham Point Community Trail Porta Potty

Discussed under Staff News.

7. New Business

a) 2022 Provisional Budget Review

Don Closson report that:

- at its meeting of October 13, 2021 the Electoral Areas Committee (EAC) considered the 2022 Electoral Area budgets including the Community Parks and Community Recreation budgets
- on October 27, 2021, the CRD Board, sitting as a Committee of the Whole, will meet to review the 2022 Provisional Budget
- the Commission's bylaw, Bylaw No. 3763, directs that the Commission recommend approval of its budgets annually

Don Closson directed attention to the Community Parks (405) and Community Recreation (408) budgets as included in the agenda package.

Don Closson responded to questions from the Commission advising that:

- the allocations noted under operating costs are the funds allocated for internal support services from other CRD departments and contributions towards the JdF building in Otter Point
- demand for vehicles has increased during COVID-19 as many employers have stipulated that vehicles are to be limited to one person
- one rental vehicle is required to accommodate the parks crew
- vehicle rental fees have increased with increased demand and lack of supply

- the 5 Year Capital Plan reflects projects that will require grant funding
- land holdings and maintenance costs continue to increase

The Chair directed attention to the park land reserve fund and stated support for regular review of the funds available for future park land acquisition.

Don Closson confirmed that Regional Parks considers the cost of making a property safe when considering future park land acquisitions.

MOVED by Commissioner Braunschweig, **SECONDED** by Commissioner McKay that the Commission recommend approval of the Community Parks budget and the Community Recreation budget, as presented.

CARRIED

8. Unfinished Business

a) Community Parks Strategic Plan Update

Discussed under Staff News.

b) Amendment to Bylaw No. 3763, Juan de Fuca and Salt Spring Island Parks and Recreation Advisory Commissions

Discussed under Staff News.

c) Statutory Right-of-Way: Priest Cabin Park to Matterhorn Trail

Discussed under Staff News.

d) Wieland Road Tree Cutting

Don Closson reported that the Ministry of Transportation and Infrastructure concluded that there was no illegal tree cutting.

Item struck from the agenda.

9. Next Meeting

November 23, 2021

10. Adjournment

At this time, the Chair asked that December adjournment be considered at the November meeting and that staff solicit Commission interest in attending the annual appreciation dinner.

The meeting adjourned at 4:11 pm.

Sid Jorna, Chair

Wendy Miller, Recorder



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**STAFF REPORT TO THE
JUAN DE FUCA ELECTORAL AREA PARKS AND RECREATION ADVISORY COMMISSION
MEETING OF TUESDAY, NOVEMBER 23, 2021**

SUBJECT: Staff News

ISSUE: Information

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.

CRD Legal Services confirmed on November 4, 2021 that an amendment to Bylaw No. 3763 is not proceeding at this time.

Carpenter Road Dam Remediation/Safety Report

A contract was signed March 16, 2021.

Information collected by the contractor indicated that this dam may have some downstream impacts, if it were to fail. The contractor contacted the Province to ensure that the dam is properly classified and to determine a course of action in the short and long term.

The Province made an order to the CRD JdF Community Parks and Recreation Program under Section 15 (1)(b) and (i) of the *Dam Safety Regulation (DSR)* which requires:

- immediately - begin a site surveillance program of the structure which requires visiting the site every 30 days and recording findings (due to the seepage issue and general condition of the dam, the surveillance will change to bi-weekly as of October 1, 2021 (start of wet season) if the dam has not been significantly rehabilitated or decommissioned by then)
- within 30 days - notify potential downstream property owners of the potential safety hazard and develop a dam emergency plan
- within 90 days - make the determination whether the CRD plans to keep and maintain/rehabilitate the dam which will require making an application for a water licence, or determine whether to decommission the dam and begin discussions/planning towards this outcome

If decommissioning is decided, the dam owner must become familiar with Section 17 of the *DSR* in terms of timing and authorization to decommission.

The final report was received May 21, 2021. The report outlines short term and long term remedial action that should be considered.

The short term work would see remedial safe guarding of the structure prior to October 2021. Funding for this work will be available through JdF EA Capital and the CRD Risk and Insurance program.

Approximate cost \$20,000. Work involved:

- Development of prescription that details the requirement for the following works:
 - remove vegetation from the dam
 - armour the upstream face of the dam to prevent erosion
 - modify the spillway to allow for a great release of water in the fall/winter season
 - armour the spillway to prevent down cutting

Long term work required would be the decommissioning (or partial decommissioning) of the dam structure. Funding for this work is yet to be determined.

Required works (2022): Approximate cost \$70,000.

Phase 1

- Prescription for the removal (decommissioning) of the existing structure (pond dewatering plan, sediment management plan, channel stabilization works, site re-contouring and vegetation plan.
- Environmental Report describing the impacts resulting from the dam decommissioning, including topographic/legal and bathymetric surveys, environmental assessments, archeology assessment, hydrological assessment, pond sediment assessments.
- Listing of remedial works required to return the site to an acceptable condition, along with post-removal monitoring

Phase 2

- First Nations consultation and government agency referrals
- Stakeholder engagement and public consultation

Phase 3

- Finalized engineering design drawings, specifications and plans
- Construction supervisions and quality assurance plan, along with an environmental management plan (construction) prepared by a Qualified Environmental Professional
- Permits, private property access agreements/easements and approvals, including Dam Safety Office (DSO) approvals

Phase 4

- Construction contract preparation and procurement
- Dam removal and rehabilitation
- Professional services during construction, including field reviews, contract administration, environmental monitoring, record surveys, completion reporting

Phase 5

- Revegetation and invasive species monitoring, channel stability monitoring, and sedimentation monitoring for a period of one to five years

A contractor has been contacted to start work on short term vegetation removal and spillway modification prescription. This prescription approval can be expedited by the DSO under Section 17 of the *DSR*.

Discussions with engineering contractor and DSO have determined that the works done this fall identified as “Short Term Work” may be sufficient to safe guard the facility without doing additional costly work next year. By construction of a 4 m spillway versus a 2 m spillway we may have eliminated the risk going forward. This will require agreement from the DSO once the project is

complete. This may result in positive outcomes for this project in the form of, lower costs, less impact to the natural environment and long term risk mitigation.

The Manager is working with local land owners to secure permission to access private property during the construction phase of this project. The property boundaries are very close to the dam itself and there will be a requirement to fall trees which may land on private property prior to removal. This was granted September 14, 2021.

The culvert which runs under the driveway leading to the private residences was cleaned out by CRD staff to the satisfaction of the engineering contractor. This culvert will provide an avenue for water movement while pumping down the pond prior to construction phase.

Update/outstanding items:

- Prescription for the engineered works. The report was received November 05, 2021.
- A Section 11 Permit (permit to conduct works in and about a stream/water body) needs to be obtained. Indications are the DSO will grant emergency approval for Section 11 Permits or absolve us from holding one due to the “emergency nature” of this project.
- Receive a “remedial revegetation plan” for disturbed lands resulting from construction phase of project. Our intent is to use any residual spoil (soil and debris) on site as part of the revegetation program.
- Community Works Fund (CWF) funding has been declined. It is hoped that the CRD Risk and Insurance Program can assist in funding this work. The JdF EA budget has \$10,000 identified, but this will not be sufficient.
- Determining the cost for the emergency works to be complete fall 2021. A call has gone out to prospective contractors to conduct this work and provide a quote. A site visit was scheduled for November 15, but due to inclement weather and road closures only one contractor was able to attend. A secondary site visit is scheduled for November 23 at 10:00 am.

Ongoing efforts:

- Twice monthly inspections
- Securing funding to complete the works identified 2021

Seagirt Ponds Community Park

The decommissioning of the unauthorized trail has occurred. This involved posting of closed area signage, split rail fencing, and scattering debris on the old trail. Native vegetation was provided to the Friends of Seagirt Ponds for planting. No planting had occurred as of November 17, 2021. The Manager will work with the Seagirt Ponds Society to ensure that this work proceeds.

A Qualified Environmental Professional (QEP) has been engaged to create a report which speaks to the potential impacts of constructing a short trail to a bench location which will create a viewing location for the second pond. This will be a relatively straight forward project with vegetation removal (native and non-native). The QEP will also provide feedback and possible mitigation needs for planned trail repairs in two locations requiring approximately 25 meters of boardwalk (both sections are wet areas). The report was received October 25, 2021 and is currently being considered by the JdF Planning staff for acceptance.

Staff are creating a map for the recently installed information shelter which will show the trail network and natural features of the park. The Manager is working with Regional Parks to determine a finished product.

Priest Cabin Access

The access agreement between the CRD, the JdF EA and the landowner below Priest Cabin (Lot 26) has again been introduced for discussion and remains with CRD Real Estate. It remains that there are significant hurdles to overcome such as the fact that the landowner is not comfortable with the positions of CRD-JdF EA Parks and Recreation position on road maintenance and annual cost for usage.

The Manager has been in discussion with the landowner of Lot 177 regarding creating an access from Priest Cabin Park along the right-of-way through Lot 177 to connect to what is referred to as the Matterhorn access. The Manager contacted a survey company to survey the correct location of the SRW (October 10) prior to any trail creation along that portion of the planned trail connector. Work has taken place in Priest Cabin Park to locate a trail and start cutting out the trail. The Manager received the survey report November 01, 2021.

Work on the trail will be completed in the spring of 2022 along with appropriate signage and trail map. The Manager will meet with local land owner adjacent to the planned trail work (SRW) to discuss any concerns they may have.

Sheringham Point Community Park

At the request of the Sheringham Point Lighthouse Society, the CRD JdF EA is considering installing a portable toilet at the lower parking lot of the Sheringham Point Trail.

A toilet was placed at the lower parking lot on November 04, 2021.

Kemp Lake Fishing Dock

The Kemp Lake fishing dock has been removed from Manatu Road location at the direction of the EA Director. The dock is being stored in the JdF EA office yard at Butler Road.

A draft Compliance Action Plan (CAP) was implemented by the Manager and is set to run until the Labour Day long weekend.

Work to be done to relocate dock facility at Chubb Road location as determined by the EA Director:

- License of Occupation with the Crown
- Water License with the Crown
- Remove and dispose of the existing dock at Chubb
- Determine if a “Public Consultation” process is required
- Determine if parking needs to be enhanced
- Apply for CWF funding to complete purchase of additional dock structure and other required works

No update as of November 17, 2021

Community Parks Strategic Plan Update

The Manager has started working on a course of action to develop an updated (replacement) 10 year Strategic Plan for the JdF EA Community Parks and Recreation Program.

The Manager sought and received approval from the JdF EA Director to apply for CWF funding. The application has been approved.

A Request for Proposal (RFP) has been created and was posted to the CRD website and BC Bid website for the consulting community. An information meeting was held October 25, 2021 with interested contractors to answer any questions regarding the RFP and plan creation process. The RFP quote submissions were due November 15, 2021 for consideration by the CRD JdF EA project team.

A preliminary evaluation has been conducted of the three RFP proposals submitted. The potential winning submission contractor has not been contacted as of November 17, 2021. This will be done as soon as possible. There will then be a contract created and vetted through the CRD contracting “stamp process” which can take up to 6 weeks. The intent to have the contractor under contract for January 2022.

William Simmons Trail Lift and Capping Project

Recent heavy rain and flooding tested the newly capped trail and trail held up well. Other trails in William Simmons Park did experience some erosion problems which will have to be repaired in spring of 2022, when staff returns and budget is available.

Coppermine Park CWF Application

The Manager applied and received CWF funding to perform improvements at the Coppermine tennis court. The improvement will involve:

- Resurfacing the tennis court with asphalt
- Coloured skid resistant coating to delineate tennis from pickleball
- Two pickleball courts with posts and nets
- New basketball hoop moved to back of court location
- New tennis net
- Fresh painted lines

The budget for this work is set at \$65,000.

- The quote for equipment line painting and colour court surface texturizing has come in at \$20,843
- The winning quote for the paving portion of this project was \$35,990
- This creates a project cost of \$56,833
- This allows for contingency of \$8,167 for other required work such as removal and reconditioning of the “boards” surrounding the tennis court (no quote has been determined for this work as of November 17, 2021)

The work is identified to take place in the spring of 2022.

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2022 Budget Review

At its meeting of October 13, 2021 the Electoral Areas Committee (EAC) considered the 2022 Electoral Area budgets including the Community Parks and Community Recreation budgets.

At its meeting of October 26, 2021, the Commission recommended approval of its 2022 budgets.

On October 27, 2021, the CRD Board approved the 2022 Provisional Budget.

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