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**Ganges Harbour Walk Project Steering Committee**  
Notice of Meeting on **Monday, September 30, 2019 at 1:00 PM**  
Creekside Meeting Room 108 121 McPhillips Ave, Salt Spring Island, BC

Gary Holman  
Matt Steffich

Peter Grove  
Chris Acheson

Gregg Dow

Chair of Transportation (tba)

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(r) = Regrets

## **AGENDA**

**1. Approval of Agenda**

**2. Adoption of Minutes of January 24, 2019**

**3. Director and Chair Reports**

**4. Outstanding Business**

**4.1 Staff Report: Ganges Harbour Walk Update**

That the Ganges Harbour Walk Steering Committee recommends the Salt Spring Island Parks and Recreation Commission support the Ganges harbour walk Development Plan and Site Plan as submitted.

**5. New Business**

**5.1**

**6. Next Meeting: TBA**

**7. Adjournment**

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*To ensure quorum, advise Tracey Shaver 250 537 4448 if you cannot attend.*



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**Minutes of the Regular Meeting of the  
GANGES HARBOUR WALK PROJECT STEERING COMMITTEE  
Held January 24, 2019, 108 121 McPhillips Ave, Salt Spring Island, BC**

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**DRAFT**

**Present:**

**Committee Members:** Matt Steffich, Peter Grove, Chris Acheson, Gary Holman.  
**Staff:** Karla Campbell, Senior Manager, Salt Spring Island Electoral Area; Dan Ovington, Parks and Recreation Manager; Tracey Shaver, Recording Secretary; Jason Youmans, Islands Trust Planner  
**Absent:** Gregg Dow

Chair Steffich called the meeting to order at 10:03 am.

**1. Approval of Agenda**

**MOVED** by P. Grove, **SECONDED** by C. Acheson,  
That the Ganges Harbour Walk Project Steering Committee agenda of January 24, 2019 be amended and approved by adding item 5.1 motion to close meeting in accordance with the Community Charter Part 4, Division 3, Section 90 (1): (n) the consideration of whether a council meeting should be closed under a provision of this subsection.

**CARRIED**

**2. Adoption of Minutes of December 7, 2018**

**MOVED** by M. Steffich, **SECONDED** by P. Grove,  
That the Ganges Harbour Walk Project Steering Committee minutes of December 7, 2019 be approved.

**CARRIED**

**3. Director and Chair Reports**

**3.1 Director Holman** briefly stated the following:

- Held budget meeting presentation which was well attended.
- Reviewed historical use of gas tax and funds remaining
- Harbourwalk project was mentioned and confirmed publically that the remaining funds from the original \$150,000 gas tax grant is being held for future design work.

**3.2 Chair Steffich** briefly reported:

- Encouraged that the two letters offer a solution
- Clear indication that the community is ready to move the project forward
- Collaboration with property owners to design and complete the harbourwalk

**4. Outstanding Business**

**4.1 Joint Letter to Minister of Forests, Lands, Natural Resources Operations and Rural Development re: Concurrent Approvals of Applications Related to Ganges Harbour Foreshore**

- Final draft of letter is presented to the committee by Jason Youmans
- Letter is consistent with committee's request
- Approved as submitted
- To be finalized with signatures and submitted

**MOVED** by C. Acheson, **SECONDED** by P. Grove,  
That the Ganges Harbourwalk Project Steering Committee endorses the jointly written letter by the SSI Chamber, Electoral Area Director and Islands Trust to MNFLO requesting concurrent approvals of the Ganges foreshore applications under consideration; specifically the applications made by the Ganges Marina for a Crown Land Lease Renewal and the Island Trust Statutory Right of Way for boardwalk development.

**CARRIED**

**5. New Business**

**5.1 Motion to Close Meeting**

**MOVED** by P. Grove, **SECONDED** by C. Acheson,  
That the Ganges Harbour Walk Project Steering Committee close the meeting in accordance with the Community Charter Part 4, Division 3, Section 90 (1): (n) the consideration of whether a council meeting should be closed under a provision of this subsection.

**CARRIED**

Meeting moved into closed session at 10:26 am and opened again at 11:25 am with the following rise and report

**6. Rise and Report**

That the Ganges Harbour Walk Project Steering Committee requests that Islands Trust Staff take the lead to initiate discussions and obtain feedback from First Nations on the Harbourwalk Project with assistance from the CRD First Nations Relations department.

**7. Next Meeting: at the call of the Chair**

**8. Adjournment**

**MOVED** by P. Grove, **SECONDED** by C. Acheson,  
That the meeting be adjourned at 11:28 am.

**CARRIED**

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**CHAIR**

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**SENIOR MANAGER**



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## REPORT TO GANGES HARBOUR WALK STEERING COMMITTEE MEETING OF Monday, September 30, 2019

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**SUBJECT**     Ganges Harbour Walk Update

### **ISSUE**

To review and consider a Ganges Harbour Walk Development Plan and Site Plan included in a Crown Land Tenure Application for a Statutory Right of Way in Ganges Marina

### **BACKGROUND**

The current harbour walk infrastructure was installed in the 1980s as a collaborative initiative involving public agencies and community volunteers. The legal instruments required to guarantee public access (known as statutory right of ways or SRWs) were unfortunately not secured at the time of original construction. Consequently, there are gaps in the harbour walk, and some segments have fallen into disrepair. In 2017 the Capital Regional District (CRD) engaged a Project Manager to undertake engineering and environmental assessments of the current harbour walk infrastructure to inform the design process.

The challenges moving the project forward to a design phase are (1) securing agreement for a SRW over the foreshore; and (2) an overall harbour area plan with design guidelines and policies to inform upland development and integrate a harbour walk design within the existing marine infrastructure.

The responsibilities for this project are split between the Island's Trust being responsible for land use planning; and the CRD's role is design and construction and assuming ownership of the asset.

The Islands Trust (IT) submitted a crown tenure application to secure a SRW over the foreshore for a future boardwalk in 2018. Earlier this year several meetings took place between the Ministry of Forest Lands Natural Resource Operations Staff (FLNRO), elected officials and the foreshore owner of the Ganges Marina.

On June 25, 2019 (Attachment A), the SSI Local Trust Committee agreed to assign the SRW application for the Ganges Harbour walk to the CRD. The Salt Spring Island Electoral Area Director requested staff submit an application for a Crown Land Tenure Application for a SRW in Ganges Marina. A conceptual design was commissioned as part of the Site Plan (Attachment B). A Development Plan was also advanced as part of the application and is included to advise FLNRO of the future phases of the project (Attachment C).

The first phase of the project as outlined in the Development Plan is to secure the SRW. Future phases of the project including extensive consultation with the community, property owners and first nations are depended upon a successful Crown Land Tenure Application.

### Development Plan

#### **Phase 1 – Secure Statutory Right of Way:**

- Submit a statutory right-of-way (SRW) application to FLNRORD for a 6m wide 250m SRW.
- Provide site plans detailing the location and elevations of the boardwalk within the foreshore.
- Identifying how the tenure area would be accessed from which points to support the SRW application.
- Show how the infrastructure can accommodate riparian rights and continue in good faith to consult with upland property owners.
- Identify required permits.

See Development Plan Phase 2-4 for next steps contingent upon the CRD obtaining and SRW within the foreshore. (Attachment C)

### **ALTERNATIVES**

That the Ganges Harbour Walk Steering Committee recommends the Salt Spring Island Parks and Recreation Commission:

#### Alternative 1

support the Ganges harbour walk Development Plan and Site Plan as submitted.

#### Alternative 2

support the Ganges harbour walk Development Plan and Site Plan as amended.

#### Alternative 3

That the report be referred back to staff.

### **CONCLUSION**

The route for the harbour walk cuts across a part of Ganges working waterfront and an infrastructure supporting significant marine traffic and commercial enterprise. To plan and design a harbour walk in a working waterfront it should incorporate the various uses and needs of recreation, tourism, commercial and marine activities. A harbour area plan and policies will help inform the implementation of the Ganges Harbour walk designs and development strategy.

Obtaining the SRW is the first step forward towards engagement with the upland foreshore owners and community to develop the vision and community planning goals, objectives, and policies for the harbour area.

### **RECOMMENDATION(S)**

That the Ganges Harbour Walk Steering Committee recommends the Salt Spring Island Parks and Recreation Commission support the Ganges harbour walk Development Plan and Site Plan as submitted.

Submitted by:	Dan Ovington, BA, Manager of Parks and Recreation
Concurrence:	Karla Campbell, BPA, Senior Manager, Salt Spring Island Electoral Area

DO:ts

Attachments:

- A- Islands Trust Staff Report-June 25, 2019 re: Ganges Village Area Planning-Harbourwalk- Statutory Right of Way Application
- B- Conceptual Design- Dated September 11, 2019
- C- Development Plan- Ganges Harbour Walk

File No.: 6500-20 – Ganges Village  
Area Planning -  
Harbourwalk

DATE OF MEETING: June 25, 2019  
TO: Salt Spring Island Local Trust Committee  
FROM: Jason Youmans, Island Planner  
Salt Spring Island Team  
COPY: Gary Holman, CRD Electoral Area Director, Salt Spring Island  
SUBJECT: Ganges Village Area Planning – Harbourwalk – Statutory Right-of-Way Application

## RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee agree to assign its Statutory Right-of-Way application for the Ganges Harbourwalk (Crown Land File No. 1414835) to the Capital Regional District (CRD) at such time as the CRD is willing to administer it.

## REPORT SUMMARY

The CRD Electoral Area Director has signalled a willingness to take over the LTC's statutory right-of-way application for the portion of the Ganges Harbourwalk that lies within the area occupied by the Ganges Marina. Staff support the CRD administering the application, as the CRD is the body that will ultimately maintain and operate the harbourwalk when complete.

## BACKGROUND

In July 2018 staff submitted a statutory right-of-way application at the LTC's request, to secure a pathway for the portion of the Ganges Harbourwalk that lies within the area occupied by the Ganges Marina. This application was made on the understanding that the Ganges Marina's 30 year water lease had recently expired, thus providing an opportunity to assert the community's interest in obtaining control of the foreshore for harbourwalk development.

At its May 10, 2018 regular meeting, the LTC passed the following resolutions concerning the Ganges Harbourwalk:

### SS-2018-96

It was **MOVED** and **SECONDED**,

that the Salt Spring Island Local Trust Committee direct staff to submit a statutory right-of-way application to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development that would allow for the eventual construction and operation of the Ganges Harbourwalk along the foreshore adjacent to the following lots: Lot 1, Section 2, Range 4 East, North Salt Spring Island, Cowichan District, Plan VIP59755 Lot 2, Section 2, Range 4 East, North Salt Spring Island, Cowichan District, Plan VIP59755 Lot 3, Section 2, Range 4 East, North Salt Spring Island, Cowichan District, Plan VIP59755.

**CARRIED**

### SS-2018-97

It was **MOVED** and **SECONDED**,



that the Salt Spring Island Local Trust Committee direct staff, in its statutory right-of-way application, to request that the Ministry of Forests, Lands, Natural Resource Operations and Rural Development consider retaining liability related to the existing boardwalk infrastructure within the requested right-of-way area.

**CARRIED**

## **ANALYSIS**

### **Issues and Opportunities**

#### *SRW Administration*

The CRD is better suited than the LTC to hold and administer an SRW. It has a real estate department that regularly makes SRW applications on the CRD's behalf, and parks and transportation departments that regularly solicit bids for design work in support of capital projects. The CRD is also better placed to take on the liability for existing harbourwalk infrastructure already built within the SRW area, should the SRW be granted.

#### *Harbourwalk Design*

FLNRORD staff have stated they are not satisfied with the harbourwalk design drawings that have been submitted to date in support of the LTC's SRW application. Up to now, staff have relied on the original 1989 boardwalk design drawings to describe what is proposed. Islands Trust staff understand that funds may be available from the CRD to undertake more detailed harbourwalk design work that would satisfy FLNRORD. Staff continue to work with FLNRORD and CRD in this regard.

#### *June 13, 2019 Meeting*

On Thursday, June 13, 2019, Salt Spring Island representatives (Peter Grove, Gary Holman, Matt Steffich, Jason Youmans) met with the owner of the Ganges Marina and FLNRORD staff at FLNRORD's Nanaimo headquarters. The meeting was convened by FLNRORD to determine what common interests are shared between the Salt Spring representatives, who wish to see the harbourwalk realized, and the marina owners, who are seeking a new 30 year lease for marina operations. Ultimately it was agreed that all parties are generally supportive of the marina's lease renewal. Where perspectives diverged, however, was over the point that tenure renewal for the marina should be conditional on the marina agreeing to an SRW along the foreshore of its upland properties in favour of a local government. The marina owners reiterated their long-held position that they will only support the harbourwalk in return for profit-generating concessions, such as increased development potential on the filled foreshore or on the surface of the water. The marina owners, FLNRORD, and Salt Spring Island representatives discussed a range of potential scenarios and options that could help move the harbourwalk project forward.

A senior FLNRORD approving officer indicated that both the marina and the LTC have submitted applications that meet the public interest test. However, he also warned that the decision timelines may not be concurrent, which suggests that FLNRORD may be near a decision on the marina's tenure renewal.

Staff will continue to work with FLNRORD, the CRD, and the Ganges Marina owners to ensure that the LTC's interests are represented as FLNRORD considers renewal of the Ganges Marina's tenure and the LTC's SRW application (which may shortly be assigned to the CRD).

## **Consultation**



**First Nations**

Any foreshore development, whether on the part of private landowners like the Ganges Marina, or by a public agency, will require consultation with area First Nations. Preliminary discussions were had at the time the LTC was entertaining increasing development opportunities on the properties adjacent to the Ganges Harbourwalk. If it becomes clear that FLNRORD is giving serious consideration to granting an SRW to a Salt Spring Island local body, further consultation with First Nations will be required to garner their support.

**Rationale for Recommendation**

See “Issues and Opportunities” above.

**NEXT STEPS**

Staff will follow up with FLNRORD to understand their timeline and expectations following the June 13, 2019 meeting. Staff have also suggested that the chair of the CRD’s Ganges Harbourwalk Steering Committee convene a meeting to discuss options to advance the project and ensure that Salt Spring is speaking in a unified voice.

Submitted By:	Jason Youmans, Island Planner	June 18, 2019
Concurrence:	Stefan Cermak, Regional Planning Manager	June 18, 2019

**SS-2019-124**

**It was MOVED and SECONDED,**

that Salt Spring Island Local Trust Committee Bylaw No. 489, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2016", be read a third time as amended and forwarded to the Secretary of the Islands Trust for approval by Executive Committee.

**CARRIED**

**SS-2019-125**

**It was MOVED and SECONDED,**

that Salt Spring Island Local Trust Committee Bylaw No. 490, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2016", be read a third time and forwarded to the Secretary of the Islands Trust for approval by Executive Committee.

**CARRIED**

**SS-2019-126**

**It was MOVED and SECONDED,**

that Salt Spring Island Local Trust Committee Bylaw No. 488, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, Amendment No. 1, 2016", be forwarded to the Minister of Municipal Affairs and Housing for Review following approval by Executive Committee.

**CARRIED**

**8.2 Ganges Village Area Planning - Harbourwalk**

Planner Youmans presented a staff report dated June 18, 2019 regarding Ganges Harbourwalk – Statutory Right-of-Way application.

**SS-2019-127**

**It was MOVED and SECONDED,**

that the Salt Spring Island Local Trust Committee agree to assign its Statutory Right-of-Way application for the Ganges Harbourwalk (Crown Land File No. 1414835) to the Capital Regional District (CRD) at such time as the CRD is willing to administer it.

**CARRIED**

**9. CORRESPONDENCE**

**9.1 J. Milsom, on behalf of Salt Spring Island Chamber of Commerce, to the LTC, Dated May 27, 2019 - Concerning Bylaw Enforcement within the Tourism Sector**

The correspondence was received.

**9.2 A. George, Fire Chief Salt Spring Island Fire Rescue to LTC, Dated May 30, 2019 - Concerning Addition of Wildfire Hazard Development Permit Area**

The correspondence was received.

# CAPITAL REGIONAL DISTRICT

CLIENT

ADDRESS / CONTACT INFO.

108-121 McPHILLIPS AVENUE  
SALTSPRING ISLAND, BC  
V8K 2T6

PROJECT NAME

GANGES HARBOUR BOARDWALK EXTENSION

McELHANNEY PROJECT

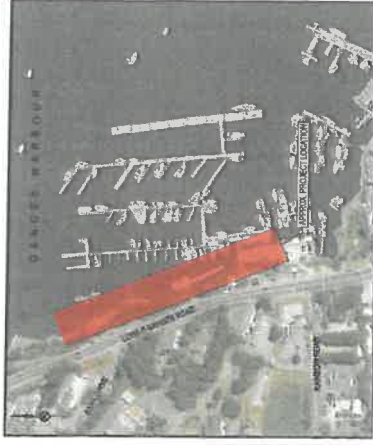
2241-19066-00

STATUS

ISSUED FOR REVIEW



Suite 500  
3650 Quadra Street  
Victoria BC  
Canada V8X 4A3  
T 250 370 9221



KEY PLAN







## DEVELOPMENT PLAN GANGES HARBOUR WALK

### Overview

Ganges is the commercial, social, cultural and institutional heart of Salt Spring Island. The current harbour walk was constructed in the 1980s as a collaborative initiative involving public agencies and community volunteers. The legal instruments required to guarantee public access (known as statutory right of ways or SRWs) were unfortunately not secured at the time of original construction and liability issues forced the project to be abandoned. Consequently, there are gaps in the harbour walk, and some segments have fallen into disrepair.

Completing and revitalizing the dilapidated boardwalk is an inter-agency initiative between the Islands Trust and Capital Regional District (CRD) based on common objectives of enhancing multi-modal transportation corridors and trails; linking the Ganges Village to the harbour; supporting the economic viability of the downtown village; revitalizing Peck's Cove Park; and making the waterfront accessible to the community for future generations.

The Ganges Harbour Walk Project Steering Committee (GHWPSA) has been established through the CRD to guide the planning and development of a harbour walk connecting Peck's Cove to a southern entrance along Lower Ganges Road. Initial studies have been completed to assess the existing boardwalk structures and identify any potential environmental or archeological requirements.

To realize the long standing community goal of a continuous harbour walk, an application has been submitted to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) for a statutory right of way (SRW) around the footprint of the existing derelict boardwalk infrastructure that currently sits within the tenure area of the Ganges Marina. The harbour walk alignment subject starts at the north end of Peck's Cove and is proposed to connect at a southern entrance labeled "Farmer's Institute" in the image below. Eventually this segment of the harbour walk will connect to the existing popular boardwalk at Rotary Park.



## **Project**

### **Phase 1 – Secure Statutory Right of Way:**

- Submit a statutory right-of-way (SRW) application to FLNRORD for a 6m wide 250m SRW.
- Provide site plans detailing the location and elevations of the boardwalk within the foreshore.
- Identifying how the tenure area would be accessed from which points to support the SRW application.
- Show how the infrastructure can accommodate riparian rights and continue in good faith to consult with upland property owners.
- Identify required permits.

### **Phase 2 – Detailed Designs:**

- This phase of the project may proceed subject to the CRD obtaining a statutory right of way within the foreshore
- Complete an archeological and environmental assessment of Pecks Cove Park and Farmers Institute property to assess viability of access points to the new harbour walk.
- Refer archeological assessments and recommendations to First Nations for comment.
- Advertise consultation sessions with the community and First Nations; and prepare all presentation material in advance for meetings and to be posted on CRD websites related to the project
- Based on community consultation, develop two or three concept designs for a harbour walk along the foreshore; consider connecting the existing private marinas and upland business operations and providing access for amenities such as salt water flow to fire hydrants.
- Preliminary construction cost estimate to design and construct
- Detailed designs
- Engineering drawing specifications suitable for tender
- Final cost estimates

### **Phase 3 – Project Funding:**

- This phase of the project may proceed subject to the CRD obtaining community endorsement of a concept design for the harbour walk and Peck's Cove landscape design
- Community referendum for borrowing

### **Phase 4 – Construction:**

- This phase of the project may proceed subject to the CRD obtaining electoral approval to fund the project
- Removal of derelict sections of boardwalk and pilings
- Construction of the Ganges Harbour Walk



**Project Schedule:**

Phase 1 – Secure Statutory Right of Way	2019
Phase 2 – Detailed Designs	2020
Phase 3 – Construction	2021

**Documents and Reports:**

1. Ganges Harbour Walk Summary Report – Feasibility Constraints - Aqion Water Technologies Ltd. (August 2018) - Attached

**Additional links to assessments and consultations:**

1. Ganges Boardwalk [Community Consultation Report](#) (2016)
2. Link to Islands Trust [IT Ganges Village Plan - Harbour Walk](#) and [staff reports, bylaws, and correspondence](#)