



District of Highlands Parks and Recreation Master Plan

Parks and Recreation Master Plan
Steering Committee with

Judith Cullington & Associates

ACKNOWLEDGEMENTS

The facilitator would like to thank all of the members of the Parks and Recreation Master Plan Steering Committee who volunteered their time, ideas and enthusiasm to this project. I enjoyed working with you all! Thanks also to the staff of the District of Highlands who provided timely input and support.

Mapping for this Plan was provided by Enkon Information Systems. Many thanks to Mike Neal, Heidi Phaneuf and Mike Schmitz for their contributions. Philip Forest Mapping provided extensive information and reviews of the maps to ensure accuracy. Thanks Alan!

The District of Highlands gratefully acknowledges the grant from the British Columbia Ministry of Municipal Affairs (now the Ministry of Community, Aboriginal and Women's Services) which has provided partial funding for the development of this plan.

Judith Cullington
Judith Cullington & Associates
Victoria, British Columbia

MEMBERS OF THE STEERING COMMITTEE

_____ Don Benn

_____ Sally Gose

_____ Kerry Joy

_____ Marcie McLean

_____ Bob McMinn

_____ Emily Mendum

_____ Alan Philip

_____ Joe Taylor

_____ Linda Webster

_____ Judith Cullington, Facilitator

EXECUTIVE SUMMARY

"The Parks and Recreation Master Plan for the District of Highlands envisages a system of parks, protected areas, trails and facilities that provide recreational opportunities for the residents of Highlands and the Capital Region, while protecting natural environments and cultural features."

Parks and Recreation Master Plan Vision

The *Parks and Recreation Master Plan* for the District of Highlands is a strategic document that looks at the system of parks and recreation opportunities in the Highlands as a whole, rather than at park-specific issues. It provides guidance on areas that might be acquired as public parks, looks at park management issues, identifies potential recreational uses and facility needs for existing and future municipal parkland, and will provide input for Highlands Official Community Plan review.

Development of this Plan was guided by a volunteer Steering Committee, with public input from two newsletters and two open houses. Neighbouring municipalities as well as BC Parks and CRD Parks were consulted.

The Steering Committee considers the highest priorities to be:

- To continue to place a high priority on the conservation of the natural ecosystems of the Highlands in parks and other conservation areas.
- To encourage recreational activities where these do not compromise the integrity of the natural environment.
- To conduct a detailed biophysical inventory of the Highlands.
- To support and encourage CRD Parks' efforts to acquire part of the WFP South lands as a regional park.
- To support and encourage CRD Parks' efforts to add to and connect Mount Work and Thetis Lake Regional Parks.
- To take advantage of opportunities to add to the municipal park system.
- To prepare detailed park management plans for all municipal parks, starting with Eagles Lake, Chow-Nicoll and Twinflower Parks.
- To encourage and support volunteer involvement in the management of parks and recreation facilities.
- To inform landowners about ways to protect sensitive natural environments on private lands, and encourage willing landowners to consider conservation covenants.
- To provide meeting space and programs/activities for Highlands youth.
- To work with east Highlands residents to identify the need, and best location, for a tot lot in the east Highlands.

- To establish a task force to identify a preferred location for a community hall, and to acquire the land.

The Steering Committee concludes that the current direction from the current Official Community Plan is still valid, but this *Parks and Recreation Master Plan* offers suggestions for revisions and additions as the Official Community Plan is reviewed.

TABLE OF CONTENTS

Acknowledgements	ii
Members of the Steering Committee	iii
Executive Summary	iv
Table of Contents	vi
1 Introduction	1
1.1 Purpose of Plan	1
1.2 Steering Committee	1
1.3 Methodology.....	2
1.3.1 Public Input.....	2
1.3.2 Input from Other Jurisdictions.....	3
2 Existing Parks and Recreation Facilities	4
2.1 Parks.....	4
2.2 Recreation Facilities	4
2.3 Biophysical Information.....	7
3 What Highlanders Want	9
3.1 Dreams and Decisions	9
3.2 Recreation Survey	9
3.3 Trails Questionnaire	11
3.4 Comments on Draft Master Plan	12
3.4.1 Newsletter #1.....	12
3.4.2 Newsletter #2.....	13
3.5 Summary of Public Input.....	13
4 A Vision for the Future	15
4.1 Vision	15
4.2 Categories.....	15
4.3 Principles.....	16
4.3.1 Municipal Parks.....	16
4.3.2 Conservation Areas.....	16
4.3.3 Connecting Corridors.....	16
4.3.4 Recreation Facilities and Trails	16
4.3.5 Heritage Protection Areas.....	17
4.3.6 General.....	17
5 The Future of Parks and Recreation in the Highlands	18
5.1 Parks, Recreation and Conservation	18
5.2 Biophysical Inventory	19
5.3 Provincial Parks.....	20
5.4 Regional Parks.....	21
5.4.1 Adding to and Connecting Mount Work and Thetis Lake	24
5.4.2 WFP South.....	25

5.4.3 Mountain Biking Area	27
5.5 Municipal Parks	28
5.5.1 New Municipal Parks	28
5.5.2 Management of Municipal Parks.....	30
5.6 Protection of Natural Areas Outside Parks.....	35
5.6.1 Conservation Areas and Landowner Stewardship	35
5.6.2 Connecting Corridors	38
5.7 Recreation Facilities and Programs	39
5.7.1 Recreational Activities.....	39
5.7.2 Riding Ring	40
5.7.3 Lake Access	40
5.7.4 Tot Lots	42
5.7.5 Playfields	42
5.7.6 Youth Activities	43
5.7.7 Recreational Programs	44
5.7.8 Community Hall	45
5.7.9 Other Meeting Space.....	47
5.8 Trails	47
5.9 Heritage Protection.....	48
5.10 Financing the Acquisition and Maintenance of Facilities	49
6 Tools to Acquire and Protect Parks and Natural Areas	50
6.1 Restrictions on Development	50
6.2 Land Acquisition.....	51
6.2.1 Parkland Dedication by Subdivision.....	51
6.2.2 Amenity Zoning	51
6.2.3 Density Transfer	52
6.2.4 Donation or Transfer of Land.....	52
6.2.5 Purchase.....	53
6.2.6 Easements and Statutory Rights-of-Way	53
6.3 Voluntary Arrangements	53
6.3.1 Conservation Covenants	53
6.3.2 Private Stewardship.....	54
6.3.3 BC Hydro Rights-of-Way	54
7 Recommendations	55
7.1 Summary of Recommendations.....	55
7.2 Priority Actions	60

Appendix 1: Newsletter #1, April 2001 61
Appendix 2: Summary of Responses to Newsletter #1 and Open Houses..... 66
Appendix 3: Newsletter #2, July 2001 75
Appendix 4: Summary of Responses to Newsletter #2 81
Appendix 5: Summary of Responses from Other Jurisdictions..... 85
 BC Parks 85
 CRD Parks..... 85
 Langford..... 85
 View Royal..... 86
 Saanich..... 86
Appendix 6: Occupiers Liability Act..... 87

Maps

Map 1: Existing Parks in the Highlands6
Map 2: Desired Additions to Gowlland Tod Provincial Park22
Map 3: Areas of Regional Park Interest Identified in the CRD Parks Master Plan .23
Map 4: Proposed Parks and Connecting Corridors26
Map 5: Sensitive Ecosystems37

1 INTRODUCTION

1.1 *Purpose of Plan*

The District of Highlands Official Community Plan (OCP) cites the desire to acquire more park land, as well as protecting sensitive ecosystems from the impacts of development or other human activities. The Highlands' 1998 *Recreation Survey* identified a strong desire for more lake access, more parks, and facilities such as playfields for youth. Some of these desires have already been addressed, for example by the new playfield at Twinflower Park. However, there has been no comprehensive look at parks, trails and recreational facilities in the Highlands.

The District of Highlands is preparing for the five-year review of its Official Community Plan. This *Parks and Recreation Master Plan* is intended to provide input into the Official Community Plan review, to reflect the current needs and desire of Highlands residents. A *Trails Master Plan* is concurrently being prepared by the Trails Advisory Committee as a separate, but complementary, document. The review of the Official Community Plan will consider and balance parks, trail and recreation issues with other planning issues such as housing, environment, business, transportation, etc.

This *Parks and Recreation Master Plan* is a strategic document that looks at the system of parks and recreation opportunities in the Highlands as a whole, rather than at park-specific issues.

The *Parks and Recreation Master Plan* does not regulate private land use. It is a message from the community to Council and provides guidance to Council in making decisions on park issues. It is not and cannot be a rigid document, as community priorities, values, finances and other resources may change. Moreover, new opportunities may arise in the coming months that cannot be foreseen when this document was created.

1.2 *Steering Committee*

A volunteer Steering Committee was formed to guide the development of the *Parks and Recreation Master Plan* throughout the process. A list of committee members is provided in the prefix.

The Steering Committee members represented a range of interests, and included a youth representative. Unfortunately, no one from the Woodridge area of east Highlands was available to join the group, but the committee members worked hard to ensure the interests of the east Highlands were taken into account.

1.3 Methodology

The District of Highlands hired a facilitator (Judith Cullington & Associates) to work with the Steering Committee on the development of the *Parks and Recreation Master Plan*.

The facilitator and Steering Committee were asked to address the following in the plan:

1. To identify areas of potential public parkland acquisition.
2. To identify the most appropriate types of acquisition strategies.
3. To identify any existing areas of surplus parkland.
4. To better identify lands that need protection by park status vs. other methods.
5. To identify appropriate levels of park management.
6. To identify any issues related to risk management within existing and future parks.
7. To identify potential trail corridors and links to roadside trails.
8. To identify potential recreational uses and facility needs of existing and future municipal parkland.
9. To involve the community early and often during the planning process.
10. To ensure that the vision for Highlands parks complements those of the other agencies with park or protected land in the municipality.
11. To give clear recommendations to the Highlands Council on a course of action.
12. To provide guidance on revisions of Parks Policies and mapping in the Official Community Plan.

The Steering Committee met with the facilitator on a regular basis between March and September 2001 to discuss ideas and draft materials. In addition, there were several site visits by Steering Committee members and/or the facilitator to existing and potential park areas in the Highlands.

Public Input

Providing Highlanders with an opportunity to contribute ideas to the plan was an important part of the process. In April, a newsletter/questionnaire (Newsletter #1: Appendix 1) was mailed to all households, informing residents of the proposed *Parks and Recreation Master Plan* and asking for input on the proposed vision and principles, as well as ideas for inclusion. A summary of responses is included in Appendix 2.

Also in April, two open houses (one in east Highlands and one in the west) were held to provide people with an opportunity to view and comment on draft maps, and to speak directly to members of the Steering Committee and the facilitator.

In July, a second newsletter (Newsletter 2: Appendix 3) was mailed to all households with a list of draft recommendations, requesting that people provide their comments. A summary of responses received is included in Appendix 4.

The response to the first and second newsletters was relatively low. The 1995 *Dreams and Decisions Survey*, the 1999 *Recreation Survey*, and the 2001 *Trails Questionnaire*, which had higher response rates, were also used as input into the development of the Plan.

Input from Other Jurisdictions

The *Parks and Recreation Master Plan* deals primarily with municipal parks and recreation interests within the District of Highlands. In order to look at parks and recreation in the Highlands, however, it is necessary to look at the broader context of parks, recreation and conservation areas in the District of Highlands and neighbouring municipalities. This includes provincial and regional parks within and adjacent to the District as well as parks, trails and recreational facilities in neighbouring communities.

The facilitator spoke with representatives of CRD Parks, BC Parks, and neighbouring municipalities (Saanich, View Royal and Langford) to ensure that the proposed recommendations complement their respective facilities and plans. Comments from these representatives are recorded in Appendix 5, and have also been taken into account in developing this Plan. Copies of the *Parks and Recreation Master Plan* should be sent to all these jurisdictions for their information and comment.

2 EXISTING PARKS AND RECREATION FACILITIES

"We believe in the value of greenspace, trail systems, and outdoor recreational opportunities, both to enhance life in the Highlands and to contribute to the well-being of southern Vancouver Island as a whole."
Highlands OCP, Vision Statement.

2.1 Parks

The District of Highlands places high value on greenspace, trail systems and outdoor recreational opportunities. The Official Community Plan (OCP) states that "the major roles of the Highlands are to preserve large areas of green space, to protect elements of the region's ecosystems, and to provide outdoor recreational opportunities for Capital Regional District residents and visitors."

Currently, the Highlands has 1,273 ha of public park (34% of the District's total land base) (see Table 1 and Map 1). There is one provincial park within the District of Highlands (Gowlland Tod) and several regional parks that are entirely or partially within the District. In addition, there are several municipal parks, most of them relatively small, totalling less than 4% of the District.

2.2 Recreation Facilities

"Goal 3: Provide basic, affordable public services and facilities." Highlands OCP, Goals.

Highlands has an abundance of outdoor recreation opportunities, with a network of public trails, including roadside trails, as well as many informal trails on private lands. Hiking, horseback riding, mountain biking and nature appreciation are all popular activities.

Although there are many lakes throughout the municipality, publicly accessible swimming areas are few and far between. There is a small beach at Eagles Lake, and some access to Fork Lake and to Pease Lake. Otherwise, many people go to Thetis Lake or Durrance Lake, both outside the District.

Table 1: Existing Parks in Highlands¹

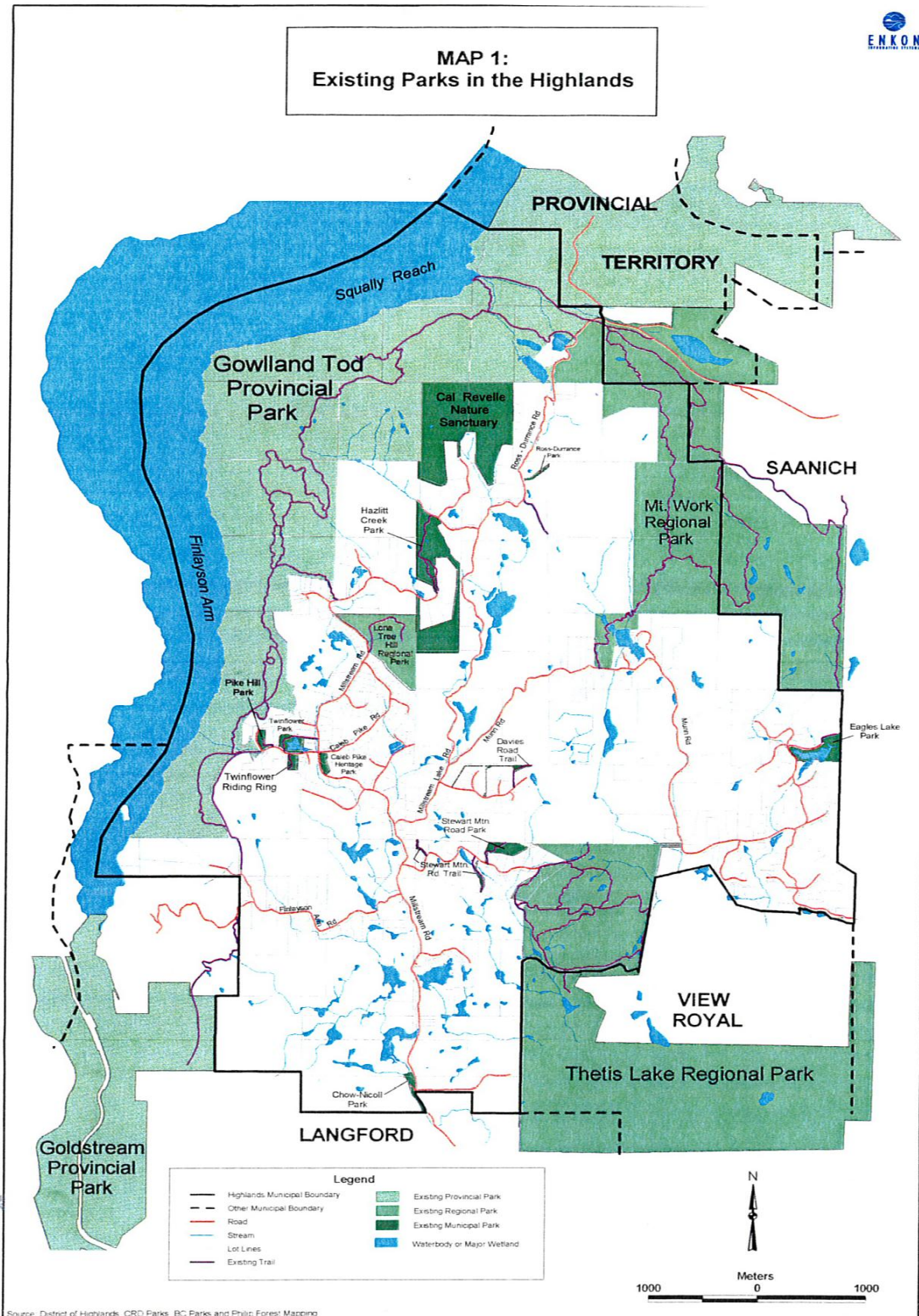
Provincial parks:		
Gowlland Tod		716 ha (within Highlands)
Regional parks:		
Mount Work		237 ha (within Highlands)
Thetis Lake		147 ha (within Highlands)
Lone Tree Hill		31 ha

		415 ha
Municipal parks:		
Cal Revelle Nature Sanctuary		68.6 ha
Hazlitt Creek		32.4 ha
Stewart Mountain Road		19.5 ha
Eagles Lake 1		0.8 ha
Eagles Lake 2 (proposed)		7.3 ha
Twinflower		3.7 ha
Twinflower Riding Ring		1.5 ha
Chow-Nicoll		1.4 ha
Caleb Pike Heritage		1.3 ha
Pike Hill		1.3 ha
Other linear parks (trails)		4.2 ha

		142 ha
Total Areas		
	Ha	% of total parkland
Municipal parks	142	11
Regional parks	415	33
Provincial parks	716	56
	----	----
Total park land	1,273	100
Total area of District of Highlands	3,745	

¹ Information correct as of February 2001. Some municipal parks have not yet been formally named.

Map 1: Existing Parks in the Highlands



Twinflower Park, next to the West Firehall, offers a variety of recreational facilities. There is a “tot lot” (children’s playground), together with a small paved area for basketball and road hockey, a playfield, and a riding ring nearby (off Caleb Pike Road). Other than the beach at Eagles Lake, there are no formal recreational facilities in the east Highlands, although some people use the East Firehall for casual basketball games.

Many Highlanders travel to neighbouring municipalities to use the facilities and programs at larger recreation centres, such as the Juan de Fuca Recreation Centre, Saanich Commonwealth Place, and Panorama Leisure Centre, as well as golf courses, lakes and other recreational opportunities in the region.

Small meeting spaces are available at Caleb Pike House, and in the East and West Firehalls.

Currently, Caleb Pike House, the dairy and schoolhouse are the only documented heritage buildings within the District of Highlands.

2.3 Biophysical Information

Detailed biophysical information on the Highlands is limited. The federal/provincial Sensitive Ecosystems Inventory (SEI) has mapped sensitive ecosystems on east Vancouver Island at a 1:20,000 scale, and this inventory identified a large number of sensitive ecosystems in the Highlands (see Map 5, page 43). The Official Community Plan designated all these sensitive ecosystems as Development Permit Areas.²

The **Sensitive Ecosystems Inventory** mapped seven sensitive ecosystem types on east Vancouver Island:

- Older Forests (coniferous, average tree age > 100 years)
- Woodlands (deciduous and mixed)
- Terrestrial Herbaceous (rocky outcrops and natural meadows)
- Coastal Bluffs (coastal cliffs and bluffs)
- Sparsely Vegetated (dunes, spits, inland cliffs)
- Wetlands (swamps, fens, marshes etc.)
- Riparian (streamside vegetation)

The Sensitive Ecosystems Inventory was also used as one basis for the development of the Capital Regional District’s 1997 Regional Green/Blue Spaces Strategy, which

² The Official Community Plan did not include Older Second Growth Forest areas or Seasonally Flooded Agricultural Fields, which are considered important but not ‘sensitive.’

identifies “unprotected green space core areas” and “valuable remnant ecosystems”: land areas having regional green space value.

The Victoria Natural History Society has been conducting additional field surveys in the Highlands, especially in the Fizzle Lake area. As well, some additional information is available through the federal government’s biophysical mapping, and provincial government’s soils maps.

3 WHAT HIGHLANDERS WANT

This *Parks and Recreation Master Plan* is built on an understanding of the special nature of the Highlands, which has a character very different from that of its more urbanised neighbours. Some indication of the wishes of Highlanders are found in the 1995 *Dreams and Decisions Survey*, the 1999 *Recreation Survey*, the 2001 *Trails Survey*, and the responses to the two newsletters and open houses that were used in the development of the *Parks and Recreation Master Plan*.

3.1 *Dreams and Decisions*

In 1995, a survey asked Highlands residents about:

1. What is important to them and how satisfied they are;
2. Ideas for projects; and
3. Their vision of the future.

"Livable space that remains green." *Dreams and Decisions Survey.*

There were 504 responses to the *Dreams and Decisions* survey (a very high response rate for about 550 households). Responses indicated that the most important aspects of life in the Highlands were "privacy" (rated as extremely or very important by 93.3% of respondents), and "peace and quiet" (91.4%). Also highly rated were "rural lifestyle" (83.7%), "closeness to nature" (83.3%) and an "intact natural environment" (80.1%). Recreation opportunities were only rated as 'extremely' or 'very' important by 44.9% of respondents.

When asked about some possible projects, respondents noted that all projects should be compatible with Highlands lifestyle, and that costs should be kept low through use of volunteer labour and donated materials. The most popular project was to "expand and enhance trails" (76.7%). Other responses were "build one or two public playing fields" (58.7%), "develop small scale local recreation programs" (56.2%), "create or allow a community general store" (50.2%) and "build a community hall" (42.9%).

When asked about their vision of the future, many respondents commented on the importance of protecting the natural environment.

3.2 *Recreation Survey*

In 1998, Council directed the Parks and Recreation Advisory Committee to find out about Highlands residents' concerns for recreation facilities, programs, trails and

parks. The volunteer committee prepared and distributed a questionnaire to all Highlands households with five main questions. Of 550 surveys distributed, 127 completed ones were returned, giving a relatively high 23% response rate. The results are found in the *1999 District of Highlands Recreation Survey*.

➤ *What facilities do Highlanders currently use in the region?*

Most (75%) of the respondents make use the Juan de Fuca Recreation Centre and Saanich Commonwealth Place, especially for swimming, weight training and fitness classes. Golfing at courses around the region is also popular.

➤ *What facilities do Highlanders currently use in the Highlands?*

Most (80%) respondents use provincial and regional parks, almost 60% use the trails system. Many people use the Pike House, and about 20% use existing mountain bike trails.

➤ *What recreation facilities and programs do residents want to see established?*

Lake access was the most frequently mentioned outdoor 'want' (50% of respondents). Many people commented that boating should be non-motorised. "Nature programs" were mentioned by 45%, "more parks" by 35%, and several mentioned a need for more trails (or better protection for existing trails).

For constructed facilities, playfields led at over 35%, followed by playgrounds (tot lots) at 30%, tennis 22%, golf 21%, mountain bike trails 20%, basketball 17% and a regulation size field at 14%. (Since this survey, the Twinflower tot lot, basketball court and playfield have been constructed.)

Of indoor activities, the community hall topped the list (56% of respondents), but there is concern for the cost of building and maintaining this facility. Many people (40%) would like to see recreation programs in the Highlands, whether at a community hall or other venues.

➤ *What goals should the Highlands have for recreation facilities and programs?*

Almost 90% of respondents rated "outdoor activities" as high on the list of importance, compared to "social" at just over 50%, and "team sports" at less than 25%.

There are some neighbourhood differences. Residents of the Upper Millstream Road area use parks less, and have a higher demand for outdoor facilities such as playfields (not surprisingly, this area also has the highest percentage of children.) At the other end of the spectrum is the Fork Lake area with the oldest respondents and least interest in recreation activities. The residents of the upper Millstream Lake Road/Ross Durrance are most in favour of a community hall.

➤ *What other comments do you have?*

"Capitalise on what this beautiful area has to offer."
"Facilities built in the Highlands should be modest and multi-use. "
"Many people value privacy and peace above community activities. That's why I selected the Highlands to live in."
"It would be nice to have a safe place for children's activity..."
"Would really like to see some recreational facilities in the Eastern Highlands."

Responses to 1998 Recreation Survey.

The survey showed that people love the Highlands for its natural beauty and consider it to be their 'playground.' They want to keep it natural. Respondents indicated that they had access to any facilities they need, and would rather not duplicate them here.

There is support for a community hall – a simple, multi-purpose facility that can act as a focus for the community for a wide range of events and activities. There is concern about the current arrangement with the Juan de Fuca Recreation Commission, and a desire to get out of it.

A major concern was a lack of facilities for youth, coupled with a lack of public transit. East Highlanders expressed a desire for their own meeting hall and facilities for youth.

3.3 Trails Questionnaire

A survey conducted by the Trails Advisory Committee in May 2001 resulted in 55 responses from Highlanders. Results indicated that all of the respondents use trails in the municipality, 60% of them more than once a week. Many ideas for new trails were expressed, particularly to connect Thetis Park to Mount Work Park, and to connect east and west Highlands. There was also considerable support for shared-use trails and a workshop on trails. Details can be found in the *Trails Master Plan*.

3.4 Comments on Draft Master Plan

Newsletter #1

"We have the opportunity to preserve and protect relatively large tracts of natural landscape, so future generations can walk among wild native plants and watch the deer play. It is much more important and scarcer, than ball fields or playgrounds, and once it's gone, it's gone forever."
Response to Newsletter #1.

The first newsletter (Newsletter #1, Appendix 1) on the *Parks and Recreation Master Plan* was mailed to all households in the Highlands in April 2001, asking for ideas and input. Later that month, two open houses were held (one in east Highlands, one in the west) to provide residents with another opportunity to provide input to the plan. A summary of the responses received is provided in Appendix 2.

There were 36 responses to Newsletter 1. Most respondents agreed with the proposed vision, principles and categories, with some minor suggestions.

**"Wherever you can get [new parks] - the more the better."
"How will we pay for more natural parks when we have to borrow for roads!"** Responses to Newsletter #1.

There were several specific suggestions for new parks, additions to existing parks, and connecting corridors between parks. In terms of facilities at parks, some felt they were unnecessary, others liked the idea of simple facilities such as garbage cans at Twinflower and Eagles Lake, a picnic table at Eagles Lake, and toilets at Twinflower and Pease Lake. Several locations were also suggested as heritage parks.

A few people raised concerns about the notion of covenanting private land, and noted that this should not be imposed on landowners.³ Others felt that Highlands should take advantage of every opportunity to protect sensitive ecosystems (including wetlands and riparian areas).

"Corner lot for kids is okay, but if car travel is involved we all go to the Cadillac rec-centres down the road." Response to Newsletter #1.

Funding for parks and recreation facilities was frequently mentioned. While respondents agreed with the need for parks, concern was raised that this should not increase taxes. For facilities such as playfields and tot lots, some felt that these facilities are available in neighbouring communities and need not be duplicated

³ Note that this fear is unfounded, as conservation covenants are only negotiated with willing landowners. Covenants are sometimes required as a condition of subdivision approval.

here. However, many people liked the idea of a playfield/tot lot in the east Highlands. Space for youth activities was frequently mentioned.

The community hall is a popular idea, and there was a long list of suggested uses for the hall. There was no consensus on an ideal location, since there is no place in the Highlands that is “close to everyone.” Funding for the community hall was again raised as a concern. Although the idea of a school in the Highlands did not seem popular, combining a school facility with a community hall made sense to most respondents (if a school is to be built).

Newsletter #2

Newsletter #2 (Appendix 3) was mailed to all households in July 2001. It included a summary of the proposed *Parks and Recreation Master Plan* recommendations, inviting people to comment on the proposals. A summary of the responses is included in Appendix 4.

"I'm happy to say I agree enthusiastically with the vast majority of [the recommendations]." Response to Newsletter #2.

There were only ten responses to Newsletter #2. Some people made specific comments on the proposed recommendations, and many of these ideas have been addressed or incorporated into the final recommendations.

Once again, the community hall evoked several comments, especially from residents in the suggested area (Millstream/Finlayson Arm Roads). There were also comments from those who feel that mountain biking is environmentally damaging, and should be limited to areas (such as power lines) where damage has already occurred. Tot lots also brought mixed reviews – some feel they are necessary, others see them as too expensive for a municipality such as Highlands.

3.5 Summary of Public Input

There are consistent messages from the various surveys.

- Highlanders like the natural beauty of their community, and having a large number of parks and trails that they can use.
- Highlanders want to protect natural areas (in balance with modest residential development).
- More lake access would be welcomed.

- Any facilities and programs should be modest. There are 'Cadillac' facilities and programs already available in neighbouring communities.
- There is a demand for a community hall, if one can be built with minimal impact on the taxpayer.
- There is a need for more youth facilities and programs, both in the east and west Highlands.
- There should be some recreation programs for adults and youth offered in the Highlands.
- There is a desire for meeting space and a tot lot in the east Highlands.
- Any expansion of the parks and recreation facilities should be mindful of the costs involved. Use of volunteers and donated materials will continue to play a large part in the development and maintenance of facilities.

These comments have been used to guide the development of the *Parks and Recreation Master Plan*.

4 A VISION FOR THE FUTURE

4.1 *Vision*

The *Parks and Recreation Master Plan* for the District of Highlands envisages a system of parks, protected areas, trails and facilities that provide recreational opportunities for the residents of the Highlands and the Capital Region, while protecting natural environments and cultural features.

4.2 *Categories*

The *Parks and Recreation Master Plan* proposes the following categories for the Highlands:

Parks are publicly-owned areas that protect natural ecosystems while providing non-motorised recreational opportunities (such as hiking, horseback riding, bicycling and swimming). Parks will include a range of uses, from protection of sensitive ecosystems, to single- or multiple-use trails, to swimming areas. The system of parks includes provincial, regional and municipal parks.

Conservation areas protect special natural environments, and may include areas with high aquatic, geological, wildlife or vegetation values. Some of these will be protected within parks, but it is also possible to provide protection on private lands, with the landowner's cooperation. There would be no public access to conservation areas on private land, and access to these areas would be discouraged on public land.

Connecting corridors are areas that provide for trail and/or wildlife corridors. The intent is to 'link' the greenspaces within the Highlands for people and wildlife. They may be on public or private land. (Public trails would only cross private land with the express permission of the landowner.)

Recreational facilities include trails, playfields, "tot lots" (children's playgrounds) and a community hall, that provide opportunities for residents of all ages. Built facilities such as tot lots and community hall will be in municipal parks.

Heritage protection areas are places deemed valuable because of their historical or cultural significance, e.g. Caleb Pike Homestead. Use of these areas will vary according to the specific purpose of the heritage feature.

4.3 Principles

The *Parks and Recreation Master Plan* proposes the following principles for designing and managing parks, recreation and conservation areas in the Highlands:

Municipal Parks

- The design and management of municipal parks should respect the carrying capacity of sensitive habitats, and direct human use to the least sensitive areas.
- Trails within municipal parks should be designed for non-motorised multiple-use, where this is possible and would not unduly impact the natural environment.
- Municipal parks should provide opportunities for people to learn about the Highlands' natural environment and heritage.

Conservation Areas

- Conservation areas should have minimal or no public access.
- Conservation covenants may be negotiated with willing landowners to protect areas of high conservation value on private property.

Connecting Corridors

- Parks and other conservation areas should be connected to each other, and to similar areas in neighbouring municipalities, by connecting corridors wherever possible.
- Park trails should link to other existing and proposed multi-use trails (including roadside trails) wherever possible.

Recreation Facilities and Trails

- The system of recreation facilities and trails should address the needs and desires of all age-groups of Highlands residents, including youth and seniors.
- Trails should be designed as multi-use for hikers, equestrians and cyclists where possible.
- Some recreational and educational programs should be made available in the Highlands.
- Facilities should not duplicate those already established to serve the region (such as the Juan de Fuca pool).

Heritage Protection Areas

- Heritage protection areas should protect heritage values and provide opportunities for people to learn about the Highlands' history and cultural heritage.

General

- Development of the Highlands parks and recreation system, and any additions to it, should be undertaken in a fiscally responsible way.
- Development and maintenance of the parks and recreation system should continue to promote the use of volunteers and donated materials.
- The local community should be consulted on specific proposals for development (e.g. new trails) in existing parks or recreation facilities, or acquisition of new parks or recreation facilities.

5 THE FUTURE OF PARKS AND RECREATION IN THE HIGHLANDS

5.1 Parks, Recreation and Conservation

Recommendations

- Continue to place a high priority on the conservation of the natural ecosystems of the Highlands through parks and other conservation mechanisms.
- Ensure that the parks system in the Highlands (provincial, regional and municipal parks) includes a variety of ecosystems and recreational opportunities.
- Encourage recreational activities where these do not compromise the integrity of the natural environment.

"Protect the integrity of the natural environment." Highlands OCP Goal 1.

"Actions to achieve other goals will be taken only if they do not compromise the integrity of the natural environment." Highlands OCP Goal 1

"Representative and special ecosystems in the municipality will be identified and protected, emphasising the creation of greenways."
Highlands OCP, 1.2.2.a.

"To continue and enhance Highlands' role of providing opportunities for nature study and appreciation as well as outdoor recreation for residents and visitors of the Capital Region." Highlands OCP 4.1 (e)

The current Official Community Plan for the Highlands stresses the protection of the natural environment, and this should continue to be the primary goal. There are many natural areas within the Highlands that merit protection from development and/or human intrusion, in order to protect native plants and animals and their habitats as well as the visual landscape. Fortunately, large areas of the Highlands are already given some form of protection from development, for example through provincial, regional and municipal parks; conservation covenants; and low density Greenbelt zoning.

As stated in the vision, the parks system for the Highlands – including provincial, regional and municipal parks – should protect the natural and cultural features of the Highlands, and provide recreational opportunities for residents and visitors. Most of the existing parks in the Highlands include the upland, hilly terrain that is typical of the District. It is essential to include a variety of parks that protect different ecosystem types and provide a variety of recreational opportunities, including some areas with easier accessibility.

5.2 Biophysical Inventory

Recommendations

- *Seek funding to carry out a detailed biophysical inventory of the Highlands (focussing first on natural areas not already protected as parks) and use this information to set priorities for the protection of special ecological areas and other significant natural features.*
- *Ensure that the Official Community Plan Development Permit Areas reflect the best available biophysical information.*

**"To identify and permanently protect sensitive plant and wildlife habitats or lands that include distinct geological features."
Highlands OCP, 1.1.d.**

Inventory information on the natural ecosystems in the Highlands is limited. There is no comprehensive, large-scale biophysical inventory of the Highlands, and only limited information on important geological features, such as the glacial erratics that dot the south-western portion of the municipality.

The Highlands includes many sites identified as sensitive ecosystems by the federal/provincial Sensitive Ecosystems Inventory (SEI), and these sites are designated as Development Permit Areas in the current Official Community Plan. However, the scale of mapping for the Sensitive Ecosystems Inventory was 1:20,000, and only areas larger than 0.5 ha are included in the Inventory. This means many smaller significant areas have not been identified as sensitive. The Victoria Natural History Society has already done some detailed field work, and the Sensitive Ecosystems Inventory project is also conducting additional field work this year. Information from these field surveys can be used to modify the Development Permit Areas in the Official Community Plan if required.

A more complete inventory is needed to finish the groundtruthing of the Sensitive Ecosystems Inventory sites, and to add any other areas – including special geomorphological features – that should be included. Since a complete inventory can be expensive, priority might be placed on areas not currently protected by park status or other means (such as conservation covenants). When the inventory is completed, the OCP Development Permit Areas should again be reviewed for completeness and accuracy.

5.3 Provincial Parks

Recommendations

- *Work with BC Parks to facilitate the acquisition of identified lands adjacent to Gowlland Tod Provincial Park.*
- *Work with BC Parks and the Highlands Trails Advisory Committee to identify connecting corridors south of Gowlland Tod towards Goldstream Park.*

Gowlland Tod Provincial Park occupies 716 ha within the District of Highlands (see Map 1, page 7). The 1996 *Management Plan for Gowlland Tod Provincial Park* notes that the park will be managed primarily for conservation goals and secondly for recreation opportunities. Management will focus on the protection of natural ecosystems, biodiversity, and archaeological and cultural values. The park includes an extensive system of hiking trails, with a limited number of equestrian and cycling trails. Access to the park is limited to four locations, three of them in the Highlands. The main access points are the McKenzie Bight access in the north, and the Caleb Pike access in the south. In addition, there is a 'soft' access point (with no parking) from Emma Dixon Drive. BC Parks wish to limit the number of access points, in order to protect the park ecosystem.

The 1996 Management Plan identifies a number of areas along the eastern boundary of Gowlland Tod that BC Parks would like to acquire as additions to the park (see Map 2). These areas have been identified for two reasons: they have significant conservation or recreation values, and/or they would provide a trail connection between Gowlland Tod and Goldstream Provincial Parks. The District should keep BC Parks informed of opportunities to add these parcels to Gowlland Tod, and support their efforts to acquire the land.

The Mount Finlayson portion of Goldstream Provincial Park currently touches the Highlands/Langford border. Some additions to Goldstream Park have been negotiated, and are awaiting the completion of land transfers. The western edge of section 16 (in the Highlands) will be added to Goldstream Park, together with some lands in Langford (see Map 4, page 31). The new northern extension to Goldstream Park will help to close the gap between Gowlland Tod and Goldstream Parks, but there will still be a missing north-south link between the two provincial parks (part in the Highlands, part in Langford). The desired Gowlland Tod addition and a connecting corridor along the shoreline (see Map 4 and *Section 5.6.2: Connecting Corridors*) would help to connect the two parks.

5.4 Regional Parks

"Regional parks are natural areas where remnants of original ecosystems and plant and wildlife habitat can flourish and evolve. At the same time, they are sources of inspiration and places of recreation for a growing population." CRD Parks Master Plan, 2000

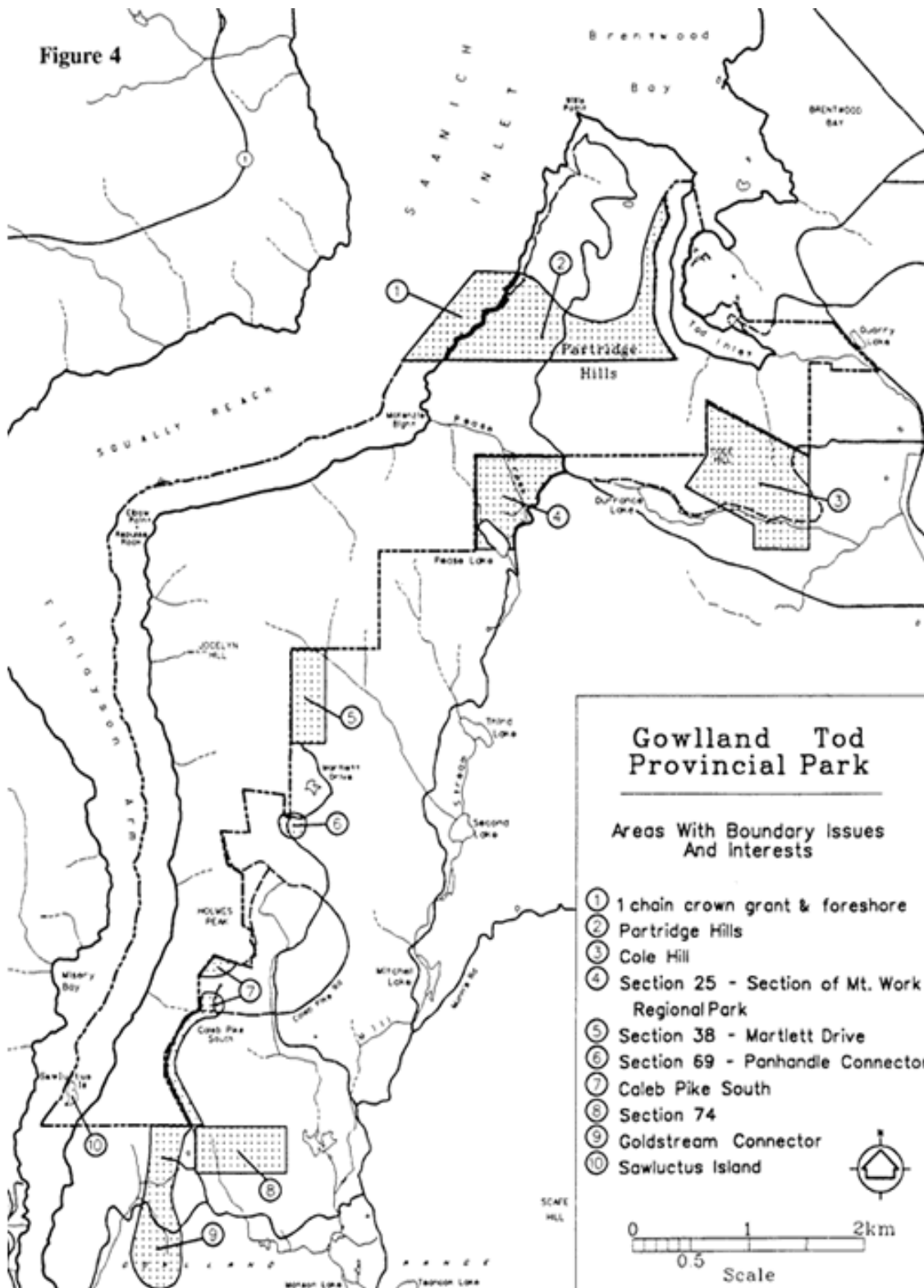
Regional parks account for a total of 415 ha in the District of Highlands. Thetis Lake, Mount Work and Lone Tree Hill Regional Parks are all well-used by hikers, and the Hartland portion of Mount Work Regional Park (just outside the Highlands) is a very popular mountain biking area. These regional parks attract visitors from the Capital Region and beyond.

"Achieving the proposed regional parks and trails system will take time. As new opportunities, information and challenges appear, the shape of the proposed parks system could change." CRD Parks Master Plan, 2000

In 2000, Capital Regional District (CRD) Parks completed an extensive review of its regional parks system. The *Capital Regional District Parks Master Plan* (September 2000) provides a vision for the regional parks and trails system, and sets the direction for their management and stewardship. The Master Plan also identifies several areas of regional park interest – areas that could be added to existing parks, connect existing parks, protect threatened ecosystems and provide recreational opportunities for regional residents. The Plan makes it clear that not all of these areas will actually become regional parks, and that negotiations may modify the proposed boundaries of new park areas. CRD Parks' selection of future parks will depend on the opportunity to acquire land, and on negotiation with the landowners. Full implementation of the Master Plan will take many years.

The *CRD Parks Master Plan* identifies several areas within the Highlands that would be of interest as regional parks (see Map 3) should the opportunity arise to acquire these lands. These additions would help to create north-south connections between Mount Work and Thetis Lake Regional Parks, and to create (in part) an east-west linkage between Thetis Lake Regional Park and Goldstream and Gowlland Tod Provincial Parks.

Map 2: Desired Additions to Gowlland Tod Provincial Park



The *CRD Parks Master Plan* sees the proposed additions to Thetis Lake Regional Park and Mount Work Regional Park as a priority, including a southern extension of Mount Work-Hartland Regional Park to recognise the mountain biking activity that already occurs in this area. In addition, the Master Plan shows most of the Western Forest Products (WFP) South holdings in the Highlands as of regional park interest.

The Parks and Recreation Master Plan Steering Committee welcomes CRD Parks' interest in the Highlands. The Committee believes that larger areas in the Highlands with regional values – either ecological or recreational – should become regional rather than municipal parks. These areas benefit all CRD residents and not just the residents of the Highlands, and should be funded from regional rather than municipal taxes.

Adding to and Connecting Mount Work and Thetis Lake Regional Parks

Recommendations

- *Support and encourage CRD Parks' efforts to add to and connect Mount Work and Thetis Lake Regional Parks in the Highlands.*
- *Identify these proposed additions to Thetis Lake and Mount Work Regional Parks as areas of regional park potential in the Official Community Plan.*

The Steering Committee has somewhat modified the regional park areas proposed by the CRD (as shown on Map 3) to include some additional areas that the committee feels should be added to Thetis Lake and Mount Work Parks, if possible. The modified areas are shown on Map 4 as areas with *regional park potential*. These modified boundaries would protect proposed new regional trail corridors and some additional sensitive ecosystems, especially south of Mount Work.

The District of Highlands should support CRD Parks' efforts to acquire land in the areas CRD have identified, and encourage CRD to also consider the additional areas identified in Map 4. (Decisions regarding regional parks are made by the CRD Board, and the District of Highlands can only make recommendations for actions they would like to see in relation to regional parks.)

If the CRD are unable to acquire some of the lands identified in Map 4 as having regional park potential, the District of Highlands could consider acquiring these as municipal parks, limiting development through Greenbelt zoning in the Official Community Plan, or negotiating covenants with landowners.

WFP South

Recommendations

- *Support and encourage CRD Parks' efforts to acquire part of the WFP South lands as a regional park.*
- *Identify WFP South as an area of regional park potential in the Official Community Plan.*

One area of particular interest to the Highlands and CRD Parks is the area known as WFP South. The Western Forest Products (WFP) property in the south-west corner of the Highlands is one of the most important areas of undesignated recreation and conservation potential in the Capital Region. There are many conservation values in this area, including mature forests, nutrient-rich wetlands, aquatic and riparian ecosystems, Matson Lake, dry rocky outcrops, a profusion of wildflower, a variety of wildlife habitats, unusual glacial morainal deposits, and a broad representation of tree and plant species that are dependent on soil and microclimates found in distinctive separate ecosystems. The area contains one of the highest concentrations of wetlands in the Capital Region and supplies a large portion of the water supply for Millstream Creek. Several of the wetlands were included in the Sensitive Ecosystems Inventory.

A residential development (43 units) is proposed on part of the WFP-owned property, which will also contain several neighbourhood parks and trails⁴. A large residential development (900 or more units) is proposed for the WFP lands south of the Highlands border in Langford.

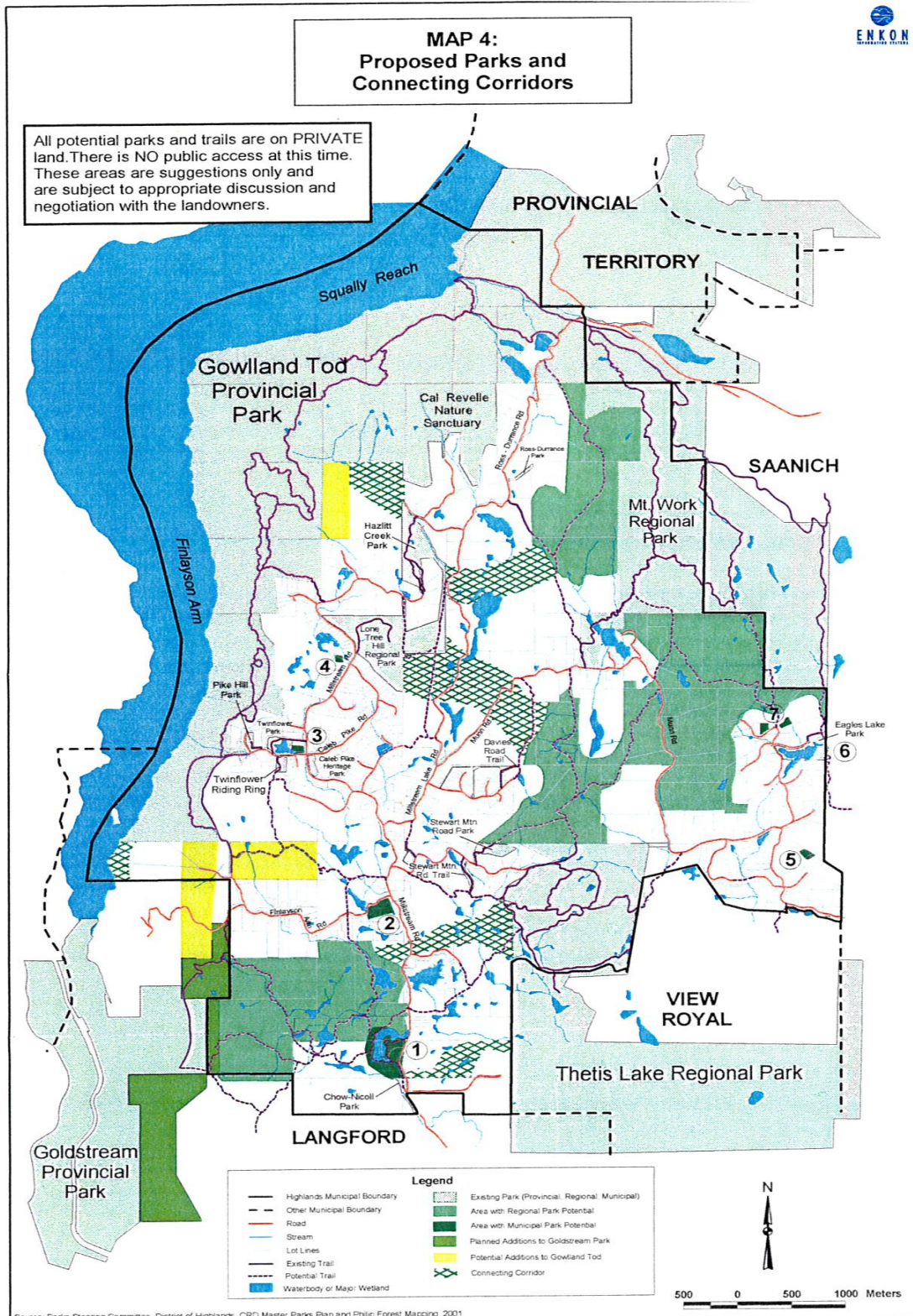
The WFP South lands identified on Map 4 represent an opportunity to establish a lowland, valley-bottom park. This type of ecosystem is greatly under-represented in both the CRD and Highlands parks systems.

A park here could offer a range of recreational opportunities including a variety of hiking, mountain biking and equestrian trails, as well as nature appreciation and scientific study. Unlike most other parts of the Highlands, the trail system also includes flatter terrain. It would improve east-west links between Thetis Lake Regional Park and Goldstream and Gowlland Tod Provincial Parks. This link has also been reviewed by CRD Parks, Provincial Capital Commission and the municipalities.

WFP South would make an exceptional addition to the regional parks system.

⁴ These are not shown on Map 4, as they are still under consideration.

Map 4: Proposed Parks and Connecting Corridors



5.4.3 Mountain Biking Area

Recommendation

- *Identify an area (or areas) in regional parks where mountain biking can take place, in conjunction with the South Island Mountain Biking Society (SIMBS) and CRD Parks.*

Mountain biking is an increasingly popular activity in the Highlands and throughout the Capital Region.

The Highlands would benefit from having a designated mountain biking area. It could provide quality recreational opportunities for mountain bikers, and would help to divert mountain bikers from using other trails which are not suitable for biking. As mountain biking activity attracts region-wide residents, a mountain biking area would most appropriately be owned and managed by CRD Parks.

Part of the WFP South lands proposed as a regional park could provide excellent opportunities for mountain biking because of its desirable terrain. There is already considerable use of part of the WFP South property for mountain biking, despite the fact that this access represents trespass on private property. However, concerns about damage to the environment from mountain bike use must also be taken into account when selecting an appropriate area for mountain biking.

- ♦ **"Provide a range of cycling opportunities within the regional parks and trails system.**
- ♦ **Consider cycling facilities during the preparation of regional trails and park management plan."**

Trails guidelines, CRD Parks Master Plan 2000.

CRD Parks are currently reviewing the park management plan for Thetis Lake Regional Park. The newly acquired area north of Thetis (in the Highlands) shows promise for a variety of activities, including mountain biking, and this will be considered as part of the management plan process.

"While a designated area for mountain bikers is a good idea, how do we get them to stay on the trails to protect the environment and adjacent private property? How do we keep out motorised trail bikes?"

Response to newsletter #2.

Designated mountain biking area(s) could be co-managed, as at Mount Work-Hartland Regional Park, by CRD Parks and the South Island Mountain Biking Society (SIMBS). One advantage of having co-management with a user group such as SIMBS is that a great deal of self-policing occurs, helping to reduce unwanted uses such as motorised trail bikes, and better control of damage and litter.

5.5 Municipal Parks

There are currently (2001) eleven municipal parks in the Highlands, many of them quite small (less than 2 ha) (see Table 1, page 6). These municipally-owned parks are intended primarily for the use and enjoyment of local residents. However, visitors to the area can and do use the municipal parks as well.

New Municipal Parks

Recommendations

- *Expand Chow-Nicoll Park northwards to include the area around the District Office. Acquire the adjoining area around Hatcher Swamp and build an interpretive trail that is wheelchair accessible.*
- *Consider acquiring the property at the south-west corner of the Millstream- Finlayson Arm junction to protect riparian habitat and as a possible community hall site.*
- *Acquire the property south-east of Twinflower Park and add this to the park.*
- *Retain part of the West Millstream area (Caleb Pike North) as a neighbourhood park and tot lot, when this area is sub-divided.*
- *Acquire the high point off Munn Road and a trail right-of-way to provide a short hike up to the viewpoint.*
- *Consider having a caretaker living on the northern part of Lot 4 (away from the Eagles Lake wetland), to reduce vandalism, or sub-dividing the north-east parcel of Eagles Lake Park, with the money from the sale going into a parks acquisition fund.*
- *Consider acquiring one or both sites suitable for a future playfield/tot lot on Woodridge Place.*

"The District of Highlands will acquire more park land in areas of the municipality where it is currently limited (such as the southeast and south), emphasising connected greenway corridors."
Highlands OCP, 1.2.4.a.

Efforts to expand the municipal parks system should focus on areas of local ecological, recreational and/or historical value (as opposed to the regional parks, which meet regional needs).

Map 4 (page 31) shows several areas that could be considered as future municipal parks. The boundaries of these proposed parks are approximate; any final boundaries would depend on negotiations with landowners and discussions with local residents. (Numbers in the headlines below refer to the numbers on Map 4.)

(1) Chow-Nicoll/Hatcher Swamp

Chow-Nicoll Park could be extended northwards to include Hatcher Swamp and the area around the District Office. Establishing this area as a municipal park would achieve a number of ends:

- It would protect Hatcher Swamp, a Sensitive Ecosystems Inventory wetland.
- An interpretive trail could be built around the swamp, providing opportunities for environmental education. The trail would be relatively flat, and all or part of it could be constructed as a wheelchair accessible trail – thus making it accessible for people pushing strollers, using walkers, and those who prefer less strenuous walking.
- It would retain the buffer of second growth forest along Millstream Road from the entrance of the Highlands to the District Office.
- It would legitimise the informal trail system already developing around the District Office and Hatcher Swamp.
- Some residents have suggested this area for a community hall, which could be dovetailed with the school, if this is built.⁵

The area is currently owned by Western Forest Products and the District of Highlands. A residential development is proposed in the area south and west of Hatcher Swamp, including some parks and trails that should be linked to this area and to the WFP South lands.

(2) Millstream/Finlayson Arm

At the south-western corner of the junction of Millstream Road and Finlayson Arm Road, there is a privately owned area (approx. 5 ha). The western section contains Millstream Creek and another small creek which have riparian and habitat values. The north section is partially cleared and disturbed, and could offer a site for a community hall or playfield. (Note that during consultation, some residents of the area expressed concern that this was not a good location for a community hall. See also *Section 5.7.8, Community Hall*).

(3) Twinflower South

South-east of Twinflower Park, there is a privately owned vacant parcel (approximately 1 ha) at the corner of Millstream and Caleb Pike Roads, known as Pike Marsh. The owner is interested in developing the property, but there are concerns about protecting the adjacent wetland. If the municipality acquired this area and added it to Twinflower Park, this would retain the wetland and significant habitat values, provide an additional buffer around the playfield, and protect the views from Caleb Pike Heritage Park and Pike Hill.

⁵ Note that the Steering Committee members do not feel that this is the best site for a community hall.

(4) Caleb Pike North

Between Lone Tree Hill Regional Park and the Gowlland Tod Provincial Park is an area of future residential development (17 houses) known as 'West Millstream.' Part of this property has been extensively cleared for road-building by the previous owner, and a portion could be rehabilitated to provide space for a future neighbourhood municipal park with a tot lot (see also *Section 5.7.4: Tot Lots*).

(5) Munn Road Viewpoint

East of Munn Road there is a hilltop that offers excellent views. The property is privately owned and being used for scrap metals. During redevelopment, it may be possible to acquire an access trail to the viewpoint and a small park on the hilltop.

(6) Eagles Lake

A new parcel was added to Eagles Lake Park in 2000 (see Map 1, page 7). This has created the potential for a trail adjacent to the lake and wetland. Some residents would like a tot lot in this area (see also *Section 5.7.4: Tot Lots*). One portion of the park (the northern end of Lot 4) has development potential, and one option is to use this property for a caretaker (see *Section 5.5.2: Management of Municipal Parks*) or to sell this and use the funds for other park acquisitions.

(7) Woodridge Place

There are two sites on Woodridge Place that may be suitable for a future neighbourhood tot lot and/or playfield (see also *Section 5.7.4: Tot Lots*).

Management of Municipal Parks

5.5.1.1 Park Management Plans

Recommendation

- *Work with the Parks and Recreation Advisory Committee, Highland Parks and Recreation Association, Trails Advisory Committee and Environment Advisory Committee to create a management plan for each municipal park, starting with high priority areas such as Eagles Lake, Twinflower and Chow-Nicoll.*

The Steering Committee felt that their mandate was to look at the *system* of parks, and that it was not within their scope to make detailed management recommendations about individual existing and potential municipal parks. The Highland Park and Recreation Association (HPRA) currently has a five-year management agreement with the District of Highlands to manage both Eagles Lake and Twinflower Park (including the Riding Ring). As part of this agreement, the HPRA prepares an annual 'master plan' and budget for the operation of the parks.

The Steering Committee feels that a more detailed management plan is required for all of the municipal parks, starting with those that are currently experiencing problems (such as Eagles Lake), and those with a need for some direction (such as Chow-Nicoll). (A park management plan sets out specific guidelines and priorities for the development, conservation and operation of that park, usually for a five year period.) During consultation on this Master Plan, a number of specific recommendations were made (see Appendices 2 and 4), and these should be considered in developing park-specific management plans, along with a more detailed consultation with local residents in the plan development.

The municipal park currently experiencing the greatest problems is Eagles Lake Park. There is a small beach at Eagles Lake that is a popular place on sunny days. This can create parking problems with cars lining both sides of the roads – a special concern because the East Firehall is nearby and access for fire trucks could be blocked. This has been partially solved by the placement of ‘no parking’ signs along one side of the road. The other issues have been noise – late night parties are not uncommon – and vandalism (the former picnic table was trashed).

There are now new residences along Eagles Lake Road, and local residents are hoping that this will provide “eyes and ears” to reduce the noise and vandalism issues. While the presence of neighbours can help to reduce objectionable rowdy behaviour, neighbours cannot be expected to provide bylaw enforcement. The presence of a caretaker at Caleb Pike Park has minimised unwarranted activity, and has contributed to park maintenance. A caretaker could be housed on the northern part of Lot 4, to help with bylaw enforcement. If and when this caretaker role is no longer required, this part of the park could be sold and the proceeds used for other park acquisitions.

Chow-Nicoll Park is one of the newest municipal parks, following Millstream Road and the Millstream Creek south of the District Office (see Map 1, page 7.) A formal trail system is yet to be developed. A management plan for this park is a priority, especially with regard to appropriate public access and the need for restoration.

Twinflower Park has undergone several improvements in the past two years, with development of a playfield, paving of a basketball/hockey court, development of a parking area and the moving of the tot lot. There are still some ongoing issues, such as completing the facilities and making decisions on drainage and irrigation of the playfield. Some people have suggested that the speed of cars along this section of Millstream Road is a concern, with young children walking along the road to the park. This would be a good site for a roadside trail.

5.5.1.2 Park Zones

Recommendations

- *Create 'zones' within municipal parks and manage activities according to the zone.*
- *Develop objectives and policies for managing different zones.*

"Municipal park" is a very broad term that can include high use, managed areas such as the Twinflower Park tot lot, as well as environmentally sensitive areas. By having different 'zones' within municipal parks, it will be easier to determine appropriate activities and levels of management required. (Note that these are not legal zones as in zoning bylaw, but management zones.)

Suggested zones are:

- **Conservation zones:** sensitive areas where conservation is a high priority to protect wildlife or habitats. There should be little or no human access to these areas.
- **Natural zones:** areas that should remain in a relatively natural state, but these less sensitive areas can accommodate multi-use trails and low impact recreation.
- **Recreation zones:** high-use areas with facilities, such as playfields, picnic tables or a community hall, where there may be extensive modifications to the area.

The individual park management plans should identify the zones – and appropriate management strategies – within each park.

5.5.1.3 Maintaining and Restoring the Natural Environment

Recommendations

- *Ensure that the construction and maintenance of municipal park facilities minimises impacts to the natural environment.*
- *Identify areas of municipal parks that require rehabilitation and act to restore them and to prevent future damage.*
- *Distribute literature on invasive species to Highlands residents and encourage Highlanders to reduce/control the spread of invasive species.*
- *Have an annual 'broom bash' and arrange for pick-up of the removed broom.*

The construction, maintenance and use of park facilities (including trails) should be done in a manner that minimises disturbance to the natural environment. If municipal parks are damaged by human activities (e.g. Chow-Nicoll, which was damaged prior to acquisition) the management plan should identify restoration strategies.

As elsewhere in the Capital Region, the ecology of natural areas in the Highlands is severely threatened by non-native plants and animals such as Scotch broom, gorse, bullfrogs, grey squirrels and black slugs. Highlanders should be informed of the

ways to minimise the spread of non-native invasive species, for example through articles in the *Highland News* and on the District's website.

Scotch broom is one of the more visible 'invaders,' and Highlands residents have held broom-clearing days in the past. It is clearly impossible to remove broom throughout the Highlands, so it would be useful to designate priority areas for removal (such as all or part of municipal parks). Some residents may also wish to clear broom on all or part of their properties.

"We could add a broom clearing day to the already successful garbage collecting day and get more of the community involved in clearing it from the roadsides." Response to Newsletter #2.

Getting rid of the dead broom can be a problem, as chipping it can spread the seeds and burning it *in situ* can create a fire hazard. Pick-up of the removed material would allow for safe burning at another location.

5.5.1.4 Volunteer Management

Recommendations

- *Continue to manage municipal parks using volunteers, not paid staff.*
- *Continue to enter into agreements with organisations to manage specific parks/resources on a volunteer basis.*
- *Provide training for volunteers and stewards.*
- *Create a program of volunteer recognition and encourage new volunteers.*

The Highlands has a strong record of volunteer involvement in the management of parks and trails. The Highland Parks and Recreation Association already manages Twinflower Park and Eagles Lake under agreement with the District. The Highland Heritage Parks Society has a similar agreement to look after Caleb Pike Homestead. Volunteer involvement has helped to retain strong community involvement in park management, and has reduced the costs of park operation. However, there is a need to reduce volunteer 'burn-out' by bringing in new volunteers to share the workload, and to ensure that volunteers are well trained to do the required tasks (e.g. training in the most effective methods of broom removal or trail construction).

It is also important to recognise the work of existing volunteers in some way. For example, the District could host an annual "volunteer social" to thank volunteers for their contributions, and to publicly recognise outstanding contributions.

**"Highlands residents and landowners will be encouraged to participate in land stewardship by taking responsibility for the well-being of the natural environment and making an effort to restore and protect that well-being."
Highlands OCP 1.2.1.b.**

Volunteer stewardship of private lands is also an important part both of the character of the Highlands and the ongoing protection of the natural environment. This should also be encouraged, by providing opportunities for landowners to learn how best to steward their land, perhaps in association with the local land trusts or conservation organisations and through articles in the *Highland News*. Again, public recognition of outstanding commitments to volunteer stewardship would help to encourage others to become involved.

Grants could be used to fund a paid position to support volunteer training and recognition.

5.5.1.5 Signage and maps

Recommendations

- *Provide funding for signs and place them at public trailheads and park entrances.*
- *Ask the Parks and Recreation Advisory Committee and Trails Advisory Committee to work with staff to develop a map/brochure of Highlands parks and trails that would be available at the District Office.*

"A consistent identity will be created for Highlands parks through signs and public information." Highlands OCP 1.2.4.d.

Finding parks and trails in the Highlands can be challenging for newcomers and non-residents (and sometimes for residents!). While some public trails have now been signed, many others have not, and it is hard to distinguish between public trails and informal trails on private land, which could result in trespass. Consistent signage would help residents and visitors to find parks and trailheads. Volunteers could help to place the signs.

Residents have expressed a desire for maps of the public parks and trails in the Highlands. A simple colour map that shows public trails, and provides information on trail etiquette, could be printed and made available at the District Office. Where appropriate, signs and maps could also delineate zones within the parks.

5.5.1.6 Municipal Liability

Recommendation

- *Be aware of the Occupiers Liability Act and its implications.*

Municipal liability is a thorny and complex issue. The Steering Committee felt it was beyond their scope of expertise to provide advice on this matter. A copy of the recently amended *Occupiers Liability Act* is included in Appendix 6.

5.6 *Protection of Natural Areas Outside Parks*

"We will retain sufficient lands in their natural state to permit the present diversity of plant and animal life to flourish and to ensure that the rural lifestyle we enjoy today can be experienced by future generations." Highlands OCP, vision statement

"Goal 1 establishes the intent to protect the health of ecosystems so that native plant and animal life can continue to flourish...[It] is considered the most important goal." Highlands OCP, Goal 1.

It would not be possible – or appropriate – to protect all the natural areas and wildlife corridors within the Highlands as parks. Many environmentally sensitive areas (such as wetlands) are on private property. "Park" often implies public access,⁶ and many of these sensitive areas are better left alone or with minimal human intrusion.

Although the focus of this Plan is on parks and recreation, it would not be complete without consideration of the role of private lands. Privately owned lands can play two important roles in the protection of healthy ecosystems in the Highlands: protection of critical areas such as the sensitive ecosystems, and ensuring that there are connecting corridors between protected areas. They are also important for the maintenance of viewsapes for residents and visitors. The ambience of the Highlands depends on many landscapes that are not park land, and it is important to maintain the nature of these areas.

Conservation Areas and Landowner Stewardship

Recommendations

- *Identify Sensitive Ecosystems Inventory sites that are outside existing/proposed parks as potential conservation areas.*

⁶ Although many parks have a dual role of protecting the natural environment as well as providing recreational opportunities.

- *Work with local land trusts and landowners to provide information on how best to protect environmentally sensitive areas in private ownership, with a priority on potential conservation areas.*
- *Encourage landowners to consider conservation covenants to protect ecological values in the long term.*
- *Consider tax breaks and other incentives for landowners who covenant part of their property.*

The District of Highlands has 58 conservation covenants with landowners, protecting 157 ha of land. (February 2001)

Even if all of the proposed new parks (see Map 4, page 31) were created, there would still be several environmentally sensitive areas outside of these parks where ecological protection is a priority. The Highlands does not have the funds to purchase all of these areas, and a municipal park designation may not be the best means to protect them. These areas should be identified as potential *conservation areas*.

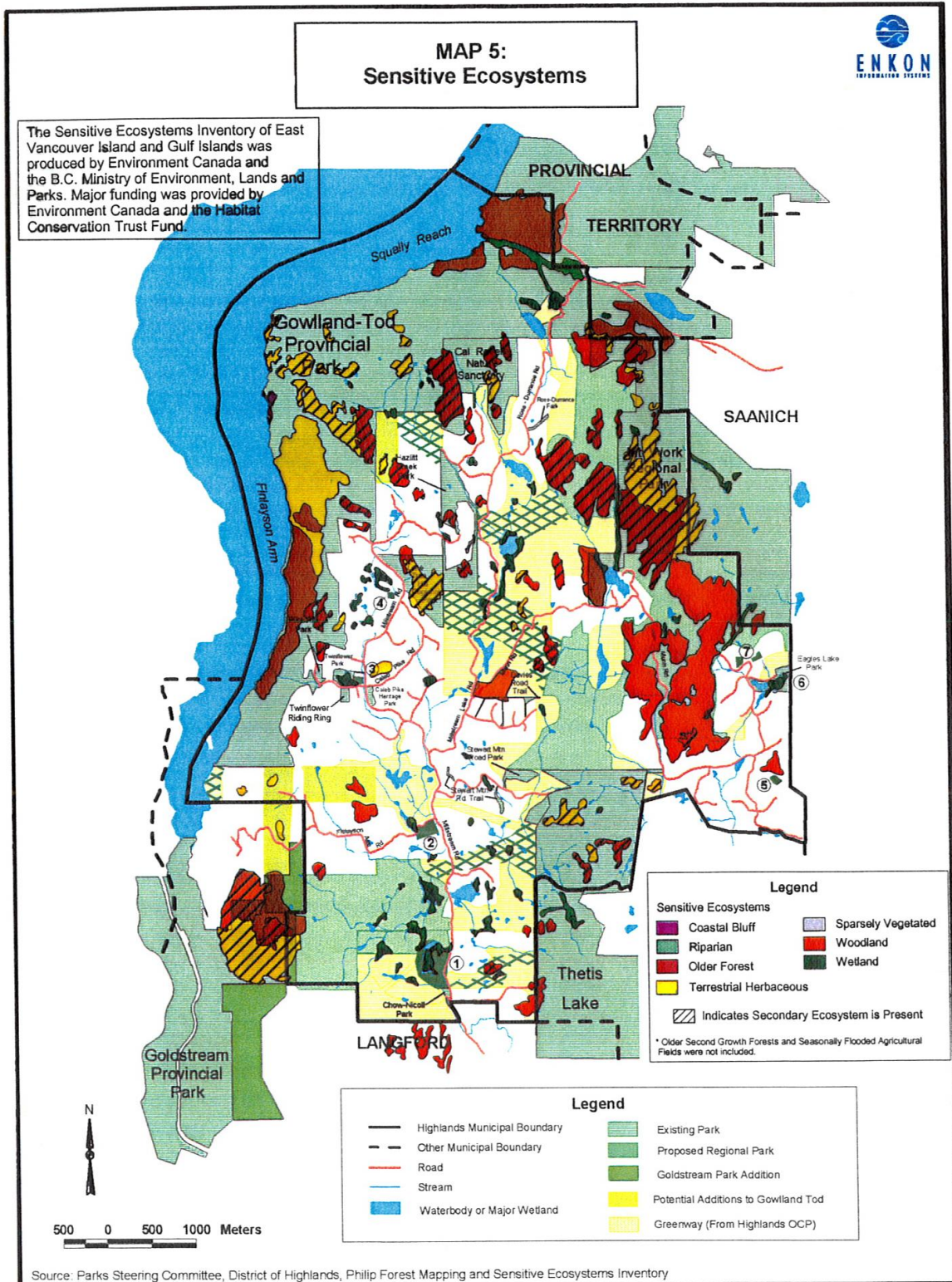
Some of these potential conservation areas in the Highlands can be identified using the Sensitive Ecosystems Inventory (SEI). Map 5 shows the sensitive ecosystems identified by the Sensitive Ecosystems Inventory, and compares these to areas to current and proposed parks and the OCP Greenways. These areas are currently designated as 'water and riparian' or 'sensitive vegetation' Development Permit Areas. This is helpful in that it restricts how development may occur, however it would also be valuable to take a proactive approach to protection by promoting landowner stewardship and covenant options with interested landowners in these areas.

Additional environmentally sensitive areas and important geological features would likely be identified through a more detailed biophysical inventory (see *Section 5.2: Biophysical Inventory*) and these should also be identified as potential conservation areas.

Helping landowners to understand the values of environmentally sensitive areas on their property, and the best ways to conserve these values, can be very effective. The District of Highlands should continue to work with land trusts to contact landowners and work with them to provide information on land stewardship and management options. Landowners with potential conservation areas on their property would be a priority.

Nearly 60 Highlands' landowners have entered into conservation covenants with the municipality and/or land trusts. The District of Highlands might encourage

Map 5: Sensitive Ecosystems



further covenanting by providing a tax break to landowners with covenants on their property.

Connecting Corridors

Recommendations

- *Retain connections between parks and trails within the Highlands and with neighbouring municipalities.*
- *Identify the need for connecting corridors in the Official Community Plan, and use a variety of conservation tools to take advantage of opportunities to secure or protect wildlife corridors and linear parks (trails) within these areas.*

Connecting corridors between parks create corridors for wildlife travel, and some could also be trail corridors. The *Trails Master Plan* will identify trail linkages within the Highlands and with neighbouring municipalities.

While it is relatively simple to determine the links required for trail systems, it is much harder to identify which areas would provide the best wildlife corridors. Different species (e.g. deer vs. frogs) use different areas, have different habitat requirements, and need different corridor widths to be effective. However, following some general principles of trying to keep relatively wide corridors connecting larger parks, the Steering Committee has identified some proposed connecting corridors (see Map 4, page 31). This information will likely be modified by the detailed biophysical inventory (see *Section 5.2: Biophysical Inventory*).

In addition, all riparian corridors provide wildlife corridors and should be maintained in as intact a state as possible. The Official Community Plan already provides a number of policies to protect riparian areas from development, however it would be useful to note their value as wildlife corridors. Millstream Creek, Craigflower Creek and Earsman Creek are considered to be particularly important corridors.

"It is the intent of this Plan to prevent development or other land alteration from harming the value of these areas as Greenways. Highlands OCP, 1.2.2.

"Greenways are considered public amenities and may be acquired or protected." Highlands OCP 1.2.2.c.

Most of these proposed connecting corridors are already identified as OCP Greenways. As such, they are already recognised as having wildlife value, and "unnecessary site disturbances" are discouraged. The Official Community Plan should also specifically recognise the importance of wildlife corridors. Where key

corridors are identified through the biophysical inventory, these areas should be a priority for acquisition or other longer-term protection strategies.

5.7 Recreation Facilities and Programs

Recreational Activities

Recommendations

- *Design trails in municipal parks for multiple use where feasible.*
- *Develop at least one municipal park/ trail that is wheelchair accessible.*
- *Enhance environmental awareness by developing at least one interpretive trail within the Highlands.*
- *Retain the current Official Community Plan policies to prohibit motorised recreation and overnight camping in municipal parks.*

"To enhance environmental awareness..." Highlands OCP Objectives 1.1.b.

"Overnight camping is strongly discouraged in *municipal* parks and it is opposed in regional and provincial parks." Highlands OCP 1.2.4.b.

"Motorised vehicles will be prohibited from public trails, other public lands, and greenways in the Highlands, except for emergency or maintenance purposes." Highlands OCP 4.2.3.i.

A range of recreational opportunities should be provided for in existing and new municipal parks. Where possible, trails within municipal parks should be designed for multiple-use (non-motorised), for hikers, mountain bikers and horse riders. In some places this may not be appropriate if the terrain is too rugged, or if horses or bikes would cause undue environmental damage.

Other outdoor recreational activities such as orienteering and nature interpretation walks could be offered in municipal parks. Activities that promote environmental awareness and environmentally responsible behaviour are to be especially encouraged. In addition to nature walks led by knowledgeable individuals, it would be good to have an interpretive trail where residents and visitors could learn about the natural environment of the Highlands. Hatcher Swamp and the Eagles Lake wetland are considered good locations for such a trail.

Not all Highlands residents can or want to hike up strenuous, rugged trails to viewpoints. The parks and trail system should also offer opportunities to those who would prefer flatter, easier walking. At least one trail should be accessible to people in wheelchairs – which benefits not only those in wheelchairs, but also people pushing strollers or those who have difficulty walking. Again, all or part of the

proposed Hatcher Swamp interpretive trail (see *Section 5.5.1: New Municipal Parks*) is suggested as a good location for a wheelchair accessible trail.

Motorised recreation is not compatible with the peace and quiet enjoyment desired by Highlanders, and off-road motorised use should continue to be prohibited on public lands, as set out in the Official Community Plan.

Camping should not be permitted in municipal parks. There are no camping facilities in provincial and regional parks in the Highlands, and this should continue. There have been proposals for private campgrounds in the municipality, which could be considered on their individual merit (assuming the development of such a facility does not unduly disturb the neighbours or present fire, safety or environmental concerns).

Riding Ring

Recommendations

- *Monitor the need for improved drainage at the riding ring.*
- *Work with equestrians on fundraising and improvements to the riding ring and to create a fund for the long-term maintenance of the ring.*
- *Create some parking space for horse trailers on the site and allow some roadside parking.*
- *Once the ring is completed, advertise its availability and host events such as horse jumping and gymkhanas.*

The Riding Ring at Twinflower Park is now available for use, and offers an excellent local facility for horseriders. Some ditching has been undertaken to improve drainage. The results of this should be monitored over the winter, and if necessary further drainage work undertaken.

The Riding Ring has the potential to be used for competitions (such as horse jumping). The municipality owns land adjacent to the riding ring, and some of this land could be used to provide parking for cars and trailers during competitions.

Lake Access

Recommendations

- *Work with the Highlands Lake Stewardship Association to continue to build a more complete understanding of lakes and watersheds in the Highlands.*
- *Ensure that the value of watercourses as habitat for aquatic life and terrestrial wildlife is not compromised by their use for recreation.*
- *Consider possible ecological impacts and carrying capacity, and consult with the Highlands Lake Stewardship Association, Environment Advisory Committee, Parks and*

Recreation Advisory Committee, Trails Advisory Committee and local residents before considering any new lake access, or changing/eliminating existing lake accesses.

"Public access to lakes and streams will be sought, as long as such access does not contribute to environmental degradation of the water body or cause significant negative impacts on nearby residents." Highlands OCP 1.2.1.j.

"The District of Highlands will seek to ensure that the value of watercourses as habitat for aquatic life and terrestrial wildlife is not compromised by their use for storm drainage, recreation or agriculture." Highlands OCP 4.2.9.f.

Although there are many lakes in the Highlands, public access is limited to Eagles Lake, Pease Lake and Fork Lake.

Since December 1996 a group of local residents have been monitoring water quality and promoting stewardship of lakes in the Highlands. This work is supported by the Ministry of Water, Land and Air Protection (formerly the Ministry of Environment, Lands and Parks), Royal Roads University, the District of Highlands, University of Victoria and BC Lake Stewardship Society.

The activities of this group have been growing over the years. The Highlands Lake Stewardship Association now monitors five lakes (Fork, Teanook, Third, Pease and Eagles Lakes), encourages stewardship activities and produces a quarterly newsletter.

The group is considering an expansion of their activities, in partnership with Royal Roads University, to include groundwater analysis, more community education (such as water conservation and care of septic systems), and other stewardship initiatives.

Highlanders have expressed a desire for more lake access for swimming, fishing and canoeing. However, most lakes are small and surrounded by private land. Public recreational access might create water quality, habitat and privacy concerns.

Despite the desire for increased lake access, the Steering Committee feels that the current priority on protecting habitat and wildlife should continue. If an opportunity arises to create additional lake access (for example during subdivision), this should occur only after assessing the potential impact of recreational use on water quality, habitat values and local residents.

Tot Lots

Recommendations

- *Consult with east Highlanders to identify the current need and desire for tot lots.*
- *Acquire and build a tot lot in east Highlands (if the need is identified).*
- *Acquire suitable sites for possible future tot lots in neighbourhoods as opportunities arise.*
- *Encourage neighbourhoods to seek non-tax funding for playground equipment (such as corporate funding, donations from service clubs and fundraising activities).*

Twinflower Park has a children's playground (tot lot) that is starting to attract more use as people become aware of it.

**"Don't most residents in east Highlands have larger lots on which their tots could play? ...this would be a more cost-effective solution for the community."
"We need [play] parks close enough to home for smaller children to walk to." Responses to newsletters #1 and #2.**

Opinions on providing additional tot lots in the Highlands vary. Some people feel there should be one in every neighbourhood, to bring people together. Others feel that children should be using their own backyards as playgrounds, and that the municipality cannot and should not afford this type of facility.

Several people support the idea of a tot lot in the east Highlands. Possible locations include the sites identified on Woodridge Place (see *Section 5.5.1: New Municipal Parks*) or near the beach at Eagles Lake. If there is sufficient current demand and external funding can be found (e.g. through grants and donations), providing a tot lot for the east Highlands should be a priority. Even if there is no current demand for a tot lot, it would be prudent to identify and secure land for a future tot lot in the east. Local residents should be involved in decisions regarding the location and timing of construction.

Similarly, the municipality should acquire small parcels of land in more populated neighbourhoods, as the opportunity arises. This land could be used for tot lots or neighbourhood parks if there is a future demand for this. Perhaps neighbourhood groups could do their own fundraising for play facilities if they choose.

Playfields

Recommendations

- *Monitor the drainage at the Twinflower playfield, and if necessary take further action.*
- *Acquire a suitable site that could be used for future development of a community playfield in east Highlands.*

- *Seek outside funding (such as corporate funding, donations from service clubs and fundraising activities) for the purchase of new playfield equipment.*

"To provide for a basic level of recreational opportunities beyond those based on the natural environment, particularly addressing the needs of young people... (such as playfields)." Highlands OCP 4.1.e.

Twinflower Park has a small playfield for informal baseball and soccer games, and other casual recreational activities. It is not a regulation-size field, so could not be used for Little League games. The surface is still quite irregular, and drainage is an issue in wet weather. Some remedial work has taken place, and results will be monitored this winter. Additional drainage works may be required.

However, the Twinflower playfield serves the community needs well at present. League-size playfields are available in neighbouring communities so the development of such as field need not be an immediate priority for the Highlands.

Some residents suggested there should be a playfield area for the east Highlands. Should the opportunity arise, it would be valuable to acquire land for future development of a playfield in a location easily accessible for east Highlanders. Actual development of this playfield would not happen until there is sufficient demand.

Another opportunity for additional playfield space could occur if a school were to be built in south Highlands.

Youth Activities

Recommendations

- *Ensure that meeting spaces and the new community hall are available for youth activities and events (e.g. a teen drop-in night, dances and programs).*
- *Provide recreation programs (sports and cultural) for young people in a location that as many as possible can walk or bicycle to, or have transportation provided (e.g. by Juan de Fuca Recreation Centre). Youth programs should include both indoor and outdoor activities.*
- *Seek a grant to hire a summer student or consultant to develop an infrastructure for youth programs and opportunities.*

For younger children, there is now the tot lot at Twinflower and beach at Eagles Lake. The playfield and basketball court will also offer opportunities for young people of all age-groups. Many young people also enjoy the trails and nature viewing opportunities. However, there is nowhere for teens to meet and enjoy casual

recreational opportunities with their friends, or recreational or cultural programs for them in the municipality.

Requests from youth for opportunities in the Highlands:
Teen Club, teen dances, something for teens to do at night; Meeting place/community hall for young and older kids; More organised sports for adults and teens; Wall climbing; Finish basketball court at Twinflower; Need bases in Twinflower field; Highland Little League baseball; Soccer; Skateboard ramps; Tennis courts; Bus service.
From responses to Newsletter #1.

The Recreation Survey and responses to Newsletter #1 both indicted a desire to have more opportunities available for youth in the Highlands. Transportation is a key issue for youth, as there is no bus service within the Highlands or to neighbouring communities.

One opportunity will become available in the basement of the schoolhouse at Caleb Pike, which, once completed, will have a pool table available for young people. A similar place in the east Highlands where young people can get together would also be welcomed, both for outdoor activities such as basketball and skateboarding, and indoor activities such as table tennis.

Local recreation centres offer programs for young people, but it can be hard for teens who have no transport. Either bussing could be provided from the Highlands to the recreation centre (e.g. Juan de Fuca), and/or programs could be offered at a location in the Highlands. Programs should include arts and cultural activities as well as sports.

There are many opportunities for youth involvement that could benefit both the municipality and the youth themselves. Cultural and recreational programs, youth mentoring programs, and student projects through schools are all possibilities, but would require a support structure. A student or consultant could be hired to investigate the options and establish appropriate infrastructure.

Recreational Programs

Recommendations

- *Encourage the Juan de Fuca Recreation Commission to provide more recreational programs in the Highlands and/or to offer transportation.*
- *Ensure that recreation programs include indoor activities (both sports and cultural) and non-motorised outdoor activities.*

- *Encourage local residents to offer appropriate programs or activities, such as nature appreciation, yoga, crafts or orienteering.*

There are very few recreational programs available in the Highlands – most involve a trip by car to Juan de Fuca or other recreation centres. Recreational programs are currently offered through the Juan de Fuca Recreation Commission. With an upcoming change in structure to form the West Shore Recreation Commission, new opportunities may arise to offer more programs in the Highlands either in conjunction with Juan de Fuca or independently.

There is a wealth of local talent and expertise that could be called upon in the Highlands. If suitable space is available, Highlanders could offer programs and activities that meet the community's needs and interests.

Programs should be offered on a user-pay basis.

Community Hall

Recommendations

- *Establish a volunteer task force to recommend a preferred location for a community hall.*
- *Acquire suitable land for a community hall.*
- *Raise funds for the community hall through grants, donations, bequests, foundations and other fundraising activities, to minimise the burden on taxpayers.*
- *Rent the hall for classes and private social functions to support operating costs.*
- *Consider having a caretaker at the community hall.*

"Community hall and recreation sites will be sought and opportunities for obtaining such property and constructing and maintaining facilities at minimal cost will be pursued." Highlands OCP 2.2.1.n.

"The District of Highlands will work to provide a community hall for meetings and social gatherings, and other group activities, and will seek to acquire the facility as a public amenity." Highlands OCP 4.2.6.d.

Respondents to newsletter #1 cited the need for a community hall for: Community social events, education, rentable for private gatherings, music, dances, meetings, craft fairs, plays, community spirit, public hearings, open houses, potlucks, recreation for adults and children, parties, banquet facilities, youth events, arts/crafts, game nights, exercise programs, wellness (e.g. yoga), badminton, small library, programs for youth, indoor sports, recitals, plays, and programs.

"Community hall is the priority." Respondent to Newsletter #1.

Highlanders currently use the Caleb Pike House and the two firehalls for community gatherings. However, residents have indicated a need for a larger community hall, for a variety of purposes. Judging by the variety of ideas received, there would be many demands to use a hall if built.

There is no ideal location in the Highlands – a hall in the more populated west would be a long way from east Highlanders, but a central location is far from everyone. However, the community hall should be as close as possible to the majority of the Highlands' population, yet accessible to the rest of Highlands residents, especially for people who do not drive.

"A central location would serve to bring the east and west Highlands communities closer together." Respondent to newsletter #2.

The Steering Committee considered some options for a community hall location. Some respondents to Newsletter #1 felt it was logical to combine a possible school in the Highlands with a community hall (even if they weren't keen on the idea of a school) as long as Highlanders could obtain "24-7" access to the hall (unlike other schools in this School District). However, the southern location proposed for the school is not easily accessible for most Highlanders.

"While I agree there is a need for such a hall, I have great concern about where it should be located. Such a facility would obviously generate a great deal of traffic, noise, and activity, often late into the night. It would be grossly unfair to residential neighbours to locate this hall in a quiet residential area." Response to newsletter #2.

Newsletter #2 proposed the Millstream-Finlayson Arm junction as a possible community hall site. This raised objections from some local residents who felt that their "peace and quiet enjoyment" would be lost if a community hall were built in this relatively populated area. However, this has not been the case for neighbours in the busy Caleb Pike area. The presence of a caretaker has minimised unwarranted activity and has facilitated park maintenance. The caretaker provides these services at no direct cost to the community; in fact it provides revenue generation as the caretaker pays rent for the house at Caleb Pike Park. A similar on-site caretaker could be considered for a future community hall.

The Steering Committee suggest that a small task force be struck to identify the best location for a community hall.

Concerns were also raised about the cost of building and maintaining a community hall. Several people noted that they did not wish to see their taxes increase to support a community hall. External funding might have to be sought to build the

community hall, and its ongoing maintenance should be self-funded as much as possible. A community hall is indicated as a desirable amenity in the Official Community Plan.

Other Meeting Space

Recommendations

- *Make the Caleb Pike schoolhouse basement available for indoor recreation (once completed).*
- *Investigate the option of building a second storey over the East Firehall bay, to provide meeting space in east Highlands.*

There is a need for meeting space in addition to a community hall. As well as Caleb Pike House and the firehalls, the basement of the restored schoolhouse at Caleb Pike Homestead will (once completed) provide a small space for recreational activities (including a pool table) for youth and adults.

There is a particular need for meeting space in the east Highlands, as access to the East Firehall meeting room is limited. It is also difficult to park in this area as no public parking is allowed on the firehall site to protect access for fire trucks, and there is no wheelchair access.

The roof over the East Firehall bay is due for upgrading in the near future. The District should investigate the feasibility of building a second storey over the East Firehall bay, to create a more permanent meeting room and teen meeting space in the east. Note that a solution to the parking problem will also be required.

5.8 Trails

A *Trails Master Plan* is being prepared by the Trails Advisory Committee to complement the *Highlands Parks and Recreation Master Plan*. There is already a network of trails in the provincial, regional and municipal parks, as well as a growing system of roadside trails. In addition, there are many trails on private land that are being used with the tacit permission of the landowners.

The *Trails Master Plan* will update the 1997 *Greenways/Trails Network Master Plan*, for inclusion in the revised Official Community Plan. The 2001 *Trails Master Plan* shows the continuing importance of trails in the Highlands for hikers, equestrians and cyclists. The *Trails Master Plan* reviews and updates the proposed network of regional and sub-regional trails, and suggests locations for trails in areas proposed as future potential park additions in the *Parks and Recreation Master Plan*. Another aspect being addressed by the *Trails Master Plan* is the desire to secure legal

access for some of the critical trail links on private land, where this can be negotiated with willing landowners.

For more details, please see the 2001 *District of Highlands Trails Master Plan*.

5.9 Heritage Protection

Recommendations

- Engage a summer student or volunteer to carry out research and search old titles, in order to identify heritage properties in the Highlands, and to establish a community heritage register and contact list.
- Consider establishing a Community Heritage Commission (in conjunction with the Highland Heritage Parks Society) to advise on heritage planning and protection.
- Consider tax relief to owners of designated heritage properties, where the owner commits to the protection of the heritage values.
- Identify other heritage features, such as heritage trees, in the Highlands.

"To promote the preservation of heritage buildings, heritage landscapes and archaeological sites." Highlands OCP, Goal 2 objectives (d).

"All attempts should be made to conserve sites, structures, and landscapes of historical significance." Highlands OCP 2.2.3.b.

Caleb Pike Homestead is the only heritage park in Highlands at present. However, there are other sites of archaeological and historical interest in the District. During consultation, several people identified pioneer sites that may merit heritage status, such as the Matson homesite. The aboriginal history and artefacts of the area are less well known (except those in Gowlland Tod), but may also merit designation. Since there is no inventory of historical sites in the Highlands, a summer student or volunteer could be tasked with compiling this information.

The *Local Government Act* provides for the establishment of Community Heritage Commissions to advise on heritage planning and protection in the municipality. It may be appropriate to set up the Highland Heritage Parks Society in this role.

Where people are living in heritage buildings, there can be additional costs to maintain the heritage nature of the property. The District could consider incentives (such as some tax relief) to property owners who enter into an agreement to protect the heritage values.

In addition to buildings, there are other heritage features such as heritage trees, the orchard at Caleb Pike and other 'natural heritage' features that should be identified. The Heritage Tree Society already identifies, measures and registers trees of heritage

value in the Greater Victoria area. Some natural features may warrant designation as a heritage site.

5.10 Financing the Acquisition and Maintenance of Parks and Recreation Facilities

Recommendations

- *Take advantage of opportunities to acquire park land, especially in areas designated for municipal parks acquisition, or to seek contributions to a parks acquisition fund.*
- *Create a budget for municipal parks maintenance.*
- *Charge fees for a municipal park use permit for special events, e.g. using the riding ring for a gymkhana.*
- *Through the municipality, land trusts and/or CRD Parks, encourage donations or bequests (cash or land) to add to the park system. Combine this with the federal Ecogifts Program that allows property owners to reduce their income tax when they donate environmentally sensitive land.*
- *Consider using funds from casino revenues to support parks and recreation.*
- *Apply for funding from available sources such as the Habitat Conservation Trust Fund.*
- *Encourage local fundraising efforts (events, concerts) for specific purchases (e.g. new playground equipment).*

There are a number of ways in which the municipality can acquire new park land at little or no cost (see *Section 6: Tools*), as the Highlands has successfully done on many occasions.

During consultation, it was clear that some residents do not want taxes to increase in order to acquire new park and recreation facilities. However, funding can take many forms: partnerships, stewardship, and donations in-kind or in dollars as well as municipal funds. As well, it is now recognised that park creation benefits a neighbourhood both by offering recreational opportunities, and by increasing property values.

Operational and maintenance costs of Highlands' parks are kept to a minimum through extensive use of volunteers and donated materials. These methods of keeping costs low should continue. However, the District should recognise that as the demand expands, there will be some volunteer burn-out, and the municipality should be prepared in future to support some of the maintenance costs of parks and recreation facilities.

6 TOOLS TO ACQUIRE AND PROTECT PARKS AND NATURAL AREAS

There are many tools available to acquire park lands and protect natural areas. The most appropriate mix of these tools will benefit all parties involved by being fair and cost-effective.

Historically, acquisition and preservation was either left to government (often through land purchase), or by private landowner stewardship. These two methods are still important, but with changes in government roles, the escalation of land prices and the reduced ability of agencies to purchase lands outright, new and more innovative approaches have become available.

Revisions to provincial legislation over the last decade have authorised local governments and land trusts to work more flexibly and cooperatively with land developers and landowners to acquire park land. There are also new opportunities, incentives and support networks that allow both public and private landowners to be effective stewards of their lands.

There are many ways in which a municipality can acquire or protect parks and natural areas: including restrictions on development, land acquisition, and voluntary arrangements with landowners. The following provides a brief description of some of the tools available.

6.1 Restrictions on Development

There are a number of tools that a municipality can use to restrict development in environmentally sensitive areas and to promote the protection of natural values. Many of these are already in use in the Highlands.

The Official Community Plan itself is an important tool to identify the overall pattern of areas of development or conservation. For example, Greenways are designated to provide wildlife habitat, protect important ecological features and provide recreational opportunities. Not all development is restricted, but unnecessary site disturbances are discouraged.

The Official Community Plan also identifies Development Permit Areas (DPAs), with guidelines for the development that may or may not take place. A permit must be obtained before the owner can cut trees, blast, remove/deposit soil or build in these DPAs. Development Permit Areas in the Highlands currently include steep slopes, water and riparian areas, and sensitive vegetation areas.

There are also a variety of bylaws that a municipality can invoke to protect the natural environment, such as tree protection bylaws or soil removal/deposit bylaws.

These types of regulatory restriction can protect natural values at little or no cost to the municipality, although these powers must be balanced with private rights.

6.2 Land Acquisition

Parkland Dedication by Subdivision

"To continue to acquire land desirable for park and trails through negotiations during the rezoning or subdivision of large parcels." Highlands OCP 1.1.e.

Parkland dedication is best suited for small parks within a subdivision.

Provincial legislation requires that when land is subdivided⁷, either land or an equivalent payment must be provided for public parkland. The municipality can require the developer to provide up to 5% of the area as park or 5% of the value of the land being subdivided.⁸ The legislation is intended for no-cost public acquisition of park land. It is important to identify critical or desirable areas in the Official Community Plan so that Council and developers know which parts of the subdivision are best set aside as park.

Where the 'parkland' is taken as a cash value, this money must be placed in a park acquisition fund.

Amenity Zoning

In the Highlands, large areas of parkland are typically negotiated at the time of rezoning through the amenity zoning process.

Amenity zoning (also referred to as density bonusing) occurs where land is rezoned to allow for additional development if certain public amenities are provided. For example, on a large parcel of land, a maximum of 10 residential lots could be created, but 12 could be permitted if public parkland and trail corridors are provided and constructed. The amenities do not have to be on the land that is being developed but they must be precisely described. For example, "one extra residential lot will be permitted if the following is provided: 1 ha of parkland (as shown on Map A) is

⁷ Subdivisions are exempt where fewer than three additional lots are created and where the lots are greater than two hectares in size.

⁸ The developer may provide more if they choose.

dedicated and a multi-use trail 1.5 metres wide within a five metre wide corridor between the Road and the Park (as shown on Map B).” Because the park and trail amenities need to be described accurately in the rezoning bylaw, it is essential to have these areas and routes identified either in the Official Community Plan or during the planning process.

It is also possible for the amenity to be provided in cash, to be put in a park acquisition fund or towards some other amenity, such as a community hall.

Density Transfer

This is a rezoning process that shifts subdivision potential from one parcel of land to another. It consists of a ‘sending area’ (where development might have notable negative impacts or where desired parkland exists) and a ‘receiving area’ (where development is more suitable). For example, two separate parcels may each have potential for three residential lots. A density transfer rezoning might allow the alternative of clustering all six of the lots on the receiving parcel, and creating parkland in the sending area. This allows new parkland to be created at little or no cost to the municipality, and may also bring cost savings to the developer through a clustered development on a site more appropriate for development and lot sales.

If density transfer is to be used, policy and mapping for this process should be established in the Official Community Plan.

Donation or Transfer of Land

Landowners can donate land to a government agency for parks, greenways, or trail purposes. Land can be returned to the provincial Crown, or given to a municipality. The Province or municipality can issue a receipt to the person donating private land, which then can be used for federal/provincial tax benefits. Revisions to the federal *Income Tax Act* also allow owners to become eligible for tax benefits when land that is deemed to be “ecologically sensitive” is donated to a government or a land trust. This is called “eco-gifting.”

A municipality may approach the provincial government to request transfer of Crown land to the municipality for park creation. This remains a provincial decision. Park lands may also be transferred between agencies to rationalise park management.

Purchase

A municipality can purchase land for parks or trails. The use of public monies for park purchases must be balanced against other competing needs, especially in a municipality such as the Highlands that has a small tax base. Buying land can be expensive - the purchase price is not discounted because it is for public use. Purchases of park lands are typically based on an appraisal that values the land at its 'highest and best use' and the existing zoning of the land (usually residential) is considered.

A park acquisition fund can provide available funds for park purchase and physical improvements. With a park acquisition fund, a municipality can redirect the monies to neighbourhoods that need more parks, or use it to respond to acquisition opportunities as they arise. It is therefore important that a municipality identifies its acquisition priorities.

Easements and Statutory Rights-of-Way

Trail access or wildlife corridors across private land can be secured through the granting of an 'easement' or statutory right-of-way under Section 214 of the *Land Title Act*. Statutory rights-of-way are granted only to a government, and may be donated or purchased. A right-of-way for trail purposes can be negotiated with property owners even if they are not subdividing their land. (The landowner retains the right of refusal.)

This approach provides a less expensive alternative to purchasing the entire parcel of land.

6.3 Voluntary Arrangements

Conservation Covenants

Conservation covenants are voluntary agreements between private landowners and a local government and/or land trust. Section 215 of the *Land Title Act* states that local governments can use the provision, "that land or a specific amenity in relation to it be protected, preserved, conserved or kept in its natural state in accordance with the covenant and to the extent provided by the covenant." This tool is appropriate for the preservation of greenways and wildlife corridors, and areas where public access is less desirable or inappropriate. One example is a conservation covenant on the south side of River Road (22 ha) that is jointly held by the owner, District of Highlands and a land trust. It allows limited, private recreational use in specific areas.

Private Stewardship

Stewardship of land is simply using it and maintaining it in a way that does not diminish the natural features of the property. It has been a long time practice in the Highlands as an owner's responsibility to their neighbours as well as to the greater good.

It can be applied to all properties, not just those that are large and undeveloped or those that border parklands. Many of the trails, greenways and wildlife corridors that exist within the Highlands are outside of designated parkland and have benefited from stewardship. The concept of land stewardship does not exclude the development of land, or economic benefits, but seeks to incorporate a variety of land uses with sound ecological practices.

BC Hydro Rights-of-Way

There are several Hydro rights-of-way in the Highlands that are used for recreation. They connect a number of important areas of parkland and private greenspace. It is often thought that these rights-of-way are owned by BC Hydro and are therefore free to be used. This is not the case in the Highlands. Agreements have been negotiated between private landowners and BC Hydro to secure these rights-of-way for construction, maintenance and access to Hydro towers only, and not for public access (although preventing access can be a challenge because of the size of the corridors and by the presence of access roads).

BC Hydro has expressed support for alternative uses of Hydro rights-of-way that are safe and compatible with the operation of their transmission lines - and this includes public use. To enable these to be secured for public use, the private landowners must consent to an easement benefiting a public agency. This type of easement exists in the Hydro right-of-way east of Eagles Lake Park for the regional trail that extends north towards Mount Work Park.

7 RECOMMENDATIONS

7.1 Summary of Recommendations

The District of Highlands should:

5.1 Parks, Recreation and Conservation

- *Continue to place a high priority on the conservation of the natural ecosystems of the Highlands through parks and other conservation mechanisms.*
- *Ensure that the parks system in the Highlands (provincial, regional and municipal parks) includes a variety of ecosystems and recreational opportunities.*
- *Encourage recreational activities where these do not compromise the integrity of the natural environment.*

5.2 Biophysical Inventory

- *Seek funding to carry out a detailed biophysical inventory of the Highlands (focussing first on natural areas not already protected as parks) and use this information to set priorities for the protection of special ecological areas and other significant natural features.*
- *Ensure that the Official Community Plan Development Permit Areas reflect the best available biophysical information.*

5.3 Provincial Parks

- *Work with BC Parks to facilitate the acquisition of identified lands adjacent to Gowlland Tod Provincial Park.*
- *Work with BC Parks and the Highlands Trails Advisory Committee to identify connecting corridors south of Gowlland Tod towards Goldstream Park.*

5.4 Regional Parks

5.4.1 Adding to and Connecting Mount Work and Thetis Lake Regional Parks

- *Support and encourage CRD Parks' efforts to add to and connect Mount Work and Thetis Lake Regional Parks in the Highlands.*
- *Identify these proposed additions to Thetis Lake and Mount Work Regional Parks as areas of regional park potential in the Official Community Plan.*

5.4.2 WFP South

- *Support and encourage CRD Parks' efforts to acquire part of the WFP South lands as a regional park.*
- *Identify WFP South as an area of regional park potential in the Official Community Plan.*

5.4.3 Mountain Biking Area

- *Identify an area (or areas) in regional parks where mountain biking can take place, in conjunction with the South Island Mountain Biking Society (SIMBS) and CRD Parks.*

5.5 Municipal Parks

5.5.1 New Municipal Parks

- *Expand Chow-Nicoll Park northwards to include the area around the District Office. Acquire the adjoining area around Hatcher Swamp and build an interpretive trail that is wheelchair accessible.*
- *Consider acquiring the property at the south-west corner of the Millstream- Finlayson Arm junction to protect riparian habitat and as a possible community hall site.*
- *Acquire the property south-east of Twinflower Park and add this to the park.*
- *Retain part of the West Millstream area (Caleb Pike North) as a neighbourhood park and tot lot, when this area is sub-divided.*
- *Acquire the high point off Munn Road and a trail right-of-way to provide a short hike up to the viewpoint.*
- *Consider having a caretaker living on the northern part of Lot 4 (away from the Eagles Lake wetland), to reduce vandalism, or sub-dividing the north-east parcel of Eagles Lake Park, with the money from the sale going into a parks acquisition fund.*
- *Consider acquiring one or both sites suitable for a future playfield/tot lot on Woodridge Place.*

5.5.2 Management of Parks

5.5.2.1 Park Management Plans

- *Work with the Parks and Recreation Advisory Committee, Highland Parks and Recreation Association, Trails Advisory Committee and Environment Advisory Committee to create a management plan for each municipal park, starting with high priority areas such as Eagles Lake, Twinflower and Chow-Nicoll.*

5.5.2.2 Park Zones

- *Create 'zones' within municipal parks and manage activities according to the zone.*
- *Develop objectives and policies for managing different zones.*

5.5.2.3 Maintaining and Restoring the Natural Environment

- *Ensure that the construction and maintenance of municipal park facilities minimises impacts to the natural environment.*
- *Identify areas of municipal parks that require rehabilitation and act to restore them and to prevent future damage.*
- *Distribute literature on invasive species to Highlands residents and encourage Highlanders to reduce/control the spread of invasive species.*
- *Have an annual 'broom bash' and arrange for pick-up of the removed broom.*

5.5.2.4 Volunteer Management

- *Continue to manage municipal parks using volunteers, not paid staff.*
- *Continue to enter into agreements with organisations to manage specific parks/resources on a volunteer basis.*
- *Provide training for volunteers and stewards.*
- *Create a program of volunteer recognition and encourage new volunteers.*

5.5.2.5 Signage and Maps

- *Provide funding for signs and place them at public trailheads and park entrances.*
- *Ask the Parks and Recreation Advisory Committee and Trails Advisory Committee to work with staff to develop a map/brochure of Highlands parks and trails that would be available at the District Office.*

5.5.2.6 Municipal Liability

- *Be aware of the Occupiers Liability Act and its implications.*

5.6 Natural Areas Outside Parks

5.6.1 Conservation Areas and Landowner Stewardship

- *Identify Sensitive Ecosystems Inventory sites that are outside existing/proposed parks as potential conservation areas.*
- *Work with local land trusts and landowners to provide information on how best to protect environmentally sensitive areas in private ownership, with a priority on potential conservation areas.*
- *Encourage landowners to consider conservation covenants to protect ecological values in the long term.*
- *Consider tax breaks and other incentives for landowners who covenant part of their property.*

5.6.2 Connecting Corridors

- *Retain connections between parks and trails within the Highlands and with neighbouring municipalities.*
- *Identify the need for connecting corridors in the Official Community Plan, and use a variety of conservation tools to take advantage of opportunities to secure or protect wildlife corridors and linear parks (trails) within these areas.*

5.7 Recreational Facilities and Programs

5.7.1 Recreational Activities

- *Design trails in municipal parks for multiple use where feasible.*
- *Develop at least one municipal park/ trail that is wheelchair accessible.*
- *Enhance environmental awareness by developing at least one interpretive trail within the Highlands.*
- *Retain the current Official Community Plan policies to prohibit motorised recreation and overnight camping in municipal parks.*

5.7.2. Riding Ring

- *Monitor the need for improved drainage at the riding ring.*
- *Work with equestrians on fundraising and improvements to the riding ring and to create a fund for the long-term maintenance of the ring.*
- *Create some parking space for horse trailers on the site and allow some roadside parking.*
- *Once the ring is completed, advertise its availability and host events such as horse jumping and gymkhanas.*

5.7.3 Lake Access

- *Work with the Highlands Lake Stewardship Association to continue to build a more complete understanding of lakes and watersheds in the Highlands.*
- *Ensure that the value of watercourses as habitat for aquatic life and terrestrial wildlife is not compromised by their use for recreation.*
- *Consider possible ecological impacts and carrying capacity, and consult with the Highlands Lake Stewardship Association, Environment Advisory Committee, Parks and Recreation Advisory Committee, Trails Advisory Committee and local residents before considering any new lake access, or changing/eliminating existing lake accesses.*

5.7.4 Tot Lots

- *Consult with east Highlanders to identify the current need and desire for tot lots.*
- *Acquire and build a tot lot in east Highlands (if the need is identified).*
- *Acquire suitable sites for possible future tot lots in neighbourhoods as opportunities arise.*
- *Encourage neighbourhoods to seek non-tax funding for playground equipment (such as corporate funding, donations from service clubs and fundraising activities).*

5.6.5 Playfields

- *Monitor the drainage at the Twinflower playfield, and if necessary take further action.*
- *Acquire a suitable site that could be used for future development of a community playfield in east Highlands.*
- *Seek outside funding (such as corporate funding, donations from service clubs and fundraising activities) for the purchase of new playfield equipment.*

5.7.6 Youth Activities

- *Ensure that meeting spaces and the new community hall are available for youth activities and events (e.g. a teen drop-in night, dances and programs).*
- *Provide recreation programs (sports and cultural) for young people in a location that as many as possible can walk or bicycle to, or have transportation provided (e.g. by Juan de Fuca Recreation Centre). Youth programs should include both indoor and outdoor activities.*
- *Seek a grant to hire a summer student or consultant to develop an infrastructure for youth programs and opportunities.*

5.7.7 Recreational Programs

- *Encourage the Juan de Fuca Recreation Commission to provide more recreational programs in the Highlands and/or to offer transportation.*
- *Ensure that recreation programs include indoor activities (both sports and cultural) and non-motorised outdoor activities.*
- *Encourage local residents to offer appropriate programs or activities, such as nature appreciation, yoga, crafts or orienteering.*

5.7.8 Community Hall

- *Establish a volunteer task force to recommend a preferred location for a community hall.*
- *Acquire suitable land for a community hall.*
- *Raise funds for the community hall through grants, donations, bequests, foundations and other fundraising activities, to minimise the burden on taxpayers.*
- *Rent the hall for classes and private social functions to support operating costs.*
- *Consider having a caretaker at the community hall.*

5.6.9 Other Meeting Space

- *Make the Caleb Pike schoolhouse basement available for indoor recreation (once completed).*
- *Investigate the option of building a second storey over the East Firehall bay, to provide meeting space in east Highlands.*

5.8 Trails

(See Trails Master Plan)

5.9 Heritage Protection

- *Engage a summer student or volunteer to carry out research and search old titles, in order to identify heritage properties in the Highlands, and to establish a community heritage register and contact list.*
- *Consider establishing a Community Heritage Commission (in conjunction with the Highland Heritage Parks Society) to advise on heritage planning and protection.*
- *Consider tax relief to owners of designated heritage properties, where the owner commits to the protection of the heritage values.*
- *Identify other heritage features, such as heritage trees, in the Highlands.*

5.10 Financing

- *Take advantage of opportunities to acquire park land, especially in areas designated for municipal parks acquisition, or to seek contributions to a parks acquisition fund.*
- *Create a budget for municipal parks maintenance.*
- *Charge fees for a municipal park use permit for special events, e.g. using the riding ring for a gymkhana.*
- *Through the municipality, land trusts and/or CRD Parks, encourage donations or bequests (cash or land) to add to the park system. Combine this with the federal Ecogifts*

Program that allows property owners to reduce their income tax when they donate environmentally sensitive land.

- *Consider using funds from casino revenues to support parks and recreation.*
- *Apply for funding from available sources such as the Habitat Conservation Trust Fund.*
- *Encourage local fundraising efforts (events, concerts) for specific purchases (e.g. new playground equipment).*

7.2 Priority Actions

The Steering Committee considers the highest priorities⁹ to be:

- To continue to place a high priority on the conservation of the natural ecosystems of the Highlands in parks and other conservation areas.
- To encourage recreational activities where these do not compromise the integrity of the natural environment.
- To conduct a detailed biophysical inventory of the Highlands.
- To support and encourage CRD Parks' efforts to acquire part of the WFP South lands as a regional park.
- To support and encourage CRD Parks' efforts to add to and connect Mount Work and Thetis Lake Regional Parks.
- To take advantage of opportunities to add to the municipal park system.
- To prepare detailed park management plans for all municipal parks, starting with Eagles Lake, Chow-Nicoll and Twinflower Parks.
- To encourage and support volunteer involvement in the management of parks and recreation facilities.
- To inform landowners about ways to protect sensitive natural environments on private lands, and encourage willing landowners to consider conservation covenants.
- To provide meeting space and programs/activities for Highlands youth.
- To work with east Highlands residents to identify the need, and best location, for a tot lot in the east Highlands.
- To establish a task force to identify a preferred location for a community hall, and to acquire the land.

⁹ These are not listed in order of priority.

APPENDIX 1: NEWSLETTER #1, APRIL 2001

Highlands Parks and Recreation Master Plan, Newsletter #1

The District of Highlands is blessed with a variety of provincial, regional and municipal parks that provide recreational opportunities for Highlanders and other residents of the Capital Region. These greenspaces also protect natural ecosystems and act as the “green lungs” of the Capital Region. Currently, the Highlands has 1265 ha of public park, but only 10% of that is municipal park.

What should our parks system look like in the future? The District of Highlands is developing a Parks and Recreation Master Plan that will guide the development, management and acquisition of parks and recreation facilities in the municipality. A volunteer Steering Committee is working with a consultant to develop this plan.

The **Steering Committee needs your input** to help make sure that this plan reflects the desires and ideas of all Highlands residents. As we develop this plan, there will be four opportunities to make your views known:

- This newsletter is also a **questionnaire**. Please fill it in and return it to us.
- There will be public **open houses** (see box). These are an opportunity to find out more about the proposed plan, and to talk to members of the Steering Committee about your suggestions.
- There will be a second **newsletter** in May that will outline the Steering Committee’s draft recommendations to Council. You will be asked to comment on these ideas.
- There will be a public **presentation** of the draft plan to Council, likely in June.

Once completed and approved, this Parks and Recreation Master Plan will become part of the Highlands’ Official Community Plan. A separate Trails Master Plan is also being developed to look at specific trail issues.

Please fill out the questionnaire and come to an open house! Attach additional paper if you need more space for your answers. The information from this questionnaire will be used to update the results of the *Dreams and Decisions, Recreation Survey* and *Greenways/Trails Questionnaire*.

Other members of your household may want to fill in separate surveys. You can get extra copies of the questionnaire on the Highlands website: www.highlands.bc.ca, at the District Office, 1980 Millstream Road, or by calling the District Office at 474-1773.

Existing Parks in Highlands

Provincial parks:

Gowlland Tod 716 ha

Mount Work 237 ha

Thetis Lake 147 ha

Lone Tree 31 ha

Regional parks:

Municipal parks:

Cal Revelle Nature Sanctuary 68.6 ha

Hazlitt Creek 32.4 ha

Stewart Mountain Road 19.5 ha

Eagles Lake 1 0.8 ha

Eagles Lake 2 (proposed) 7.3 ha

Twinflower (playfield) 3.7 ha

Twinflower Riding Ring 1.5 ha

Chow-Nicoll 1.4 ha

Caleb Pike Heritage 1.3 ha

Pike Hill 1.3 ha

Just for Youth...

Are you aged 19 or under, or a parent or guardian of young children? If so, this part of the questionnaire is just for you. The Steering Committee would like to find out what young people in the Highlands would like from their parks and recreation system. Add more pages if you want to tell us more.

Question Y1: About you

Where do you live in the Highlands? (Please check one.) East Highlands – Munn Road
East Highlands – Woodridge Place
Upper Munn Road – Fork Lake area
West Highlands – Finlayson Arm Road
Upper Millstream Road (N of Finlayson Arm Rd)
Lower Millstream Road (S of Finlayson Arm Rd)
Davies – Lower Millstream Lake Road (south of Munn Road junction)
Upper Millstream Lake Road – Ross Durrance Road

How many people in your household are: 0 - 5 yrs old: 5 – 11 yrs old: _12 – 19 yrs old: _

Question Y2: Your favourite activities

What are your favourite activities in the Highlands? Please check all that apply.

Hiking/walking	Where? _
Mountain biking/cycling	Where? _
Swimming	Where? _
Horse-riding	Where? _
Rockclimbing	Where? _
Nature appreciation	Where? _
Basketball	Where? _
Playgrounds	Where? _
Organised sports (e.g. baseball)	Which sports? Where?
Other activities (which ones?)	Where? _

Question Y3: What parks and recreation opportunities would you like to have?

What new parks, recreational facilities or recreational programs would you like to have available in the Highlands? Where?

Parks and Recreation Questionnaire

Question 1: About your household

Where do you live in the Highlands? (Please check one.)
East Highlands – Munn Road
East Highlands – Woodridge Place
Upper Munn Road – Fork Lake area
West Highlands – Finlayson Arm Road
Upper Millstream Road (north of Finlayson Arm Road)
Lower Millstream Road (south of Finlayson Arm Road)
Davies – Lower Millstream Lake Road (south of Munn Road junction)
Upper Millstream Lake Road – Ross Durrance Road

How many people in your household are there in each age-group?

0 - 19: 20 – 34: _ 35-54: _ 55- 64: _ 65+:

Question 2: Vision

The proposed vision for the Parks and Recreation Master Plan is:

The Parks and Recreation Master Plan for the District of Highlands envisages a system of parks, protected areas, trails and facilities that provide a variety of recreational opportunities for the residents of Highlands, while protecting natural environments and cultural features.

Do you agree with the proposed vision? (Yes, No, Comments/suggestions)

Question 3: Categories

We are suggesting that the parks system should include the following four categories:

Recreational facilities include facilities such as trails, playfields, “tot lots” (children’s playgrounds) and a community hall, that provide opportunities for residents of all ages. These recreational facilities will be on municipal lands or other public lands.

Natural parks protect the ecosystem while providing non-motorised recreational opportunities (such as hiking, horseback riding, bicycling, swimming). “Natural parks” will include a range of park uses, from protection of sensitive ecosystems, to single- or multiple-use trails, to swimming areas. The system of natural parks includes provincial, regional and municipal park lands.

Conservation areas are designated specifically for the protection of natural environments, and may include areas of special aquatic, geological, wildlife or vegetation values. These areas may be on public lands or covenanted private property.

Heritage parks are areas deemed valuable because of their historical or cultural significance, e.g. Caleb Pike Homestead. Use of these areas will vary according to the specific purpose of the park.
Do you agree with the proposed categories? (Yes, No, Comments/suggestions)

Question 4: Principles

We are suggesting that the following principles be used to manage the different types of parks:

Linkages

- Natural parks and conservation areas should be connected to each other, and to similar areas in neighbouring municipalities, by greenways (wildlife corridors) wherever possible.
- Park trails should link to other existing and proposed multi-use trails (including roadside trails) wherever possible.

Recreation facilities and trails

- Recreation facilities and trails should address the needs and desires of all age-groups of Highland residents, including youth and seniors.
- Recreation facilities should be located so that they are easily accessible to Highlands residents.
- A variety of recreational and educational programs should be made available at the recreation facilities.
- Facilities will not duplicate those already designated to serve all CRD municipalities (such as the Juan de Fuca pool).

Natural Parks

- The design and management of natural parks should respect the carrying capacity of sensitive habitats, and direct human use to the least sensitive areas.
- Trails within natural parks should be designed for non-motorised multiple-use, where this is possible and would not unduly impact the natural environment.
- Natural parks should provide opportunities for people to learn about the Highlands' natural environment.

Conservation areas

- Conservation areas should have minimal or no public access.
- Conservation covenants may be negotiated with landowners to protect areas of high conservation value on private property.

Heritage Parks

- Heritage parks should provide opportunities for people to learn about the Highlands' history and cultural resources.

General

- Development of the Highlands parks and recreation system, and any additions to it, will be undertaken in a fiscally responsible way.
- The local community will be consulted on specific proposals for development (e.g. new trails) in existing parks or recreation facilities, or acquisition of new parks or recreation facilities.

Do you agree with the proposed principles? (Yes, No, Comments/suggestions)

Question 5: Recreation Facilities and Trails

Does the Highlands need more:

Trails (Yes, No, Where) What kinds of trail (e.g. hiking, equestrian)?

Playfields (e.g. for soccer, baseball) (Yes, No, Where)

Tot lots (children's playgrounds) (Yes, No, Where)

Other recreation facilities or programs? Please explain.

Does Highlands need a community hall? (Yes, No, Where) For what purposes?

Rooms and playing fields at neighbouring schools can be booked for public use, for a small fee. If a school were built in Highlands, would you support community access to the school facilities? (Yes, No, Comments).

Other comments on recreation facilities:

Question 6: Natural Parks

Are there areas in Highlands that should become natural parks? Where?

What (if any) changes do you suggest for existing municipal parks (e.g. boundary changes, addition/removal of trails, more/less access, additional facilities such as picnic tables or toilets). Other comments on natural parks.

Question 7: Conservation areas

Are there areas in Highlands that should become conservation areas? Where? Other comments on conservation areas.

Question 8: Heritage Parks

Are there areas in Highlands that should become heritage parks? Where?

Question 9: Other Comments and Suggestions

Do you have any other comments or suggestions for the proposed District of Highlands Parks and Recreation Master Plan?

APPENDIX 2: SUMMARY OF RESPONSES TO NEWSLETTER #1 AND OPEN HOUSES

Just for Youth

Question Y1: About you

Where do you live in the Highlands?

East Highlands – Munn Road

- 2 East Highlands – Woodridge Place
- Upper Munn Road – Fork Lake area
- 1 West Highlands – Finlayson Arm Road
- 2 Upper Millstream Road (N of Finlayson Arm Rd)
- 2 Lower Millstream Road (S of Finlayson Arm Rd)
- 1 Davies – Lower Millstream Lake Road (south of Munn Road junction)
- 1 Upper Millstream Lake Road – Ross Durrance Road

(total 9 families)

How many people in your household are: 0 - 5 yrs old: 5
5 – 11 yrs old: 10
12 – 19 yrs old: 3
(total 18 youth)

Question Y2: Your favourite activities

What are your favourite activities in the Highlands? Please check all that apply:

- 7 *Hiking/walking Where?* Lone Tree (6), Stewart Mountain Road (3), Millstream Lake Road, Caleb Pike, Gowlland Todd (3), Twinflower (2), anywhere
- 6 *Mountain biking/cycling Where?* To Langford (no buses), Millstream Road (near All-Fun), around Eagles Lake, Scooter, Millstream Road, Stewart Mtn Road (2), Twinflower (2), anywhere
- Swimming *Where?* *Eagles Lake* (3), anywhere
- 2 *Horse-riding Where?* Pike House, Millennium Fair, backyard, riding ring
- Rockclimbing Where?* No safe place for this activity
- 6 *Nature appreciation Where?* While hiking, Highlands
- 4 *Basketball Where?* Twinflower (4), back yard
- 6 *Playgrounds Where?* Twinflower (6)

Organised sports (e.g. baseball) Which sports? Where? Road hockey at home, there are no organised sports in Highlands

Other activities (which ones? Where?) Drawing nature, watching wildlife, rollerblading and street hockey (west firehall)

Question Y3: What parks and recreation opportunities would you like to have?

What new parks, recreational facilities or recreational programs would you like to have available in the Highlands? Where?

- Teen Club, teen dances, something for teens to do at night (3)
- Meeting place/community hall for young and older kids (2), both east and west Highlands
- More organised sports for adults and teens
- Wall climbing
- Finish basketball court at Twinflower (2)
- Need bases in Twinflower field
- Highland Little League baseball
- Soccer (2) – Twinflower or Industrial park

- Skateboard ramps
- Tennis courts (2) - Twinflower or Industrial park
- Waterslides
- Convenience store
- Bus service
- Play weeks organised by JDF (like last year) – need indoor rain alternative

Parks and Recreation Questionnaire

Question 1: About your household

Where do you live in the Highlands?

- 5 East Highlands – Munn Road
- 4 East Highlands – Woodridge Place
- 2 Upper Munn Road – Fork Lake area
- 5 West Highlands – Finlayson Arm Road
- 5 Upper Millstream Road (north of Finlayson Arm Road)
- 1 Lower Millstream Road (south of Finlayson Arm Road)
- 5 Davies – Lower Millstream Lake Road (south of Munn Road junction)
- 5 Upper Millstream Lake Road – Ross Durrance Road

Total 33 responses

How many people in your household are there in each age-group?

- 0 - 19: 13
- 20 – 34: 11
- 35-54: 41
- 55- 64: 11
- 65+: 5

Total 81 people (half in the 35-54 age-group)

Question 2: Vision

Do you agree with the proposed vision? Yes 27 No 4

Comments/suggestions:

- Vision should also consider residents of other parts of CRD as well as visitors – e.g. Highlands’ role in Regional Growth Strategy.
- Add residents of Capital Region – especially as many parks are regional or provincial. (5) – see Official Community Plan statement
- Consider Official Community Plan policy 1.2.4. re building new facilities
- Don’t include provincial and regional parks in municipal parks master plan.
- Do not attract more visitors to Highlands.
- Balance and compromise – you can’t save every blade of grass, you can’t stop changes, but they can be controlled.
- “Protecting” environment means high fencing and non-use – maybe “considering” environment
- Balance of protection and recreational opportunities – should be weighted to protection.
- Protect natural environments – yes. Provide recreational facilities – no.
- Subtle parks should be the norm – parks for hiking.
- Balance access by trails with protection from erosion and degradation due to increased access.
- More protection of natural environment from out of district visitors
- Future parks need to be balanced with development, e.g. new industrial park, to ensure adequate tax base to support new parks.
- Twinflower park should be the only playing area.
- We already have enough parks, trails, etc. Stop spending money and get taxes down.

- Dirt bikers leave litter and destruction
- Would like to see something for cyclists (pedal and motor) – hikers don't mind us (motorised bikes), we make and conserve trails.
- West has Pike House, riding ring, baseball – east has nothing, but pay same taxes, when am I going to see something for my tax dollars?
- Not sure about cultural features.

Question 3: Categories

Do you agree with the proposed categories? Yes 27 No 3

Comments/suggestions:

- Status quo for recreational facilities.
- There is enough room on each person's lot to have their own tot lot.
- No "rec-centre" community hall.
- Recreational facilities and tot lots have been requested for years – but by the time they are built the kids are grown and parents lose interest – no endless studies and committees!
- Trails offer an excellent form of recreation for birdwatchers, naturalists, horse-riders etc , should be in separate category.
- Private property should remain private.
- Don't start "protecting" private property.
- Don't include covenanted private land as "park" – parks belong to everybody.
- Avoid covenanted land as a tool or control tactic – not "big brother"
- Why not something different, e.g. a huge fairgrounds to bring in revenue.
- All categories except conservation areas should be mapped. Difficult to prevent human access to preservation areas e.g. Cal Revelle.
- Note that Council is developing another type of park – Highlands Business Park – can't we come up with a better term?
- Currently, bow hunting is allowed in some areas – should be mentioned and the restrictions considered in final report
- Include heritage trees (rare, large, orchards), natural landscapes in heritage parks (2)

Question 4: Principles

Do you agree with the proposed principles? Yes 27 No 2

Comments/suggestions:

- These headings are too all-inclusive – too general.
- Use firehalls as community centre for teen clubs, garage sales, etc.
- No "programs" – implies employees, dollars.
- Need to acknowledge needs of mountain bikers, have a specifically designated area for mountain biking, separated from hiking trails.
- No motor bikes because of horses and safety issues.
- Roadside trails contribute to overall parks and recreation
- Discourage trail links to conservation areas from multi-use park trails.
- Consider access for those with disabilities – e.g. paving on flatter trails for wheelchair use.
- Park land should be amenity when any new subdivision proposed.
- Multi-use trail corridors through any new development.
- #4 – add on fee for service basis
- In #10, add "to protect the ecologically significant values of the areas." Add hiking only, no bicycling or horses.
- #11 covenants "should be negotiated where possible"
- #12 – add programs on fee for service basis
- Linkages are important
- Recreation facilities cannot possibly be accessible to all Highlanders due to size

- Look at population and how much these areas will be used – foresee a huge maintenance program for “groomed” parks, not a good idea
- Making recreation and educational programs available here may be too costly
- Municipal funds are limited and we will not be able to provide all the recreational activities people may want. Rec facilities e.g. playfields will require long term maintenance costs
- Multi-use trails – mountain bikes are not compatible with horse and foot traffic
- If we need to protect private property, should buy it first.

Question 5: Recreation Facilities and Trails

Does the Highlands need more trails Yes 20 Where?

- I need to see what we have first.
- Link east Highlands/Thetis to Scafe to Mount Finlayson/Goldstream (3)
- Thetis Lake to Mount Work. (4)
- Eagles Lake to Fork Lake
- Corry Road
- South Highlands
- Circular and linking routes between parks (5)
- Within existing parks
- Along all roadsides (4)
- Roadside trail on Millstream Lake Road.
- Make Millstream Road (Caleb Pike to Twinflower) safer for kids – add roadside trail, slow cars
- Should be trail links across e.g. from Millstream lake Road to Millstream, other than following roads.
- Add regional, sub-regional, local
- No equestrian trails at municipal expense.
- Where there are unofficial trails on private land

What kinds of trail (e.g. hiking, equestrian)?

- Multi-use
- Multi use (pedestrian/equestrian) (3) – usually compatible except in rough terrain.
- Roadway, bike, pedestrian, horse
- Concern for environmental changes with equestrian and hiking trails especially.
- Non-motorised and multi-purpose (2)
- Hiking only (2)
- Walking, cycling
- All

No 9

- I am more concerned about retaining the trails we already have.
- Not roadside trails

Playfields (e.g. for soccer, baseball) Yes 15 No 10 Where?

- East Highlands. (7)
- Eagles Lake
- Bigger parks and playfields in each side
- Parks where organised sports can take place (2)
- Finish Twinflower for soccer (2) and baseball.
- South Highlands?
- In subdivisions
- Proposed community hall grounds

Tot lots (children's playgrounds) Yes 19 Where?

- Eagles Lake (5)
- East Highlands (5)
- In subdivision/neighbourhoods (3)
- Compulsory amenity in new rezoning approvals
- Playfields and tot lots as population warrants. (2)
- Parks close enough to home for smaller children to walk to
- Proposed community hall grounds

No 6

- We already pay taxes to use Juan de Fuca programs.
- Maximise use of newly constructed ballfield rather than building new facilities.

Other recreation facilities or programs? Please explain.

- Need place for east Highland youth to play e.g. basketball
- Recreational events east and west – ongoing for kids and youth e.g. play groups, ball sports, badminton, hiking.
- Need tot facilities for east Highlands
- Need swings, clean place for kids to play at Eagles Lake
- Need programs for young children – language, music, singing
- Swimming wharf for Eagles Lake (to CSA standards), 100 ft offshore.
- Orienteering (2), marathon hiking, water safety, nature appreciation
- Have a bike trail (like the Goose) that runs through Highlands, links to Goose
- Guided hikes on park trails
- Education on environmental stewardship
- Access to clean lakes for swimming – there is nothing in S/W Highlands
- Access to lakes e.g. Teanook which are privately owned
- Arts and creativity as well as sports

Does Highlands need a community hall? Yes 20 Where?

- East Highlands (2)
- Central (7) (if suitable location)
- Near West fire hall (3)
- Anywhere!
- East and west
- Need community hall accessible by east and west
- Close to population (not geographically central) (2)

For what purposes?

- To bring people together
- Social, meetings, other functions
- Community social events, meetings, education. Should be large enough to accommodate large meetings, dances, rentable for private gatherings,
- Music, dances, meetings, craft fairs, plays...
- Community spirit
- Meetings, public hearings, open houses, dances, potlucks
- Community gatherings, public meetings, shows, etc.
- Meetings, recreation for adults and children
- Council or community meetings, Halloween or Xmas parties, banquet facilities, youth events, arts/crafts, game nights
- Classes, exercise programs, wellness (e.g. yoga)

- People in east Highlands needs somewhere decent to meet
- If Caleb Pike House and school house are too small.
- Dances, performances, community fundraising events
- Meetings, recreation, social events – multi-purpose
- Public hearings, community meetings, dances, social activities
- Gatherings of 200+ people, badminton, small library, youth centre
- Programs for youth - Martial arts, floor hockey, badminton, musical events
- Indoor sports, meetings, educational programs, crafts, rental income
- Gatherings, events, dances, recitals, plays, programs

No 10

- We already have Caleb Pike House
- Investigate comparable municipalities' experiences.
- Already have 2 firehalls and Pike House. Can rent Millstream School if we need more space (cheaper than building and maintaining).
- Meetings, classes etc should be held in existing facilities rather than constructing new.
- Especially not at Eagles Lake

If a school were built in Highlands, would you support community access to the school facilities?

Yes 22

- School could double as community hall. (5)
- Should be accessible by community 24-7, unlike other local schools. (2)
- Build gym as stand-alone building.
- Cheaper than building a community hall.
- Highlands needs a school!
- Don't count on one being built
- Already school policy

No 4 Comments:

- No school built in Highlands
- Check demographics – not many babies being born, school will be empty. (2)

Other comments on recreation facilities:

- We recreate outdoors
- People that live in the Highlands should not need recreational facilities.
- Need recreation activities for children and youth to complement the outdoors/hiking experiences.
- Have facility accessible for daily use, where neighbours can drop by, paid coordinator to organise events and take bookings, kid-friendly for tots and teens.
- Special emphasis on youth facilities
- Corner lot for kids is okay, but if car travel is involved we all go to the Cadillac rec-centres down the road.
- Improve Eagles Lake – need more swimming access to take pressure off Eagles Lake
- Access to all Highland lakes where swimming is safe, provide walk-in access
- Playing fields require flat lands and are expensive to maintain – is there really sufficient demand to justify?
- Facilities which would require staff and maintenance are beyond our current budget – if there is sufficient demand, could re-prioritise the Reserve budget

Question 6: Natural Parks

Are there areas in Highlands that should become natural parks? Where?

- Wherever you can get them – the more the better.
- Areas identified by CRD Parks Master Plan at least.
- More natural parks in lowland areas, especially riparian corridors, lakes and wetlands.
- Where key wildlife corridors are identified, and where trail linkages become available as amenity from developers.
- East Highlands deserves more park areas
- WFP south property (10)
- WFP already used for recreation, includes some ecologically sensitive areas.
- Anything not currently built on e.g. Crown lands (2)
- Connector between Thetis Lake and Mount Work Parks (2)
- Connector from Mt Finlayson and Goldstream to Gowlland Todd
- Connection from Hazlitt Creek to Gowlland Todd
- West slopes of Mount Work
- Millstream watershed (next to Mount Finlayson)
- North of Eagles Lake Road to Hartland
- Two sections currently privately owned and undeveloped on Corry Road.
- Proposed development area off Millstream by Caleb Pike – with trail system to link to Jocelyn Hill
- Around all municipal lakes, Hatcher Swamp
- Wherever you are planning to build the rec-centre and community hall, plant trees and flowers instead
- Aim to be a debt free district first. Use amenities to wipe out road debt before consideration for more parks.

What (if any) changes do you suggest for existing municipal parks (e.g. boundary changes, addition/removal of trails, more/less access, additional facilities such as picnic tables or toilets)

- No to all of above – maintaining is expensive.
- No need for changes – God has given us wonderful picnic tables in the form of rocks and trees.
- Prefer little development, don't need additional facilities
- Need picnic tables, trails, facilities at Eagles Lake
- Permanent toilets and change area at Eagles Lake
- Swimming float on Eagles Lake
- Gates on Eagles Lake roadway to prevent vehicles and horses on beach area.
- Off road parking at Eagles Lake for access to hydro ROW
- Picnic table at Eagles Lake (3) (but last one was trashed) – suggest concrete
- Toilets, garbage cans, picnic tables (2)
- Toilet at Pease Lake in summer
- Garbage cans at Gowlland Todd
- Better/more regular garbage pick-up at Twinflower
- Soccer field at Twinflower
- Add some picnic tables
- Keep multi-use trails intact.
- Keep trails open.
- Re-create trail link from end of Millstream into Gowlland Todd (current parking lot is too far from the ridge).
- Equestrian traffic is degrading the north end of Millstream Road to emergency access road towards Hazlitt Creek Road.
- Signage for Hazlitt Creek park and trail, markings to Lone Tree – with distance and approx time.
- Extend Hazlitt Creek Park south to match Lone Tree
- Nature trail around Eagles Lake wetland

- Roadside trail to Chow Nicoll and around Hatcher Swamp (2)
- Clear Chow-Nicoll of rubble, replant with native species – need a plan for this park, needs picnic table but no toilets
- Facilities that can be built and maintained through volunteer resources.
- Highlands is considered the regional guardian of green/blue spaces – any opportunity to promote these opportunities to CRD citizens should be embraced.

Comments: We have enough parks already (2)

- How will we pay for more natural parks when we have to borrow for roads!
- Leave natural parks natural!
- If we want natural parks retain the balance between man and wildlife, need to enforce e.g. leash laws
- Isn't 5 square miles of park enough, given our size?
- Don't spend large sums constructing new facilities, but maintain existing facilities and encourage their use (includes maintenance of multi-use and roadside trails.)
- Multi-use trail system should be in place
- Eagles Lake has become youth night hangout – need enforcement and policing to deter partying.
- Necessary but difficult to keep motorbikes out of park trails, mountain bikes can also be very destructive
- Promote stewardship, adopt-a-trail programs
- When locating trails, consider the privacy and security of residents, must consult with landowners for trails on or near their land
- Parks should provide a variety of terrain, not all hill climbs

Question 7: Conservation areas

Are there areas in Highlands that should become conservation areas? Where?

- Not officially, but current Greenways designations should not be compromised by development.
- Covenant wetlands where possible
- As identified by EAC and Land Use group – riparian zones, old growth, wetland, coastal bluffs etc.
- Wetlands and riparian areas (2) e.g. from Finlayson Arm Road to Mary's Lake (near Millstream intersection)
- Keep Cal Reville (4), make conservation rather than high use park
- Eagles Lake 2 – conserve the wetlands
- Wetlands in WFP (2), wildlife habitats in WFP
- Lot beside West Firehall
- Kinghorn property on slopes of Mount Work
- Any areas which come available to provide an east/west corridor to Goldstream
- Many Sensitive Ecosystems Inventory sites need protection but not necessarily in parks

Comments:

- We have enough already (3)
- The more the better
- Use covenants or tax benefits to conserve sensitive areas on private land (2)
- Covenanted private land should not be considered as "parks"
- Council should follow through on decision to put third party covenant on Cal Reville.

Question 8: Heritage Parks

Are there areas in Highlands that should become heritage parks? Where?

- No! (2)
- History of Highlands celebrates arrival of pioneers – but what about aboriginal uses?
- House foundation and yard in WFP South (Matson property) (5)
- Other homesteads
- Old mill site of Old Mossy Road
- Corry Road
- Brotherston property and lake 1993 Millstream Road
- Log cabin on Nellie Cooke's property across from Finlayson Arm/Millstream corner
- Heritage trees in WFP, also erratics and rocky outcrops in WFP

Question 9: Other Comments and Suggestions

Do you have any other comments or suggestions for the proposed District of Highlands Parks and Recreation Master Plan?

- We have an abundance of parks already – we don't need more municipal park, don't need money spent on facilities. Reduce taxes, and we'll have more money to spend at gyms, pools, tennis courts that already exist in CRD.
- Forget all plans until we pay for roads and fire trucks.
- Private property is just that – landowner can do what they want with land. No new covenants on existing private property.
- Are municipal parks for environmental preserves, neighbourhood use and enjoyment, or? Which should be major priority?
- Main concern is preserving natural beauty, don't need to spend a lot on facilities (other than community hall)
- Need centrally located community hall.
- Community hall is the priority (2)
- Council could permit zoning of 25 acre parcel into 4-5 acre lots, owner might donate 4 acres of farm for playing fields/community hall
- Revenue from casino would be much higher than Highlands projects
- Enjoying the outdoor is major pastime for Highlanders, encourage linking of parks and trails
- Save our trails!
- Need creative way to protect trails on private lands
- Publish detailed park and trail guide – mail to all residents, keep copies at municipal hall.
- I don't know where most municipal parks are – need better communication to let residents know
- In north Highlands established roadside trails are rarely used as not maintained and dogs are a problem
- Establish a cemetery or memorial park for Highlanders and others who have had significant influence on Highlands
- Covenants on private land prevent new residents from keeping horses – these people should be able to enjoy Highlands too.
- Stronger communication links to MELP and CRD Parks so that property requisition for parks is supported on 3 government levels
- We have the opportunity to preserve and protect relatively large tracts of natural landscape, so future generations can walk among wild native plants and watch the deer play. It is much more important and scarcer, than ball fields or playgrounds, and once it's gone, it's gone forever.
- “Keep up the great work! You are a very bright, talented and capable group. I appreciate the opportunity for input. This is a tough survey in some ways. It requires having a good deal of knowledge of the community, the landscape, the history – and seeing into the future.”
- Thanks for asking!

APPENDIX 3: NEWSLETTER #2, JULY 2001

Highlands Parks and Recreation Master Plan Newsletter #2, July 11th 2001

Thanks to everyone who came out to the open houses that were held in April and to those who filled out the questionnaire. We received 35 completed questionnaires, including several who filled out the “Just for Youth” section.

The comments and ideas we received from your responses, combined with the results of the previous *Recreation Survey* and *Dreams and Decisions Survey*, are helping to guide the Steering Committee’s deliberations as we develop a Parks and Recreation Master Plan for the District of Highlands.

WE WANT YOUR COMMENTS.

Below are highlights of the recommendations that we propose to include in the Parks and Recreation Master Plan.

The Parks System

The parks system in the Highlands includes provincial, regional and municipal parks. The parks system should achieve four goals: protection of ecosystem diversity, provision of connections between existing parks, provision of recreational opportunities for residents, and the protection of special natural or historic features.

Proposed New Regional Parks

Generally, the larger areas in the Highlands that have regional value – either ecological or recreational – should become regional parks. CRD Parks has expressed an interest in adding to the regional parks in the Highlands (documented in the CRD Parks Master Plan). The map shows areas with regional park *potential* (not all of these areas will become regional parks). CRD Parks’ selection of future parks will depend on the opportunity to acquire land, and on negotiation with the landowners. Boundaries may change from those shown.

Proposed Recommendations

- Support CRD Parks’ efforts to acquire new regional parks in the Highlands.

Ecosystem diversity

Most of the existing parks in the Highlands include the upland, hilly terrain that is typical of the District. It is essential to include a variety of parks to protect different ecosystem types and to provide a variety of recreational opportunities, including some areas with easier accessibility.

Proposed Recommendations

- Include a variety of ecosystems and recreational opportunities within the parks system in the Highlands (provincial, regional and municipal parks).
- Seek funding to carry out a detailed biophysical inventory of the Highlands (focussing first on areas not already protected as parks) and use this information to set priorities for the protection of special ecological and other natural features.

Recreational activities

A range of recreational activities should be provided for in existing and new municipal parks.

Proposed Recommendations:

- Design trails in municipal parks for multiple use where feasible.
- Prohibit motorised recreation and overnight camping in municipal parks.
- Develop at least one interpretive trail within Highlands.
- Develop at least one municipal park/ trail that is wheelchair accessible.

Connecting corridors

Connections between parks create wildlife corridors, and could also be trail corridors. The map shows some key connections that should be retained as wildlife corridors.

Proposed Recommendations:

- Retain key connections between parks and trails within Highlands and with neighbouring municipalities.
- Take advantage of opportunities (e.g. during subdivision) to secure or protect wildlife corridors and linear parks (trails) within these key connecting areas.

Natural areas outside parks

There are ecologically sensitive areas throughout the Highlands that should be protected. However, it is not appropriate to turn all these areas into municipally owned parks.

Proposed Recommendations:

- Work with landowners to provide information on how best to protect sensitive areas in private ownership and to encourage willing landowners to consider conservation covenants to protect these values in the long term.

Management of Municipal Parks

Park Management Plans

Park management plans should be developed for each municipal park, especially for areas such as Eagles Lake that are experiencing problems such as noise, garbage and vandalism, as well as intensively used areas such as Twinflower and new park areas such as Chow-Nicoll.

Proposed Recommendations

- Work with the Parks and Recreation Advisory Committee, Highlands Parks and Recreation Association and Environment Advisory Committee to create a management plan for each municipal park, starting with high priority areas such as Eagles Lake, Twinflower and Chow-Nicoll.

Zoning of Parks

“Municipal park” is a very broad term that can include high use, managed areas such as Twinflower Park, as well as ecologically sensitive areas. By creating a system of zoning within municipal parks, it will be easier to determine appropriate activities and levels of management required. Suggested zones are **conservation areas** (with minimal human access), **natural areas** (with multi-use trails and low impact recreation) and **recreation areas** (such as playfields).

Proposed Recommendations

- Create zones within municipal parks and manage activities according to the zone.
- Develop objectives and policies for managing different zones.

Maintaining and Restoring the Natural Environment

Some municipal parks have been damaged by human activities and should be considered for restoration. The construction and maintenance of facilities (including trails) should be done in a manner that minimises disturbance to the natural environment.

As elsewhere in the Capital Region, the ecology of natural areas in the Highlands is being changed by non-native plants and animals such as broom, gorse, bullfrogs, grey squirrels and black slugs.

Proposed Recommendations

- Ensure that construction and maintenance of municipal park facilities minimises impacts to the natural environment.
- Identify areas of municipal parks that require rehabilitation and act to restore the area and prevent future damage.
- Distribute literature on invasive species to Highlands residents and encourage Highlanders to reduce/control the spread of invasive species.

Volunteer Management

The Highlands has a strong record of volunteer involvement in the management of parks and trails. The Highlands Parks and Recreation Association already manage Twinflower Park and Eagles Lake under agreement with the District.

Proposed Recommendations

- Continue to manage municipal parks using volunteers, not paid staff.
- Continue to enter into agreements with organisations to manage specific parks/resources on a volunteer basis.
- Provide training for volunteers.
- Create a program of volunteer recognition and encourage new volunteers.

Signage and maps

Consistent signage would help residents and visitors to find parks and trailheads. People have expressed a desire for maps of the public trails in the Highlands.

Proposed Recommendations

- Provide funding for signs and place them at trailheads and park entrances.
- Develop a map of Highlands parks and trails, which would be available at the District Office.

Heritage Protection

Caleb Pike Homestead is the only heritage park in Highlands at present. However, there are other sites of archaeological and historical interest.

Proposed Recommendations:

- Hire a summer student to carry out research and search old titles, in order to identify heritage properties in the Highlands, and to establish a community heritage register.
- Set up a Community Heritage Commission (in conjunction with the Highlands Heritage Parks Society) to advise on heritage planning and protection.
- Consider tax relief to owners of designated heritage properties, where the owner is required to protect the heritage values.

Recreational Facilities and Programs

Community Hall

Highlanders currently use the Caleb Pike House and the two firehalls for community gatherings. However, residents have indicated a need for a larger community hall, for a variety of purposes. There is no ideal location in the Highlands – a hall in the more populated west would be a long way from east Highlanders, but a central location is far from everyone. One option is the Millstream-

Finlayson Arm junction. There are also some concerns about the cost of building and maintaining a community hall.

Proposed Recommendations:

- Identify and acquire suitable land/funding for a community hall, through density bonusing or a similar arrangement.
- Raise funds for the community hall through grants, donations, bequests, foundations and other fundraising activities, to minimise the burden on taxpayers.
- Once completed, rent the hall for private social functions, to support operating costs.

Other Meeting Space

In addition to Caleb Pike House and the firehalls, the basement of the restored schoolhouse at Caleb Pike will provide space for recreational activities (e.g. a pool table) for youth and adults. There is a need for meeting space in the east Highlands.

Proposed Recommendations:

- Make the schoolhouse basement available for indoor recreation.
- Consider building a second storey over the East Firehall bay, to provide meeting space in east Highlands.

Tot Lots and Playfields

Twinflower Park now has a children's playground (tot lot), basketball court and playfield for baseball, soccer and other casual recreational activities. There is support for the idea of a tot lot in the east Highlands (if suitable space and funding can be found). League-size playfields are available in neighbouring communities and should not be a priority for the Highlands.

Proposed Recommendations:

- Determine the number of young children in the east Highlands, to identify the current need for tot lots.
- Acquire suitable sites for future small tot lots as the opportunities arise, as well as a community playfield site in east Highlands.
- Where funding is required to purchase new equipment for tot lots and playfields, seek outside funding (such as corporate funding, donations from service clubs and fundraising activities).

Youth Activities

Young people in the Highlands are especially in need of places where they can socialise and some youth programs. Transportation is a key issue for youth, as there is no bus service.

Proposed Recommendations:

- Ensure that meeting space and the new community hall are available for youth activities and events (e.g. a teen drop-in night, dances and concerts).
- Provide recreation programs (sports and cultural) for young people in a location that as many as possible can walk or bicycle to, or have transportation provided (e.g. by Juan de Fuca Recreation Centre). Youth programs should include indoor and outdoor activities.

Recreational Programs

There are very few recreational programs available in the Highlands – most involve a trip by car to Juan de Fuca or other recreation centres. Recreational programs are currently offered through the West Shore Recreation Commission. With an upcoming change in structure at the Recreation Commission, new opportunities may arise to offer more programs in the Highlands.

Proposed Recommendations:

- Encourage the Recreation Commission to provide more recreational programs in the Highlands and/or to offer transportation.
- Recreation programs should include indoor activities (both sports and cultural) and non-motorised outdoor activities.
- Local residents should be encouraged to offer appropriate programs or activities, such as nature appreciation, yoga, crafts or orienteering.

Riding Ring

The Riding Ring at Twinflower Park has potential to be used for competitions (such as horse jumping), but parking and drainage issues have to be resolved first. The municipality owns land adjacent to the riding ring.

Proposed Recommendations:

- Complete work on the riding ring and address the drainage issues.
- Work with equestrians on fundraising and improvements to the riding ring and to create a fund for the long-term maintenance of the ring.
- Create some parking space for horse trailers on the site and allow some roadside parking.
- Once the ring is completed, advertise its availability and host events such as horse jumping and gymkhanas.

Mountain Biking

The WFP South lands are used extensively by mountain bikers and other recreational users, although there is no legal agreement to do so. An area for mountain bike use (and other compatible activities) would be welcomed. This should be managed by CRD Parks as a regional recreational facility.

Proposed Recommendations:

- Identify an area where mountain biking can take place, in conjunction with the South Island Mountain Biking Society (SIMBS) and CRD Parks.

Lake Access

Although there are many lakes in the Highlands, public access is limited to Eagles Lake, Pease Lake and the trail through Mount Work Regional Park to Fork Lake. Highlanders have expressed a desire for more lake access for swimming, fishing and canoeing. However, most lakes are small and surrounded by private land. Recreational access might create water quality and privacy concerns.

Proposed Recommendations:

- Ensure that the value of watercourses as habitat for aquatic life and terrestrial wildlife is not compromised by their use for recreation.
- Work with the lake stewardship program to build a more complete understanding of lakes in the Highlands.
- Consider possible ecological impacts and carrying capacity before considering any new lake access.

Trails

A Trails Master Plan is being created in conjunction with the Highlands Parks and Recreation Master Plan. Some potential trail connections are shown on the map.

Financing the Acquisition and Maintenance of Parks and Recreation Facilities

The District of Highlands has been successful in acquiring park land as part of development or subdivision agreements. The municipality already uses several techniques to acquire park land at little or no cost to the community, including amenity bonusing and use of the parks reserve fund. The municipality has also worked with land trusts (such as The Land Conservancy) to protect ecologically sensitive areas. Operational and maintenance costs are kept to a minimum through extensive use of volunteers.

Proposed Recommendations:

- Take advantage of opportunities to acquire park land or contributions to a parks acquisition fund, especially in areas designated as priority for municipal parks acquisition (see map).
- Create a budget for municipal parks maintenance.
- Charge fees for a municipal park use permit for special events, e.g. using the riding ring for a gymkhana.
- Through the municipality, land trust and/or CRD Parks, encourage donations or bequests (cash or land) to add to the park system. Combine this with the federal Ecogifts Program that allows property owners to reduce their income for tax purposes where they donate ecologically sensitive land.
- Consider using funds from casino revenues to support parks and recreation.
- Apply for funding from available sources such as the Provincial Capital Commission.
- Encourage local fundraising efforts (events, concerts) for specific purchases (e.g. new playground equipment).

New municipal parks

The map shows several areas that could become municipal parks.

Proposed Recommendations:

South/West Highlands:

(1). Expand Chow-Nicoll Park northwards to include the area around the District Office. Acquire the adjoining area around Hatcher Swamp and build an interpretive trail that is wheelchair accessible.

(2). Consider acquiring the property at the south-west corner of the Millstream- Finlayson Arm junction for a community centre, including a hall and playfield.

(3). Add the property south-east of Twinflower to the park, to retain wetland values and views from Caleb Pike House.

(4). Retain part of the Phase E property on Millstream Road north (west of Lone Tree Hill) as a neighbourhood park and tot lot, when it is sub-divided.

East Highlands:

(5). Acquire the high point off Munn Road, as it could provide a short hike up to a wonderful viewpoint.

(6). Consider having a caretaker living on the northern part of Lot 4 (away from the Eagles Lake wetland), to reduce vandalism. In future, the land could be subdivided, with the money from the sale going into a parks acquisition fund.

(7). Consider acquiring/rezoning one or both sites suitable for a playfield/tot lot on Woodridge Place.

Do you agree with these suggested additions to municipal parks? Are there other areas that should be added to the parks system? Please forward your ideas to us.

APPENDIX 4: SUMMARY OF RESPONSES TO NEWSLETTER #2

Newsletter #2 was delivered to all households in the Highlands. It included the draft recommendations from the Steering Committee, with a map showing the location of existing and proposed parks. Several people provided comments on the draft, some just on aspects of specific concern to them, and some on all the recommendations. These comments are annotated below. (Comments have been slightly edited for length.)

General Comments

- “The recommendations make sense and should be implemented as feasible.”
- “I’m happy to say I agree enthusiastically with the vast majority of [the recommendations].”

Proposed Regional Parks

- “We should definitely support AND ENCOURAGE CRD’s efforts to acquire new regional parks. My first priority would be to acquire the WFP South lands.”
- “WFP has submitted plans to the Highlands that call for development of the [WFP South] property, and has been advised that there is no current interest in anybody putting up dollars for acquisition of the land for parks purposes”

Ecosystem Diversity

- “Both of these recommendations are very important and the proposed inventory should be carried out ASAP, before more special areas are lost to development.”
- “Funding can take many forms; partnerships, stewardship, donations in-kind or in \$ and municipal \$.”

Recreational Activities

- “While a wheelchair accessible trail sounds like a great idea, how do you propose keeping cyclists or motorbikers off such a trail?”

Connecting Corridors

- “The proposed wildlife corridors in the south appear too narrow in places to facilitate movement of large mammals, the northern ones don’t quite connect in the east/west. The need for corridors crucial, and what you’ve shown is a great start.”

Natural areas outside parks

- “Encouraging landowner stewardship is good, but what about landowners who don’t give a **? How do we persuade them to care?”

Management of Municipal Parks

- “Zones are a good idea, suggest including this under signage as well.”
- “There is a deterrent in clearing broom. There is no way to get rid of it once you pull it. It is highly flammable when left in piles until burning season. ... We could add a broom clearing day to the already successful garbage collecting day and get more of the community involved in clearing it from the roadsides.”
- “Have broom bashes and a designated annual pick-up day.”
- “Due to the wildfire interface, camping should be prohibited anywhere in the Highlands”
- “Seek local user input on wheelchair trails.”
- “Seek partnerships and stewardship especially with adjacent landowners (e.g. Ron King for Chow/Nicholl Park.)”

Volunteers

- “I heartily agree with your recommendation to ‘create a program of volunteer recognition and encourage new volunteers’.”
- “Provide training for volunteers AND stewards.”

Signage and Zones

- “[Consistent signage would also help to] delineate zones.”
- “Perhaps charge enough [for maps] to cover printing costs.”

Heritage Protection

- “Do we have the money in our budget to hire the summer student? Could this inventory be done by volunteers?”
- “Establish a community heritage register AND contacts.”
- “[Tax relief] – is this what other municipalities do?”

Community Hall

- “A central location would serve to bring the east and west Highlands communities closer together.”
- “I am writing to voice our objections to a community centre at Millstream and Finlayson Arm roads. This area is densely populated and there is a registered dog kennel nearby. The kennels are not a problem unless there is unusual activity in the area.”
- “While I agree there is a need for such a hall, I have great concern about where it should be located. Such a facility would obviously generate a great deal of traffic, noise, and activity, often late into the night. It would be grossly unfair to residential neighbours to locate this hall in a quiet residential area [such as Millstream/Finlayson Arm]. A more appropriate location might be the east side of Millstream Road in the area more recently designated as Commercial/Light Industrial, or, within the proposed municipal park area adjacent to the Municipal Hall.”

Other Meeting Space

- “A larger meeting space is definitely needed in the east Highlands. If the East Firehall were to retain the same footprint with a second storey added, I would support the proposed recommendation.”
- “[What about] space for parking?”

Tot Lots

- “Excellent idea to determine the number of young children in the east Highlands, and examine demographics to determine the future need for tot lots. Don’t most residents in east Highlands have larger lots on which their tots could play? ...this would be a more cost-effective solution for the community.”
- “Can we obtain stats from the ’96 census?”
- “I am open to the idea of locating a tot lot adjacent to the beach area at Eagles Lake. Parents with tots and young children would be able to keep their eye on tots in the swing/slide area and children on the lakeshore. Another plus is the porta-potty near the beach. This would be better than using the areas on the map (#7) which are out of public view and wooded.”

Playfields

- “What about ‘the end of Bukin Drive East, or along Compton Road or Bukin Drive West? If this field could be located a fair distance from any residences...it would ensure the continued quiet enjoyment of the residents.”

- “We have been watching for months in eager anticipation of the arrival of hoops [at the Twinflower basketball area]. What is the hold-up? There are lots of youth in this area who are dying to play basketball...”

Recreational Programs

- “Include recommendations in the event that the Highlands withdraws from the WSRC.”

Riding Ring

- “We do not support the expansion of the Riding Ring to promote competitions. Our experience has been that competitions in the area cause significant disturbance to residents.”

Mountain Biking

- “While a designated area for mountain bikers is a good idea, how do we get them to stay on the trails to protect the environment and adjacent private property? How do we keep out motorised trail bikes?”
- “We strongly believe that mountain biking should be restricted to areas that already have significant environmental damage. The obvious locations are under power lines.”
- “Mountain biking is arguably one of the most destructive activities that one can do in a forest... [Mountain bikers] seem to be primarily from outside the District and do not show any respect to the land or the area... We do not think it is fair that Highlands residents foot the bill for the recreational activities of people outside the District.”

Trails

- “We do not support shared trails... we do not enjoy walking in horse manure or being hit by a speeding bicycle. Trails frequented by horses are muddier during the wetter times of year. ...the emphasis on trails in the Highlands should be placed on walking trails. Walking is the only activity that can be enjoyed by virtually all residents of any age.”
- Specific comments on trails were forwarded to the Trails Advisory Committee for their information and action.

Financing

- “We do not support casinos to generate revenue.”
- “Most of these [recommendations] could possibly be covered under the development of a fee structure to service the Parks and Recreation Master Plan.”

Proposed Municipal Parks

#1: Chow-Nicoll/Hatcher Swamp.

“This might make a suitable location for the proposed community hall.”

#2: Millstream/Finlayson Arm Road

“Bad idea. I strongly oppose this location for the community hall.”

#3: Property S.E. of Twinflower

“A fine idea if we can afford it. I would not place a high priority on this compared to others.”

#4: Phase E on Millstream Road North

“Don’t create a second tot lot so close to the only one we currently have. Spread it around a little.”

#5: High point off Munn Road

“Agreed, but from where would one access this point?”

“Good idea!”

#6: Caretaker at Eagles Lake

“I don’t think a caretaker position at Eagles Lake is the answer...I believe the presence of additional residents will be a deterrent to vandalism.”

“We do not believe a caretaker at Eagles Lake is justified.”

“THANK YOU to whoever took on the project to get parking signs erected at Eagles Lake. Why weren’t the signs extended (on the east side) of Blue Valley Road?”

“Change the bylaw from the current park hours (5 am to 10 pm) to a dawn to dusk designation. (Why does anyone need to be in the park when it’s dark?)”

#7: Tot lots on Woodridge Place

With the problems at Eagles Lake and the East Firehall, “why would anyone suggest opening a third and even fourth public area ... inviting more of the same problems?”

“Strongly support this, if the neighbourhood wants it.”

APPENDIX 5: SUMMARY OF RESPONSES FROM OTHER JURISDICTIONS

BC Parks

Contacts: Jim Morris, Ross Dawson, South Vancouver Island office.

BC Parks staff confirmed the negotiations for the additions to Goldstream Park are now complete, pending land transfer. They are keen to see north-south links between Goldstream and Gowlland Tod, with a wildlife corridor along Finlayson Arm, and a southern extension of the main trail that would keep people off the road.

Decisions for Gowlland Tod are based on the 1996 Park Management Plan. Volunteers from the Highlands have been actively involved in developing the Park Management Plan and subsequent Trail Plan for Gowlland Tod. A major concern is to continue to limit the number of access points to the park, and to discourage additional 'soft' access points.

CRD Parks

Contact: Jeff Ward, Planner

CRD Parks' interests in the Highlands are expressed in the CRD Parks Master Plan. Staff have been kept informed of proposals in the Highlands Parks and Recreation Master Plan, and have not expressed concerns.

CRD Parks continue to work closely with Highlands' staff to pursue opportunities for regional park acquisition in the municipality.

Langford

Contact: Matthew Baldwin, Planning Technician

Langford prepared a Trail Master Plan in 1998, and would like to ensure that trails connect across the municipal border. This information has been forwarded to the Trails Advisory Committee for their consideration.

Langford is considering a residential development on the southern border of Highlands. The intent is for relatively low density along the Highlands-Langford border, with several neighbourhood parks in the subdivision.

View Royal

Contact: Alan Haldenby, Planner

The View Royal Official Community Plan shows some trail connections in the Highlands, as does their draft Greenways Plan. This information has been forwarded to the Trails Advisory Committee for their consideration. There are no parks issues of concern.

Thetis Lake Regional Park occupies much of the View Royal – Highlands border.

Saanich

Contact: Gerald Fleming, Coordinator of Design and Development, Saanich Parks

Mount Work-Hartland Regional Park occupies much of the border between Saanich and Highlands. South of the park, the Hydro right of way provides a trail and wildlife corridor. Saanich have two east-west trail connections that they would like to link to the Highlands trails network. One, near Eagles Lake Park, follows a right of way from Petworth Drive to the Hydro ROW. The other is the Provincial Capital Commission's proposed east-west trail connector (from Lochside Drive to Goldstream Park). Part of this proposed trail will cross the south Highlands. This information has been forwarded to the Trails Advisory Committee for their consideration.

APPENDIX 6: OCCUPIERS LIABILITY ACT

[RSBC 1996] CHAPTER 337

Updated to October 1998.¹⁰

Definitions

1 In this Act:

"occupier" means a person who

- (a) is in physical possession of premises, or
- (b) has responsibility for, and control over, the condition of premises, the activities conducted on those premises and the persons allowed to enter those premises, and, for this Act, there may be more than one occupier of the same premises;

"premises" includes

- (a) land and structures or either of them, excepting portable structures and equipment other than those described in paragraph (c),
- (b) ships and vessels,
- (c) trailers and portable structures designed or used for a residence, business or shelter, and
- (d) railway locomotives, railway cars, vehicles and aircraft while not in operation;

"tenancy" includes a statutory tenancy, an implied tenancy and any contract conferring the right of occupation, and "landlord" must be construed accordingly.

Application of Act

2 Subject to section 3 (4), and sections 4 and 9, this Act determines the care that an occupier is required to show toward persons entering on the premises in respect of dangers to them, or to their property on the premises, or to the property on the premises of persons who have not themselves entered on the premises, that are due to the state of the premises, or to anything done or omitted to be done on the premises, and for which the occupier is responsible by law.

Occupiers' duty of care

3 (1) An occupier of premises owes a duty to take that care that in all the circumstances of the case is reasonable to see that a person, and the person's property, on the premises, and property on the premises of a person, whether or not that person personally enters on the premises, will be reasonably safe in using the premises.

(2) The duty of care referred to in subsection (1) applies in relation to the

- (a) condition of the premises,
- (b) activities on the premises, or
- (c) conduct of third parties on the premises.

(3) Despite subsection (1), an occupier has no duty of care to a person in respect of risks willingly assumed by that person other than a duty not to

¹⁰ From http://www.qp.gov.bc.ca/statreg/stat/O/96337_01.htm

(a) create a danger with intent to do harm to the person or damage to the person's property, or

(b) act with reckless disregard to the safety of the person or the integrity of the person's property.

(3.1) A person who is trespassing on premises while committing, or with the intention of committing, a criminal act is deemed to have willingly assumed all risks and the occupier of those premises is subject only to the duty of care set out in subsection (3).

(3.2) A person who enters any of the categories of premises described in subsection (3.3) is deemed to have willingly assumed all risks and the occupier of those premises is subject only to the duty of care set out in subsection (3) if

(a) the person who enters is trespassing, or

(b) the entry is for the purpose of a recreational activity and

(i) the occupier receives no payment or other consideration for the entry or activity of the person, other than a payment or other consideration from a government or government agency or a non-profit recreational club or association, and

(ii) the occupier is not providing the person with living accommodation on those premises.

(3.3) The categories of premises referred to in subsection (3.2) are as follows:

(a) premises that the occupier uses primarily for agricultural purposes;

(b) rural premises that are

(i) used for forestry or range purposes,

(ii) vacant or undeveloped premises,

(iii) forested or wilderness premises, or

(iv) private roads reasonably marked as private roads;

(c) recreational trails reasonably marked as recreational trails;

(d) utility rights of way and corridors excluding structures located on them.

(4) Nothing in this section relieves an occupier of premises of a duty to exercise, in a particular case, a higher standard of care which, in that case, is incumbent on the person because of an enactment or rule of law imposing special standards of care on particular classes of person.

Contracting out

4 (1) Subject to subsections (2), (3) and (4), if an occupier is permitted by law to extend, restrict, modify or exclude the occupier's duty of care to any person by express agreement, or by express stipulation or notice, the occupier must take reasonable steps to bring that extension, restriction, modification or exclusion to the attention of that person.

(2) An occupier must not restrict, modify or exclude the occupier's duty of care under subsection (1) with respect to a person who is

(a) not privy to the express agreement, or

(b) empowered or permitted to enter or use the premises without the consent or permission of the occupier.

(3) If an occupier is bound by contract to permit persons who are not privy to the contract to enter or use the premises, the duty of care of the occupier to those persons must, despite anything to the contrary in that contract, not be restricted, modified or excluded by it.

(4) This section applies to all express contracts.

Independent contractors

5 (1) Despite section 3 (1), if damage is caused by the negligence of an independent contractor engaged by the occupier, the occupier is not on that account liable under this Act if, in all the circumstances,

(a) the occupier exercised reasonable care in the selection and supervision of the independent contractor, and

(b) it was reasonable that the work that the independent contractor was engaged to do should have been undertaken.

(2) Subsection (1) must not be construed as restricting or excluding the liability, imposed by any other Act, of an occupier for the negligence of the occupier's independent contractor.

(3) If there is damage under the circumstances set out in subsection (1), and there is more than one occupier of the premises, each occupier is entitled to rely on subsection (1).

Tenancy relationship

6 (1) If premises are occupied or used under a tenancy under which a landlord is responsible for the maintenance or repair of the premises, it is the duty of the landlord to show toward any person who, or whose property, may be on the premises the same care in respect of risks arising from failure on the landlord's part in carrying out the landlord's responsibility, as is required by this Act to be shown by an occupier of premises toward persons entering on or using the premises.

(2) If premises are occupied under a subtenancy, subsection (1) applies to a landlord who is responsible for the maintenance or repair of the premises comprised in the subtenancy.

(3) For the purposes of this section

(a) a landlord is not in default of the landlord's duty under subsection (1) unless the default would be actionable at the suit of the occupier,

(b) nothing relieves a landlord of a duty the landlord may have apart from this section, and

(c) obligations imposed by an enactment in respect of a tenancy are deemed to be imposed by the tenancy.

(4) This section applies to all tenancies.

Application of *Negligence Act*

7 The *Negligence Act* applies to this Act.

Crown bound

8 (1) Except as otherwise provided in subsection (2), the Crown and its agencies are bound by this Act.

(2) Despite subsection (1), this Act does not apply to the government or to the Crown in right of Canada or to a municipality if the government, the Crown in right of Canada or the municipality is the occupier of

(a) a public highway, other than a recreational trail referred to in section 3 (3.3) (c),

(b) a public road,

(c) a road under the *Forest Act*,

(d) a private road as defined in section 2 (1) of the *Motor Vehicle Act*, other than a private road referred to in section 3 (3.3) (b) (iv) of this Act, or

(e) an industrial road as defined in the *Highway (Industrial) Act*.

Act not to affect certain relationships

9 This Act does not apply to or affect the liability of

(a) an employer in respect of the employer's duties to an employee,

(b) a person under a contract for the hire of, or for the carriage for reward of persons or property in, any vehicle, vessel, aircraft or other means of transport,

(c) a person under the *Hotel Keepers Act*, or

(d) a person under a contract of bailment.