

JUAN DE FUCA ELECTORAL AREA PARKS AND RECREATION ADVISORY COMMISSION

Notice of Meeting on Tuesday, **January 23, 2024, at 3 pm**

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

AGENDA

1. Territorial Acknowledgement
2. Elections
3. Approval of Agenda
4. Adoption of Meeting Minutes of November 28, 2023
5. Chair's Report
6. Director's Report
7. Commissioner Reports
8. Delegation– Juan de Fuca Community Planning
 - a) Subdivision Application - Lot 93 Renfrew District, Except Plans 23812 And EPP93405 (11000 Block West Coast Road)
9. Staff Report
 - a) Staff News
10. New Business
 - a) Fish Boat Bay Proposed Improvements
 - b) Acquisition / Disposition of Park Land Process
11. Motion to Close the Meeting
 - a) That the meeting be closed for Land Acquisition in accordance with Section 90(1)(e) of the *Community Charter*
12. Next Meeting: February 27, 2024
13. Adjournment

**Minutes of a Meeting of the
Juan de Fuca Electoral Area Parks and Recreation Advisory Commission
Held Tuesday, November 28, 2023, at the Juan de Fuca Local Area Services Building,
3 – 7450 Butler Road, Otter Point, BC**

PRESENT: S. Jorna (Chair), V. Braunschweig, C. Lacroix, S. McAndrews, P. Sloan,
Director A. Wickheim
Staff: D. Closson, Manager, Juan de Fuca Community Parks and Recreation;
I. Lawrence, Senior Manager, Juan de Fuca Local Area Services;
W. Miller, Recorder
ABSENT: S. McKay
PUBLIC: 1 in-person; 1 EP

EP – Electronic Participation

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

1. Territorial Acknowledgement

The Chair provided a Territorial Acknowledgement.

2. Approval of the Agenda

MOVED by Director Wickheim, **SECONDED** by Commissioner McAndrews that the agenda be approved. **CARRIED**

3. Adoption of Minutes from the Meeting of October 24, 2023

MOVED by Commissioner Sloan, **SECONDED** by Commissioner Braunschweig that the minutes from the meeting of October 24, 2023, be adopted. **CARRIED**

4. Chair's Report

The Chair welcomed the members of the public to the meeting.

The Chair reported that volunteers coordinated by the Juan de Fuca Community Trails Society will be working at Admiral's Forest on December 8. The work party is open to anyone upon submission of a CRD volunteer form.

5. Director's Report

The Director reported that:

- a Commission representative for Port Renfrew will be appointed by the CRD Board prior to yearend
- he attended a meeting in Port Renfrew this morning to discuss trails and active transportation
- he attended a subregional tourism planning group meeting at which parks and park development were discussed as a means of promoting tourism

6. Commissioner Reports

East Sooke – Seagirt Ponds

The mushroom walk and talk hosted by the Seagirt Ponds Preservation Society on October 30 had high attendance. An invasive species talk held on November 27 also saw high attendance.

It is anticipated that invasive species removal will be restarted prior to yearend.

The Society has expressed interest in a garbage can.

Don Closson requested that the Society submit a written request for a garbage can.

East Sooke – Copper Mine

Don Closson responded to questions from the Commission advising that:

- a garbage can has been ordered for the park
- staff will inspect the grounds by the swings to determine if windfall removal is required
- the pump station that is being replaced by CRD Integrated Water Services is in the road right-of-way and is not encroaching onto park land

7. Delegation

a) Otter Point Community Association re: Elrose Park

Mike White, representing the Otter Point Community Association, spoke to the Association's goal of establishing a community hall in Otter Point. Elrose Park has been identified as a potential location for the community hall. The Association wishes to use Elrose Park to support fundraising activities. At present, there is limited access and parking to support greater use of Elrose Park. The Association is seeking Commission support to utilize Elrose Park for a community hall site, to support improvements to the driveway access and to utilize Elrose Park for community events for fundraising to support the establishment of a community hall.

Commission discussion ensued regarding potential layouts to accommodate a community hall and parking while maintaining greenspace. Commissioners discussed operational funding for the existing community halls in the Juan de Fuca Electoral Area and potential avenues for fundraising to support a hall in Otter Point.

Don Closson confirmed that fundraising activities in Elrose Park could be authorized through a park permit.

MOVED by Commissioner Jorna, **SECONDED** by Commissioner Sloan that the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission supports in principal Elrose Park being used as a site for a community hall.

CARRIED

MOVED by Commissioner Braunschweig, **SECONDED** by Commissioner Lacroix that the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission supports in principal Elrose Park being used for activities to support fundraising for a community hall, including a farmers market.

CARRIED

MOVED by Commissioner Braunschweig, **SECONDED** by Commissioner Lacroix that the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission supports in principle access and land management improvements to Elrose Park.

CARRIED

8. Staff Reports

a) Staff News

Don Closson provided an overview of the report. Discussion ensued regarding the following items:

Kemp Lake Fishing Dock – Chubb Road Location

- a further Section 11 approval is anticipated to support installation of the dock once a Water License is received
- at the request of the Province, a biological contractor company has been contacted to conduct a painted turtle presence assessment and an associated mitigation plan to follow once dock installation begins

Copper Mine Park

- a new gate will be provided as part of the pump station replacement project being overseen by CRD Integrated Water Services as retrofitting an older gate is not feasible
- comment received regarding parents not being able to adequately view the playground from the bench will be reviewed by staff

Butler Road Park Improvements

- work continues on the information shelter
- new picnic table has arrived
- culvert work completed on Butler Trail

Lot 64 – Port Renfrew

- scope of project is changing to address archeological and hydrological considerations
- trail work cannot begin until those items are addressed
- some degree of berm work is anticipated to support trail construction
- the proposed trail would be part of the larger trail network that connects to the stairway that leads to the store

Fish Boat Bay

- site visit with the Director to be scheduled to review proposed improvements

Admiral's Forest

- directional signage has been installed at the two access points
- photo from the October 27 mushroom walk highlighted

Priest Cabin

- further to the May Commission meeting, staff contacted Mosaic Forest Management to discuss formalizing a route to the Matterhorn
- Mosaic advised that it is not entering into any permits until a policy for government use is developed

9. New Business

a) CRD Invasive Species Program

Don Closson spoke to the program. English Holly, Italian Arum, Carpet Burweed and Lesser Celandine were highlighted. It was advised that data sheets are available upon request.

10. Next Meeting

January 23, 2024

11. Adjournment

At this time, the Chair directed that staff provide information on the process for the acquisition and disposition of park land.

The Chair also requested information on the history of the initiatives undertaken to preserve the area around Muir Creek.

The meeting adjourned at 4:59 pm.

Sid Jorna, Chair

Wendy Miller, Recorder

Memorandum

TO: Juan de Fuca Electoral Area Parks and Recreation Advisory Commission
FROM: Iain Lawrence, Senior Manager – JdF Local Area Services
Don Closson, Manager – JdF Community Parks and Recreation
DATE: January 23, 2024 **FILE:** SU000739
SUBJECT: Proposed Provision of park land pursuant to Section 510 of the Local Government Act for a proposed 25-lot bare land strata subdivision for Lot 93 Renfrew District, Except Plans 23812 And EPP93405; PID: 008-694-958

Juan de Fuca Community Planning received a referral from the Ministry of Transportation and Infrastructure (MoTI) for a proposed 25-lot bare land strata subdivision application of the above noted property (Appendices A and B). The proposed subdivision will require provision of park land pursuant to Section 510 of the *Local Government Act (LGA)* (Appendix C).

The 105.86 ha subject property is located on the western end of the Shirley community and is zoned Forestry (AF) under the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040. The parcel is accessed from West Coast Road (Highway 14 corridor). The Commission has previously expressed support for a grant application to develop an Active Transportation Network Plan that would focus on public safety and connectivity for lands within proximity to the Highway 14 corridor.

At its meeting of October 23, 2023, the Commission considered the applicant's proposal to satisfy Section 510 of the *LGA* by providing cash-in-lieu payment valued at 5% of the land being subdivided. At that meeting, the Commission passed the following motion:

MOVED by Commissioner McKay, ***SECONDED*** by Commissioner Braunschweig that the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission recommends that park dedication in accordance with Section 510 of the Local Government Act, for proposed subdivision of Lot 93, Renfrew District, Except Plans 23812 And EPP93405 (SU000739) be received in the form of land supporting a trail that runs along West Coast Road and up to the north east corner of the subject property.

CARRIED

The applicant proposes to satisfy Section 510 of the *LGA* by providing park land in the amount of approximately 5 ha (Appendix D). The applicant has stated that the location of the park would provide:

- an opportunity for the creation of a multi-use trail adjacent to, but separated from, West Coast Road
- a pleasant park area adjacent to Vye Creek, and a trail route north along the edge of Vye Creek
- a trail route across the north boundary of the site, connecting to the northeast corner of the property

The proposed park land is designated a Steep Slopes, Sensitive Ecosystems, and Riparian Development Permit Area (DPA) by the Shirley – Jordan River Official Community Plan (OCP), Bylaw No. 4001 (Appendix B). As prescribed by the OCP, a development permit is not required for trails located outside a Riparian DPA. In addition, the OCP specifies that public trails may be

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developed in the Riparian DPA, but not within a Streamside Protection and Enhancement Area (SPEA). Public trails may be developed in the Riparian DPA if a Qualified Environmental Professional has determined that the trail will not have a detrimental impact on the riparian assessment area, including the SPEA.

The *Water Sustainability Act and Regulation* requires authorization (Section 11 approval) for construction, maintenance or removal of a culvert crossing a road, trail or path.

Please review the application and advise Juan de Fuca Community Planning of the 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:

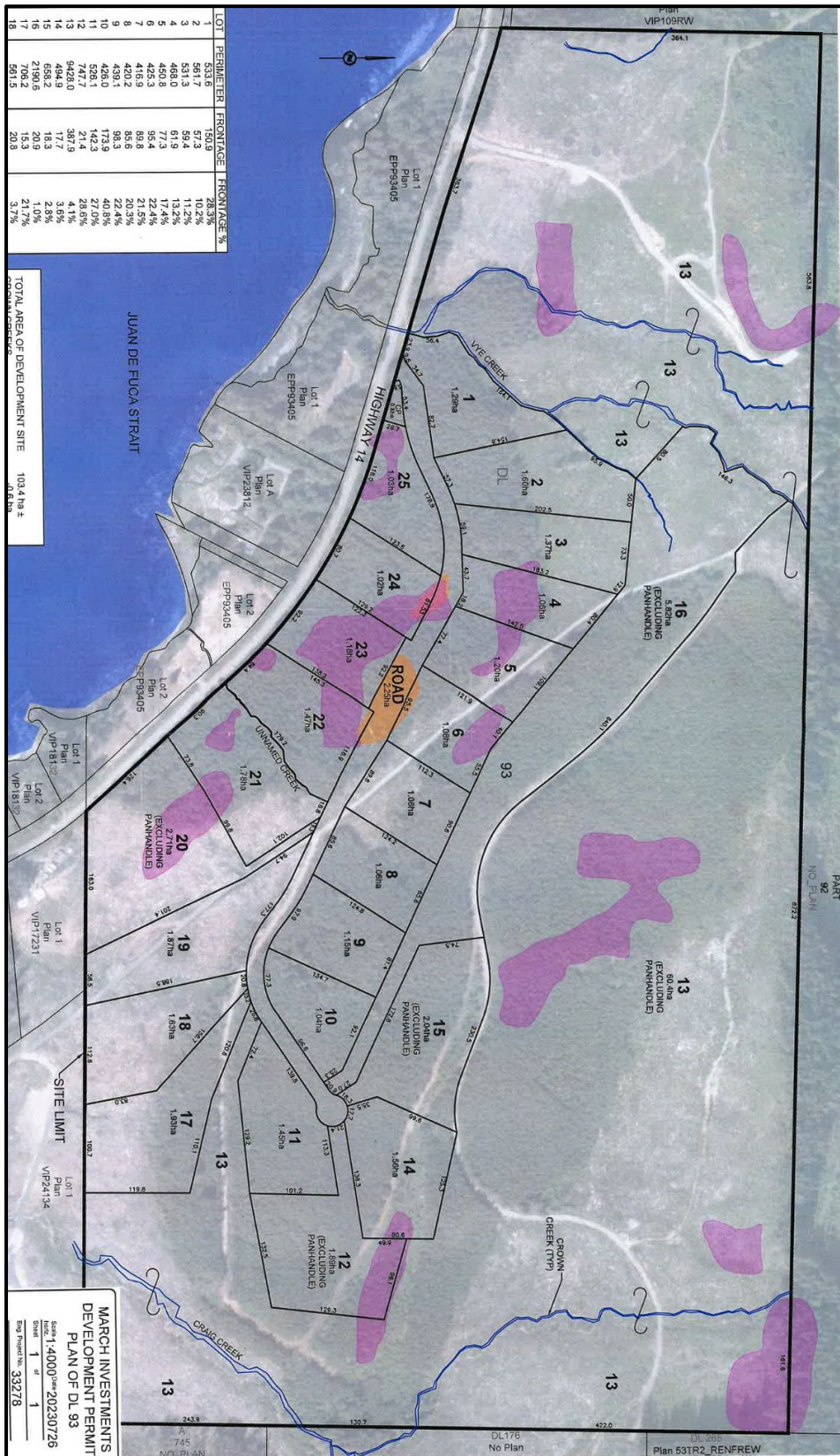
Proposed # of Lots:	25 Bare Land Strata Lots and Common Property
Services:	Within the Shirley Fire Protection Service Area
Land Area:	105.86 hectares
5% of Land Area:	5.29 hectares
2023 Assessed Land Value:	\$633,000.00
5% of Assessed Land Value:	\$31,650.00
Bylaw:	2040
Zoning:	Forestry Zone – AF
Zone Min. Lot Size:	4 hectares
OCP:	Shirley – Jordan River OCP
Land Use Designation:	Costal Upland
Development Permit Areas:	Steep Slopes, Sensitive Ecosystems, and Riparian
OCP Policies for Parks and Trails:	(See Appendix E)

Please note that the land values provided above are determined by BC Assessment and do not necessarily reflect the market value at the time of preliminary approval of the subdivision.

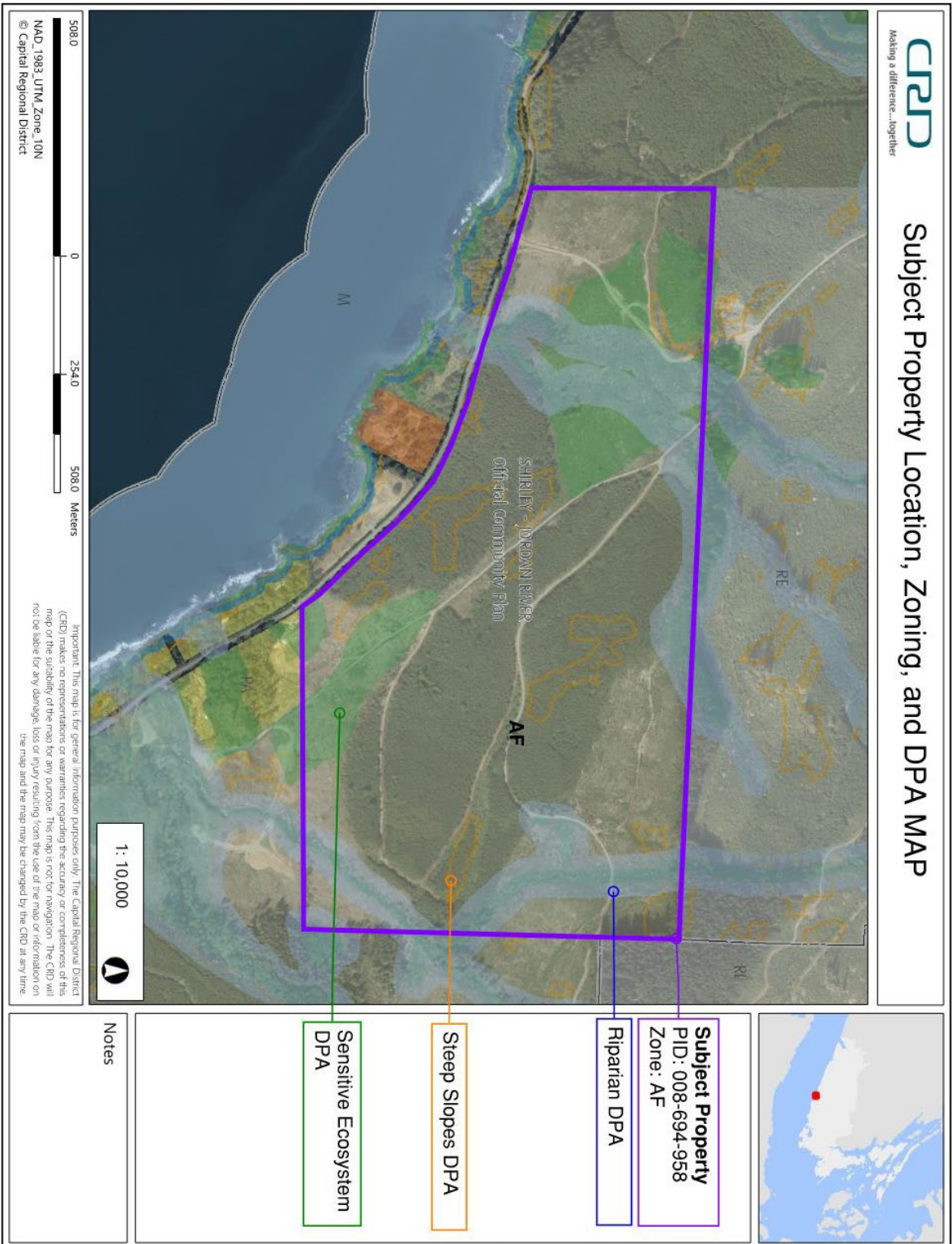
ATTACHMENTS:

- Appendix A: Proposed Plan of Subdivision
- Appendix B: Subject Property and Development Permit Areas
- Appendix C: Section 510 of the *Local Government Act*
- Appendix D: Proposed Park Dedication
- Appendix E: Applicable Shirley – Jordan River OCP Policies

Appendix A: Proposed Plan of Subdivision



Appendix B: Subject Property and Development Permit Areas



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;

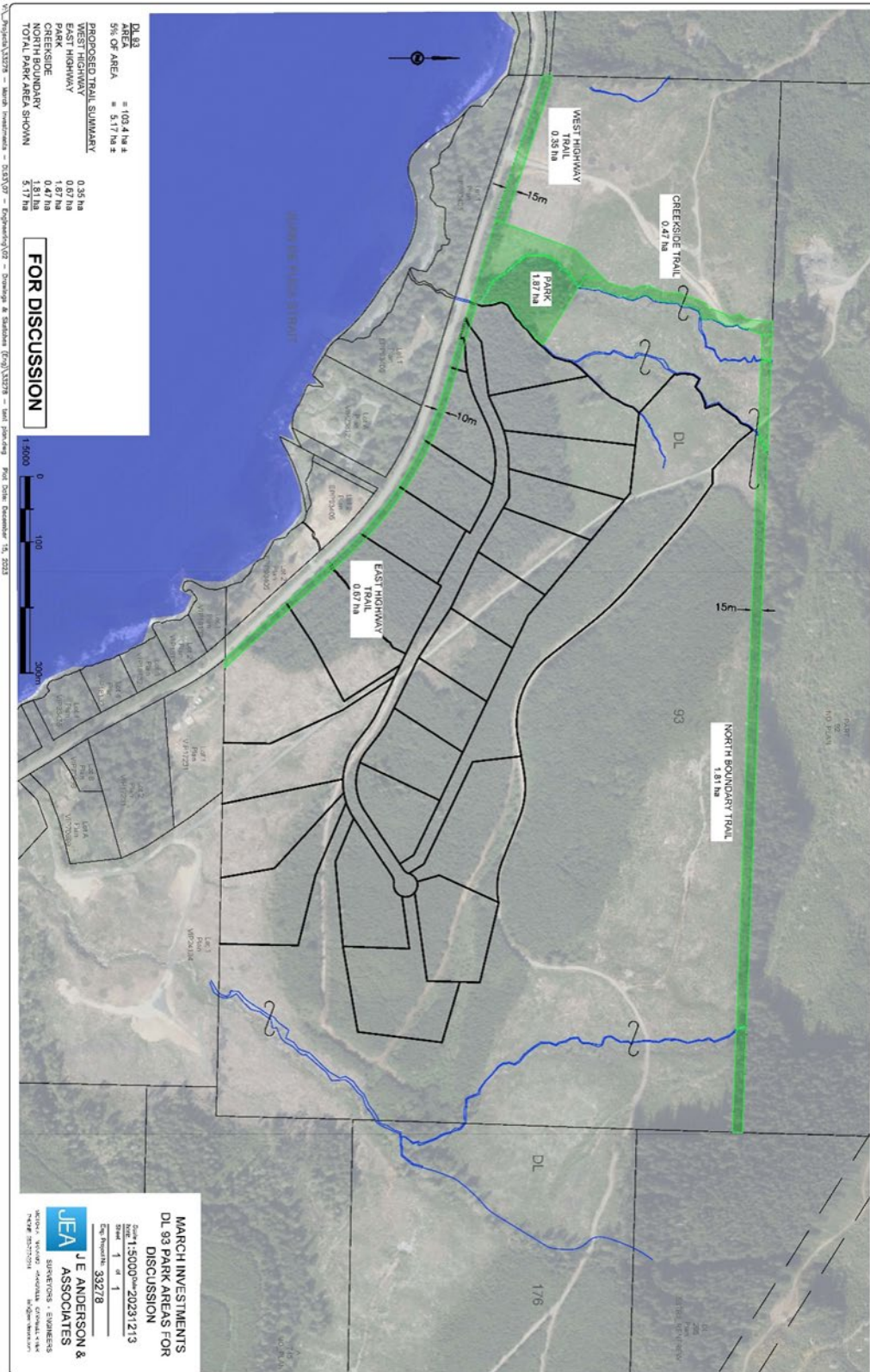
(b) the average market value of all the land in the proposed subdivision calculated

(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.

Appendix D: Proposed Park Dedication



Appendix E: Applicable Shirley – Jordan River OCP Policies

430 Parks and Trails

431 Goals for Parks and Trails

- A. Build a healthy park system that offers broad educational and recreational opportunities and that protects sensitive ecosystems, wildlife habitat and natural features.
- B. Provide a safe and well-used network of trails connecting parks, neighbourhoods and services.
- C. Provide safe access to the water front for the general public to enjoy low-impact recreational activities such as beach combing.
- D. Retain undeveloped water front accesses on public roads as undeveloped green space.

432 Broad Objectives for Parks and Trails

- A. Support government programs and funding that allow the CRD and community organizations to develop and improve parks and trails in Shirley and Jordan River.
- B. Collaborate with community organizations and other levels of government, where possible, in the development of parks and trails in the Plan area.
- C. Encourage consultation by the MOTI with JdFEA Parks and Recreation Advisory Commission and CRD Planning staff in the administration of Section 75 of the *Land Titles Act* through implementation of the 2006 Public Accesses to Water Memorandum of Agreement between MoTI and CRD.

433 Objectives for Parks and Trails

- A. Support initiatives in parks for public awareness and education.
- B. Encourage the participation by residents, interested organizations and societies in the restoration and enhancement of habitat in parks and the development of trails.
- C. Carefully consider trail development in environmentally sensitive and hazardous areas, and to minimize wildlife encounters.
- D. Plan for the connectivity of parks, open space and trails to enhance biodiversity.
- E. Develop a trail system that encourages the use of alternative transportation and promotes community health and well-being.
- F. Develop linkages between Shirley and Jordan River and the regional trail network.
- G. Recognize the primary purpose of a SPEA is to support the ecological function of fish habitat.
- H. Accept cash-in-lieu at the time of *subdivision* instead of park land dedication only when dedication would result in the acquisition of inappropriately small parks or lands not suitable for park.
- I. Support the acquisition of park land in accordance with the goals and objectives of the both the Regional Parks Strategic Plan and the Juan de Fuca CPSP.
- J. Collaborate with adjacent jurisdictions and appropriate authorities on matters related to parks and trails.
- K. Provide a number of access points to the water front to allow low impact recreational activities and access to beaches.
- L. Retain all existing water accesses.

434 Policies for Parks and Trails

GENERAL

- A. Interpretative and educational programs and activities for the public in the parks are supported.
- B. Habitat restoration of community parks is supported through short-term projects or stewardship agreements.
- C. Partnerships to construct trails that include local volunteers are supported.

LOCATION AND TYPE OF FUTURE PARKS INCLUDING TRAILS

- D. SPEAs that are part of a development proposal will be protected by methods other than park dedication.
- E. The provision of trails accesses in SPEAs as a condition of development is not supported.
- F. While trails in a SPEA are not supported, public trail accesses may be sited in a DPA designated for environmental sensitivities or hazardous conditions subject to a determination by a *QEP* that the trail will not have a detrimental impact on an environmentally sensitive area and a report by a *QP* regarding the nature and risk of the hazard.

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- G. The preferred methods for acquiring park land and trails are: as a condition of a rezoning, as an amenity contribution, as dedication at time of *subdivision*, as a bequest or donation, or the purchase of land.
 - H. Environmentally sensitive areas and sensitive habitats, as part of the broader ecosystem, may be acquired as natural park land.
 - I. Acquisition of park land to protect or create wildlife corridors is supported.
 - J. Acquisition of park land to buffer and provide continuity to environmentally sensitive ecosystems and areas will be considered.
 - K. Wherever possible, acquisition of park land will take into consideration opportunities to protect historical features, archaeological features as Special Preservation Areas.
 - L. Other than park land for Special Preservation Areas, emphasis will be given to acquiring lands that can afford a range of appropriate and unstructured physical activities and recreational experiences, in particular, activities for youth such as biking and outdoor sports.
 - M. Acquire lands adjacent to Muir Creek to protect its sensitive ecosystems, fossil beds and gain public access to the water front.
 - N. Expand the trail network throughout the Shirley – Jordan River Plan area for non-motorized use and improve connections between regional parks and trails with the emphasis on securing:
 - i. Legal access to Priest Cabin Park;
 - ii. A connection between Tieulie Place and the Matterhorn Trail;
 - iii. Trails with a focus on allowing youth to walk or cycle to school bus stops;
 - iv. A connection between the Invermuir neighbourhood to the Shirley Community Hall with access to the beach at the mouth of Kirby Creek;
 - v. A connection between the eastern terminus of the Juan de Fuca Marine Trail, the Jordan River hamlet and Sandcut Creek;
 - vi. A connection between the Galloping Goose and the Juan de Fuca Marine Trail; and
 - vii. Connections with any new east-west corridors along the San Juan Ridge to the communities of Jordan River and Shirley.
 - viii. A connection through the land owned by BC Hydro in Jordan River.
 - O. In addition to using the road right-of-way for the development of multi-use trails, the acquisition of new park land for this purpose is supported when there are constraints such as steep terrain within the road right-of-way.
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WATER FRONT ACCESS

- P. All existing water front accesses will be retained regardless of whether or not they are developed or will not be developed.
- Q. Only appropriately selected accesses will be considered for development for public use.
- R. Respect the privacy of adjacent land owners and potential parking issues for the neighbourhood when considering the development of water front accesses.



Making a difference...together

**STAFF REPORT TO THE
JUAN DE FUCA ELECTORAL AREA PARKS AND RECREATION ADVISORY COMMISSION
MEETING OF TUESDAY, JANUARY 23, 2024**

SUBJECT: Staff News

ISSUE: Information

Priest Cabin

- Signage has been ordered to show trail leading to the Matterhorn Access Trail. Distance signage will be ordered once measurements have been made.
- New trail construction will be monitored over the winter months to determine if drainage changes/improvements are required. There have been some signs of erosion on the trail which will have to be addressed with ditching or culverts installation spring 2024.
- Trail upgrades to the Matterhorn Access Trail within the Priest Cabin Park boundary will be conducted in 2024.

Kemp Lake Fishing Dock – Chubb Road Location

Work underway and to be done to relocate dock facility at the potential Chubb Road location:

- License of Occupation (LoO) with the Crown – executed LoO received February 22, 2023.
- Water License with the Crown – underway – to be married with the LoO. It appears that issuance of the license is ongoing as the Crown has been asking for details for License finalization.
- A quote for the required additional dock sections and shore ramp was received, but will need to be revised due to the delay in construction timing resulting from the Water License application process. A sole source letter has been approved to use New Wave Docks as the dock system provider.
- Parking enhancement has been completed with gravel, wheel stops, signage, potable toilet and garbage can. The picnic table base was poured on September 06, 2023, with the table to be installed once received.
- Removal of the existing dock will wait on receipt of the Water License.
- A Section 11 notification to authorize works in or about a stream (lake) will need to be re-approved by the Ministry of Environment to proceed with dock installation once the Water License has been finalized.
- The Province has notified the Manager that there is a recorded presence (2010) of “Western Painted Turtle” which is a protected species. The Water License Management Plan has been amended by the Manager and submitted to the Province to address the mitigation requirements around the Western Painted Turtle. The Province has stated that a decision should be made soon.

Copper Mine Park

No additional information is available at this time regarding the pump station replacement project being overseen by CRD Integrated Water Services. The request for park improvements as a project amenity is being considered. The Manager has submitted drawings and information regarding a possible gate replacement for Copper Mine Park field access.

Butler Road Park Improvements

Some of the improvements/requirements that have been discussed and underway are:

- Reforestation and or revegetation – ongoing.
- Riparian report requirements scheduled for spring 2024 for this project.
- Installation of a sign has started. The concrete bases (foundation) for the sign and picnic table were poured on September 06, 2023. A local contractor will be hired to complete the information sign and move forward with the picnic table installation. Details have yet to be finalized.
- Cedar split rail fencing will be used to show access options and beautify the area.
- Rock and gravel have been situated in the park to allow for fire breaks and definition of the planted areas.

The Park – Port Renfrew

The playground replacement project was approved by the previous Electoral Area Director in October 2022, and the funds were released March 2023.

As this location is known archeological site, the local First Nation will have to be engaged to assist with decommissioning of old equipment and installation of new equipment. The Manager held an open house with the Electoral Area Director, Pacheedaht First Nation and local residents on August 30, 2023, to review the playground and Lot 64 trail project (see below) and to request their support.

Several concerns were raised by Pacheedaht and local residents regarding the existing equipment and proposed replacement playground during the open house. The open house was well-attended, and several possible improvements were suggested:

- provide additional sand to fill in various low spots - completed
- repair the zip-line track ride as soon as possible - underway
- provide a portable toilet as soon as possible - completed
- continue with general maintenance items such as greasing the equipment, garbage removal and hazard abatement - underway

With the assistance of the CRD Archaeology Manager, archaeological work is slated to start on The Park once we have concurrence from the Pacheedaht Nation and a contractor is hired. This will allow for the playground replacement to proceed, hopefully in 2024.

Lot 64 – Port Renfrew

The previous Electoral Area Director had agreed to allocate Community Work Fund (CWF) funds to install a connector trail at Lot 64 near the tennis court. Planned works include:

- A trail that connects the tennis court to the marina trail.
- Define the boundaries of Lot 64 with possible fencing.
- Removal of debris.
- Define the parking lot area at the tennis court.
- Conduct a hydrological survey to determine the impact of possible winter flooding should the trail be constructed. NorthWest Hydraulics has been consulted to provide a preliminary study regarding the hydrology of the area where the planned trail is to be constructed. The services of the consultant will not be required at this time due to other related projects that may impact this project, including a proposed Active Transportation Network Plan, and the upcoming Port Renfrew OCP update.
- A memorial bench has been installed at Lot 64, this project started in Spring 2023 and was completed December 19, 2023.

Several concerns were raised by the Pacheedaht Nation and local residents during the community open house. Archeological work is also required to determine the presence, or lack thereof, of culturally sensitive areas within Lot 64.

This project is on hold due to the concerns raised at the open house.

Fishboat Bay

The Manager and the Electoral Area Director visited Fishboat Bay Park to discuss the potential for a viewing platform and better access to the beach in October.

A CWF grant will be applied for to complete the work if supported by the JdFEA Parks and Recreation Advisory Commission.

Admiral's Forest

Work at Admiral's Forest has commenced with the installation of split rail fencing to define park boundaries and closed trails.

Regulatory and directional signage has been installed in various locations and will continue as time and resources permit.

A volunteer work party was organized on December 08, 2023, to install signposts and remove invasive species.

The Chair is working with the Juan de Fuca Community Trails Society to bring about instructional/educational programs at Admiral's Forest. The Chair will bring forward ideas to the Commission as they are identified and requested.

The Manager and the Chair met with a local resident to investigate trespass on private land resulting from Admiral's Forest usage by the public. A "No Trespassing – Private Property" sign was posted in December 2023 on the trail leading to private land.

Wieland Road Trail Project

The Manager has started preparation of the Wieland Road Trail project. This project consists of trail construction from the end of the existing Wieland Road Trail at the Sooke Business Park to Kemp Lake Road. Approximately 2.0 km.

Elements of the project:

- The survey of the existing Wieland Road allowance (unconstructed road dedication) - completed November 28, 2022.
- This will be a multi-year project.
- Discussion is ongoing to secure the missing portion of Wieland Road statutory right-of-way. The revised submission from the developer is expected soon.

Bear Proof Garbage Bins

Bear proof garbage bins were ordered for location in several JdFEA Parks:

- Copper Mine
- William Simmons
- Kemp Lake Boat Launch
- Kemp Lake Dock Facility
- The Park, Port Renfrew
- Lot 64, Port Renfrew

Bins were delivered January 18, 2024. Installation will occur Spring 2024.

Port Renfrew Community Hall

Several maintenance items have been or will soon be addressed:

- Replace toilets in Men’s and Women’s Washrooms - completed
- Replace locks and possibly improve security – locksmith tentatively scheduled for January 24, 2024
- Replace doors for mechanical room – doors are ordered and will be installed 2024

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. The proposal proceeded as a 3-lot subdivision, which does not require provision of park land or payment for park purposes.

Submitted by:	Don Closson, Manager, Juan de Fuca Electoral Area Parks and Recreation
Concurrence:	Iain Lawrence, MCIP, RPP, Senior Manager, Juan de Fuca Local Area Services

Memorandum

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

FROM: Wendy Miller, Administrative Clerk, Juan de Fuca Local Area Services
Don Closson, Manager, Juan de Fuca Parks and Recreation

DATE: January 23, 2024

SUBJECT: Acquisition and Disposition of Park Land

At the November 28, 2023, Juan de Fuca Electoral Area Parks and Recreation Advisory Commission meeting, staff were directed to provide information on the process for the acquisition and deposition of park land.

The following is provided for information purposes:

Delegation of Powers and Duties

In accordance with the Commission's bylaw, Bylaw No. 3763, the Commission is delegated advisory powers with respect to the development, maintenance, and operation of community parks, recreational facilities and equipment, and the organization and conduct of recreational programs. As also prescribed by Bylaw No. 3763, the Commission shall approve a community parks plan and recommend to the CRD Board the acquisition of additional park lands.

Acquisition

Dedication at the Time of Subdivision

Section 510 of the *Local Government Act (LGA)* requires provision of park land or payment (cash-in-lieu) for parks purposes. The amount of land that may be required or used for establishing the amount that may be paid must not exceed 5% of the land being proposed for subdivision.

Payment received for parks purposes at the time of subdivision must be deposited into a reserve fund established for the purpose of acquiring park lands.

The Commission may recommend the provision of park land or cash-in-lieu of park land at the time of subdivision.

Purchase

The Commission may recommend the purchase of park land using funds from the park land acquisition reserve fund.

Amenity Contributions / Density Benefits for Amenities at the Time of Rezoning

An Official Community Plan may recognize amenity contributions as a method of acquiring parks and trails. A zoning bylaw may recognize density benefits for provision of amenities in accordance with Section 482 of the *LGA*.

The Commission may recommend an amenity contribution as a condition of rezoning.

Donation

Section 282 of *LGA* permits property devised, bequeathed, conveyed or otherwise transferred to be accepted by the CRD.

The Commission may recommend the acceptance of a bequest or a donation of land.

Statutory Rights-of-Way

The Commission may recommend a statutory right-of-way to obtain public access to portions of lands that are not available for purchase. These rights-of-way are registered on the title of the property in accordance with the *Land Title Act*.

Crown Land Tenure - Licence of Occupation

The Commission may recommend acquiring tenure of park and recreational assets through a Licence of Occupation with the Crown in accordance with the *Land Act*.

Transfer/Disposition

Transfer to Senior Levels of Park Authority

The Commission may recommend assignment or transfer of park lands to a senior government authority whereby the community still derives the benefit of having a park.

Disposition of Park Land

Section 27 of the *Community Charter* permits, by a bylaw adopted with the approval of the electors, the disposition of park land for other suitable park land. Proceeds from the disposition must be deposited in the park land acquisition reserve fund.

Sections 285-286 of the *LGA* requires that the intent of the disposition of land be published and for the land to be made available to the public for acquisition unless exempted by the *LGA*.

The Commission may recommend the disposition of land for the purpose of acquiring park land.