



Making a difference...together

JUAN DE FUCA ELECTORAL AREA PARKS AND RECREATION ADVISORY COMMISSION

Notice of Meeting on Tuesday, **June 27, 2023, at 3 pm**

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

AGENDA

1. Territorial Acknowledgement
2. Approval of Agenda
3. Adoption of Meeting Minutes of May 30, 2023
4. Chair's Report
5. Director's Report
6. Commissioner Reports
7. Delegation – Juan de Fuca Community Planning
 - a) Subdivision Applications SU000759 and SU000754 – Parcel A (DD 143426I), Section 97, Renfrew District, Except Plans 15462, VIP77871, EPP24972 and EPP104826; and Strata Lots 1-4, Section 97, Renfrew District, Strata Plan EPS7049 (Parkinson Road)
8. Staff Report
 - a) Staff News
9. Next Meeting: July 25, 2023
10. Adjournment



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**Minutes of a Meeting of the
Juan de Fuca Electoral Area Parks and Recreation Advisory Commission
Held Tuesday, May 30, 2023, at the Juan de Fuca Local Area Services Building,
3 – 7450 Butler Road, Otter Point, BC**

PRESENT: S. Jorna (Chair), V. Braunschweig (EP), B. Croteau (EP), C. Lacroix (EP),
S. McAndrews, S. McKay, P. Sloan, Director A. Wickheim
Staff: D. Closson, Manager, Juan de Fuca Community Parks and Recreation;
R. Robinson, Planning Assistant; W. Miller, Recorder

PUBLIC: 1

EP – Electronic Participation

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

1. Territorial Acknowledgement

The Chair provided a Territorial Acknowledgement.

2. Approval of the Agenda

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

3. Adoption of Minutes from the Meeting of March 28, 2023

MOVED by Commissioner McAndrews, **SECONDED** by Commissioner McKay that the minutes from the meeting of March 28, 2023, be adopted. **CARRIED**

4. Chair's Report

The Chair welcomed the public attendee to the meeting.

The Chair spoke to the procedure for correspondence addressed to the Commission.

5. Director's Report

The Director stated that:

- he visited Lot 64 in Port Renfrew to review planned improvements
- he visited Copper Mine Park to review a report of hazard trees
- discussions with senior staff continue regarding opportunity to locate a community hall in Otter Point

6. Commissioner Reports

Port Renfrew

Applications to work as volunteers for the JdF Parks and Recreation program have been submitted by Port Renfrew residents.

East Sooke – Seagirt Ponds

A natural barrier between the trail and an undeveloped area has been created by a large maple, which fell due to age and windthrow.

Comment will be sought by the Seagirt Ponds Preservation Society regarding its intentions for the bulletin board as the bulletin board is being used for notices/information not related to the park.

Talks hosted by the Seagirt Ponds Preservation Society and held at the East Sooke Community Hall continue to be well attended.

Shirley – Sheringham Point Park

The upper park was recently utilized by a Hydro contractor as an assembly space for tree service vehicles.

Don Closson confirmed that the upper parking lot is part of the statutory right-of way held by the CRD for public use.

7. Delegation – Juan de Fuca Community Planning

a) Subdivision Application SU000757 – Lot 1, Section 98, Sooke District, Plan 23938 (6144 East Sooke Road)

Regina Robinson spoke to the staff memo to the Commission regarding a referral received from the Ministry of Transportation and Infrastructure for a 4-lot fee simple subdivision of a 1.78 ha property.

Commission comments noted that the subject property does not provide connectivity to existing community parks or trails and that park dedication would provide limited community use.

MOVED by Commissioner McKay, **SECONDED** by Commissioner Sloan that the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission recommend to the Juan de Fuca Land Use Committee that the requirement for park land dedication in accordance with Section 510 of the *Local Government Act*, for the proposed subdivision of Lot 1, Section 98, Sooke District, Plan 23938 (SU000757), be received in the form of cash-in-lieu.

CARRIED

8. Staff Reports

a) Staff News

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

Priest Cabin Park

Noting that planned work is scheduled this season to clear the statutory right-of-way (SRW) above Priest Cabin Park, the Chair requested that staff report back in the fall on opportunities to extend the SRW to formalize a connection to the area known as the Matterhorn.

Kemp Lake Fishing Dock – Chubb Road Location

- gravelling and packing of the parking lot starts May 31, 2023
- installation of a portable toilet and picnic table will then be installed
- dock work will commence once a Water License has been received from the Province

Copper Mine Park

- signage notifying of the removal and installation of playground equipment to be posted next week
- safety fencing to be installed on June 11, 2023 with demolition scheduled for June 12, 2023
- installation anticipated to begin on June 19, 2023

Further to the request made at the September 27, 2022, meeting, Don Closson reported back on the viability of restarting the irrigation system and, based on repair and operational costs and usage, recommended that the system not be restarted.

Commission discussion ensued regarding options to supplement the hydrant service to further reduce fire risk. There was consensus not to recommend restarting the irrigation system at this time.

Office Compound Project

- fencing completed May 17, 2023
- lighting is being discussed with the Regional Director
- an offer of donated lumber has been received for the cribbing needed to relocate the sand used by the JdF Emergency Program

2023 Staffing Requirements

- the PW5 and PW2 positions have commenced

Wieland Road Trail Project

- the initial Permit to Construct with the Ministry of Transportation and Infrastructure will be converted to a Licence of Occupation
- staff continues to be in contact with the applicants for the subdivision (SU000756/SU000711) adjacent to the missing portion of the Wieland Road allowance to initiate dialogue regarding the requirement for provision of park land or payment for parks purposes in accordance with the *Local Government Act*

9. New Business

a) Approval of the Community Parks and Recreation Strategic Plan

MOVED by Commissioner Sloan, **SECONDED** by Commissioner Braunschweig that the Community Parks and Recreation Strategic Plan be approved as revised to include individual park sizes.

CARRIED

10. Next Meeting

June 27, 2023

11. Adjournment

The meeting adjourned at 4:37 pm.

Sid Jorna, Chair

Wendy Miller, Recorder

Memorandum

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

FROM: Darren Lucas, Planner – JdF Community Planning
Don Closson, Manager - JdF Community Parks and Recreation

DATE: June 27, 2023 **FILE:** SU000759 & SU000754

SUBJECT: **Provision of park land pursuant to Section 510 of the *Local Government Act* for a proposed 2-lot conventional subdivision and 34-lot bare land strata subdivision involving the following parcels:**

- PARCEL A (DD 143426I) OF SECTION 97, RENFREW DISTRICT, EXCEPT PLANS 15462, VIP77871, EPP24972 AND EPP104826
PID: 009-592-423
- STRATA LOT 1, SECTION 97, RENFREW DISTRICT STRATA PLAN EPS7049 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V
PID: 031-775-373
- STRATA LOT 2, SECTION 97, RENFREW DISTRICT, STRATA PLAN EPS7049 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V
PID: 031-775-381
- STRATA LOT 3, SECTION 97, RENFREW DISTRICT, STRATA PLAN EPS7049 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V
PID: 031-775-390
- STRATA LOT 4, SECTION 97, RENFREW DISTRICT, STRATA PLAN EPS7049 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V
PID: 031-775-403

The Community Planning department received a referral from the Ministry of Transportation and Infrastructure (MoTI) for a 2-lot conventional subdivision application, that will add land to an existing 4 Lot bare land strata with access from Parkinson Road (Appendix A). The application proposed a subsequent amendment to the existing strata by creating 31 strata lots and 1 common property lot. The subdivision plans for the 2-lot conventional subdivision (SU000759) and the 34 lot bare land strata amendment (SU000754) are included in Appendix B.

In 2020, a subdivision proposal that included these parcels (SU000721) resulted in referrals to the Commission for park land dedication. At its May 26, 2020, meeting, the Commission recommended trail dedication and construction through an agreement with the landowner. Thereafter, a statutory-right-of-way (SROW) for the trail (CB96336), was registered on title in favour of the CRD (Appendix C).

SU000759 & SU000754, propose an extension of the CRD SROW, on lands that have not previously been formally considered for park land dedication (Appendix D). There are staff notations on the proposed trail dedication plan, which identify the lands subject to section 510 of the *Local Government Act* (Appendix E).

Please review this application and advise Juan de Fuca Community Planning of the Commission's recommendation so that it may be forwarded to the Land Use Committee and CRD Board for consideration (Appendix E).

The following information is provided to aid you in reviewing the subdivision proposal:

SU000754 & SU000759

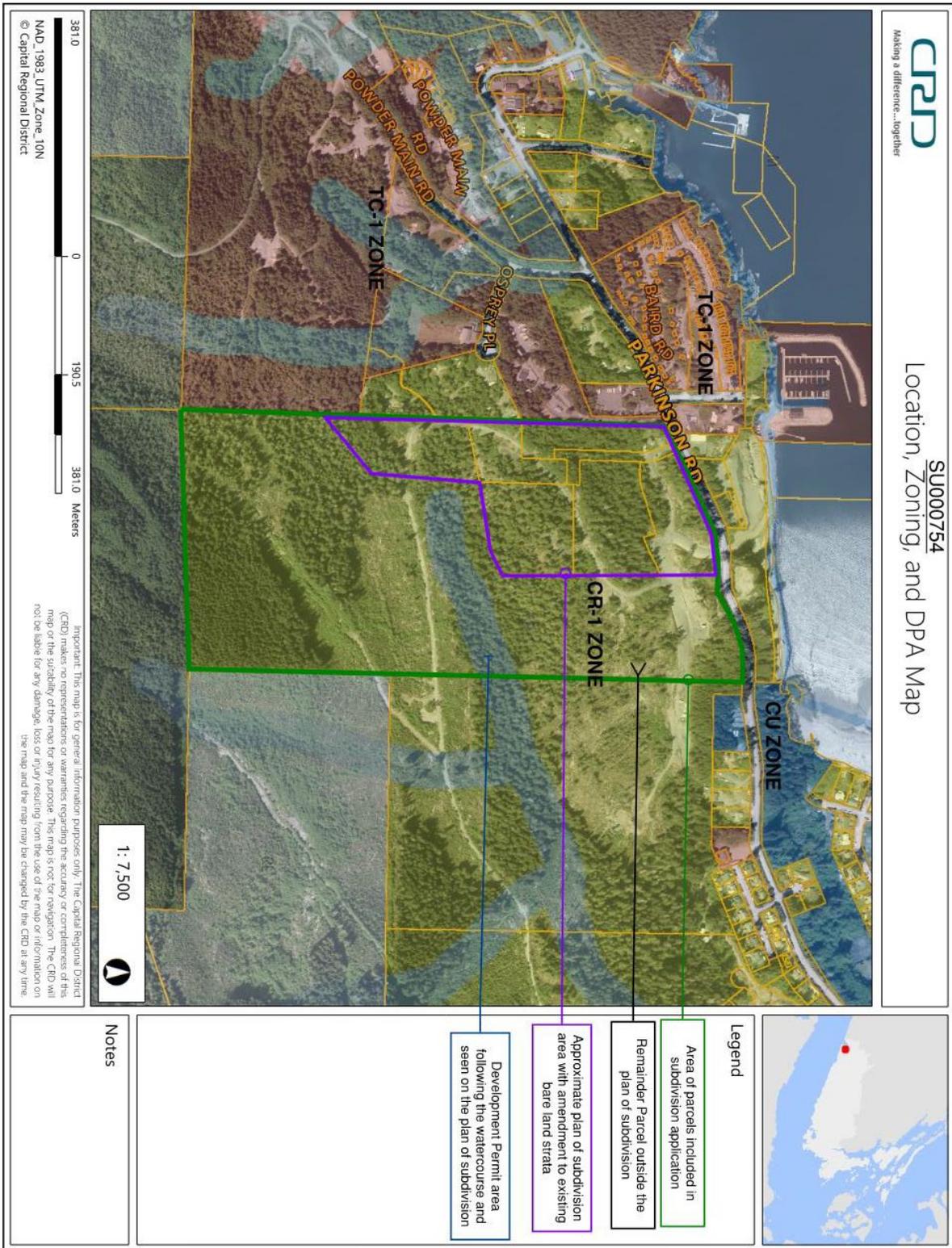
Land area:	Remainder Parcel PID: 009-592-423 = 28 ha <u>Under consideration: Applicable subject land area in plan of subdivision = 1.38 ha</u>
Total # of lots:	Previously considered land area: 31-lot strata subdivision of existing 4-lot strata <u>Under consideration: 2-lot strata subdivision of a parcel created by subdivision within the past 5 years.</u>
Zoning:	CR-1 (Community Residential – One) Zone
Minimum parcel size:	The CR-1 zone establishes a minimum lot size of 0.1 ha when the parcel is connected to a community sewer and water system.
Bylaw:	Comprehensive Community Development Plan for Port Renfrew, 2003, Bylaw No. 3109.
Land Use Designation:	Residential Land Use Designation
Development Permit Areas:	Riparian Development Permit Area
Services:	Outside of Port Renfrew Fire Service Area. Common Property access from Parkinson Road. Partial water connection available – currently under review by CRD Integrated Water Services as part of the subdivision application. Community (Strata) septic proposed
5% of land area:	Remainder parcel PID:009-592-423: 28 ha x 5% = 1.4 ha <u>Subject land area in the proposed plan of subdivision: 1.38 ha x 5% = 690 m²</u>
2023 Assessed Value (BCAA):	Total assessed value of remainder parcel: \$1,882,000.00 Assessed value of 1.38 subject area: \$92,218.00 5% of the assessed value of the 1.38 ha subject area: <u>\$4,610.90</u> (Pursuant to section 510 of the <i>Local Government Act</i> , the average market value is calculated on the date an application receives preliminary approval)
Park Land OCP Policies:	In accordance with Bylaw No. 3109, Section 4.8, the provision of parkland must help the community achieve their quality-of-life goal objective. This can be accomplished through the provision of having the developer provide park land, without compensation, to the community. Depending upon the number of parcels of land being created, the size and location of the parcel being subdivided, the form of park land will be determined by the Capital Regional District through input from the Juan de Fuca Electoral Area Director and the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission. The provision of park land must be in the form of: a) trails, b) tot lots, c) community parks, d) sports fields, e) regional parks, f) interpretive parks, or g) any combination of the above. At its discretion, the Capital Regional District may ask for cash-in-lieu, as per the requirement for compliance with Section 510 of the <i>Local Government Act</i> , for the future purchase of land for parks in Port Renfrew.

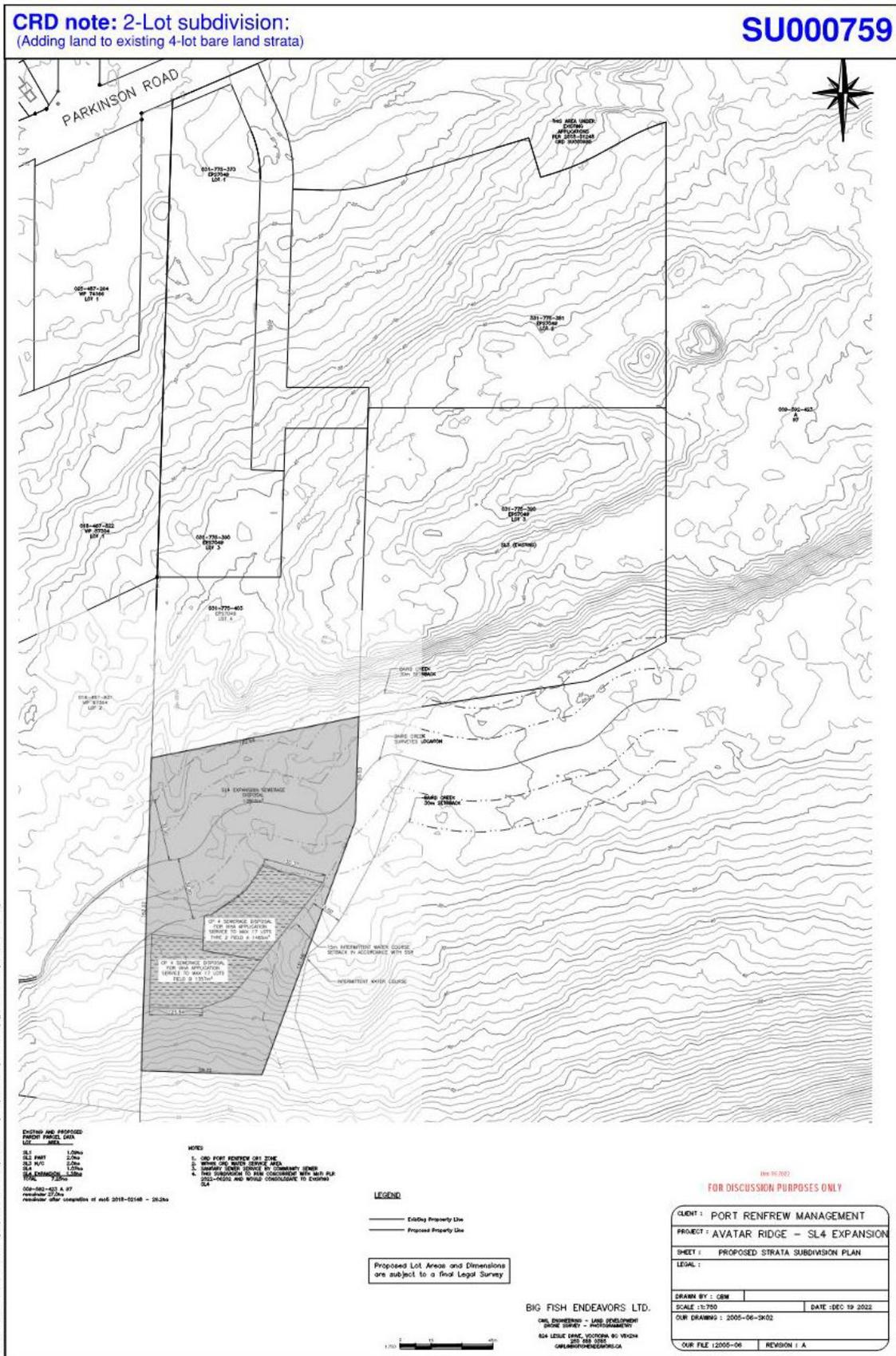
ATTACHMENTS:

- Appendix A: Subject Property Map
- Appendix B: Proposed Subdivision Plans SU000759 & SU000754
- Appendix C: CB96336 Reference Plan
- Appendix D: Proposed Trail Dedication with Staff Notations
- Appendix E: Section 510 LGA

SU000754 & SU000759

Appendix A: Subject Property Map





CRD note: Consecutive 34 lot subdivision:

31 strata lots, 1 Common property (including "common access"), 1 MoTI ROW dedication, and 1 remainder parcel.

SU000754



EXISTING AND PROPOSED
PARENT AND CHILD LOTS
ACRES

LOT	AREA (sqm)
SL1	1200
SL2	1200
SL3	1200
SL4	1200
SL5	1200
SL6	1200
SL7	1200
SL8	1200
SL9	1200
SL10	1200
SL11	1200
SL12	1200
SL13	1200
SL14	1200
SL15	1200
SL16	1200
SL17	1200
SL18	1200
SL19	1200
SL20	1200
SL21	1200
SL22	1200
SL23	1200
SL24	1200
SL25	1200
SL26	1200
SL27	1200
SL28	1200
SL29	1200
SL30	1200
SL31	1200
SL32	1200
SL33	1200
SL34	1200
TOTAL	72000

PROPOSED LOT DATA

LOT	AREA (sqm)
SL1	1200
SL2	1200
SL3	1200
SL4	1200
SL5	1200
SL6	1200
SL7	1200
SL8	1200
SL9	1200
SL10	1200
SL11	1200
SL12	1200
SL13	1200
SL14	1200
SL15	1200
SL16	1200
SL17	1200
SL18	1200
SL19	1200
SL20	1200
SL21	1200
SL22	1200
SL23	1200
SL24	1200
SL25	1200
SL26	1200
SL27	1200
SL28	1200
SL29	1200
SL30	1200
SL31	1200
SL32	1200
SL33	1200
SL34	1200
TOTAL	72000

NOTES
1. SEE ALSO DRAWING SU-000759
2. SEE ALSO WATER SERVICE AREA
3. SEE ALSO SEWER SERVICE BY COUNCILMAN'S ORDER

LEGEND
 Existing Property Line
 Proposed Property Line
 Proposed Building Envelope

Proposed Lot Areas and Dimensions are subject to a final Legal Survey



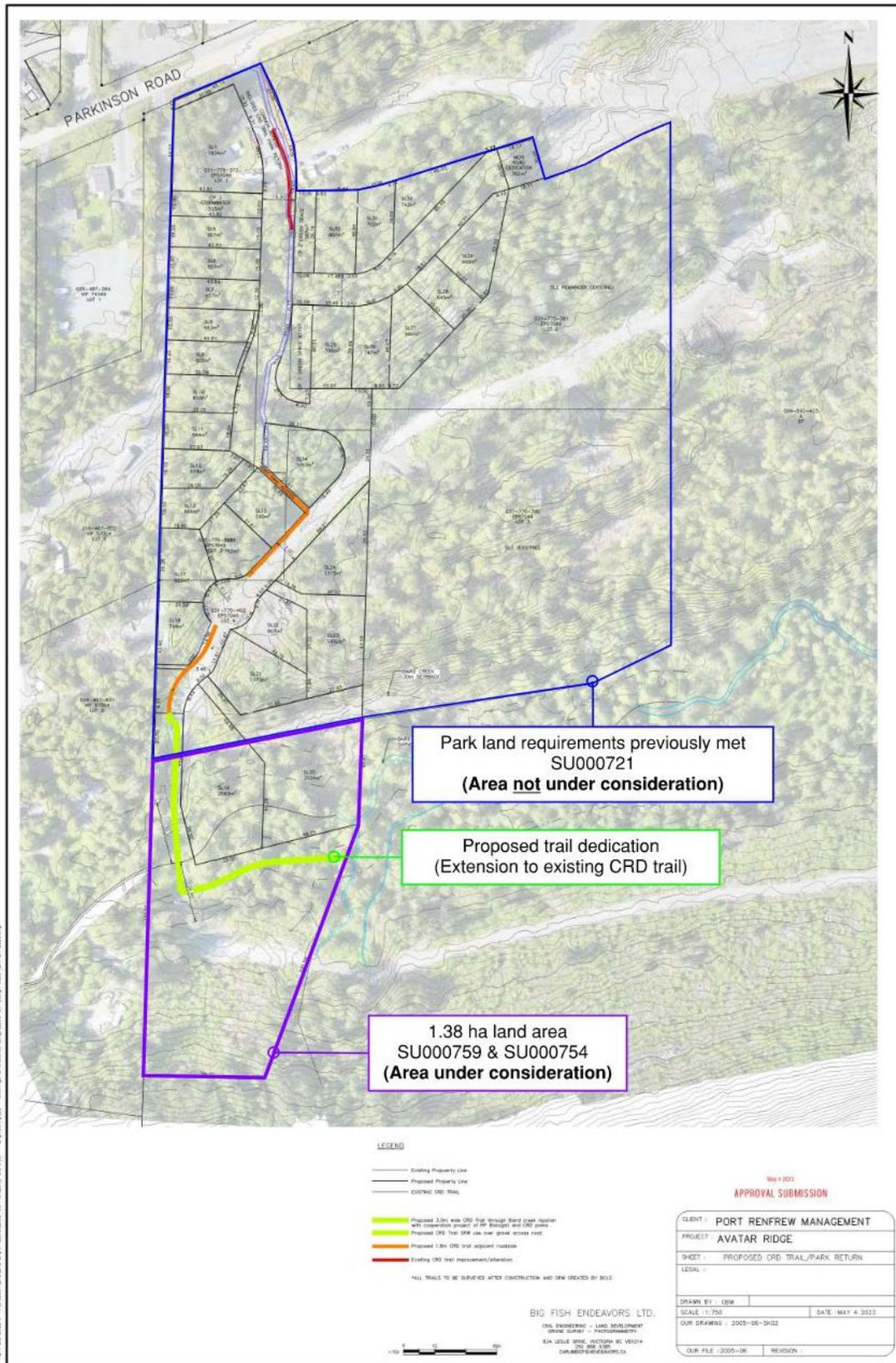
BIG FISH ENDEAVORS LTD.
 CIVIL ENGINEERING - LAND DEVELOPMENT
 DRONE SURVEY - PHOTOGRAMMETRY
 514 JULES BRUCE BLVD. SUITE 201, VICTORIA, BC V8N 1L4
 TEL: 250.363.3100 FAX: 250.363.3101
 WWW.BIGFISHENGINEERS.COM

March 23, 2022
APPROVAL SUBMISSION

CLIENT:	PORT RENFREW MANAGEMENT
PROJECT:	AVATAR RIDGE
SHEET:	PROPOSED STRATA SUBDIVISION PLAN
LEGAL:	
DRAWN BY:	CEW
SCALE:	1:750
DATE:	DEC 19 2022
DATE DRAWING:	2022-06-20
OUR FILE:	2022-06
REVISION:	A

SU000754 & SU000759

Appendix D: Proposed Trail Dedication with Staff Notations



Requirement for provision of park land or payment for parks purposes

- 510** (1) Subject to this section and section 516 (3) (h) and (4) [*phased development agreement rules*], an owner of land being subdivided must, at the owner's option,
- (a) provide, without compensation, park land of an amount and in a location acceptable to the local government, or
 - (b) pay to the municipality or regional district an amount that equals the market value of the land that may be required for park land purposes under this section as determined under subsection (6) of this section.
- (2) Despite subsection (1),
- (a) if a regional district does not provide a community parks service, the option under subsection (1) (b) does not apply and the owner must provide land in accordance with subsection (1) (a), and
 - (b) subject to paragraph (a), if an official community plan contains policies and designations respecting the location and type of future parks, the local government may determine whether the owner must provide land under subsection (1) (a) or money under subsection (1) (b).
- (3) Subsection (1) does not apply to the following:
- (a) subject to subsection (4), a subdivision by which fewer than 3 additional lots would be created;
 - (b) a subdivision by which the smallest lot being created is larger than 2 hectares;
 - (c) a consolidation of existing parcels.
- (4) Subsection (1) does apply to a subdivision by which fewer than 3 additional lots would be created if the parcel proposed to be subdivided was itself created by subdivision within the past 5 years.
- (5) The amount of land that may be required under subsection (1) (a) or used for establishing the amount that may be paid under subsection (1) (b) must not exceed 5% of the land being proposed for subdivision.
- (6) If an owner is to pay money under subsection (1) (b), the value of the land is whichever of the following is applicable:
- (a) if the local government and the owner agree on a value for the land, the value on which they have agreed;
 - (b) the average market value of all the land in the proposed subdivision calculated
 - (i) as that value would be on the date of preliminary approval of the subdivision or, if no preliminary approval is given, a date within 90 days before the final approval of the subdivision,
 - (ii) as though the land is zoned to permit the proposed use, and
 - (iii) as though any works and services necessary to the subdivision have not been installed.
- (7) If an owner and a local government do not agree on the average market value for the purpose of subsection (6), it must be determined in the manner prescribed in the regulations that the minister may make for this purpose.
- (8) If an area of land has been used to calculate the amount of land or money provided or paid under this section, that area must not be taken into account for a subsequent entitlement under subsection (1) in respect of any future subdivision of the land.
- (9) Subject to subsection (11), the land or payment required under subsection (1)

SU000754 & SU000759

must be provided or paid to a municipality or regional district as follows

(a) subject to paragraph (b), before final approval of the subdivision is given;

(b) if the owner and the local government enter into an agreement that the land or payment be provided or paid by a date specified in the agreement, after final approval of the subdivision has been given.

(10) Notice of an agreement under subsection (9) (b) must be filed with the registrar of land titles in the same manner as a notice of a permit may be filed and section 503 *notice of permit on land title*] applies.

(11) Despite subsection (9), the minister may, by regulation,

(a) authorize the payment that may be required by this section to be made by instalments, and

(b) prescribe the conditions under which instalments may be paid.

(12) If land is provided for park land under this section, the land must be shown as park on the plan of subdivision.

(13) Section 107 [*deposit in land title office operates to dedicate and vest park land*] of the *Land Title Act* applies to park land referred to in subsection (12), except that,

(a) in the case of land within a municipality, title vests in the municipality, and

(b) in the case of land outside a municipality, title vests in the regional district if it provides a community parks service.

(14) If an owner pays money for park land under this section, the municipality or regional district must deposit this in a reserve fund established for the purpose of acquiring park lands.



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**STAFF REPORT TO THE
JUAN DE FUCA ELECTORAL AREA PARKS AND RECREATION ADVISORY COMMISSION
MEETING OF TUESDAY, JUNE 27, 2023**

SUBJECT: Staff News

ISSUE: Information

Priest Cabin Access

The access trail is open for public use under a 3-year agreement with the landowner.

- The Community Works Fund (CWF) grant for \$50,000 to complete the trail construction and connection has been approved. Funding was released March 2023.
- The surveyed statutory right-of-way (SRW) connector was deemed too hazardous for staff to work in and will be completed by tree service contractors. A site meeting was held June 6, 2023, to demonstrate the nature of the work (chainsaw) in the park and along the SRW. Tree falling contractors provided quotes for this work on June 15, 2023. Elevated Tree Services is the successful contractor, dates for treatment are scheduled to start on June 28, 2023.

Kemp Lake Fishing Dock – Chubb Road Location

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

- License of Occupation (LoO) with the Crown – executed LoO received February 22, 2023.
- Water License with the Crown – underway – to be married with the LoO. It appears that issuance of the license is imminent as the Crown has been asking for details for License finalization. Direction has been received to proceed with the Crown Land Staking Notice and newspaper advertisement to meet legal notification requirements.
- A quote for the required additional dock sections and shore ramp was received, \$35,000. A sole source letter has been approved to use New Wave Docks as the dock system provider.
- Parking enhancement is proceeding, the gravel improvements portion was completed on May 31, 2023. Concrete wheel stops and split rail enhancements are set for June 26 – July 15. A toilet and picnic table have been ordered and will be installed on arrival.
- CWF funding to complete purchase of additional dock structure and other required works – \$50,000 approved.
- Removal of the existing dock will wait on receipt of the Water License.
- A Section 11 notification to authorize working in or about a stream (lake) has been sent to the Ministry of Environment.

Copper Mine Park Playground Equipment Replacement

Signage was posted June 09, 2023, prior to removal of the old equipment and installation of the new structures, to notify residents of dates when the playground will be closed.

Security fencing was delivered to the site and erected on June 11, 2023.

The old playground was removed on June 12 and 13, 2023. New playground installation commenced on June 19, 2023.

We anticipate the playground to be completed by June 30, 2023.

Butler Road Park Improvements

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

- Reforestation and or revegetation – started May 2022 – ongoing
- Riparian report requirements scheduled for spring 2023 for this project
- Installation of a sign – under discussion (draft sign designs have been shared with the residents group)
- The Manager received approval November 22, 2022, for the CWF grant of \$45,000 to assist with park improvement (picnic table, bench, split rail fencing, additional vegetation)
- Create a site plan showing area for remediation and park improvements
- The Manager met with a local contractor regarding construction of the picnic table
- Possibly moving the bus stop to this area
- Use cedar split rail fencing to show access options and beautify the area
- Top soil was delivered free of charge April 27, 2023
- Extensive mini-excavator work was done April 28-30, 2023, to loosen soil and prepare soil for planting
- Seedlings were purchased from local nursery
- A community meet and greet was held on site May 7
- School and Scout groups attended for a planting exercise May 16 and May 26
- Local volunteer working on the site is a UVIC student in Biology who plans to write a report on the remediation work and track the success as part of a required thesis

The Park – Port Renfrew

This project was approved by the Director on October 27, 2022, and the funds were released March 2023.

As this location is known archeological site, the local First Nation will have to be engaged to assist with decommissioning of old equipment and installation of new equipment. The Manager held a site visit with Pacheedaht First Nation on April 12, 2023, to review the playground and Lot 64 trail project and to request their support.

Several concerns were raised by the Nation during the site visit and a community open house is tentatively scheduled for June to further determine the constraints of this project prior to moving forward.

This project is slated for 2023.

Lot 64 – Port Renfrew

The Director has agreed to allocate CWF funds to install a connector trail at Lot 64 near the tennis court. This will include:

- A trail that connects the tennis court to the marina trail
- Define the boundaries of Lot 64 and possible fencing
- Removal of debris
- Define the parking lot area at the tennis court

The Manager held a site visit with Pacheedaht First Nation on April 12, 2023, to review the Lot 64 trail project and nearby playground and to request their support.

Several concerns were raised by the Nation during a site visit and a community open house is tentatively scheduled for June to further determine the constraints of this project prior to moving forward.

Admiral’s Forest

The Manager initiated a CWF application for 2023 to conduct upgrade efforts and post signage to make this property available to the public. This project was approved November 1, 2022, and the funds were in March 2023. Mapping and signage preparation/installation work continues. Volunteers have been trimming/clearing trails.

Wieland Road Trail Project

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

Elements of the Project:

- The survey of existing Wieland Road allowance (unconstructed road dedication) - was completed November 28, 2022.
- Local contractor contracted to complete Riparian Report for this project. A final report, along with maps and ground confirmed recommendations has been received.
- This will be a multi-year project.
- Discussion is ongoing regarding securing the missing portion of Wieland Road SRW, submission from developer is expected soon.
- Quotes for mini-excavator costs have been obtained for 2023.
- Work has begun developing a construction plan for the trail consisting of trail location, culverts, bridges, signage, access points, surfacing material.

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