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**SHIRLEY/JORDAN RIVER CITIZENS' COMMITTEE
OFFICIAL COMMUNITY PLAN REVIEW**

Notice of Meeting on Wednesday, **April 23, 2014 at 7 p.m.**

Shirley Community Hall, 2795 Sheringham Point Road, Shirley, BC

AGENDA – Meeting #6

1. Introductions
2. Review of Agenda
3. Review of Notes of March 26, 2014 Meeting
4. Review of Notes of April 9, 2014 Meeting
5. Status of Any Action Items
6. Completion of Items from Previous Agenda
7. Policy Review for Parks and Trails Theme
8. Break
9. Policy Review for Environment Theme
10. Guideline Review of Development Permit Area No. 2 - Foreshore and Marine Shoreline Areas and Development Permit Area No. 3 - Watercourses, Wetlands, and Riparian Areas
11. Next Meeting



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Notes of a Meeting of the Shirley/Jordan River Citizens' Committee

Official Community Plan Review – Meeting #5

Held March 26, 2014 at Shirley Community Hall, 2795 Sheringham Point Road, Shirley BC

PRESENT: Dom Bernardet, Sonja de Wit, Wayne Jackaman, Frank Limshue
Claire Denesovych, Brenda Mark, Fiona McDannold, Pascale Knoglinger
Staff: Tracy Olsen, Project Coordinator, Emma Taylor, Planner

ABSENT: Ron Ramsay, Margaret Johnson

PUBLIC: 3

The meeting was called to order at 7:05 p.m.

1. Introductions

2. Review of Agenda

Accepted. It was agreed that the Water Sustainability Act Bill will be discussed at a future meeting.

3. Review of Notes of February 26, 2013 Meeting

A committee member noted that it is spelt “Goudie” Creek, not “Goudy”. The same member said that some of the items mentioned in the notes seemed new, in particular, that the recent mapping of Goudie Creek using GPS has documented the difference between the actual location and provincial mapping. Tracy Olsen advised that she did make a comment in that regard at the last meeting.

4. Status of Any Action Items

Emma Taylor updated Committee members on the progress of the Sensitive Ecosystem Inventory (SEI). Material collected by the consultants will be sent out in advance of the April 9th meeting. The consultants have reserved a couple days of field time for follow-up after Committee members have seen the preliminary mapping.

5. Presentation on Policy Statements & Development Permit Guidelines

A power point presentation was given on the differences between policy statements and development permit guidelines with examples of some common problems in Official Community Plans (OCPs). A brief overview of the OCP Review Process was also given.

A Committee member requested clarity on provincial responsibilities for water and how that might affect OCP policies. Tracy advised that staff would research the topic as it is complex and report back when the Water Theme is discussed. Committee members were interested in ways that viewsapes and the natural and cultural landscapes could be preserved. One committee member asked about the cumulative impact of development and if any analysis would be done. Tracy said existing parcel size and the development potential under the current zoning will be estimated as part of the review process and brought forward at the meeting where settlement is discussed. There was a question as to whether or not a local government could ignore its OCP. Staff explained that bylaws contrary to policies in the OCP cannot be enacted but the OCP can be amended. Guidelines however, do not always have to be followed.

Zac Doeding, East Sooke, mentioned the recent court decision ruling that there are limits to what powers Regional Districts have over municipalities through Regional Growth Strategies.

6. Policy Review for Agriculture and Resource Themes

A Committee member wondered if the format used in the hand-out represented how the revised OCP would be organized. Staff confirmed the OCP would be arranged by theme with the background and current conditions described under Context, followed by Goals related to matters under senior government jurisdiction, then the Objectives and Policies. Development Permit Areas (DPAs) and guidelines would be in a separate section though.

Another Committee member wanted clarification on how non-ALR lands used for agricultural purposes, e.g. wild-crafting, could be designated in the OCP. Staff explained that in the current OCP, all lands in the ALR are designated as "ALR" but not as "Agriculture". To address concerns raised at the last Committee meeting about possible changes to the ALR, staff are proposing to have ALR land designated as Agriculture in the revised OCP. Using this format, land excluded from the ALR would still be designated as Agriculture unless the OCP was amended. It also accommodates an owner of non-ALR land requesting an Agriculture designation who does not necessarily want their land included in the ALR.

Staff explained that the policies in the OCP cover both ALR and non-ALR lands. Some policies are specific to ALR lands while others are more general in nature and apply to lands outside the ALR. For example, there is a policy supporting residential gardens.

In response to questions from staff for more information for the Agriculture Context section, Committee members said that in the Plan Area, there is berry picking, salad harvesting, mushroom picking, vegetable growing and lots of chickens are raised. Eggs are the most common farm gate sale. At the "Country" Market, not farmers' market, arts & crafts, house plants, preserves, and baking are sold along with agricultural products. Committee members discussed the unregulated nature of mushroom picking as it is unique to the area and trespassing by mushroom pickers. It was noted places like Haida Gwaii have established more formalized mushroom harvesting cooperatives. Committee members thought that a discussion of mushroom picking and salal harvesting might be more appropriate elsewhere in the OCP. Staff clarified cows and horses are considered to be agriculture. A Committee member observed that bears and cougars can conflict with agriculture so respectful awareness and management practices should be explored.

Staff presented a map showing Privately Managed Forest Lands (PMFL) in the Plan Area and passed around the Best Management Practices Manual for PMFL. A map of Tree Farm License #61 prepared by Queesto as part of its five year extension request to the 2009 Forest Stewardship Plan was also shown to Committee members. Emma noted that most of the forest land in the Plan Area is PMFL. A Committee member said that forest management plans are done for PMFL and there is an annual audit of Timber West lands.

Committee members discussed forest management practices, concerns about way the Province's enforces its regulations and the need for more community engagement and transparency. Emma Taylor mentioned the Ministry had just conducted an audit report of forest practices on the South Island. A Committee member noted that the proposed Water Sustainability Act could affect forestry practices. Another Committee member noted that Timber West's goal is to replant within one year of harvesting and monitor regeneration over

time to ensure healthy re-growth. Fertilizer is applied and there is program to deal with invasive species.

Committee members expressed frustration at not being able to encroach on provincial jurisdiction in forestry matters. One Committee member indicated that Timber West has an established consultation process with the Town of Ladysmith. Another noted that OPSRRA invites the forest companies to speak on an annual basis while another mentioned that the forest companies contact the Electoral Area Director. A Committee member mentioned that Western Forest Products contacted Sheringham Waterworks to share its cutting plan. Tracy said that she has been looking through other OCPs for examples of consultative models for unincorporated areas. For Forestry, the Committee definitely wants to see additional goals, objectives and policies regarding public participation and consultation. It also wants more transparency and accountability from forest companies.

For Mining and Aggregate Extraction, a Committee member wants the OCP to state that there will be no gravel pits in the Settlement Areas. Instead, there could be a plan showing where gravel pits are supported based on good sources of gravel. A member suggested requesting a resource management plan be conducted. It was noted that there is gravel in Shirley although the operations do not last long as gravel cannot be extracted once the water table is reached. Staff noted that processing is not generally permitted. The Committee members advised that there is high grade copper at the abandoned Sunro Mine and the mine is for sale despite having environmental issues.

It was agreed that the traffic from resource extraction does affect road safety and conditions. This matter will be discussed further under community safety. The topic of Renewable Resources was postponed until the next meeting.

7. Guideline Review of the Farmland Protection Development Permit Area

Maps of the Farmland Protection DPA were distributed to the Committee members. Staff said that there several properties where this fifteen metre wide DPA goes through the centre of individual properties having lands both inside and outside of the ALR. Staff is concerned that the owners of these properties would be encouraged to build in the ALR where the land is flat rather than in the DPA.

Zac Doeding, East Sooke, requested clarification on the approach that would be taken to remedy the situation. Staff are proposing to add an exemption for properties transected by the DPA buffer and recommending the reconfiguration of the DPA on one large property. Adjacent properties will not be affected.

8. Next Meeting

The next regular meeting will be Wednesday, March 23rd at 7:00 p.m. at the Community Hall. A separate meeting is being held on Wednesday, April 9th at 7:00 p.m. at the new Local Area Service Building to review the draft Sensitive Ecosystem Inventory.

Two Committee members requested that agenda packages be mailed to them in the future and one member prefers to pick the package up at the Local Area Services Office.

The meeting adjourned at 9:17 p.m.

APPENDIX ONE:

SPECIFIC CHANGES TO THE OCP REQUESTED DURING MEETING #5 – March 26/14

- Under Agriculture Goals, Committee members wanted the paragraph separated into two to provide more clarity. There should be one paragraph for goals regarding ALR lands and one paragraph for non-ALR lands with some additional goals added to it.
- The Agriculture Objectives were generally accepted. All members agreed that an objective regarding pesticide and herbicides should be added. Staff will research this matter.
- Expansion of the objective regarding sustainable and environmentally sound farming practices was suggested to include conservation of water, rainwater collection, management of hoofed animals and no pesticides.
- The Committee members support portable sawmills when they are operated as a home-based business and it was agreed a policy statement should be added in this regard noting that there are potential nuisances associated with this type of use that need to be enforced.
- For the Agriculture Policies section, item 304 (M) was deleted as it was agreed that it could lead to the application of undesirable materials such as sludge or contaminated soil. It was explained that item 304 (E), subject to approval by the ALC, would open the door to rezoning for cooperative ownership of a larger farm to increase the affordability of farming.
- 304 (E) How should “larger parcels” be defined and if so, in the OCP or Zoning Bylaw?
- For Forestry, the Committee definitely wants to see additional goals, objectives and policies regarding public participation and consultation.
- 307, Bullet 3, Add “Drinking Water”
- It was agreed that the fourth objective in s. 307 supporting the public’s use of forest lands for recreation, education and wild-crafting would be removed as it could be misinterpreted as encouraging trespassing to undertake these activities and place liability on land owners.
- Staff are suggesting adding, “...and the retention of the natural vegetation.” at the end of s. 4.4.7.4 (3) in the Farmland Protection DP guidelines.
- 313(B) Change screening to buffering.
- 313 (D) “Take into consideration” is too vague.
- Equal treatment of all industries in the OCP was recommended using strong language supporting best practices and accountability.



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**Notes of a Meeting of the Shirley/Jordan River Citizens' Committee
Official Community Plan Review – Draft Sensitive Ecosystem Inventory
Held April 9, 2014 at JdF Local Area Services Building - #3-7450 Butler Road, Otter Point, BC**

PRESENT: Dom Bernardet, Sonja de Wit, Frank Limshue, Ron Ramsay, Margaret Johnson
Brenda Mark, Fiona McDannold

Staff: Tracy Olsen, Project Coordinator, Emma Taylor, Planner

Madrone Environmental: Tania Tripp, Jennifer Morgen

ABSENT: Wayne Jackaman, Pascale Knoglinger, Claire Denesovych,

PUBLIC: 7

The meeting was called to order at 7:00 p.m.

1. Introductions

Tracy Olsen introduced Tania Tripp and Jennifer Morgen of Madrone Environmental Services Ltd.

2. Sensitive Ecosystem Inventory

Tania and Jennifer presented the draft Sensitive Ecosystem Inventory (SEI) for Shirley/Jordan River. They outlined the provincial methodology for mapping sensitive ecosystems as outlined in the 2006 RISC “Standards for Mapping Ecosystems at Risk in British Columbia” and the associated ecosystem classification types. Sources used in their background research included 2014 ortho-photography, Conservation Data Centre, Riparian Area Assessment reports, land surveys, field verification and results from the Shirley/Jordan River OCP Review public event. Sensitive ecosystems were mapped at a scale of 1:5,000 or better and assigned a Terrestrial Ecosystem (TEM) label. The SEI database created for Shirley/Jordan River area will include several fields where details on each polygon are entered.

Other important ecosystems were mapped including ‘mature forest’ and ‘fringe forest’. Due to the lack of older forest ecosystem type, mature forest is included as a sensitive ecosystem type with equivalent value. The consultants identified a new classification relevant to Shirley/Jordan River, consisting predominantly of Sitka Spruce, which they called “fringe forest” and occurs along shoreline areas.

Madrone Environmental developed a method of assigning a priority ranking to the mapped ecosystem. The ranking system utilized the ecosystem types and information on existence of red and blue-listed species, levels of disturbance and condition. Size of polygon was not a factor in the ranking system. Madrone Environmental highlighted the challenge when ecosystems blend into each other the complexes blur the boundary between different ecosystem types. The consultants stated that where rare species were identified, those locations should be reported to the Conservation Data Centre for inclusion in the provincial database.

Madrone Environmental explained that their staff traversed the centre line of Goudie Creek with a survey-grade GPS unit and they were able to map a considerable extent of the actual creek location. Comments were made about the inaccuracy of TRIM data and that analysis of contour lines and ortho-photos were more useful for identifying stream locations.

Committee members had the following comments/questions:

- If the moderate and low ranked areas should not be conserved.
- Is the entire shoreline is considered sensitive?
- Are all polygons "ground-truthed"?
- SEI polygon at Muir creek does not extend to the creek boundary.
- How are seasonal/ephemeral creeks considered?
- Are water licenses issued on seasonal streams?
- How do the conservation values relate to the OCP?
- Can buffers be added to the polygons to prevent fragmentation along edges?

Tania indicated that the Committee and public will need to determine how to apply the ranking system in the OCP. She explained that the addition of buffers around polygons needs to be 'biologically meaningful' and could range from between 0 and 30 m depending on the ecosystem values in a particular location. She also cautioned that rare species have the potential to occur outside of the mapped areas.

The consultants explained that the shoreline is classed as intertidal or shoreline to acknowledge it is different from terrestrial ecosystems; however, no ranking system was applied.

Jennifer explained that the field verification focused on accessible areas within residential neighbourhoods. The reason the polygon at Muir Creek doesn't extend to the creek edge is due to significant disturbance of this area from past industry.

Many ephemeral watercourses were mapped and field verified. The consultants noted that conducting this work during the spring months enabled capturing watercourses with seasonal flows. However, more work is required to map all watercourses in the plan area. The consultants outlined that Hornby and Denman Islands did stream mapping projects that were prioritized by watershed. GeoBC website includes 'points of diversion' showing where water licenses are issued.

Terry Alcock, Shirley, questioned whether watersheds supplying drinking water were considered in the inventory, specifically with respect to protection of Goudie Creek watershed. She further commented that Western Forest Products is conducting mapping of where Goudie Creek flows through their property and there may be opportunity for data sharing. Tania explained that watersheds can be assessed at various scales from a particular creek or sub-basin to the entire watershed, but that watershed assessments were not part of the SEI, although the SEI focused on areas where there were drinking water licenses. Tania also indicated that not all riparian areas are categorized as 'sensitive'. She suggested that the OCP may be able to capture other important areas such as the watershed.

Teresa Howden, Girl Guides of Canada, inquired about the classifications on their property at Kirby Creek and described a man-made water feature which creates a back-water channel. The consultants indicated the importance of this feature.

There was opportunity for the Committee and public to review the poster maps.

3. Next Meeting

The next regular meeting of the Shirley/Jordan River Citizens' Committee will be Wednesday, April 23rd at 7:00 at the Shirley Community Hall.

The meeting adjourned at 8:45 p.m.

320 CONTEXT PARKS AND TRAILS

In Shirley-Jordan River, there is wide range of parkland and trails. French Beach Provincial Park has parking, camping, picnicking and well-developed access to a cobble beach. This park was created in 1974 from land including the house where James French once lived after purchasing much of the land west of Sooke in 1885.

In 2010, CRD Regional Parks purchased land in the Jordan River area from Western Forest Products with the help of The Land Conservancy of BC. These lands which include Sandcut Beach are now known as Jordan River Regional Park. The CRD Board has determined that some of the lands north of Highway #14 are surplus to regional park needs and they are currently being offered for sale to the Pacheedaht and T'Sou-ke First Nations. If the First Nations do not acquire the surplus lands, then other options will be considered. Parcels JR5 and JR7 north of the highway (See Map ###) are still under consideration by the CRD Board.

The portion of Jordan River Regional Park south of Highway #14 includes a sandy/cobble beach beside the Jordan River estuary, a commercial campground now being run by the CRD, and several out-building rented to Queesto Forestry. Local residents have expressed interest in having one of the out-buildings converted into a small community hall or meeting place as this amenity is missing from the area.

TABLE ###: Parkland in Shirley-Jordan River

PROVINCIAL PARKS *		
NAME	AREA (ha.)	FEATURES
French Beach	59	69 campsites, picnic area, pit toilets, playground, trails
REGIONAL PARKS		
Jordan River	187	Under review, Sandcut Beach, 22 campsites
COMMUNITY PARKS		
Fishboat Bay	3.13	Undeveloped nature park, trail, beach access
Kaulitz	0.68	Undeveloped Nature Park
Priest Cabin	6.88	Undeveloped Nature Park, viewpoint, bench
Sheringham Point	0.50	Nature park, picnic area, trails, sensitive ecosystem
The Shores	5.81	Nature Park, closed trail
NEIGHBOURHOOD PARKS		
Shirley Pioneer Park	0.45	Passive Park, Shirley Community Hall
TOTAL AREA:	263	(rounded to nearest hectare)

* NB. China Beach Provincial Park and the start of the Juan de Fuca Marine Trail are just outside the Plan Area.

There are five community parks whose day to day management is overseen by the Juan de Fuca Parks and Recreation Office. Above French Beach, spectacular views of the Juan de Fuca Strait can be seen from the viewpoint in Priest Cabin Park. Fishboat Bay Park, hugging the west side of its namesake, has parking with a short trail to a picnic beach. Sheringham Point Park is a linear greenbelt. Kaulitz Park is an undeveloped nature park created in 1991. The Shores is another undeveloped nature park containing the lower reaches of First Creek.

Pioneer Park is a neighbourhood park, owned and operated by the Shirley Community Association. It is the site of the Country Market and local events. Although it is not a park, there is also Camp Jubilee.

Owned by the Girl Guides of Canada, it is a 64.7 hectare parcel centred on Kirby Creek with outdoor camping facilities for up to 100 people.

RECREATION

With its extensive coastline, proximity to major trail systems like the Juan de Fuca Marine and West Coast Trails, there are excellent opportunities for outdoor recreational activities such as off-shore fishing, beach combing and hiking. Strong off-shore currents in the Strait of Juan de Fuca do limit the opportunities for ocean kayaking and canoeing. Despite the strong currents, there is both windsurfing and surfing off shore from Jordan River which can be exacerbated by the outflow from the Jordan River. Indoor recreational activities are largely centred on the Shirley Community Hall where quilting, pilates and music concerts engage local residents.

QUESTIONS: What other recreational activities are there? Recreation was identified as an issue. What aspects of that would you like to see discussed here?

TRAILS

A key goal of the CRD Regional Parks Strategic Plan 2012-2021 is to develop an arterial trails system connecting all of the municipalities and electoral areas in the region. Objectives in the Plan supporting this goal include: “Connecting the urban, suburban and rural parts of the region with strategic consideration of locating trails to enable their use as a viable transportation route for personal and work related trips.”; and, “Connecting regional parks to other national, provincial and major municipal parks and trails.” One of the key linkages in this regional trail system is a connection between the Galloping Goose Trail and the Juan de Fuca Marine Trail.

Managed by BC Parks, the Juan de Fuca Marine Trail is 47 kilometres long and its’ eastern trail head is just outside the Plan Area in China Beach Provincial Park. The Galloping Goose Trail, administered by CRD Regional Parks, is a 55 kilometre multi-use trail starting in Victoria and ending in Leechtown, an abandoned gold mine town north of Sooke.

The CRD Regional Parks Strategic Plan 2012-2021 contemplates three connections between these two major trails and the Plan Area. Two of the community connections are via the Kludahk Trail. Approximately 50 kilometres long, the Kludahk Trail runs along the San Juan Ridge, to the north of and parallel to the Plan Area. It is managed by the Kludahk Outdoor Club through Recreation Sites and Trails BC and in cooperation with the forest industry.

The proposed regional trails system plan on Map 4 of the Regional Strategic Plan shows a link between the eastern trail head of the Kludahk and the terminus of the Galloping Goose in Leechtown. From the Kludahk Trail, two north-south connections to the Shirley-Jordan River Plan Area are shown. One to the community of Jordan River, parallel to the Jordan River, and another between the Kludahk and Highway #14 in the vicinity of Muir Creek. The third connection to the Plan Area is via Highway #14 originating at its’ intersection with the Galloping Goose in Saseenos, a neighbourhood in the eastern part of Sooke.

Complementary to the goals and objectives of CRD Parks are the recommendations of the CRD Regional Pedestrian and Cycling Master Plan (PCMP) released in 2012. The PCMP identifies Highway #14 west of Sooke as a part of the Primary Inter-Connected (PIC) Network and recommends upgrading the road to have separated on-street bikeways. No funding has been identified for these upgrades but some of the projects identified in the PCMP for elsewhere in the region are being implemented with assistance from Federal Gas Tax revenues for infrastructure improvements.

CONNECTIVITY

Connectivity and pedestrian safety are important issues to the residents of the Plan Area. Trails and improvements to Highway #14 are seen by the residents of Shirley-Jordan River as a solution to these two issues. Overtime, they would like a network of trails developed in both the communities of Shirley and Jordan River which would connect residential areas with the commercial nodes, local parks and other community based amenities. Improvements to Highway #14 as described in the PCMP will enhance the safety for the non-motorized users of the highway and hopefully, encourage less reliance on vehicles by the local area residents as they could now walk and bike safely while shopping, visiting and recreating. Of particular concern, is to address the need for a safe route for school-aged children to use when travelling independently in their community.

The proposed Regional Trail System will support the development of eco-based tourism industry and the associated commercial ventures such as accommodations and dining for tourists. It will also provide a significant connection between the Plan Area and the rest of the CRD.

ACCESS TO WATER

The Strait of Juan de Fuca runs the length of the Plan Area and is a significant geographical feature offering recreational opportunities such as kayaking, fishing, beach combing and viewing. Along the rugged shoreline, there are several beaches and pocket coves: Jordan River Beach, Flea Beach.

QUESTION: What are the beaches at Point No Point and between Muir Creek and Kirby Creek called?

While all land below the high water mark of the ocean is public, along with geographic constraints, access to beaches can be hampered by the lack of publicly owned access. Parks, like French Beach Provincial Park and Fishboat Bay Community Park do provide access for the general public. However, there are other foreshore accesses which are actually public roads acquired at the time of subdivision.

When waterfront properties are subdivided, provincial land title legislation has long required the dedication of a 20 metre wide strip as highway at specified intervals. The purpose of this dedication is to facilitate future subdivision and provide access to water. This requirement can be waived by the Province if there are compelling reasons.

Within the Plan Area, this type of right of way is owned and administered by the Province. The Province is not obligated to develop the rights of way as road or to maintain them. When properties adjacent to the rights of way are subdivided, a developer can be required to construct a public road.

It is recognized that these rights of way can provide the public with access to the water for recreational activities but their development is subject to funding, adequate parking and addressing the concerns of surrounding property owners. Interested organizations and individuals can request permission from the Province to develop the rights of way.

A 2003 study of all the rights-of-way in the Juan de Fuca Electoral Area identified 12 rights of way in the Plan Area. Fishboat Bay Road and Flea Beach were considered to have excellent potential for development while other rights of way had less potential with some being deemed unsafe, subject to erosion or having ecological concerns. Since the 2003 study, the Fishboat Bay and Marion Road rights of way have been developed into a community park.

TABLE ###: Status of Foreshore Accesses in Shirley-Jordan River Plan Area 2014

ROAD RIGHTS OF WAY	
DEVELOPED BY PROVINCE OR OTHERS	NUMBER
Fishboat Bay Road, Marion Road,	1
PARTIALLY DEVELOPED BY PROVINCE OR OTHERS	
Flea Beach	1
UNDEVELOPED	
Salmon Road, Pork Chop Hill, Seaside Drive #1, Seaside Drive #2, Poseidon Place, Packham Road, River Jordan Townsite	10
SUB- TOTAL	12
OTHER PUBLIC ACCESSES	
French Beach, Sandcut Beach,	2
TOTAL	14

Sources: CRD Juan de Fuca Electoral Area Foreshore Access Report, Prepared by I. Bourhill, Capital Regional District, 2003 and Juan de Fuca Community Parks Strategic Plan

The 2003 study noted the likelihood for landowners adjacent to right of ways to have concerns regarding loss of privacy and potential trespass if right of ways are developed. Resistance from adjacent landowners can also be encountered when they themselves have encroached on poorly marked right of ways.

Road right of ways are also discussed in the 2010 JdFEA Community Parks Strategic Plan. The JdFEA Parks and Recreation Advisory Commission is willing to evaluate which right of ways are of high priority for improvements and to enter into agreements with the Province for licences to develop and manage these locations as community trails with the caveat that it is not necessary to seek management of all accesses as the lands are already public. Management of a public access will only be considered by the Advisory Commission when the values of an access compliment the park and recreation objectives of the Community Parks Strategic Plan.

It should be noted that in addition to the rights of way described above, parkland provides access to the waterfront. French Beach Provincial Park has a well-developed access and parking. Once it is developed, the recently created Jordan River Regional Park will provide public access to Jordan Beach and the trail to Sandcut Beach has already been reconstructed.

PARKLAND ACQUISITION

In accordance with section 941 of the *Local Government Act*, the location and type of parkland of interest for potential acquisition through subdivision and rezoning are described in this section and in the Parks Objectives and Policies.

Within the Plan Area, the CRD Board makes all parks acquisition decisions and holds title to all lands acquired. CRD Parks is responsible for making recommendations to the Board on the acquisition of regional parkland. For community parkland and trails, the Juan de Fuca Electoral Area (JdFEA) Parks and Recreation Advisory Commission has the responsibility for identifying and recommending acquisitions to the Regional Board through the Land Use Committee. Rezoning and subdivision applications involving lands in Shirley-Jordan River would be referred to the Advisory Commission which serves to represent the community's interests in the acquisition of parkland in its review of these development proposals.

For its future parkland acquisitions, CRD Parks has noted that the following specific ecosystems are under-represented in regional parks: bogs, subalpine, Garry oak woodlands, coastal bluffs, wetlands, cliffs, dunes and spits. Old-growth forest on lands in the Coastal Douglas-fir, Coastal Western Hemlock and Mountain Hemlock biogeoclimatic zones, are also considered a priority for acquisition.

In the 2010 Juan de Fuca Electoral Area Community Parks Strategic Plan (CPSP), the priorities for parkland acquisition are identified as Special Preservation Areas consisting of environmentally sensitive areas and eco-systems, and those lands necessary for the protection of historic and archeological sites. Additionally, it recognizes that all neighbourhoods should be serviced by appropriate public parkland. The CPSP says that the JdFEA Parks and Recreation Advisory Commission will consider the donation of fee simple lands for park as well as any crown land that becomes available. In collaboration with local area planning and the Provincial Approving Officer, the JdFEA Parks and Recreation Advisory Commission makes recommendations on the most beneficial location of any public accesses to water required by the Land Titles Act in a subdivision proposal.

QUESTION: What are the parkland acquisition priorities for Shirley? For Jordan River? Land for trails? Future playground with equipment? Any specific areas needing protection for environmental or historical reasons?

Provincial legislation requires that there be an environmental assessment of any development proposal within a prescribed distance of a riparian area. Within this riparian assessment area, a qualified environmental professional determines what habitat is critical for the ecological health of fish and then classes this area as a Streamside Enhancement and Protection Area (SPEA). These SPEAs must be protected from development.

Some development proposals have identified SPEAs as parkland in order to fulfill the need to protect the environmentally sensitive area but to also fulfill any statutory requirements for parkland dedication at the time of subdivision. Because of the environmentally sensitive nature of SPEAs, their use for parks and trail accesses is not recommended. For this reason, the CPSP clearly states that SPEAs that are the subject of development proposals should be protected by methods other than dedication as parkland.

Within existing parkland or other public lands, subject to recommendation by a qualified environmental professional, trail construction in development permit areas for either environmental sensitivities or hazardous lands will only be considered subject to the recommendations of an appropriately qualified professional.

321 PARKS AND TRAILS GOALS

Local government and community organizations recognize the importance of collaborating with other levels of government in the development of parks and trails in the Plan Area. French Beach is the only provincial park in the Plan Area and there are no federal parks. There are no plans by senior government to establish new parks in the area.

322 PARKS AND TRAILS OBJECTIVES

- A. Support initiatives in parks for public awareness and education.
- B. Encourage the participation of local residents, interested organizations and societies in the restoration of eco-systems in parks and the development of community trails
- C. Recognize that the primary purpose of a Streamside Enhancement and Protection Area (SPEA) is to support the ecological function of fish habitat.
- D. Carefully consider trail development in environmentally sensitive and hazardous areas.
- E. Support the development of linkages between the Regional Trail System and the communities of Shirley and Jordan River.
- F. Support the development of a multi-use trail network within the communities of Shirley and Jordan River that provides connections between key community elements such as neighbourhoods, parks, community facilities, commercial areas and natural features.
- G. Support the development of community trails which can be used by pedestrians of all age groups, cyclists and in certain circumstances, equestrians.
- H. Avoid the acceptance at the time of subdivision of the dedication of inappropriately small parks or lands not suitable for parks and trails by requesting cash-in-lieu of the land.
- I. Support the acquisition of parkland in accordance with the goals and objectives of the both the Regional Parks Strategic Plan and the Juan de Fuca Community Parks Strategic Plan.
QUESTION: Are there any other parkland acquisition objectives outside of the two Park Plans?

323 PARKS POLICIES **NB. Some of these policies are from the two Parks Plans.**

GENERAL

- A. Interpretative and educational programs and activities for the public in the parks are supported.
- B. Ecological restoration of community parks in Shirley-Jordan River is supported through short-term projects or longer term stewardship agreements and management agreements.
- C. The construction of community trails by volunteers is supported.

LOCATION AND TYPE OF FUTURE PARKS

- D. SPEA areas that are part of a development proposal must 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. Public trail accesses may be developed in a development permit area designated for environmental sensitivities or hazardous conditions subject to a determination by a qualified professional that the trail will not have a detrimental impact on an environmentally sensitive area or increase the risk in hazardous areas.
- G. The preferred methods for acquiring parkland and trails are as a condition of a rezoning, as an amenity contribution, at time of subdivision or by purchasing fee simple lands.
- H. Environmentally sensitive areas and sensitive ecosystems are considered Special Preservation Areas and are a priority for acquisition as natural parkland.
- I. Wherever possible, acquisition of parkland will take into consideration opportunities to protect historical or archaeological features as Special Preservation Areas.
- J. Other than parkland 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. **QUESTION: Can this policy be made more specific to Shirley-Jordan River?**
- K. Emphasis will be placed on ensuring that every neighbourhood in Shirley-Jordan River is served by appropriate public parkland. **QUESTION: From the CPSP in reference to the seven sub-areas**

of the Electoral Area. Can this policy be made more specific by stating a particular parks need for Shirley-Jordan River?

- L. The development of a network of community trails connecting the Shirley Community Hall and adjacent commercial area with QUESTION: Which neighbourhoods and features??? is supported.
- M. The development of a network of community trails to the townsite of Jordan River with. QUESTION: Which neighbourhoods and features? is supported.
- N. Developing connections between the Kludahk Trail and the Plan Area is supported with in accordance with the Regional Parks Strategic Plan 2013-2021QUESTION: Are there any immediate priority areas for off-road trails?
- O. Development of a small community hall or gathering place near the Jordan River townsite.

QUESTIONS: Are there any other priority areas for water access? Are there any amenities or infrastructure for parkland?

NOTE: Bike lanes on Highway #14 as recommended in the PCMP will be addressed in Transportation Theme as this aspect of a trail network involves provincial highways.

325 CONTEXT FOR ENVIRONMENT

Shirley-Jordan River is located in the Eastern and Western Very Dry Maritime Coastal Western Hemlock Zone.

NOTE TO READER: UPON THE COMPLETION OF THE SENSITIVE ECOSYSTEM INVENTORY, THIS SECTION WILL BE WRITTEN TO INCLUDE A DISCUSSION OF THE TYPES OF ECOSYSTEMS FOUND IN THE PLAN AREA, REGIONALLY SIGNIFICANT SPECIES, FISH SPECIES IN THE RIVER/CREEKS, BLUE & RED LISTED SPECIES AND PRIORITIES FOR PROTECTION.

INVASIVE SPECIES MANAGEMENT

After habitat loss, invasive species are recognized as the second greatest threat to native species and the loss of biodiversity. Their effects on biodiversity can be significant and often irreversible. In the Plan Area, land tenure can affect the way in which invasive species are managed.

Considerable areas of the Plan Area are in TFL #61 or held as Privately Managed Forest Lands. In areas where timber has been recently harvested, there are requirements for seedlings to be replanted within a specified period of time. The regrowth of these seedlings is then monitored to ensure the forest will regenerate. There is strong incentive for the forest companies after the seedlings are planted to remove invasive plant species like broom and blackberries to ensure the long-term survivability of the new trees.

The management of invasive species in the regional and community parks is done in accordance with applicable plans and practices.

NOTE: Will research how the Province deals with invasive management in French Beach and on public roads then add this information here.

Invasive plant species can also be found on private lands. While the *Local Government Act* does allow local governments the option to be involved in invasive species management of plants, the CRD has not assumed responsibilities for this function. Local governments which do manage invasive species typically do so by adopting a nuisance bylaw targeting the most noxious or harmful species.

The Capital Region Invasive Species Partnership (CRISP) maintains a regional status/priority list of invasive plant species which can be viewed at the [Coastal Invasive Plant Committee](#) website. The Province has an on-line program for the sighting and removal of invasive species through its' "Report A Weed" program. **QUESTIONS: Are there any known problem areas for invasive species? Any removal projects underway?**

ECOLOGICAL RESTORATION

Through its Education and Outreach function, the CRD Community Clean-up program supports groups making visible environmental improvements to their community through organized clean-ups. It provides financial support for projects that achieve visible environmental benefits and encourage people to take environmentally responsible behaviour. The projects must be conducted within the Capital Region and include the clean-up, rehabilitation or enhancement of the natural environment of public

lands/waterways such as natural areas, recreational parks and playgrounds, ditches or roadsides (excludes highways), marine shorelines and harbours; and lakes, ponds, rivers, creeks, streams and other natural waterways.

NOTE: A discussion of the efforts on the Jordan River clean-up should be added here.

RIPARIAN AREAS REGULATION

By 2006, local governments who did not already have appropriate bylaws in place were required by the Province to formally integrate the riparian area regulations into existing official community plans or zoning bylaws. In the Plan Area, a development permit area for riparian areas and wetlands has been designated. Any development in this development permit area, with some specific exemptions, will first require an assessment by a qualified environmental professional (QEP). If a watercourse or water body is determined to be fish-bearing, then the QEP will conduct an assessment pursuant to the Riparian Areas Regulations (RAR). Part or all of that assessment area may be classed by the QEP as a Stream Protection and Enhancement Area (SPEA). Very little or no development will be permitted in the SPEA. Restrictions and conditions may be placed on development outside the SPEA but still within the RAR Area.

326 ENVIRONMENT GOALS

Although the Province of British Columbia owns the shoreline and seabed adjacent to the Plan Area, the Regional District does have the ability to regulate the use of land, which includes the shoreline area and the surface of water. Any type of boathouse, wharf, pier, float or any other man-made structure located on Crown land including the surface of the water will require approval from the Province of BC.

The appropriate authorities should prohibit the unnecessary removal of gravel and soil from the streambeds of the above-referenced watercourses, and should also ensure that there is no modification of these stream channels and banks without careful consideration of potential adverse environmental impacts. If any temporary watercourse alteration or diversion takes place, streams should be rerouted through their original channels.

Under the *B.C. Wildlife Act*, it is an offence to improperly manage attractants, such as garbage, by making them accessible to dangerous wildlife. In support of this legislation and to prevent negative consequences of human-wildlife interaction, the residents of the Plan Area support animal proof waste management.

327 ENVIRONMENT OBJECTIVES

- A. To protect and conserve sensitive terrestrial and aquatic ecosystems in Shirley-Jordan River for the benefit of present and future generations. **(QUESTION: Should "marine" be added to this policy statement?)**
- B. To regulate development to avoid negative impacts on environmentally sensitive areas.

318 ENVIRONMENT POLICIES – NB. Many of these policies are from the current OCP

General

- A. All development activities, subdivisions and rezoning applications should be planned and implemented in a manner that will not adversely affect or disturb identified environmentally sensitive areas.
- B. Protection of sensitive ecosystems may take the form of regulation, parks acquisition or conservation covenants.
- C. The stewardship of private land of ecological significance is supported as is the application of conservation covenants.
- D. In-house mapping should be up-dated on a continuous basis as new mapping of sensitive ecosystems becomes available.
- E. Integrated rainwater management options, such as use of rain gardens, reduced road widths, use of permeable surfaces, and roadside swales, are supported and encouraged.

Marine Upland, Foreshore and Marine Area

- F. Restrict development adjacent to foreshore areas through the application of a development permit area in a fifteen metre wide strip immediately adjacent to and upland of the high water mark of the ocean.
- G. Armouring or hardening of the shoreline by retaining walls, cement blocks or other permanent structures is discouraged.
- H. The protection, retention and restoration of natural shoreline vegetation, natural features and naturally occurring driftwood and rocks is encouraged.
- I. Notwithstanding the Jordan River booming grounds, there shall be no log booms allowed in this area except at Jordan River, and no commercial marinas except at Jordan River, Muir Creek and Fishboat Bay.
- J. The sale or rental of any docking space, related commercial facilities and services for boats or float planes will not be allowed within this area except as noted in Policy 318.I and not with residential properties.

Riparian and Wetlands

- K. Protect fish habitat by implementing the provincial Riparian Areas Regulations through the application of a development permit area over fish-bearing and supporting watercourses. (Refer to Development Permit Area and Guidelines in Section 4.)
- L. Stream crossings must be located so as to minimize the disturbance of banks, channels and vegetation cover.
- M. Where a stream crossing is necessary, the use of a bridge as opposed to culvert is strongly recommended. (NOTE: Will be confirming if this is beyond jurisdiction of local government.)

Terrestrial – to be developed after receipt of the Sensitive Ecosystem Inventory