



**DISTRICT OF METCHOSIN  
SUPPLEMENTAL AGENDA**

**BUFFER LAND WORKING GROUP MEETING  
OCTOBER 11, 2023 at 4:30 PM  
COUNCIL CHAMBERS, MUNICIPAL HALL**

---

**New Business/Supplemental Information**

1. Community Input Session #2 October 4, 2023, Notes ..... 1
2. Correspondence received for information regarding the  
October 4, 2023 Buffer Land Working Group Community Input Session #2:..... 7
  - Morgan Yates
  - Bev Bacon



District of Metchosin

**Community Input Session # 2 Notes  
Buffer Land Working Group  
October 4, 2023 at 7:00 p.m.**

Council Chambers  
Metchosin Municipal Hall

---

**Present:** Councillor Shelly Donaldson (Vice-Chair), Bonnie Bouveur, Brian Grant, Anna Hall, Richard Simpson, Gary Smirfitt, Karen Hoffman, Bailey Spiteri, Councillor Jay Shukin (Chair), (via Teams link).

The meeting called to order at 7:00 pm.

Shelly went through the presentation:

- Background on the Buffer Land.
- Buffer Land Working Group (BLWG) purpose and mandate
- BLWG members
- Overview of work to date
- Background on the Centre Mountain Estates residential development
- Initial concepts reviewed and background on the “Status Quo” option
- Review of the preliminary recommendation. A three phase approach
  - Phase 1: Rezone the Buffer Land to the existing Parkland zone (P3) as soon as possible.
  - Phase 2: Initiate work to develop a new zoning designation that better reflects conservation / preservation goals. Apply this zone to the Buffer Land when ready.
  - Phase 3: Develop a park management plan for the Buffer. Ensure adequate resourcing.
- Review of the alternate approach: Consider selling to the CRD

General discussion occurred:

Jay: with Metchosin owning the Buffer Land, there’s also a responsibility to maintain and care for the land. If the Buffer Land becomes a park it will be very different than the other parks Metchosin owns / manages, given the proximity to the forthcoming residential area on Centre Mountain. There could be fiscal implications.

Shelly: access to the Buffer Land was a significant discussion throughout the process, particularly in how this could be managed. The BLWG talked about working with post-secondary institutions on conservation and preservation projects.

Anna: there are many examples of areas where there are on-going studies of plants and animals. Trail cameras can be incorporated both as a research tool and to monitor access. We want to look at preserving the unique ecology of southern Vancouver Island and also supporting research for future generations. The parameters for such a program have not been set. Further discussion with post-secondary institutions (Royal Roads, Camosun, Pearson College) needs to occur.

Bailey: the BLWG did consider an option of fencing off the entire parcel, as part of looking at a wide range of management options.

Gary: The group reviewed 20 different scenarios. Pros and Cons with all of the options were considered. It was a long exercise. The BLWG will provide its recommendation to Council and then it will be up to Council to decide what is acted upon. We want to hear what community members think of the ideas put forward tonight. Gary noted the impacts of construction activities in the area.

Bailey: the Buffer Land is not a large area, but it's critical to maintaining the core nature of Metchosin, and its borders.

Linda Wilson: the construction noise from Centre Mountain is constant. If the Buffer Land was gone it would be terrible for everyone in the area. Who currently maintains the Buffer Land now?

General discussion occurred on construction impacts and the future of the Buffer Land in relation to the Centre Mountain residential development. Regarding the question, as owner of the Buffer Land, the District of Metchosin has the responsibility to maintain the parcel.

Morgan Yates: Thanked the BLWG for the efforts and raised two points. First, has the BLWG considered the value of the Buffer Land in terms of the voluntary carbon credit market? This area is evolving very rapidly and there may be a revenue opportunity from the carbon credits that can come with maintaining forested land. Care should be taken to look at the sequencing of steps to rezone to parkland in light of this opportunity.

Karen: asked for further background on the revenue sources for carbon credits.

Morgan: noted the role of aggregating agencies, and that the source of the money would come from companies that are taking proactive steps to offset their carbon footprint.

Morgan Yates: referencing the 2021 atmospheric river event, did the BLWG give consideration to climate change resiliency as one of its parameters? Did the BLWG consider the stormwater detention pond in light of climate change and that perhaps a larger detention pond might be part of a climate change resiliency approach?

Gary: the stormwater detention pond is not part of the BLWG's mandate. Gary has personally reviewed the first design report, and provided comments to Council. Noted that subsequent reports have not been provided, including reports from the independent consultants hired by Metchosin and Langford. The pond design was missing from the first report. Apparently, subsequent reports include further detail. Wants assurances that the design will incorporate environmental considerations. There are many examples of effective and creative stormwater management systems.

Further discussion occurred on Metchosin's role in the stormwater management system, including the potential of the trail and swale concept that was presented to the BLWG in July.

Audience question: What is a bioswale? A bioswale is essentially a channel (a "ditch") that collects rainwater. It allows for water to be treated through biological processes, using layers of soil and plants to slow the water (allowing for water infiltration into ground) and for filtering out contaminants.

Alison Leduc: provided further input into stormwater management concept, including opportunities to incorporate "green infrastructure" concepts into such a system.

She reviewed some of the processes that allow for the management of quantity and quality, and could allow for greater stormwater infiltration and utilizing rainwater (i.e. from rooftops vs. roadways). A core principle of green infrastructure is that it's not just a one step process, but a connected chain of steps. As compared to "grey infrastructure," green infrastructure has the potential for groundwater recharge, provide flood control and other environmental aspects.

There was discussion on the subdivision approval process regarding CME; that process is likely well advanced.

Audience member: Noted a bioswale in Victoria near Oak Bay High School. Do we know where the Centre Mountain industrial and residential areas are located? What do we know about how the subdivision layout? Where will the homes be in relation to the yards? If backyards face the Buffer Land, there is likely a greater opportunity for care and stewardship.

General discussion occurred. Based on design concepts seen to date, there will be homes adjacent to the Buffer Land with backyard facing the Buffer Land. The fact of a significant stone wall along the residential / Buffer Land edge was discussed.

Richard: Acknowledged the concerns and interest in the detention pond, and larger issues such as climate change. He reflected on the working group process and the limits the group had to work with in terms of information. The options reflect the best effort to protect the Buffer Land within the vision developed.

Brian: Further noted that the detention pond was not part of the BLWG's mandate. There was also the struggle to get information on the CME development. Encouraged participants to talk to Council and staff about their interests and vision of the stormwater system.

Stephen Sawyer: Reflected on his experience in the early days of owning his home on Neild Road. At that point, Centre Mountain was about 300 acres of forested lands. He would regularly encounter mountain bikers, who were creating trails in the area; they thought the area was theirs. He expressed concerns about this happening in the future. Stephen discussed his past military experience, where he had helped manage CFB Rocky Point, which has 2500 hectares of wild land. There is fencing and regular patrols. He sees considerable value in scientific research, particularly studies on high canopy areas. How do we manage key areas we want to protect?

Anna: mentioned her own experience in working on military sites, which can be significant areas for preserving unique flora and fauna. Her learning: when the people go away the plants and animals thrive.

Pattie Whitehouse: how to keep people out is a vital question. Fencing off the area is not the solution. Regarding the detention pond, she suggested developing objective performance measures, particularly in terms of water quality and quantity.

Audience question: When are these recommendations to come to Council? The goal is to provide the recommendations for the October 23<sup>rd</sup> meeting, per the six-month reporting goal in the BLWG's terms of reference.

Audience question: What came of the discussion about an ecological preservation covenant?

Anna: this was considered. No baseline ecological studies had been done on the Buffer Land. A concern was that if the entire area was going to be protected, how would it be protected and how would we ensure people were staying out. This is still on the table, but it's a goal to work toward.

Jay: responded to several earlier comments. Mountain biking is an activity the working group noted and expressed concern about. The reality is that efforts to "keep people out" are unlikely to be successful. It's more realistic to work at managing access, and thus working to limit access. The concepts that Anna has talked about can help with that, but we can also look at other access management options (limiting parking, strategic fencing) as part of park planning.

Anna: the BLWG's recommendation is a pathway toward an end goal, which includes conservation and protection goals.

Bonnie: Questioned whether the two-stage process toward rezoning was the best approach (as in, immediate re-zoning to P3; and then the development of a zone more conducive to preservation/conservation goals). This will consume staff and Council time. Why not do it right the first time? She noted that research had been done on how other municipalities have approached park zoning; Metchosin could borrow from this.

Gary: Felt that rezoning to P3 was a relatively simple matter; however, the development of a new zone could take some time. He felt it was better to move toward protecting the Buffer Land ASAP.

Audience question: is a golf course one of the options the BLWG considering? No. A BLWG member clarified that the golf course reference came from the current zoning: Commercial Recreation 2/3 (CR 2/3)

Audience question: what is the potential for a housing development in the Buffer Land at present? The CR 2/3 designation does allow for homes. The minimum subdivision size is 9.88 acres (CR2) and 4.95 acres (CR3).

Carol Voyt: asked about the urgency to rezone to park. She asked that further thought be given to the potential for the revenue from a voluntary carbon offset arrangement. Immediately rezoning to parkland may mean missing out on a significant revenue opportunity.

Jay: it's hard to say how much revenue the Buffer Land on its own might generate. A review of carbon pricing indicates a range of \$5 to \$30 per acre annually, which would mean annual revenue of anywhere from \$567.00 to \$3,400 annually (Buffer Land is 113.5 acres). There will also be an administrative cost to setting up a carbon offset arrangement, as well as on-going administration. The value of carbon credits comes in part because they can be verified.

Bev Bacon: endorses the plan to rezone to protect the Buffer Land. Asked that the potential of carbon offsets be further explored. She wondered if there was a "co-parenting" concept that could be explored, potentially with some sort of working arrangement between the CRD and Metchosin. That may help offset some of the risks of future dramatic changes within each entity. She could see a trail from Happy Valley to section 95, but also signage that helps people understand why they need to stay on the trail. Such an arrangement might help manage access. Worries about multiple access points from the residential lots.

Chris Moehr: Thanked the BLWG for their work. Speaking for the APRM, she does not advocate immediate rezoning to park, but for the development of an "ecological reserve." No sale to the CRD should be considered without an updated value assessment of the Buffer Land. There are funding opportunities at the federal level to explore.

Kym Hill: Advocated that the land be turned over to the adjacent landowners. Land under private ownership is an effective way of protecting land. Metchosin has shown that big pieces of property support wildlife. The Buffer Land stands to be a future liability.

Morgan Yates: Asked that further research be done on the potential for carbon credits from the Buffer Land. He felt that the figures Jay had referenced were dated by several years and the value is now much higher.

Jay: Agreed and will look into this further.

Audience member: Asked further about limiting access. Can we building in zoning that includes people and encourages stewardship, particularly with the people who may be living adjacent to the Buffer Land. She mentioned examples in Saanich.

Brian: Mentioned previous discussion with the BLWG about the development of a “Friends of the Buffer Land” group to promote local stewardship action.

Werner Schmidt: asked for clarity on the stormwater detention ponds currently adjacent to the Buffer Land.

Gary: these are temporary for the construction project, and clarified the nature of future detention pond, which is allowed under the Covenant and Easement.

Stephen Sawyer: relayed a story about a map book he was shown by a mountain biker, showing a trail that went right up his driveway. Stephen described the effort he went through the get that removed from the book.

Karen: noted that there is local reference to mountain bike trails in the latest Off-Road guide.

There was further discussion about potential access points, current trails and fencing. Gary noted the requirement of access maintenance equipment for the stormwater detention pond.

Avril Yoachim: asked about fencing, particularly on the south lobe; determining the distance and cost would be good.

Shelly thanked the participants for the feedback, which will be taken into account in terms of the BLWG’s recommendation to Council.

The meeting adjourned at 8:40pm.



October 10, 2023

Dear Buffer Land Working Group Members

**Subject: October 4 Buffer Land Working Group Community Input Meeting**

I write in response to the well-designed, well-chaired and well-attended subject meeting. I'd like to reiterate the appreciation I have previously expressed to Councillors Donaldson and Shukin and to re-emphasize my sincere appreciation for the work and commitment of the volunteer members of the Working Group.

The October 4th Community Input Meeting was engaging, informative and respectful. As a result, it provided an opportunity for further reflection on both short-term and long-term community goals for the Buffer Land as well as potential risks and optimum ways in which those risks could be mitigated. The purpose of this letter is to respond with further input.

**Risk of Eminent Domain Exercise, by Provincial Government**

Following the recent passage of the Housing Supply Act by the BC Government and its de facto over-ruling of tenets underpinning the CRD's Urban Containment Boundary, the Working Group has identified the potential exercise of eminent domain or similar tools by the province as a genuine risk. However, and unfortunately, it also needs to be recognized that ***neither early re-zoning to Parkland nor the early registration of a conservation covenant would stop the province from successfully exercising eminent domain.***

The most effective form of risk mitigation in this instance would likely be either to seek allyship with larger Westshore communities and/or to partner with a regional, provincial or national level conservation agency(ies) in the ultimate and joint creation of a park.

**Unintended Consequences of Premature Rezoning**

The risks and adverse impacts of premature rezoning to parkland should be recognized as being potentially consequential. A primary risk is that early and unilateral rezoning to parkland will telegraph to potential partnering agencies that "the job is done". Put in more colloquial terms, senior partnering agencies would see little reason to contribute to buying the cow and/or paying for the cow's maintenance, when the flow of milk has already been assured at Metchosin's ongoing and sole expense.

A related risk is that premature rezoning to a use with lower book value and lower fair market value would weaken the District's negotiating position with any potential, future funding partners. As described below, I believe that further analysis by the Working Group would show that partnering with one or more larger conservation agencies in the ultimate creation of a park would likely be beneficial.

A secondary risk is that premature rezoning to park designation would nullify any potential opportunity for the Buffer Land to participate in an aggregated, regional voluntary carbon credits project. External agencies such as Zimmfor Management Services Ltd. offer expertise in the quickly evolving realm of voluntary carbon credits. However, because their services can be costly, it may be worthwhile to instead seek an indicative approximation of Buffer Land potential credits value by extrapolation from other regional initiatives.

### **Analysis of Capital and Annual Operating Costs and their Trade-offs**

The Working Group members have identified that the hundreds of homes and thousands of residents projected for the adjacent, high-density Centre Mountain Residential area will create significant, ongoing maintenance challenges (and corresponding expense) for any park that may be developed in the Buffer Land.

Having recently participated in an evaluation of park ranger and maintenance costs for the proposed Sc'ianew Mary Hill Indigenous Protected Area Project, I am aware that maintaining the ecological integrity of natural areas in a near-urban context is costly.

Accordingly, I believe it would be appropriate to expend effort in evaluating the trade-off between capital investment and ongoing annual operating expenses for the mitigation of "adjacency risk". Specifically, I anticipate that such analysis would show that the installation of a tall property line fence, complete with friendly and engaging signage\*, along (only) the ~ 1200-metre north boundary of the south lobe of the Buffer Land would end up being a capital cost that would have relatively quick payout, versus the aggregate annual maintenance costs which would otherwise be incurred in the absence of such fencing. Fencing would also help to direct future park users to designated and lower impact points of access. The cost of installing such fencing on my own property (with similar steep, rocky terrain) about five years ago was \$40/metre and it has been effective in stopping chronic trespass by users of the adjacent Galloping Goose Trail.

Beyond the above specific example, I believe it would serve District taxpayers if Council and Working Group members were to consider the use of payout calculations (or more

comprehensive discounted cashflow analysis) in a future phase of options analysis for the Buffer Land.

*\*By way of example, signage installed at regular intervals along boundary fencing might read, "This fence helps protect sensitive ecosystems from damage and it helps protect you from public trespass and wildlife encounters. Please report any maintenance needs to \_\_\_\_\_ and please use only designated access points to the park. Thank you for your support".*

### **Mitigating Negotiating Risk (Terms Sheets & Appraisals)**

Many Metchosin residents, including myself, were surprised and deeply dismayed when the existence of an execution-ready Purchase & Sale Agreement for the Buffer Land came to light in late 2021, around the time that the Purchaser's corresponding offer price (\$274,400 or approximately 20% of asset book value) was made public in the Goldstream Gazette.

While recognizing the concern that some residents may still understandably feel in relation to re-engaging with the CRD as a potential counterparty and while recognizing that this concern may now extend more generally to partnering with other agencies, I would respectfully submit that the best way of addressing partnership risk is not through avoidance, but rather, by insisting on a process that is disciplined and transparent and by ensuring that the District has positioned itself with the best available negotiating tools.

It could be helpful, for example, if the Working Group were requested to develop (or to contribute to the development of) a concise **Term Sheet** which would help guide any potential partnership negotiations and help to inform any subsequent drafting of legal agreement(s). Similarly, **prior to** entering into any discussions or negotiations with potential partners, the District should be equipped with an objective, current and professional appraisal of the Buffer Land's fair market value, under its current CR2/3 zoning. For e.g., Phung Horwood recently completed appraisal work that included analysis of actual prices paid over the last few years by the CRD, in regional parks acquisition.

By appearances, the negotiation of the above-mentioned Purchase and Sale Agreement with the CRD between 2020 and 2021 was not informed either by a Term Sheet summarizing District taxpayers' interests or by an objective appraisal of the Buffer Land's fair market value.

## **Potential to Attract Partners and Partner Funding**

The location, size and ecological values of Metchosin's Buffer Land create the potential to attract interest from regional, provincial and even national agencies in potential park development. To provide a specific example that already has some precedent in our region, Parks Canada is currently investing in the creation of future urban parks and ecological corridors. One such initiative was highlighted in recent [media coverage](#) and involves Metchosin friend and near-neighbour Nitya Harris. Of particular interest is the funding that appears to be available to assist with the early evaluation and planning phase of potential urban parks and ecological corridors. *A corresponding Parks Canada pdf document is attached.*

## **Centre Mountain Storm Water Management (SWM) System**

From the October 4th meeting proceedings, I understand that SWM system design is outside the scope of the Working Group Terms of Reference, yet also fundamental to some of the decisions that will need to be made in relation to the scale and scope of Buffer Land water management facilities and access to same. This dimension of future park planning is technically complex and would likely benefit from access to 3rd party subject matter expertise. In turn, this would suggest that allyship with better-resourced Langford and/or partnership with well-funded conservation partners may be worthy of consideration.

## **Conclusions**

Based on the process established for Buffer Land review and the value contributed by the Working Group to date, I am hopeful that a next phase in planning the future of the Buffer Lands will be undertaken with the patience, inclusiveness and rigour befitting such a valuable public asset and that Working Group members can continue their valued involvement.

In closing, I respectfully request that Working Group members please carefully consider the input provided above.

The favour of a reply is requested.

Morgan Yates  
Metchosin resident



# Process for national urban park designation: Activities, outcomes and deliverables

The four steps below outline the process for designating national urban parks. The approach to each step will be flexible and informed by the local context.



Pre-feasibility	Planning	Designation	Implementation
<ul style="list-style-type: none"> <li>Seek interest and support from local governments and other partners, including Indigenous governments and organizations</li> <li>Co-develop engagement approach with Indigenous partners</li> <li>Identify the study area(s) for the national urban park</li> <li>Conduct site-specific studies</li> <li>Explore considerations for vision, boundary, and governance</li> <li>Conduct initial stakeholder outreach</li> </ul> <p><b>Expected outcomes</b></p> <ul style="list-style-type: none"> <li>Candidate site found to align with program objectives, with sufficient support from local partners to be feasible as a national urban park</li> </ul> <p><b>Deliverables</b></p> <ul style="list-style-type: none"> <li>Pre-feasibility report published by Parks Canada (Represents Parks Canada's conclusion that pre-feasibility is concluded and the project is ready to move into planning)</li> </ul>	<ul style="list-style-type: none"> <li>Develop a park vision</li> <li>Determine governance model with partners</li> <li>Refine study area to identify park boundary</li> <li>Conduct stakeholder and public engagement</li> <li>Prepare draft budget and identify priority investments</li> <li>Begin initial operational planning</li> </ul> <p><b>Expected outcomes</b></p> <ul style="list-style-type: none"> <li>Agreement to proceed to negotiation</li> </ul> <p><b>Deliverables</b></p> <ul style="list-style-type: none"> <li>Summary of stakeholder and public engagement published</li> <li>Budget and investment plan prepared in draft</li> <li>MOU (non-binding) signed between Parks Canada and key partners (Represents a significant commitment to next steps and negotiating details)</li> </ul>	<ul style="list-style-type: none"> <li>Finalize proposal for the national urban park</li> <li>Confirm roles of partners in governance of the national urban park</li> <li>Secure operational funding from funding partners (e.g. federal government, other jurisdictions)</li> <li>Develop operational plan</li> </ul> <p><b>Expected outcomes</b></p> <ul style="list-style-type: none"> <li><b>National urban park designated under National Urban Parks Policy</b></li> </ul> <p><b>Deliverables</b></p> <ul style="list-style-type: none"> <li>Operational plan completed</li> <li>Funding confirmed</li> <li>MOAs (binding) signed (to formalize national urban park partnership)</li> </ul>	<ul style="list-style-type: none"> <li>Final operational preparations for the national urban park, may include implementing governance structure; designing facilities, amenities and programs; and initiating conservation activities</li> <li>Begin operations of the national urban park, including development of infrastructure, staffing, development of management plan, and official opening</li> </ul> <p><b>Expected outcomes</b></p> <ul style="list-style-type: none"> <li>National urban park officially launched</li> </ul>

**Foundational investments** (if applicable, may occur during these phases)

- Pursue investments (e.g., land acquisition, restoration, infrastructure) in alignment with program objectives.



**From:** [REDACTED]  
**To:** [Jay Shukin; Shelly Donaldson](#)  
**Cc:** [Mayor and Council](#)  
**Subject:** reflections on Buffer Lands public meeting  
**Date:** October 10, 2023 6:30:14 PM

---

Dear Buffer Lands Working Group,

Re: my thoughts following the public meeting

Thank you for your diligent, thoughtful, and creative problem solving on the future of the Buffer Land. I respect that you have worked cooperatively and came up with some agreements. Here are my follow-up thoughts:

1. The consensus of the group seems to be that there should be limited human activity and maximum protection. I think this is a good call.
2. The group is happy enough with Metchosin owning the land and designating it as park. I agree.
3. There is some urgency in getting the park designation because of the risk of being pressured into developing lots for housing.
4. Morgan Yates may have useful information about the recent changes in using the land for carbon credits. A small delay in park designation is warranted while this option is checked out. The land wouldn't be eligible for the carbon credit program if it was already park.
5. Permitting opportunities for environmental studies on the land is compatible with the limited human activity proposed.
6. Phase one and Phase two of the plan are straightforward and likely to be well-received by Metchosin residents, impacted and otherwise.
7. The public access to the parkland should be limited to two or few entrances.
8. There may be some fencing required where the land is subject to people making their own trails into the park.
9. Shelly said the style of the residential development may include rock walls. Perhaps these serve as well as fences.
10. Some money is needed for development and maintenance. This money might come from revenue generated by the Land Swap.

In addition to the 10 points above, I would like to add my own ideas:

1. I'd like a trail from Happy Valley Road through the Buffer Land and connecting with a trail loop in section 95.
2. The existing old logging roads are very suitable for pedestrian and equestrian use.
3. I think there should be a side entrance on Neild Road.
4. I'd like Phase 3 to include exploring the possibility of offering CRD a trail easement while Metchosin continues to own the land.  
This might give us access to CRD resources without losing control.
5. While not in the working group's mandate, issues around the retention pond, drainage and flooding are very significant.

Thank you for your consideration of my input. I think you are doing a great job and I appreciate your willingness to stay involved for the long term.

Bev Bacon, Metchosin resident