

## Notice of Meeting and Meeting Agenda Regional Parks Committee

---

Wednesday, June 23, 2021

10:00 AM

6th Floor Boardroom  
625 Fisgard St.  
Victoria, BC V8W 1R7

---

R. Mersereau (Chair), G. Young (Vice Chair), G. Holman, B. Isitt, R. Martin, J. Olsen,  
J. Ranns, D. Screech, L. Seaton, M. Tait, N. Taylor, C. Plant (Board Chair, ex officio)

The Capital Regional District strives to be a place where inclusion is paramount and all people are treated with dignity. We pledge to make our meetings a place where all feel welcome and respected.

### 1. Territorial Acknowledgement

### 2. Approval of Agenda

### 3. Adoption of Minutes

#### 3.1. [21-516](#) Minutes of the April 28, 2021 Regional Parks Committee Meeting

**Recommendation:** That the minutes of the Regional Parks Committee meeting of April 28, 2021 be adopted as circulated.

**Attachments:** [Minutes - April 28, 2021](#)

### 4. Chair's Remarks

### 5. Presentations/Delegations

*In keeping with directives from the Province of BC, this meeting will be held by Live Webcast without the public present.*

*To participate electronically, complete the online application for "Addressing the Board" on our website. Alternatively, you may email the CRD Board at [crdboard@crd.bc.ca](mailto:crdboard@crd.bc.ca).*

#### 5.1. [21-518](#) Delegation - Alastair Craighead; Resident of Victoria: Re: Agenda Item 7.1.: Motion with Notice: Ecological Values and Biodiversity in Park

#### 5.2. [21-519](#) Delegation - Nitya Harris; Resident of Langford: Re: Agenda Item 7.1.: Motion with Notice: Ecological Values and Biodiversity in Park

#### 5.3. [21-520](#) Delegation - Shauna Doll; Representing Raincoast Conservation Foundation: Re: Agenda Item 7.1.: Motion with Notice: Ecological Values and Biodiversity in Park

#### 5.4. [21-523](#) Delegation - Peter Gose; Resident of Highlands: Re: Agenda Item 7.1.: Motion with Notice: Ecological Values and Biodiversity in Park

## 6. Committee Business

### 6.1. [21-502](#) Regional Parks - Service Level Review

**Recommendation:** The Regional Parks Committee recommends to the Capital Regional District Board:  
That staff be directed to report back to the Committee as part of the service planning process with a recommended financing option for future investments in land and major capital works that incorporates finance guidelines currently under development.

**Attachments:** [Staff Report: Regional Parks - Service Level Review](#)

### 6.2. [21-501](#) Adoption of Bylaw No. 4331 (Amendment of CRD Parks Regulation Bylaw No. 1, 2018) and Bylaw No. 4433 (Ticket Information Authorization Bylaw No. 1857, Schedule 18)

**Recommendation:** The Regional Parks Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4431, "Capital Regional District Parks Regulation Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2021", be introduced, and read a first, second and third time;
2. That Bylaw Amendment No. 4431 be adopted;
3. That Bylaw Amendment No. 4433, "Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 70, 2021", be introduced, and read a first, second and third time; and
4. That Bylaw Amendment No. 4433 be adopted.

**Attachments:** [Staff Report: Adoption of Bylaw No. 4331 and Bylaw No. 4433](#)

[Appendix A: Bylaw No. 4431](#)

[Appendix B: Bylaw No. 4433](#)

[Appendix C: Bylaw No. 4225 - showing revisions](#)

[Appendix D: Bylaw No. 1857 - showing revisions](#)

### 6.3. [21-498](#) Elk/Beaver Lake Recreational Use Advisory Committee - Terms of Reference and Associated Bylaw

**Recommendation:** The Regional Parks Committee recommends to the Capital Regional District Board:

1. That the revised Terms of Reference for the Elk/Beaver Lake Advisory Committee be approved;
2. That Bylaw No. 4430, "Elk/Beaver Lake and Bear Hill Regional Park Management Plan Bylaw No. 1, 1992, Amendment Bylaw No. 3, 2021", be introduced, and read a first, second and third time; and
3. That Bylaw No. 4430 be adopted.

**Attachments:** [Staff Report: EBLRUAC - TOR and Associated Bylaw](#)

[Appendix A: EBLRUAC - Terms of Reference](#)

[Appendix B: Bylaw No. 4430](#)

## 7. Notice(s) of Motion

7.1.        [21-517](#)        Motion with Notice: Ecological Values and Biodiversity in Parks  
(Directors Isitt, Holman and Mersereau)

**Recommendation:** Whereas one of the two goals of regional parks is "protecting the region's extraordinary biodiversity in perpetuity" and whereas the existing Regional Parks Acquisition Strategy prioritizes acquisition of park land to protect ecological values:  
Therefore be it resolved that staff be directed to report on how ecological values and biodiversity are protected and monitored in regional parks and on the CRD's staffing and resource capacity to evaluate the effectiveness of ecological protection in the regional parks system, including consideration of wildlife habitat and disturbance, biodiversity, impacts of new infrastructure, and the CRD's declared climate emergency.

**8. New Business**

**9. Motion to Close the Meeting**

9.1.        [21-334](#)        Motion to Close the Meeting

**Recommendation:** 1. That the meeting be closed for Land Acquisition in accordance with Section 90(1)(e) of the Community Charter. [1 item]  
2. That such disclosures could reasonably be expected to harm the interests of the Regional District. [1 item]

**10. Adjournment**

The next meeting is July 28, 2021.

To ensure quorum, please advise Tamara Pillipow (tpillipow@crd.bc.ca) if you or your alternate cannot attend.

## **Meeting Minutes**

### **Regional Parks Committee**

---

**Wednesday, April 28, 2021**

**10:00 AM**

**6th Floor Boardroom  
625 Fisgard St.  
Victoria, BC V8W 1R7**

---

#### **PRESENT**

Directors: R. Mersereau (Chair), G. Young (Vice Chair) (EP), G. Holman (EP), B. Isitt (10:20 am) (EP), R. Martin (EP), J. Ranns (10:20 am) (EP), D. Screech, L. Seaton, M. Tait (EP), N. Taylor, C. Plant (Board Chair, ex officio)

Staff: L. Hutcheson, General Manager, Parks and Environmental Services; J. Leahy, Senior Manager, Regional Parks; B. Schultz, Manager Planning, Resource Management and Development, Regional Parks (EP); M. MacIntyre, Regional Parks Manager of Operations; T. Moss, Visitor Services & Community Development Manager, Regional Parks (EP); M. Lagoa, Deputy Corporate Officer; T. Pillipow, Committee Clerk (Recorder)

EP - Electronic Participation

The meeting was called to order at 10:03 am.

#### **1. Territorial Acknowledgement**

Director Taylor provided a Territorial Acknowledgement.

#### **2. Approval of Agenda**

**MOVED** by Director Taylor, **SECONDED** by Director Holman,  
That the agenda be amended to permit five (5) additional delegates to speak.  
**CARRIED**

**MOVED** by Director Screech, **SECONDED** by Director Taylor,  
That the agenda for the April 28, 2021 Regional Parks Committee meeting be approved as amended.  
**CARRIED**

#### **3. Adoption of Minutes**

##### **3.1. [21-333](#) Minutes of the February 24, 2021 Regional Parks Committee Meeting**

**MOVED** by Director Seaton, **SECONDED** by Director Screech,  
That the minutes of the Regional Parks Committee meeting of February 24, 2021 be adopted as circulated.  
**CARRIED**

#### 4. Chair's Remarks

Chair Mersereau thanked members of the public who have shared their correspondence.

#### 5. Presentations/Delegations

- 5.1. [21-336](#) Delegation - Alastair Craighead; Resident of Victoria: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Alastair Craighead spoke against Item 6.2.
- 5.2. [21-337](#) Delegation - Alison Spriggs; Resident of Victoria: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Alison Spriggs spoke against Item 6.2.
- 5.3. [21-338](#) Delegation - Michael Jakeman; Resident of Sooke: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Michael Jakeman spoke against Item 6.2.
- 5.4. [21-339](#) Delegation - Mahon Lamont; Representing The Cycling Co.: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Mahon Lamont spoke against Item 6.2.
- 5.5. [21-340](#) Delegation - Sarah Gose; Resident of Highlands: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Sarah Gose spoke against Item 6.2.
- 5.6. [21-341](#) Delegation - Kenn Faris; Resident of Highlands: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Kenn Faris spoke against Item 6.2. without an amendment.
- 5.7. [21-342](#) Delegation - Diana McMinn; Resident of Highlands: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Diana McMinn spoke against Item 6.2.
- 5.8. [21-343](#) Delegation - Victoria Stevens; Resident of Saanich: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Victoria Stevens spoke against Item 6.2.

- 5.9. [21-344](#) Delegation - Sam Goldman; Resident of Oak Bay: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Sam Goldman spoke against Item 6.2.
- 5.10. [21-345](#) Delegation - Peter Gose; Resident of Highlands: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Peter Gose spoke against Item 6.2.
- 5.11. [21-346](#) Delegation - Chris Mills; Resident of Victoria: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Chris Mills spoke against Item 6.2.
- 5.12. [21-347](#) Delegation - Steve Grundy; Resident of Sooke: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Steve Grundy spoke against Item 6.2.
- 5.13. [21-348](#) Delegation - Rose Stanton; Resident of Highlands: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Rose Stanton spoke against Item 6.2.
- 5.14. [21-350](#) Delegation - Ray Zimmerman; Resident of Victoria: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Ray Zimmerman spoke against Item 6.2.
- 5.15. [21-351](#) Delegation - Vicky Husband; Resident of Highlands: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Vicky Husband spoke against Item 6.2.
- 5.16. [21-352](#) Delegation - Jim Pine; Representing Sea to Sea Greenbelt Society: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Jim Pine spoke against Item 6.2.
- 5.17. [21-353](#) Delegation - Alon Soraya; Representing South Island Mountain Bike Society: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Alon Soraya spoke against Item 6.2.
- 5.18. [21-354](#) Delegation - Mike Wulder, Resident of Saanich: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
Mike Wulder spoke against Item 6.2.

- 5.19. [21-358](#) Delegation - Adam Walker; Representing Cycling Co.: Re: Agenda Item 6.2.: CRD Regional Parks Mountain Biking Guidelines  
Adam Walker spoke against Item 6.2.
- 5.20. [21-359](#) Delegation - Nitya Harris; Representing Coexisting with Carnivores Alliance: Re: Agenda Item 6.2.: CRD Regional Parks Mountain Biking Guidelines  
Nitya Harris spoke against Item 6.2.
- 5.21. [21-360](#) Delegation - Jason Oliver; Resident of Saanich: Re: Agenda Item 6.2.: CRD Regional Parks Mountain Biking Guidelines  
Jason Oliver spoke against Item 6.2.
- 5.22. [21-361](#) Delegation - JJ Wytrwal; Resident of Victoria: Re: Agenda Item 6.2. CRD Regional Parks Mountain Biking Guidelines  
John Wytrwal spoke against Item 6.2.
- 5.23. [21-362](#) Delegation - Daniel Cammiade; Representing Southern Vancouver Island Nature Trails Society: Re: Agenda Item 6.2.: CRD Regional Parks Mountain Biking Guidelines  
Daniel Cammiade spoke against Item 6.2.

## 6. Committee Business

- 6.1. [21-307](#) Sustainable Funding Model for Future Land Acquisitions

L. Hutcheson spoke to Item 6.1.

Discussion ensued on the following:

- cost implications of accepting this motion
- comparison of the cost estimates of various types of trails
- policy determining pit toilet infrastructure requirements

**Director Martin left the meeting at 11:30 am.**

**MOVED by Director Screech, SECONDED by Director Seaton,  
The Regional Parks Committee recommends to the Capital Regional District Board:**

- 1. That all future recommended regional park land acquisition purchases include a detailed unique operating cost schedule until a management plan is completed, and all draft management plans presented to the Regional Parks Committee will identify a cost schedule for plan implementation.**
- 2. That costs required for future property acquisitions be identified within the subsequent Capital Regional District Regional Parks Financial Plan.**

**CARRIED**

**6.2.**     [21-296](#)**CRD Regional Parks Mountain Biking Guidelines**

J. Leahy spoke to Item 6.2.

Discussion ensued on the following:

- including external stakeholders in the management planning process
- environmental impacts of allowing e-bikes on trails
- protecting the biodiversity in our parks
- Mountain Biking Advisory Committee (MBAC) recommendations deemed out of scope
- the license agreements with biking groups
- the process groups should take in approaching the CRD to work together
- the dichotomy between recreation and conservation

**MOVED by Director Ranns, SECONDED by Director Screech,**

**The Regional Parks Committee recommends to the Capital Regional District Board:**

**That the CRD Regional Parks Mountain Biking Guidelines and the Short-term Actions to support the Mountain Biking Advisory Committee Advice and Guidance Report be approved.**

Director Plant left the meeting at 12:45 pm.

**MOVED by Director Isitt, SECONDED by Director Taylor,**

**That the motion be amended by adding the following additional direction: 2.**

**That the CRD Regional Parks Mountain Biking Guidelines be reviewed in the context of the Regional Parks Strategic Plan update.**

**CARRIED**

**MOVED by Director Ranns, SECONDED by Director Screech,**

**The Regional Parks Committee recommends to the Capital Regional District Board:**

**1. That the CRD Regional Parks Mountain Biking Guidelines and the Short-term Actions to support the Mountain Biking Advisory Committee Advice and Guidance Report be approved.**

**2. That the CRD Regional Parks Mountain Biking Guidelines be reviewed in the context of the Regional Parks Strategy Plan update.**

**CARRIED**

**OPPOSED: Tait**

**MOVED by Director Young, SECONDED by Director Taylor,**

**1. That we consider mountain bike opportunities in considering CRD parks acquisitions, and;**

**2. That we entertain requests from the mountain biking community for design and construction of mountain bike trails in appropriate locations within CRD parks.**

**MOVED by Director Taylor, SECONDED by Director Screech,**

**That this motion be referred back to staff.**

**CARRIED**

**MOVED by Director Tait, SECONDED by Director Screech,**

**That the CRD Regional Parks committee recommend that the CRD Board develop**



a mountain bike policy for CRD Regional Parks.  
**CARRIED**

Director Screech left the meeting at 1:47 pm.

## 7. Notice(s) of Motion

Directors Mersereau, Isitt and Holman Notice of Motion for consideration at the next committee meeting:

Whereas one of the two goals of regional parks is “protecting the region’s extraordinary biodiversity in perpetuity” and whereas the existing Regional Parks Acquisition Strategy prioritizes acquisition of park land to protect ecological values;

Therefore be it resolved, that staff be directed to report on how ecological values and biodiversity are protected and monitored in regional parks and on the CRD’s staffing and resource capacity to evaluate the effectiveness of ecological protection in the regional parks system, including consideration of wildlife habitat and disturbance, biodiversity, impacts of new infrastructure, and the CRD's declared climate emergency.

## 8. New Business

There was no new business.

## 9. Motion to Close the Meeting

### 9.1. [21-334](#) Motion to Close the Meeting

**MOVED** by Director Ranns, **SECONDED** by Director Seaton,  
That the closed session items be postponed until the next meeting of the  
Regional Parks Committee.  
**CARRIED**

## 10. Adjournment

**MOVED** by Director Seaton, **SECONDED** by Director Taylor,  
That the April 28, 2021 Regional Parks Committee meeting be adjourned at 1:51  
pm.  
**CARRIED**

---

Chair

---

Recorder

## REPORT TO REGIONAL PARKS COMMITTEE MEETING OF WEDNESDAY, JUNE 23, 2021

---

### **SUBJECT**     Regional Parks – Service Level Review

### **ISSUE**

This report provides financing options to support the regional parks and trails current service level requirements.

### **BACKGROUND**

The Regional Parks Division protects and manages more than 13,000 hectares of natural areas on southern Vancouver Island and the Southern Gulf Islands. Thirty-one regional parks help protect the region's biodiversity, three regional trails provide linear greenways and 3,700 assets are found throughout the system. The regional parks and trails network is part of a spectrum of parks and protected areas located throughout the region, providing recreation opportunities for people of all ages and abilities, connecting people with natural areas and communities, and conserving biodiversity. Regional Parks continues to face challenges in achieving service levels, as well as in addressing service gaps.

At its March 27, 2019 meeting, the Parks & Environment Committee directed staff to identify options during the 2020 budget process for service level adjustments to sustain Capital Regional District (CRD) Regional Parks service delivery. At the October 23, 2019 meeting, staff presented sustainable service delivery report cards that identified that financial and human resources were no longer sufficient to meet current asset renewal demands. That meeting resulted in two motions related to sustainable service delivery: 1) that an additional \$925,000 be requisitioned each year for capital reserves to fund the refurbishment and replacement of existing assets; and 2) that staff report back in 2020 on strategies to ensure that sufficient funding is in place in future years to sustain the Regional Parks service.

At its November 13, 2019 meeting, the Board approved an extension to the Land Acquisition Fund (LAF) for 10 years. At its October 28, 2020 meeting, the Board approved a \$1 increase per average residential household every year from 2021 until 2025. The Board did not support utilizing the LAF to resource increased costs associated with the additional land acquisitions.

At the November 25, 2020 Regional Parks Committee meeting, a Regional Parks Revenue Generation Strategy 2021-2024 was presented. At this time, the Regional Parks Committee referred the matter back to staff to report back to the committee with a set of revisions. At the February 24, 2021 committee meeting, staff presented alternatives for implementing the revenue strategy. The Regional Parks Committee directed staff to report back during the Regional Parks Strategic Planning process on additional options for parking revenues in Regional Parks.

Staff have undertaken various initiatives to make the regional parks and trails system more efficient and cost effective, such as an organizational review of its current structure, streamlining business processes, restructuring operational areas and optimizing assets. In 2021, in line with a development of corporate-wide financing guidelines, reserve levels were reviewed to further optimize planned use and source of funds. Most recently, following a request from the Chief

Administrative Officer, CRD Regional Parks has undertaken a comprehensive service level exercise. This exercise will help identify CRD Regional Parks' ongoing needs to meet core service levels now and into the future. Gaps identified in financial and human resources will be used to justify a 2022 budget adjustment for CRD Regional Parks. However, as part of the preparation of the 2022 Initiative Business Case, the assessment of core service level needs relative to existing resources has identified a significant gap such that staff have also evaluated alternative funding models, including using a combination reserve contributions and debt financing to manage the funding requirements for long-term investments in land and major capital projects.

## **ALTERNATIVES**

### *Alternative 1*

The Regional Parks Committee recommends to the Capital Regional District Board:

That staff be directed to report back to the Committee as part of the service planning process with a recommended financing option for future investments in land and major capital works that incorporates finance guidelines currently under development.

### *Alternative 2*

That this report be referred back to staff for additional information.

## **IMPLICATIONS**

### *Financial Implications*

The service level review has identified gaps in services, as well as differences between the available staff hours and an estimate of hours required to maintain service levels, as defined and in place. The gaps and differences are significant and are driven by changing social, economic and environmental events that staff believe are likely to accelerate. The difference translates to additional resource requirements to be considered in the upcoming service planning and financial planning processes.

In response to the review, and based on estimates, alternative financing strategies for the service are currently under development.

A number of options are available, including use of reserves and use of debt. Staff have recently reviewed reserves and optimal use of debt at a corporate level, across services, driven by Board priorities and the Corporate Plan. Based on these findings, a new financing guideline is being developed and the Parks service was identified for further review in planning for 2022.

Preliminary findings suggest that the optimal financing strategy for the Parks Service would introduce a greater share of funding from debt on both land and capital expenditures. The financing guideline establishes a methodology to assess optimal use of funds, while also ensuring healthy corporate health financial indicators remain strong.

A staff report on the corporate review work and financing guideline will be presented to the Finance Committee at its upcoming July meeting.

Utilization of borrowing can magnify capital investment and reduce the burden on revenue requirements while still supporting service level delivery today. All of the regional economic indicators point to the rate of land appreciation outpacing the cost of borrowing.

Funding options are under development and staff recommend that the option to introduce a greater share of debt be included for future investments in land and major capital projects approved for Regional Parks.

If approved, the funding strategy and model would utilize existing tax requisition capacity to fund a significant increase in operational capacity and implement incremental long-term borrowing for investments in land and capital, according to financing guidelines that optimize the use of debt, where appropriate.

### *Social Implications*

From 2010 to 2020, visits to regional parks and trails have increased by more than 60% from 5.2 million in 2010 to 8.6 million in 2020. 2020 has been typified by the efforts required to manage against the spread of COVID-19. The public appreciated the value that regional parks and trails played in managing personal health during these trying times. As a result of increased pressures on the system, the vast majority of regional parks and trails resources are being directed to high-profile areas with high visitation to address regional parks safety and satisfaction.

### *Environmental & Climate Implications*

Regional parks and trails are an integral part of the CRD's green infrastructure that help mitigate impacts of climate change while themselves being greatly impacted by climate change. The regional parks system is vulnerable to the stresses and shocks associated with increased frequency and intensity from extreme weather events caused by climate change. This is evidenced by the amount of clean-up work that needs to be done by staff after wind events and excessive rain. It takes months of staff time to deal with weather event clean-up, which takes them away from core duties.

### *Regional Growth Strategy Implications*

The Regional Growth Strategy indicates an intent to protect, enhance and expand natural areas and to provide recreation areas. With increasing population and changing population demographics, there will be ongoing increased demands on the regional park system.

### *Alignment with Existing Plans & Strategies*

The current Board Strategic Plan priority initiative under Climate Action and Environmental Stewardship is to "Ensure appropriate funding for parks and trails infrastructure, improvements and maintenance by updating the Regional Parks Strategy with consideration to ecological, recreation and reconciliation principles, land acquisition capacity, and expanded partnerships with First Nations." Actions and key deliverables to date include: renewing the Land Acquisition Fund for an additional 10 years; development of an asset management plan; \$925,000 increase in the operating budget to address deficiencies and asset replacement; additional staffing; restructuring areas; and optimizing assets – to make the regional parks and trails system more efficient and cost effective.

*Service Delivery Implications*

To address increasing pressures on the regional parks and trails, additional resources are required to meet existing service levels, as well as fill gaps in existing services.

**CONCLUSION**

In 2021, in line with a development of corporate-wide financing guidelines, reserve levels were reviewed to further optimize planned use and source of funds. Most recently, CRD Regional Parks has undertaken a comprehensive service level review exercise. This exercise will help identify CRD Regional Parks' ongoing needs to meet core service levels now and into the future. Gaps identified in financial and human resources will be used to justify a proposed 2022 budget adjustment for CRD Regional Parks that could be more effectively managed by borrowing for investments in land and capital.

**RECOMMENDATION**

The Regional Parks Committee recommends to the Capital Regional District Board:

That staff be directed to report back to the Committee as part of the service planning process with a recommended financing option for future investments in land and major capital works that incorporates finance guidelines currently under development.

Submitted by:	Jeff Leahy, RPF, Senior Manager, Regional Parks
Concurrence:	Larisa Hutcheson, P.Eng., General Manager, Parks & Environmental Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

**REPORT TO REGIONAL PARKS COMMITTEE  
MEETING OF WEDNESDAY, JUNE 23, 2021**

---

**SUBJECT**      **Adoption of Bylaw No. 4331 (Amendment of CRD Parks Regulation Bylaw No. 1, 2018) and Bylaw No. 4433 (Ticket Information Authorization Bylaw No. 1857, Schedule 18)**

**ISSUE SUMMARY**

To update and address gaps in the existing Regional Parks regulation and ticketing bylaws, introduce new fines and update existing park regulations.

**BACKGROUND**

Bylaw No. 4225, "Capital Regional District Parks Regulation Bylaw No. 1, 2018", regulates the use of regional parks and trails ("Parks Regulation Bylaw"). Staff conduct regular administrative reviews of the bylaw to ensure that park regulations address emerging issues and implement Board-approved directions. The last update of the Parks Regulation Bylaw was in 2018. Staff have reviewed the bylaw and have drafted required changes described in the attached Bylaw Amendment No. 4431 (Appendix A).

Bylaw No. 1857, "Capital Regional District Ticket Information Authorization Bylaw, 1990" and its Schedule 18 provide designated staff with the ability to issue fines by way of ticket to individuals who have not complied with the Parks Regulation Bylaw. Staff have reviewed the bylaw and have drafted an amendment to incorporate changes to the Parks Regulation Bylaw and certain fine amounts set out in Bylaw No. 4433 (Appendix B). The update of Bylaw No. 1857 and Schedule 18 is required in order to reflect the changes to the Parks Regulation Bylaw. Proposed changes to fines associated with the Regional Parks Regulation Bylaw No. 4225 are consistent with fines found in Regional Park regulation bylaws found in other jurisdictions.

All significant changes to the Parks Regulation Bylaw and the Ticket Information Authorization Bylaw are captured in Appendices C and D respectively.

**ALTERNATIVES**

*Alternative 1*

The Regional Parks Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4431, "Capital Regional District Parks Regulation Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2021", be introduced, and read a first, second and third time;
2. That Bylaw Amendment No. 4431 be adopted;
3. That Bylaw Amendment No. 4433, "Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 70, 2021", be introduced, and read a first, second and third time; and
4. That Bylaw Amendment No. 4433 be adopted.

*Alternative 2*

That this report be referred back to staff with direction.

## **IMPLICATIONS**

### *Social Implications*

The Parks Regulation Bylaw regulates behaviours in regional parks so that park visitors have safe and enjoyable experiences. Updates to the bylaw strengthen regulations that work toward that goal. For example, a new regulation will ensure the dangerous use of equipment, motor vehicles, cycles, or machinery in regional parks can be addressed.

### *Environmental & Climate Implications*

The amendments to the Parks Regulation Bylaw and the Ticket Information Authorization Bylaw will help staff implement park management plan direction and action statements that were made, in part, to reduce the impacts visitors have on the natural environment in regional parks. The proposed changes will strengthen environmental protection by addressing issues such as wildlife attractants that are left unattended and park visitor behaviours that could lead to potential wildfires.

### *Financial Implications*

The proposed Ticket Information Authorization Bylaw amendments and the revised Schedule 18 will increase the revenue generated from fines. Increased revenue will help offset the costs of ticket administration and processing. The Parks Regulation Bylaw sets out conditions for park use permits such as camping, parking, special events and commercial permits (e.g., commercial dog walking); strengthening the bylaw may result in increased revenues, as visitors will need to comply with the park regulations or potentially face having to pay fines for non-compliance.

## **CONCLUSION**

The CRD regularly reviews and updates bylaws in order to keep them current. The amended Parks Regulation Bylaw includes regulations that address gaps in the existing bylaw, update schedules to include park management plan directions, introduce new fines and update existing park regulations. The amended Ticket Information Authorization Bylaw includes a number of new fines associated with changes in the amended Regional Parks Regulation Bylaw. These changes will come into effect on adoption of the bylaws.

## **RECOMMENDATION**

The Regional Parks Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4431, “Capital Regional District Parks Regulation Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2021”, be introduced, and read a first, second and third time;
2. That Bylaw Amendment No. 4431 be adopted;
3. That Bylaw Amendment No. 4433, “Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 70, 2021”, be introduced, and read a first, second and third time; and
4. That Bylaw Amendment No. 4433 be adopted.

Submitted by:	Jeff Leahy, RPF, Senior Manager, Regional Parks
Concurrence:	Larisa Hutcheson, P.Eng., General Manager, Parks & Environmental Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

### **ATTACHMENTS**

- Appendix A: Bylaw No. 4431, “Capital Regional District Parks Regulation Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2021”
- Appendix B: Bylaw No. 4433, “Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 70, 2021”
- Appendix C: Bylaw No. 4225, “Capital Regional District Parks Regulation Bylaw No. 1, 2018”, showing revisions
- Appendix D: Bylaw No. 1857, “Capital Regional District Ticket Information Authorization Bylaw, 1990 (Relevant Portions Only), showing revisions



CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4431

\*\*\*\*\*

A BYLAW TO AMEND THE CAPITAL REGIONAL DISTRICT PARKS REGULATION BYLAW NO. 1,  
2018 (BYLAW NO. 4225)

\*\*\*\*\*

WHEREAS:

- A. Under Bylaw No. 4225, "Capital Regional District Parks Regulation Bylaw No. 1, 2018", the Regional District created bylaws to govern public conduct in and usage of Regional Parks; and
- B. The Board wishes to amend Bylaw No. 4225 to ensure that visitors to the CRD Parks system have a safe, enjoyable experience and to better address ongoing and emerging enforcement issues within the CRD Parks system;

**NOW THEREFORE**, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

1. Bylaw No. 4225, "Capital Regional District Parks Regulation Bylaw No. 1, 2018", is hereby amended as follows:
  - (a) By inserting the definition of "aircraft" in section 1:  

**"aircraft"** means a device that is designated to carry one or more persons or objects through the air by electric or fuel power or by powerless flight, or to move through the air remotely and without passengers, and includes Unmanned Aerial Vehicles (UAVs), drones and microdrones;
  - (b) By inserting the definition of "attractant" in section 1:  

**"attractant"** means any of the following:

    - (a) food or food waste, barbeques, stoves, or other cooking devices, compost, or other waste or garbage that could attract an animal;
    - (b) a carcass or part of a carcass of an animal, or other meat;
  - (c) By replacing the definition of "camp" in section 1 with the following:  

**"camp"** means to occupy a campsite, to set up a tent or other shelter or to remain overnight;
  - (d) By replacing the definition of "firearm" in section 1 with the following:  

**"firearm"** means any device that propels a projectile by means of explosion, spring, air, gas, string, wire or elastic material or any combination of those things;
  - (e) By inserting the definition of "hunt" in section 1:  

**"hunt"** means shooting at, attracting, searching for, chasing, pursuing, following after or on the trail of, stalking or lying in wait for wildlife, or attempting to do any of those things, whether or not the wildlife is then or subsequently wounded, killed, or captured,

    - (a) with intention to capture the wildlife or,
    - (b) while in possession of a firearm or other weapon;
  - (f) By replacing the definition of "motor vehicle" in section 1 with the following:

**“motor vehicle”** means a vehicle, not run on rails, that is designed to be self-propelled and includes an off-road vehicle, but does not include a motor-assisted cycle;

- (g) By replacing the definition of “off-road vehicle” in section 1 with the following:

**“off-road vehicle”** means a vehicle considered an off-road vehicle pursuant to the *Off-Road Vehicle Act*, SBC 2014, c 5, as amended;

- (h) By inserting the definition of “open fire” in section 1:

**“open fire”** means any outdoor fire started, maintained, or gathered around or near by a person or persons for warmth, enjoyment, or cooking;

- (i) By inserting the definition of “smoke” or “smoking” to section 1 as follows:

**“smoke” or “smoking”** means burning a cigarette or cigar containing tobacco or another substance, or burning or heating tobacco or another substance using a pipe, hookah pipe, lighted smoking device or vaporizing device as per the CRD Clean Air Bylaw No. 3962, as amended;

- (j) By re-ordering definitions in section 1 in alphabetical order;

- (k) By amending section 4(9) to state:

4(9) A person must not operate equipment, motor vehicles, cycles, or machinery in a regional park that, in the opinion of a Park Officer or Peace Officer:

- (a) disturbs, or is likely to disturb the peace, enjoyment, or comfort of persons in the vicinity; or
- (b) disturbs or disrupts or is likely to disturb or disrupt wildlife; or
- (c) is dangerous, or is likely to create a dangerous situation within the park.

- (l) By inserting section 4(12) as follows:

4(12) A person who has been evicted from a park must not:

- (a) return to the park until the specified eviction time period has elapsed; and
- (b) that person, if they have paid in part or in full for a service in the park, is not entitled to a refund.

- (m) By inserting section 4(13) as follows:

4(13) A person must not take off or land an aircraft within a regional park unless in compliance with all applicable regulations in addition to obtaining a park use permit.

- (n) By inserting section 6(1)(c) as follows:

6(1)(c) Camp or register for more than 14 days in a campground within a calendar year.

- (o) By adding section 6(5), which states:

6(5) All persons entering a regional park campground for the purpose of utilizing the campground facilities must register upon arrival.

- (p) By adding section 6(6), which states:

6(6) The registered site holder is responsible for:

- (a) ensuring the proper payment of fees; and
- (b) the actions and conduct of each person in the party or group and each guest and visitor of that party or group while camping in the regional park.

- (q) By replacing section 7(1)(f) with the following:

7(1)(f) Hunt, molest, disturb, frighten, injure, kill, catch, or trap any wildlife, except for fishing and crab-catching done in accordance with all enactments;

- (r) By replacing section 7(1)(g) with the following:

7(1)(g) Feed any wildlife or deposit any substance that wildlife may eat, or leave unattended an attractant of any kind;

- (s) By replacing section 7(5) with the following:

7(5) A person must not light or keep lit, or use any open fire, stove, barbeque or other flame producing cooking device in a regional park except:

- (a) in facilities or designated areas that the CRD provides for fires or flame-producing cooking devices, or
- (b) if permitted by a valid park use permit.

- (t) By replacing section 9(1) with the following:

9(1) A person must not possess or discharge any of the following in a regional park unless authorized to do so by a park use permit:

- (a) a firearm;
- (b) fireworks or explosives of any kind.

- (u) By replacing section 10(6) to state:

10(6) Without limiting the generality of any other provision of this Bylaw, a Park Officer or Peace Officer may ticket or order the towing away of any motor vehicles in violation of this bylaw and a Park Officer or Peace Officer may also order the vehicle and/or trailer to be towed at the owner/operator's expense, if the owner/operator has been evicted from the park and is unable to remove the vehicle or trailer immediately.

- (v) By inserting section 10(9) as follows:

10(9) A person must not operate or use an off-road vehicle in a regional park without a valid park use permit.

- (w) By adding the following park to Schedule C, in alphabetical order:

Saint John Point Regional Park

2. This bylaw may be cited for all purposes as "Capital Regional District Parks Regulation Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2021".

READ A FIRST TIME THIS	th	day of	20__
READ A SECOND TIME THIS	th	day of	20__
READ A THIRD TIME THIS	th	day of	20__
ADOPTED THIS	th	day of	20__

---

CHAIR

---

CORPORATE OFFICER

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4433**

\*\*\*\*\*

**A BYLAW TO AMEND BYLAW NO. 1857, CAPITAL REGIONAL DISTRICT  
TICKET INFORMATION AUTHORIZATION BYLAW, 1990**

\*\*\*\*\*

**WHEREAS** the Board of the Capital Regional District amended the Capital Regional District Parks Regulation Bylaw No. 1, 2018 by way of Bylaw No. 4225, Amendment Bylaw No. 1, 2021, changing certain section numbers and inserting certain new prohibitions;

**NOW THEREFORE** the Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Bylaw No. 1857, Capital Regional District Ticket Information Authorization Bylaw, 1990, is amended by replacing Schedule 18 with the schedule attached as Appendix 1 to this Bylaw.
2. This Bylaw may be cited for all purposes as "Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment Bylaw No. 70, 2021".

READ A FIRST TIME THIS	DAY OF	2021
READ A SECOND TIME THIS	DAY OF	2021
READ A THIRD TIME THIS	DAY OF	2021
ADOPTED THIS	DAY OF	2021

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

SCHEDULE 18 TO BYLAW NO. 1857CAPITAL REGIONAL DISTRICT PARKS REGULATION BYLAW NO. 1, 2018**WORDS OR EXPRESSIONS  
DESIGNATING OFFENCE****SECTION****FINE**

1.	Obstruction of Park or Peace Officer	4(1)	\$500.00
2.	Failure to Obey Sign or Posted Notice	4(3)	\$100.00
3.	Possession or Consumption of Liquor	4(4)	\$200.00
4.	Urine or Defecate in Public	4(5)	\$100.00
5.	Breach of Curfew	4(6)	\$100.00
6.	Undue Noise	4(8)	\$100.00
7.	Disruptive Use of Machinery or Cycle - Peace	4(9)(a)	\$100.00
8.	Disruptive Use of Machinery or Cycle - Wildlife	4(9)(b)	\$100.00
9.	Dangerous Use of Machinery or Cycle	4(9)(c)	\$200.00
10.	Disturb the Peace	4(11)	\$100.00
11.	Enter Park within Eviction Period	4(12)	\$300.00
12.	Unauthorized Use of Aircraft	4(13)	\$100.00
13.	Cause Disturbance Between 10 PM and 7 AM	6(1)(b)	\$100.00
14.	No Camping	6(4)	\$100.00
15.	Fail to Register	6(5)	\$100.00
16.	Damage or remove any natural park feature	7(1)(a)	\$300.00
17.	Build or alter any trail	7(1)(b)	\$300.00
18.	Destroy or damage park infrastructure	7(1)(c)	\$100.00
19.	Build, place, or install structure or facility	7(1)(d)	\$300.00
20.	Deposit plant or animal material	7(1)(e)	\$100.00
21.	Hunt or molest Wildlife	7(1)(f)	\$150.00
22.	Feed Wildlife or leave attractant	7(1)(g)	\$100.00
23.	Contaminate park or waterway	7(1)(h)	\$300.00
24.	Littering	7(3)	\$100.00
25.	Illegal Dumping	7(4)	\$300.00
26.	Illegal Fire	7(5)	\$300.00
27.	Unattended Fire	7(6)	\$200.00
28.	Smoke in Park	7(8)	\$100.00
29.	Cut or Remove Tree	7(9)	\$500.00

**APPENDIX 1**

30.	No Cycling	7(10)	\$100.00
31.	Travel off Designated Trail	7(11)	\$100.00
32.	In the Drinking Water Protection Zone	7(12)	\$200.00
33.	Dog Not Under Control	8(1)(a)	\$100.00
34.	Dog Off Leash	8(1)(b)	\$100.00
35.	Dog on Beach or Picnic Area	8(1)(c)	\$100.00
36.	Dog Faeces Not Removed	8(1)(d)	\$200.00
37.	Dog Disturbing People or Wildlife	8(1)(f)	\$300.00
38.	Domestic Animal Not Under Control	8(5)	\$100.00
39.	Horse in Prohibited Area	8(7)	\$100.00
40.	Possess or Discharge Firearm or Explosive	9(1)	\$200.00
41.	Vehicle Off Road	10(1)	\$300.00
42.	Illegal Parking	10(3)	\$ 50.00
43.	Off-road Vehicle use in Park	10(9)	\$300.00
44.	Commercial Activity Without Permit	11(1)(b)	\$400.00
45.	Special Use Event Without Permit	12(1)(a)	\$100.00
46.	Failure to Produce Permit	12(1)(b)	\$100.00
47.	Breach of Park Use Permit	12(1)(c)	\$300.00

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4225**

**CAPITAL REGIONAL DISTRICT  
PARKS REGULATION BYLAW NO. 1, 2018**

*A bylaw to regulate the use of regional parks and trails.*

## TABLE OF CONTENTS

	<u>Page</u>
1. General Definitions.....	3
2. Administration of Bylaw and Enforcement Powers.....	6
3. Penalties .....	7
4. Public Conduct .....	8
5. Responsibility for Actions of Minors .....	9
6. Camping.....	9
7. Preservation of Natural Features, Wildlife and Park Features .....	10
8. Animals in Regional Parks .....	12
9. Firearms and Hunting .....	13
10. Motor Vehicles .....	13
11. Commercial Services, Activities or Demonstrations .....	14
12. Park Use Permits .....	15
13. Fees .....	17
14. Severability.....	17
15. Repeal.....	17
16. Citation .....	17
Schedule A: Regional Park Designated Beach Areas .....	18
Schedule B: List of Regional Parks, Park Reserves, and Trails .....	19
Schedule C: List of Regional Parks that Require Dogs to be on Leash .....	21
Appendix 1: Sooke Hills Wilderness Regional Park Map.....	22



# CAPITAL REGIONAL DISTRICT

## BYLAW NO. 4225

\*\*\*\*\*

### A BYLAW TO REGULATE THE USE OF REGIONAL PARKS AND TRAILS

\*\*\*\*\*

**WHEREAS** the Capital Regional District wishes to adopt a Bylaw to regulate the use of regional parks and regional trails;

**NOW THEREFORE**, the Board of the Capital Regional District in open meeting assembled, enacts as follows:

#### 1. DEFINITIONS

In this Bylaw, unless the context requires otherwise, the following definitions apply:

**"aircraft"** means a device that is designated to carry one or more persons or objects through the air by electric or fuel power or by powerless flight, or to move through the air remotely and without passengers, and includes Unmanned Aerial Vehicles (UAV's), drones and microdrones;

**"animal"** means a mammal, reptile, amphibian, bird, fish or insect;

**"attractant"** means any of the following:

(a) food or food waste, barbeques, stoves, or other cooking devices compost or other waste or garbage that could attract an animal;

(b) a carcass or part of a carcass of an animal, or other meat;

**"beach"** means the areas designated as beaches on Schedule "A" to this Bylaw;

**"Board"** means the Board of Directors of the Capital Regional District;

**"business"** means any trade, industry, employment, occupation, activity or special event carried on in a park for profit, gain, fundraising or commercial promotion, and includes an undertaking carried on in a park by a charitable organization, or by an organization or individual on a non-profit basis;

**"camp"** means to occupy a campsite, to set up a tent or other shelter, or to remain overnight to remain in a regional park with or without shelter between the hours of eleven p.m. and five a.m. the following morning;

**"camping party"** means a group of no more than (7) persons with a maximum of (4) adults, that have purchased a valid park use permit for camping in a Regional Park.

**"campsite"** means a site in a regional park designated by the CRD for overnight camping;

**"Caretaker"** means a person having a contract with the CRD to provide on-site services

in respect of one or more regional parks;

**"commercial dog walker"** means a person who operates a business or commercial enterprise in which the primary service provided is the walking of one or more dogs;

**"contaminants"** means any explosives, radioactive materials, asbestos materials, ureaformaldehyde, chlorobiphenyls, hydrocarbon contaminants, underground tanks, pollutants, contaminants, hazards, corrosive or toxic substances, special waste or waste of any kind or any other substance the storage, manufacture, disposal, treatment, generation, use, transport, remediation or release into the environment of which is prohibited, controlled, regulated or licensed under environmental laws;

**"CRD"** means the Capital Regional District;

**"curfew hours"** means the time between sunset and sunrise for all regional parks with the exceptions of the Lochside Regional Trail, the E&N Rail Trail - Humpback Connector, and the Galloping Goose Regional Trail;

**"cycle"** means a device having any number of wheels that is propelled by human power and on which a person may ride and includes a motor assisted cycle, but does not include a skateboard, roller skates or in-line roller skates;

**"dangerous dog"** means any dog that:

- (a) has killed or seriously injured a person; or,
- (b) has killed or seriously injured a domestic animal, while in a public place or while on private property, other than property owned or occupied by the person responsible for the dog; or,
- (c) a park officer reasonably believes is likely to kill or seriously injure a person.
- (d) has been designated or is otherwise considered as dangerous under or in accordance with any municipal, regional, or provincial enactment.

[but does not include dog performing law enforcement work.]

**"domestic animal"** means any animal kept as livestock or pet;

**"domestic waste"** means garbage, trash, refuse, cans, bottles, papers, ashes, cuttings, or other waste of any kind that is not generated by an individual in connection with reasonable park use;

**"environmental laws"** means any and all enactments of any federal, provincial, municipal or other governmental authority, now or hereafter in force with respect to contamination or pollution of the environment, or goods or substances that, if discharged into the environment, could cause material harm to the natural environment or its ecosystems;

**"firearm"** means any device that propels a projectile by means of explosion, spring, air, gas, string, wire or elastic material or any combination of these things ~~any gun using, as a propellant, compressed air, explosives or gas;~~

**"General Manager"** means the Capital Regional District's Parks & Environmental Services' General Manager or such other person as may be appointed to act in the place of the General Manager from time to time;

**"hunt"** means shooting at, attracting, searching for, chasing, pursuing, following after or on the trail of, stalking or lying in wait for wildlife, or attempting to do any of those things, whether or not the wildlife is then or subsequently wounded, killed, or captured.

(a) with intention to capture the wildlife or,

(b) while in possession of a firearm or other weapon.

**"leash"** means a rope, chain, cord, leather strip, or other physical tether which is used to restrain an animal and:

(a) does not exceed~~ing~~ 2.4 m in length; or

(b) is a retractable lead not exceeding 8 m in length when fully extended.

**"liquor"** means:

(a) fermented, spirituous and malt liquors; or

(b) combinations of liquors; or

(c) drinks and drinkable liquids that are intoxicating,

and includes beer, or a substance that, by being dissolved or diluted is capable of being made a drinkable liquid that is intoxicating and that is declared to be liquor under the *Liquor Licensing and Control Act* (British Columbia);

**"motor assisted cycle"** means a motor assisted cycle that meets the requirements of the Motor Assisted Cycle Regulation, B.C. Reg. 151/2002 made pursuant to the *Motor Vehicle Act* (British Columbia);

**"motor vehicle"** means a vehicle, not run on rails, that is designed to be self-propelled and includes an off-road vehicle, but does not include a motor assisted cycle;

**"natural boundary"** means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil on the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself;

**"natural park feature"** means a tree, shrub, herb, flower, grass, turf, or other plant or fungus and all soil, sand, silt, gravel, rock, mineral, wood, fallen timber, or other park resource in a regional park;

**"off-road vehicle"** means a vehicle considered an off-road vehicle pursuant to the *Off-Road Vehicle Act*, SBC 2014, c 5, as amended.

**"open fire"** means any outdoor fire started, maintained, or gathered around or near by a person or persons for warmth, enjoyment, or cooking;

**"park officer"** means a person appointed or employed by the CRD as a park officer, watershed security officer, or bylaw enforcement officer;

**"Parks Committee"** means the standing committee appointed by the Board for regional park function purposes;

**"park use permit"** means a park use permit issued under this Bylaw;

**"peace officer"** means a peace officer defined from time to time in the Criminal Code of Canada;

**"permit fee"** means the applicable special use fee and the refundable security deposit required to carry out a special use event or activity, as permitted by a park use permit and prescribed in Bylaw No. 3675;

**"picnic area"** means any area designated by the CRD as such by sign or posted notice;

**"posted notice"** means a written notice affixed to a notice board or sign post by the CRD in a regional park or set out in a brochure, map or CRD website relating to one or more regional parks;

**"regional park"** means the parks and regional trails listed in Schedule "B" and any other lands owned by the CRD in fee simple or held by the CRD by way of a statutory right of way, easement, lease, license or agreement and managed as a regional park;

**"smoke" or "smoking"** means burning a cigarette or cigar containing tobacco or another substance, or burning or heating tobacco or another substance using a pipe, hookah pipe, lighted smoking device or vaporizing device pursuant to CRD Clean Air Bylaw No. 3962, as amended;

**"special use"** means any event or activity in a regional park defined as a Special Use Activity in Bylaw No. 3675;

**"traffic control device"** means a sign, signal, line, meter, marking, space, barrier or device, not inconsistent with the *Motor Vehicle Act*, placed or erected by authority of the Board or the General Manager;

**"under control"** means a person in possession of a dog or domestic animal in a regional park has a clear line of sight to the dog or domestic animal at all times and the dog or domestic animal immediately returns to the owner when called or signalled;

**"wildlife"** means raptors, threatened species, endangered species, game or other species of vertebrates prescribed as wildlife under the *Wildlife Act*.

## **2. ADMINISTRATION OF BYLAW AND ENFORCEMENT POWERS**

- (1) The General Manager is delegated authority to appoint park officers.
- (2) Peace officers and park officers are exempt from the provisions of this Bylaw when performing their duties.
- (3) When a park officer or peace officer finds, on reasonable grounds, that a person in a regional park is contravening this Bylaw, a park use permit, or any other licence or authorization from the CRD respecting use of the park he or she may require that person to do one or more of the following:
  - (a) provide, immediately upon request, that person's correct name, address, and information about their destination, and proposed or actual activities in the regional park;
  - (b) provide within a reasonable time identification verifying that person's correct name and address;
  - (c) provide evidence, where applicable, that the person possesses a current valid license, authorization, or park use permit for the activity;
  - (d) stop contravening the Bylaw, the park use permit, licence or authorization immediately;
  - (e) leave the regional park immediately; or
  - (f) not re-enter the regional park for a period up to 72 hours.
- (4) A person who fails to comply with a requirement of a park officer or peace officer under this Bylaw also commits an offence under the *Offence Act*.
- (5) At all reasonable times, a park officer or peace officer may enter any area, including a campsite, or other facility in a regional park to determine whether a person is in contravention of this Bylaw or a park use permit.
- (6) Except where a park use permit, licence, or other valid written authorization from the CRD allows such storage, a park officer or peace officer may remove or order the removal of all equipment or material from a regional park and the cost of such removal may be charged to either the owner or person who placed the equipment or material within the regional park.

## **3. PENALTIES**

- (1) A person who contravenes any provision of this Bylaw commits an offence and is liable upon conviction to the penalties prescribed by the *Offence Act*, provided that the minimum penalty is not less than FIFTY (\$50.00) DOLLARS for the first offence and for each subsequent offence to a minimum penalty of not less than ONE HUNDRED (\$100.00) DOLLARS.

- (2) The penalties imposed under subsection (3) hereof shall be in addition to and not in substitution for any other penalty or remedy imposed by the Bylaw.
- (3) A separate offence shall be deemed to be committed upon each day during and on which a contravention of this Bylaw occurs or continues.
- (4) A park officer or peace officer may, if he/she has reason to believe that an offence has been committed against this Bylaw, complete and leave with the alleged offender, or at the address of the alleged offender with someone who appears to be 16 years of age or greater, a ticket information pursuant to Bylaw No. 1857, Capital Regional District Ticket Information Authorization Bylaw, 1990 as may be amended or repealed and replaced from time to time indicating a penalty equal to the amount stipulated for such an offence.

#### **4. PUBLIC CONDUCT**

- (1) A person must not obstruct a park officer or peace officer who is performing his or her duties.
- (2) A person must not do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.
- (3) A person in a regional park must obey all signs and posted notices in a regional park.
- (4) A person must not possess or consume liquor in a regional park without legally required permits, including a valid park use permit allowing that activity.
- (5) A person must not defecate or urinate in a regional park, except in designated facilities.
- (6) A person must not enter into or remain in a regional park during curfew hours with the exception of the Lochside Regional Trail, the E&N Rail Trail - Humpback Connector, and the Galloping Goose Regional Trail.
- (7) Subsection (6) does not apply to the following:
  - a person who has a license or lease granted by the CRD for a park purpose;
  - a private house guest of or tradesperson providing a service to an onsite Caretaker;
  - a person who has a valid park use permit that allows entrance to the park;
  - authorized CRD and emergency personnel; and
  - persons or their house guests or contractors who have to pass through the regional park to reach their residence.
- (8) A person must not make or cause any noise or sound, including the playing of portable music devices including, but not limited to: musical instruments, radios, tape players, compact disc players, MP3 players, i-Pods or similar devices in a

regional park that, in the opinion of a park officer or peace officer:

- (a) disturbs, or is likely to disturb the peace, enjoyment, or comfort of persons in the vicinity; or
  - (b) disturbs or disrupts or is likely to disturb or disrupt wildlife.
- (9) A person must not operate equipment, motor vehicles, cycles or machinery in a regional park that, in the opinion of a park officer or peace officer:
- (a) disturbs, or is likely to disturb the peace, enjoyment, or comfort of persons in the vicinity; or
  - ~~(b)~~ disturbs or disrupts or is likely to disturb or disrupt wildlife, or
  - ~~(b)~~(c) is dangerous, or is likely to create a dangerous situation within the park.
- (10) A person must not interfere with the passage of any person or motor vehicle lawfully using a road or trail in a regional park unless a valid park use permit allows that interference.
- (11) A person must not act in a way that in the opinion of a park officer or peace officer disturbs or is likely to disturb the peace, enjoyment or comfort of persons in the vicinity.
- (12) A person who has been evicted from a park must not:
- (a) return to the park until the specified eviction time period has elapsed; and
  - (b) that person, if they have paid in part or in full for a service in the park, is not entitled to a refund.
- (13) A person must not take off or land an aircraft within a regional park unless in compliance with all applicable federal, provincial regulations in addition to obtaining a park use permit.

## **5. RESPONSIBILITY FOR ACTION OF MINORS**

- (1) A parent, guardian, or person in charge of a person 16 years of age or less must not permit them to do anything that this Bylaw or other applicable enactments prohibit.
- (2) If an offence is being committed by a person 16 years of age or less, the parent, guardian or person in charge of the person 16 years of age or less must take any control measures the park officer, acting reasonably, considers necessary to prevent or stop the contravention of this Bylaw.

## **6. CAMPING**

- (1) A person staying in a campsite in a regional park must not:
  - (a) leave or enter the campsite during the hours the regional park is closed, except in an emergency; or
  - (b) make any noise or sound between the hours of 10:00 p.m. and 7:00 a.m. that, in the opinion of a park officer or peace officer disturbs or is likely to disturb the peace, enjoyment, or comfort of persons or wildlife in the vicinity.

~~(b)~~(c) camp or register for more than 14 days in a campground within a calendar year.

- (2) A camping party with a valid park use permit allowing camping in a regional park may remain in the campsite and use its facilities according to the terms and conditions of the park use permit. After the park use permit expires, the camping party must leave the campsite without delay.

- (3) A camping party may have on site no more than one vehicle and trailer, and one but not both may be a recreational vehicle (RV).

- (4) A person may camp in a regional park only in a designated campsite and only in accordance with a park use permit for that activity.

- (5) All persons entering a regional park campground for the purpose of utilizing the campground facilities must register upon arrival.

- (6) The registered site holder is responsible for:

(a) ensuring the proper payment of fees; and

(b) the actions and conduct of each person in the party or group and each guest and visitor of that party or group while camping in the regional park.

## **7. PRESERVATION OF NATURAL FEATURES, WILDLIFE, AND PARK FEATURES**

- (1) A person must not do any of the following in a regional park unless the person has obtained the CRD's written authorization or a valid park use permit allowing the activity:
  - (a) cut, trim, dig up, excavate, deface, remove, damage, or in any way injure any natural park feature;
  - (b) build or otherwise create or alter any trails;
  - (c) remove, damage, or deface any building, structure, fence, bench, sign, posted notice, road, trail, facility, equipment, material, or thing that belongs to the CRD;



- (d) build, place or install any permanent or temporary structures or facilities;
  - (e) bring in and leave any dead or living plant material, any dead or living animal or release any animal;
  - (f) hunt, molest, disturb, frighten, injure, kill, catch, or trap any wildlife, except for fishing and crab-catching done in accordance with all enactments;
  - (g) feed any wildlife or deposit any substance that wildlife may eat, or leave unattended an attractant of any kind;
  - (h) introduce any contaminant into any part of a regional park including, without limitation, any body of water, water system, or watercourse.
- (2) Subsection (1)(e) does not apply to a domestic animal brought into a regional park where the person complies with section 8:
- (a) the person retains effective control of the domestic animal at all times in accordance with this Bylaw; and
  - (b) removes the domestic animal from the park when that person leaves the park.
- (3) A person must not deposit any refuse, litter, or other discarded material or thing anywhere in a regional park except in waste receptacles provided by the CRD.

- (4) A person must not:
- (a) dispose of any domestic, commercial, or industrial waste in a regional park;
  - (b) deposit any material into waste receptacles provided by the CRD for on-site refuse other than waste reasonably generated by that person during his or her time in the regional park.
- (5) A person must not light or keep lit, or use any open fire, stove, barbecue or other flame producing cooking device in a regional park except:
- (a) in facilities or designated areas that the CRD provides for fires or flame-producing cooking devices; and/or
  - ~~(b) in areas designated by signs or a posted notice; and/or~~
  - ~~(c)~~ (b) if permitted by a valid park use permit.
- (6) A person must not leave unattended a fire, stove, barbecue or other flame producing cooking device of any kind while it is lit or turned on.
- (7) A person must not deposit on the ground in a regional park any lighted match, cigar, cigarette, or other burning substance except as permitted in section 7(5).
- (8) A person must not smoke in regional park areas, facilities or trails contrary to a sign or posted notice that prohibits smoking.
- (9) A person must not cut down, prune or remove any tree or any part of a tree in a regional park without the written authorization of the CRD and then only in strict accordance with that authorization.
- (10) A person must not ride a cycle in a regional park except in the following places:
- (a) a public highway or parking lot where not otherwise prohibited by law or a posted notice; and
  - (b) on a trail designated for such use by a sign or a posted notice.
- (11) A person must not travel within a regional park except on a trail marked by CRD signage or shown on a CRD Park map or brochure or in areas specifically designated by a sign or a posted notice.
- (12) A person must not enter or travel within the area designated as the Drinking Water Protection Zone in the Sooke Hills Wilderness Regional Park.

## **8. ANIMALS IN REGIONAL PARKS**

- (1) A person with care and control of a dog in a regional park must:
  - (a) have the dog under control at all times;
  - (b) have the dog on a leash, whereby one end is secured to the dog and the other end is held by a person, in regional parks listed in Schedule C;
  - (c) not allow the dog to be on a designated beach or picnic area between June 1 and September 15, except for the purpose of passing directly through the beach or picnic area without stopping, at which time it must be on a leash, whereby one end is secured to the dog and the other end is held by a person;
  - (d) immediately remove any faeces deposited by that dog;
  - (e) not allow the dog to damage park property or vegetation;
  - (f) not allow the dog to injure, disturb, or molest any person, domestic animal or wildlife;
  - (g) not allow the dog to enter any area where prohibited by sign or posted notice;
  - (h) carry at least one leash and one collar for each dog at all times;
  - (i) immediately leash the dog, whereby one end is secured to the dog and the other end is held by a person, when approaching horses.
- (2) Subsection (1)(d) does not apply to a person who is legally visually impaired .
- (3) A person with care and control of a dangerous dog must not permit the dangerous dog to enter a regional park.
- (4) A person with care and control of a domestic animal in a regional park must ensure it is under control at all times and not allow it to:
  - (a) damage any park property or vegetation;
  - (b) enter any area where that animal is prohibited, as indicated by a sign or posted notice;
  - (c) injure , disturb, or molest any person, domestic animal, or wildlife;
  - (d) be left or abandoned; or

- (e) graze.
- (5) A park officer or peace officer may require the person with care and control of a domestic animal in a regional park to remove it from that regional park if in the opinion of a park officer or peace officer the domestic animal is:
  - (a) potentially dangerous;
  - (b) disruptive to other park users; or
  - (c) by its actions, demeanour or lack of control by the owner, causing alarm or concern to other park users, including without limitation, children under the age of twelve, elderly or disabled persons.
- (6) A park officer or peace officer may restrain and detain any lost animal and bring that animal to a shelter, pound or other appropriate facility.
- (7) A person must not ride, walk, or drive a horse on any part of a regional park, except on trails or areas designated by signs or posted notice.

## **9. FIREARMS AND HUNTING**

(1) A person must not possess or discharge any of the following in a regional park unless authorized to do so by a park use permit:

(a) a firearm;

~~(a)(b) fireworks or explosives of any kind. A person must not possess or discharge any firearm, fireworks, slingshot, bow, or crossbow in a regional park without a valid park use permit allowing that activity and then, only in accordance with this Bylaw, the park use permit and any other applicable bylaw.~~

## **10. MOTOR VEHICLES**

- (1) A person must not operate, or permit to be operated, a motor vehicle in a regional park except on public roadways or parking lots.
- (2) A person must not operate a motor vehicle in a regional park unless that person and the motor vehicle are validly licensed and registered and conform to all applicable enactments.
- (3) A person must not park a motor vehicle in a regional park except in designated parking lots and along public roadways not marked as "No Parking" areas.
- (4) A motor vehicle:
  - (a) parked in areas prohibited by a sign or posted notice; or
  - (b) left unattended after the closing hours of the regional park, may be towed away at the

expense of the owner.

- (5) A person must not park a motor vehicle in an area, lot, or stall in a regional park designated as pay parking, disabled parking, or service or emergency vehicle parking, except in accordance with a valid park use permit or a valid parking permit for persons with disabilities, or unless the vehicle being parked is a regional park service vehicle or an emergency vehicle.
- (6) Without limiting the generality of any other provision of this Bylaw, a park officer or peace officer may ticket or order the towing away of any motor vehicles in violation of this Bylaw and a Park Officer or Peace Officer may also order the vehicle and/or trailer to be towed at the owner/operator's expense, if the owner/operator has been evicted from the park and is unable to remove the vehicle or trailer immediately.
- (7) For public safety or convenience or to accommodate a special use, the CRD may close any park road, trail, or other area in a regional park to public use.
- (8) The CRD may by sign or posted notice limit the speed, weight, size, type, or number of motor vehicles operated in a regional park.
- (9) A person must not operate or use an off-road vehicle in a regional park without a valid park use permit.

## **11. COMMERCIAL SERVICES ACTIVITIES OR DEMONSTRATIONS**

- (1) Unless a person has the written authorization of the General Manager or a valid park use permit allowing the activity, they must not:
  - (a) sell, barter, or display for sale any goods, services, or materials, including food and refreshments in a regional park;
  - (b) conduct any business or commercial activity, whether paid for in advance of, during, or after the activity;
  - (c) encourage any person to use a regional park for any activity related to a business or commercial enterprise, whether or not the business or commercial aspect of the activity is carried out within the regional park;
  - (d) install, post, deliver, paint, publish, or distribute any notice, advertisement, sign, placard, or handbill of any kind in a regional park; or
  - (e) operate or station in a regional park any commercial vehicle or any motor vehicle displaying advertising or equipped with a public address system for the purpose of advertising, promoting, demonstrating, or attracting attention.
- (2) Subsection 11(1)(d) does not apply to:
  - (a) reasonable expressions of opinions on political, social or other matters

provided that the notices, signs, placards or handbills:

- (i) do not exceed 1 square metre in size and are removed prior to sunset;
  - (ii) are not displayed in the park on more than one day in each month; and
  - (iii) are not repetitions of the content of opinions expressed by the same person within the previous month.
- (3) Subsection 11(1)(e) does not apply to:
- (a) a motor vehicle on which corporate advertisement is displayed where the motor vehicle is used for the transportation of persons to a regional park for park purposes and not for the purpose of advertising.

## **12. PARK USE PERMITS**

- (1) A person must not carry out, hold or participate in a special use or do anything that requires a park use permit under this Bylaw unless:
- (a) a park use permit has been issued for the special use; and
  - (b) the permit holder carries the park use permit during the event for which the permit has been issued and produces the permit for inspection upon request by a park or peace officer.
- (2) The General Manager may issue a park use permit for a special use that requires a park use permit under this Bylaw.
- (3) The person obtaining the park use permit must pay a fee established under Bylaw No. 3675 or section 13 of this Bylaw.
- (4) The General Manager may amend, suspend, or revoke any park use permit:
- (a) for any violation of the terms and conditions of the park use permit;
  - (b) where the applicant for the permit made a material misrepresentation regarding the special use; or
  - (c) where the park use permit holder or a person participating in the special use contravenes a provision of this Bylaw, as determined by the General Manager, acting reasonably.
- (5) The General Manager is not obligated to issue any park use permit and, without in any way limiting the generality of the foregoing, may refuse to issue a park use permit to any person who has, in the opinion of the General Manager, acting reasonably, contravened any previous park use permit or contravened this Bylaw

or any other enactment related to the use of a regional park.

- (6) The holder of a park use permit is solely responsible for the conduct of the special use event, activity, or thing the park use permit authorizes.
- (7) Neither the CRD nor any of its elected or appointed officers, employees, servants, agents, contractors, licensees or representatives accepts or assumes any responsibility or liability for any claims, demands, proceedings, actions, suits, costs, expenses, fines, losses or damages in respect to death, injury, loss or damage to persons or property, however caused, arising out of or in connection with the issuance of a park use permit or a special use event, activity or thing for which a park use permit has been issued.
- (8) In the issuance of a park use permit, the General Manager may impose one or more of the following conditions:
  - (a) a requirement that the permit holder provide security in an amount and form acceptable to the General Manager to cover estimated cleanup costs following the event, activity or thing;
  - (b) public liability insurance in an amount and form acceptable to the General Manager;
  - (c) that the event, activity or thing is limited to one or more specified regional parks;
  - (d) that the event, activity or thing is limited to one or more specified areas, locations or facilities within a regional park;
  - (e) limiting the duration of the permit;
  - (f) limiting the number of participants (including staff and volunteers);
  - (g) requiring that the holder of the permit provide traffic control for the event, activity or thing;
  - (h) requiring that the permit holder remove all waste;
  - (i) requiring the permit holder to provide specific facilities as services, including, without limitation, portable toilets, additional garbage cans and recycling bins or receptacles;
  - U) limiting the type or nature of merchandise, items or services that may be made available for sale or consumption during the event, activity or thing;
  - (k) providing a copy of a research report prepared by the permit holder;

- (l) requiring specific signage; and
  - (m) requiring that the permit holder comply with Vancouver Island Health Authority guidelines regarding food concessions;
  - (n) restrict the area where a commercial dog-walker may walk dogs, limit the number of dogs allowed per commercial dog-walker to a maximum of eight, and may require the dogs to be on a leash held by the commercial dog-walker while in the regional park or in a designated area of the regional park.
- (9) A person must not breach a condition of a park use permit.

**13. FEES**

- (1) The Board may from time to time establish fees to be charged for issuing a park use permit.

**14. SEVERABILITY**

- (1) If a section, subsection, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Bylaw.

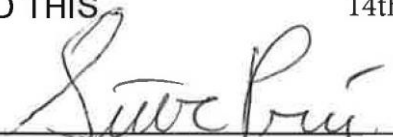
**15. REPEAL**

- (1) Bylaw No. 3682, "Capital Regional District Parks Regulation Bylaw No. 1, 2010", as amended, is repealed.

**16. CITATION**

This Bylaw may be cited as "Capital Regional District Parks Regulation Bylaw No. 1, 2018".

READ A FIRST TIME THIS	14th	day of	March	2018
READ A SECOND TIME THIS	14th	day of	March	2018
READ A THIRD TIME THIS	14th	day of	March	2018
ADOPTED THIS	14th	day of	March	2018

  
 CHAIR v

  
 CORPORATE OFFICER



**Capital Regional District  
Regional Parks Designated Beach Areas**

**SCHEDULE "A"**

Elk/Beaver Lake Regional Park: Beaver Lake Beach, Hamsterly Beach, Eagle Beach and Water Ski Beach

Island View Beach Regional Park: All Beach Areas above the natural boundary of the sea

Matheson Lake Regional Park: Main Beach Area

Mount Work Regional Park: Durrance Lake Main Beach, Killarney Lake Foreshore, and Pease Lake Foreshore

Thetis Lake Regional Park: Prior Lake Beach and Dock Area, Thetis Lake Main Beach

Witty's Lagoon Regional Park: Beach Areas above the natural boundary of the sea, with exception of Tower Point

**Capital Regional District  
List of Regional Parks, Park Reserves, and Trails**

**SCHEDULE "B"**

Albert Head Lagoon Regional Park  
Ayum Creek Regional Park Reserve  
Bear Hill Regional Park  
Brooks Point Regional Park  
Coles Bay Regional Park  
Devonian Regional Park  
East Point Regional Park  
East Sooke Regional Park  
Elk/Beaver Lake Regional Park  
E&N Rail Trail - Humpback Connector  
Francis/King Regional Park  
Galloping Goose Regional Trail  
Gonzales Hill Regional Park  
Horth Hill Regional Park  
Island View Beach Regional Park  
Jordan River Regional Park  
Kapoor Regional Park  
Lochside Regional Trail  
Lone Tree Hill Regional Park  
Matheson Lake Regional Park  
Matthews Point Regional Park Reserve  
Mill Farm Regional Park Reserve  
Mill Hill Regional Park  
Mount Parke Regional Park

Mount Wells Regional Park

Mount Work Regional Park

Roche Cove Regional Park

Saint John Point Regional Park Reserve

Sea to Sea Regional Park

Sooke Hills Wilderness Regional Park as shown in Appendix 1

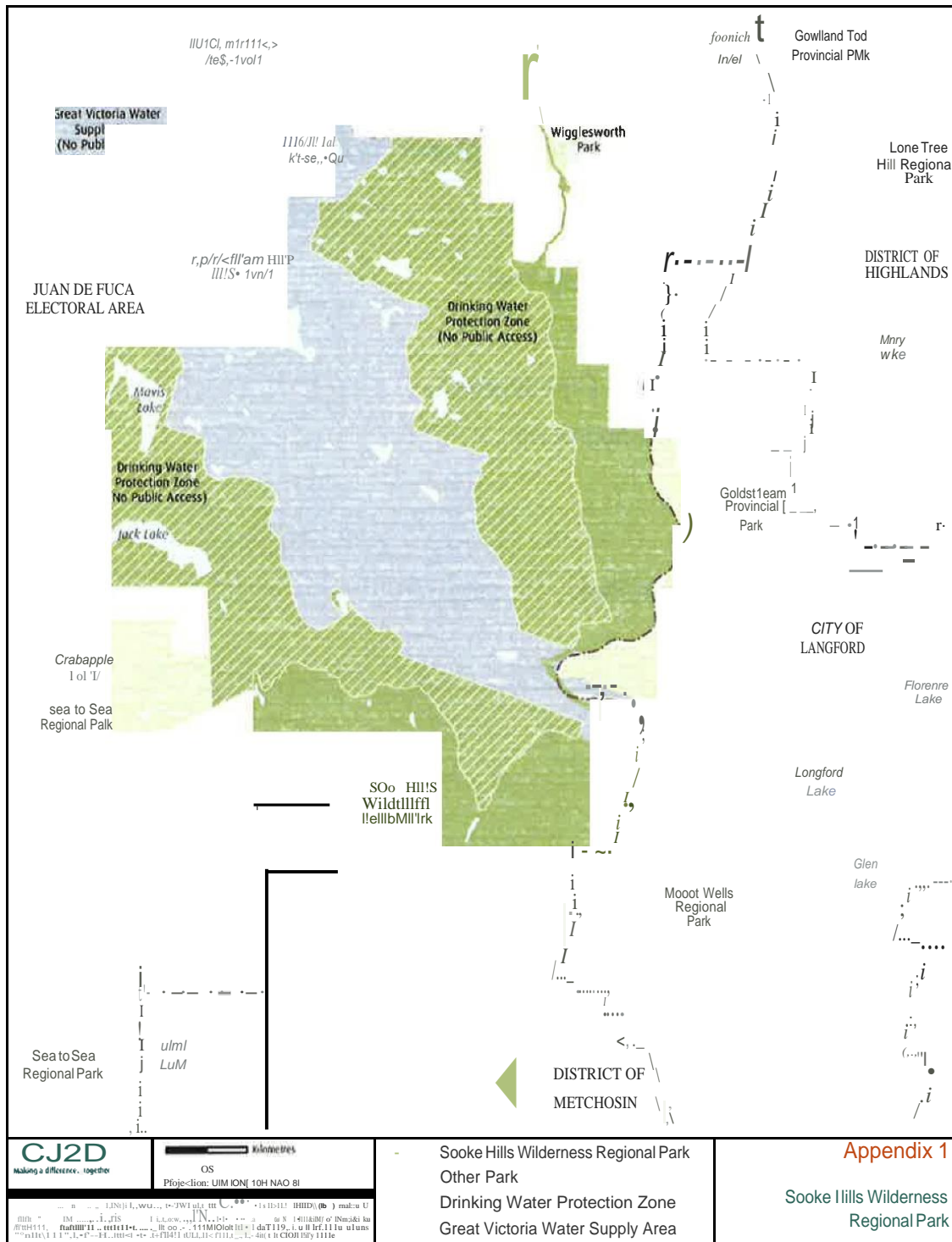
Sooke Potholes Regional Park

Sooke River Regional Park Reserve

Thetis Lake Regional Park

Witty's Lagoon Regional Park

# Capital Regional District Parks Appendix No. 1



Appendix 1

Sooke Hills Wilderness  
Regional Park

**Capital Regional District  
List of Regional Parks that Require Dogs to be on Leash**

**SCHEDULE "C"**

Ayum Creek Regional Park Reserve

Brooks Point Regional Park - in the area designated as the Environmental Protection Zone

E&N Rail Trail - Humpback Connector

Francis/King Regional Park - Elsie King Trail

Galloping Goose Regional Trail

Island View Beach Regional Park - Campground

Jordan River Regional Park - Campground

Lochside Regional Trail

**Saint John Point Regional Park**

Sea to Sea Regional Park

Sooke Hills Wilderness Regional Park

Sooke Potholes Regional Park

## SCHEDULE 18 TO BYLAW NO. 1857

(BI 2722, 3683, 3773, 3880)

CAPITAL REGIONAL -DISTRICT PARKS REGULATION BYLAW NO. 1, ~~2010~~2018**WORDS OR EXPRESSIONS  
DESIGNATING OFFENCE**

	<b>SECTION</b>	<b>FINE</b>
1. Obstruction of Park or Peace Officer	4(1)	<del>\$100</del> 500.00
2. Failure to Obey Sign or Posted Notice	4(3)	\$100.00
3. Possession or Consumption of Liquor	4(4)	\$200.00
4. Urinate or Defecate in Public	4(5)	\$100.00
5. Breach of Curfew	4(6)	\$100.00
6. Undue Noise	4(8)	\$100.00
7. Disruptive Use of Machinery <u>or Cycle - Peace</u>	4(9)(a)	\$100.00
<del>8.</del> <u>Disruptive Use of Machinery or Cycle - Wildlife</u>	<del>4(9)(b)</del>	<del>\$100.00</del>
<del>8.9.</del> <u>Dangerous Use of Machinery <u>or Cycle</u></u>	4(9)(c)	<del>\$100</del> 200.00
<u>10.</u> Disturb the Peace	4(11)	\$100.00
<u>11.</u> Enter Park within Eviction Period	<u>4(12)</u>	<u>\$300.00</u>
<del>9.12.</del> <u>Unauthorized Use of Aircraft</u>	<u>4(13)</u>	<u>\$100.00</u>
<del>10.13.</del> Cause Disturbance Between 10 PM and 7 AM	6(1)(b)	\$100.00
<u>14.</u> No Camping	6(4)	\$100.00
<del>11.15.</del> <u>Fail to Register</u>	<u>6(5)</u>	<u>\$100.00</u>
<del>16.</del> <u>Destroying or Damaging Park Property</u>	<del>Damage or remove any natural park</del>	
<u>feature</u>	<u>7(1)(a)</u>	<del>\$100</del> 300.00
<u>17.</u> Build or alter any trail	<u>7(1)(b)</u>	<u>\$300.00</u>
<u>18.</u> Destroy or damage park infrastructure	<u>7(1)(c)</u>	<u>\$100.00</u>
<u>19.</u> Build, place, or install structure or facility	<u>7(1)(d)</u>	<del>\$1300.00</del>
<u>20.</u> Deposit plant or animal material	<u>7(1)(e)</u>	<u>\$100.00</u>
<u>21.</u> <u>Hunt or Molest Wildlife</u>	<u>7(1)(f)</u>	<u>\$150.00</u>
<u>22.</u> <u>Feed <del>or Bait</del> Wildlife or leave attractant</u>	<u>7(1)(g)</u>	<del>\$3100.00</del>
<del>12.23.</del> <u>Contaminate park or waterway</u>	<u>7(1)(h)</u>	<del>\$25</del> 300.00
<del>13.24.</del> Littering	7(3)	\$100.00
<del>14.25.</del> Illegal Dumping	7(4)	<del>\$23</del> 00.00
<u>26.</u> Illegal Fire	7(5)	\$300.00
<u>27.</u> Unattended Fire	<u>7(6)</u>	<u>\$200.00</u>
<del>15.28.</del> <u>Smoke in Park</u>	<u>7(8)</u>	<u>\$100.00</u>
<del>16.29.</del> Cut or Remove Tree	7(9)	\$500.00

<del>30.</del> <u>31.</u> No Cycling	7(10)	\$100.00
<del>47.</del> <u>31.</u> Travel off Designated Trail	<u>7(11)</u>	<u>\$100.00</u>
<del>48.</del> <u>32.</u> In the Drinking Water Protection Zone	7(12)	\$200.00
<del>49.</del> <u>33.</u> Dog Not Under Control	8(1)(a)	\$100.00
<del>20.</del> <u>34.</u> Dog Off Leash	8(1)(b)	\$100.00
<del>21.</del> <u>35.</u> Dog on Beach or Picnic Area	8(1)(c)	\$100.00
<del>22.</del> <u>36.</u> Dog Faeces Not Removed	8(1)(d)	\$200.00
<del>23.</del> <u>37.</u> Dog Disturbing People or Wildlife	8(1)(f)	\$300.00
<u>38.</u> Domestic Animal Not Under Control	8(5)	\$100.00
<u>39.</u> Horse in Prohibited Area	<u>8(7)</u>	<u>\$100.00</u>
<del>24.</del> <u>40.</u> Possess or Discharge Firearm or Explosive	<u>9(1)</u>	<u>\$200.00</u>
<del>25.</del> <u>41.</u> Vehicle Off Road	10(1)	<del>\$100</del> <u>\$300.00</u>
<u>42.</u> Illegal Parking	10(3)	<del>\$-</del> 50.00
<del>26.</del> <u>43.</u> Off-road Vehicle use in Park	<u>10(9)</u>	<u>\$300.00</u>
<del>27.</del> Commercial Activity Without Permit	11(1)(b)	<del>\$320</del> <u>\$400.00</u> first offence
<del>28.</del> <u>44.</u> \$640.00 second offence		
<del>29.</del> <u>44.</u> \$960.00 third offence		
<u>45.</u> Special Use Event Without Permit	<u>12(1)(a)</u>	\$100.00
<u>46.</u> Failure to Produce Permit	<u>12(1)(b)</u>	<u>\$100.00</u>

29. Breach of Park Use Permit	12(1)(c)	\$300.00
-------------------------------	----------	----------

**REPORT TO REGIONAL PARKS COMMITTEE  
MEETING OF WEDNESDAY, JUNE 23, 2021**

---

**SUBJECT**     **Elk/Beaver Lake Recreational Use Advisory Committee – Terms of Reference and Associated Bylaw**

**ISSUE SUMMARY**

To provide the 2021 Elk/Beaver Lake Recreational Use Advisory Committee Revised Terms of Reference and the associated amended bylaw for approval.

**BACKGROUND**

Elk/Beaver Lake Regional Park was established in 1966, is just over 442 hectares in size and has the highest visitation of all the regional parks. In March 1992, the Capital Regional District (CRD) Board adopted the Elk/Beaver Lake and Bear Hill Management Plan (Bylaw 2001). In 1993, the Board established the Elk/Beaver Lake Recreational Use Advisory Group (EBLRUAG). This Advisory Group consisted of stakeholders who represented various recreational interests on Elk/Beaver Lake. The Park Management Plan was amended in April 1995 through Bylaw 2303. The revision included the statement that “a standing recreational use advisory group shall be established.”

The Elk/Beaver Lake Management Plan (Bylaw No. 2001) states under section 3.3.16 (Recreational Use Advisory Group) that a standing Recreational Use Advisory group shall be established. The bylaw further defines the purpose, membership and role of the advisory group in the bylaw. Proposed is an amended bylaw to state: a standing Recreational Use Advisory Committee will exist, with terms of reference set by the Board from time to time (Appendix B).

The terms of reference for the Advisory Group were last revised and approved by the Board in 2017 with a term of three years.

Proposed is a revised terms of reference (Appendix A) to reflect the new Transport Canada processes for lake use event permitting. In addition, the terms of reference have been updated to reflect the current bylaws and corporate standard for terms of reference. This includes changing the name from advisory group to advisory committee.

Upon CRD Board approval of the revised terms of reference, advertisements will go out to recruit volunteers for the four members of the public for Board approval: a representative for motorized recreational use, a representative from the swimming community, and two representatives from the general public.

**ALTERNATIVES**

*Alternative 1*

The Regional Parks Committee recommends to the CRD Board:

1. That the revised Terms of Reference for the Elk/Beaver Lake Advisory Committee be approved;



2. That Bylaw No. 4430, “Elk/Beaver Lake and Bear Hill Regional Park Management Plan Bylaw No. 1, 1992, Amendment Bylaw No. 3, 2021”, be introduced, and read a first, second and third time; and
3. That Bylaw No. 4430 be adopted.

#### *Alternative 2*

That the Terms of Reference and bylaw be referred back to staff for further revision.

### **IMPLICATIONS**

#### *Intergovernmental Implications*

Membership in the group includes representatives from Transport Canada, the Saanich Police Department and the BC Ministry of Environment. This enables the advisory committee members to exchange information about events on the lake and build effective community relationships.

#### *Social Implications*

The EBLRUAG has been a longstanding advisory group, discussing lake use and providing advice. Over the years, on-lake issues have been successfully addressed through this group. The group also annually reviews proposed events on the lake.

### **CONCLUSION**

Regional Parks staff continue to coordinate the Elk/Beaver Lake Recreational Use Advisory Group. The Terms of Reference have been revised to include updated language around event recommendations and changing the name from advisory group to advisory committee. The associated bylaw will also be updated to state that a standing Recreational Use Advisory Committee will exist, with terms of reference set by the Board from time to time.

### **RECOMMENDATION**

The Regional Parks Committee recommends to the Capital Regional District Board:

1. That the revised Terms of Reference for the Elk/Beaver Lake Advisory Committee be approved;
2. That Bylaw No. 4430, “Elk/Beaver Lake and Bear Hill Regional Park Management Plan Bylaw No. 1, 1992, Amendment Bylaw No. 3, 2021”, be introduced, and read a first, second and third time; and
3. That Bylaw No. 4430 be adopted.

Submitted by:	Jeff Leahy, RPF, Senior Manager, Regional Parks
Concurrence:	Larisa Hutcheson, P.Eng., General Manager, Parks & Environmental Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

### **ATTACHMENTS**

Appendix A: Elk/Beaver Lake Recreational Use Advisory Committee – Terms of Reference  
Appendix B: Bylaw No. 4430, “Elk/Beaver Lake and Bear Hill Regional Park Management Plan Bylaw No. 1, 1992, Amendment Bylaw No. 3, 2021”

# Terms of Reference



## ELK/BEAVER LAKE RECREATIONAL USE ADVISORY COMMITTEE

### PREAMBLE

Elk/Beaver Lake Regional Park was established in 1966, is just over 422 hectares in size and has the highest visitation of all the regional parks. There are many water-based recreational uses of Elk/Beaver Lake (e.g., fishing, rowing, water skiing, paddle sport, swimming, and wildlife viewing), all of which have increased in demand and therefore, from time to time, conflicts occur between users.

In March 1992, the Capital Regional District (CRD) Board adopted the Elk/Beaver Lake and Bear Hill Management Plan (Bylaw 2001). In 1993, the Board established the Elk/Beaver Lake Recreational Use Advisory Group. This Advisory Group consisted of stakeholders who represented various recreational interests on Elk/Beaver Lake. The Park Management Plan was amended in April 1995 through Bylaw 2303. The revision included the statement that “a standing recreational use advisory group shall be established.”

When a new management plan is undertaken for Elk/Beaver Lake Regional Park, the need for this standing advisory group will be reassessed.

The group's official name is to be:

Elk/Beaver Lake Recreational Use Advisory Committee

### 1. PURPOSE

The purpose and objectives of the Elk/Beaver Lake Recreational Use Advisory Committee (EBLRUAC) are to provide advice and guidance to Regional Parks, CRD Regional Parks Committee and the CRD Board through the following functions:

- a) The primary role of the EBLRUAC is to provide advice and guidance on appropriate water-based recreational uses of Elk/Beaver Lake, and to act in a spirit of cooperation and collaboration with other recreational stakeholders that is fitting of the CRD Regional Parks mandate.
- b) To provide a forum for collaborative problem-solving for all water-based stakeholders.
- c) To provide advice on temporary boating restrictions related to permitted lake use events to the appropriate governing bodies.
- d) To identify recreational use interests, trends and opportunities.
- e) To identify recreational use conflicts and issues and define ways that recreational use conflicts can be resolved.

- f) To make recommendations on strategies for the management of recreational use on the water and for access to the lake to appropriate governing bodies and to assist in the monitoring and evaluation of those recommendations.

## **2. ESTABLISHMENT AND AUTHORITY**

- a) The CRD Board will appoint the advisory committee members, as outlined in section 3, upon receiving recommendations from CRD Regional Parks staff.
- b) EBLRUAC recommendations on lake-use events on Elk/Beaver Lake will be submitted to Regional Parks and the federal Department of Transport for their consideration by means of the official meeting minutes.
- c) Members of the EBLRUAC will act as a liaison for their representative agency and are expected to keep them informed and engaged on the activities of the EBLRUAC.

## **3. COMPOSITION**

- a) CRD Regional Parks will Chair the advisory committee. The advisory committee shall consist of members representing a diversity of water-based recreational use at Elk/Beaver Lake as follows:

<b>Agency Liaisons</b>	<b>Organization Representatives</b>	<b>Appointments (advertised positions)</b>
Transport Canada	Victoria Rowing Society	One individual from the general public who can represent motorized recreational use
Saanich Police Department	Victoria Golden Rods and Reels	One individual from the general public who can represent the swimming community
BC Ministry of Environment	Haig Brown Fly Fishing Association	Two individuals from the general public

The term of the appointed advisory committee members will be no more than 3 years.

## **4. PROCEDURES**

- a) The EBLRUAC will meet at least twice yearly and at the call of Regional Parks.
- b) All regular meetings of the EBLRUAC will be open to the public who may attend as observers. Any interested members of the public are asked to contact Regional Parks prior to attending.
- c) In its deliberations and in making any recommendations, EBLRUAC members will comply with all applicable laws and policies, including but not limited to the CRD Board Procedures Bylaw and this Terms of Reference.

- d) The EBLRUAC will make every effort to make recommendations by consensus but, if necessary, the EBLRUAC will decide by a simple majority of those members present.
- e) Any EBLRUAC member who has a conflict of interest or potential conflict of interest (personal, financial, professional, etc.) in any matter before the Advisory Committee, its subcommittees or working groups, shall preclude themselves from any action on that matter, including discussions and voting actions.

## **5. RESOURCES AND SUPPORT**

- a) The Manager of Visitor Services, Regional Parks will lead the coordination of the EBLRUAC, and act as the liaison for the EBLRUAC, the CRD Regional Parks Committee and the CRD Board.
- b) Minutes and agendas are prepared and distributed by CRD Regional Parks staff.

Approved by CRD Board \_\_\_\_\_, 2021

CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4430

\*\*\*\*\*

A BYLAW TO AMEND THE ELK/BEAVER LAKE AND BEAR HILL REGIONAL PARKS  
MANAGEMENT PLAN (BYLAW NO. 2001)

\*\*\*\*\*

**WHEREAS:**

- A. Under Bylaw No. 2001, Management Plan for Elk/Beaver Lake and Bear Hill Regional Parks, Bylaw No. 1, 1992, the Regional Board established a management plan for Elk/Beaver Lake and Bear Hill Regional Parks;
- B. Reference to the Recreational Use Advisory Group needs to be updated to current composition; and
- C. The Board wishes to amend Bylaw No. 2001 to ensure future terms of reference updates can be made without the need for bylaw amendments;

**NOW THEREFORE**, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

- 1. Bylaw No. 2001, "Elk/Beaver Lake and Bear Hill Regional Parks, Bylaw No. 1, 1992" is hereby amended as follows:
  - (a) By replacing section 3.3.16 in its entirety with:
 

A standing Recreational Use Advisory Committee will exist, with terms of reference set by the Board from time to time.
- 2. This bylaw may be cited for all purposes as "Elk/Beaver Lake and Bear Hill Regional Park Management Plan Bylaw No. 1, 1992, Amendment Bylaw No. 3, 2021".

READ A FIRST TIME THIS	th	day of	2021
READ A SECOND TIME THIS	th	day of	2021
READ A THIRD TIME THIS	th	day of	2021
ADOPTED THIS	th	day of	2021

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER