

# Horne Lake Regional Park 2005 Management Plan



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## 1.0 Introduction

### 1.1 Purpose of the 2005 Plan

The purpose of this management plan is to guide the management, development and operations of Horne Lake Regional Park, a 105-hectare wilderness waterfront park with campground, for the 2006-2025 periods. The Plan builds on previous management plans for the Park, the introduction in November 2004 of *Park Use Regulation Bylaw 1399* affecting all parks in the Region, the completion in March 2005 of the *Regional Parks and Trails Plan 2002-2015*, and the rezoning of Horne Lake Regional Park in 2005 to meet public campground park uses. All Regional District park management plans and bylaws are approved by the District's Board of Directors and subject to regular updates.

### 1.2 Management Planning 2002-2005

The resource lands now making up Horne Lake Regional Park (HLRP) and its campground were acquired by the Regional District of Nanaimo (RDN) in January 2002 consequent to the subdivision of District Lot 254 surrounding Horne Lake. The Province dedicated the lands as Regional Park and authorized transfer of title to the Regional District. In February 2002, the Regional Board established a committee to advise on the management of HLRP, the Region's first campground park and largest Regional Park at the time. The Committee included representatives from the RDN Board, the Spider Lake Community Association, the Horne Lake Strata Corporation, the Ministry of Water, Land and Air Protection, BC Parks, Fisheries and Oceans Canada, and was supported by RDN planning and parks staff. In April 2002, an *Interim Management Plan* was produced for HLRP that set out general guidelines for the short-term management of the Park, identified a number of fundamental property and infrastructure issues requiring attention, and permitted RDN parks staff to organize and undertake campground operations for the 2002 season.

RDN planning staff began work on a comprehensive five-year management plan for HLRP in the fall of 2002. A public open house was held in early 2003 to present a draft plan and gather public feedback. In the late winter of 2003, the Regional Board approved the *Horne Lake Regional Park Management Plan*. That plan identified a park vision, goals, policies and standards along with a framework for development and operations to be carried out by the RDN and a private contractor. The plan also made reference to issues requiring action beyond the five-year planning period, admittedly a short planning horizon given the nature and scope of work to be accomplished at HLRP. The 2003 plan anticipated the need for an update given a new regional parks plan and a park use bylaw; the plan stated that a park use regulation bylaw would supersede any relevant operational standards or directives contained in the 2003 plan. The 2003 plan also noted that HLRP required rezoning from resource to park and campground use.

The 2003 HLRP management plan assumed a self-sustaining park with the private contractor operating HLRP for a fee and the RDN financing and undertaking the development of the park as well as resolving the many property and infrastructure issues associated with it. An unsuccessful park operator handled most of the 2003 camping season and a second operator, also responsible for neighbouring Horne Lake Caves Provincial Park, has handled the 2004-05 seasons. While

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the 2003 Management Plan vision and goals remain sound, the operational framework contained therein has not proven workable nor to any extent self-sustaining. HLRP requires considerable financial investment in order for basic property and infrastructure issues to be resolved, good quality operational standards instituted, and the park vision realized. This 2005 management plan update provides an operational framework to achieve these objectives.

### **1.3 2005 Plan Structure**

The *Horne Lake Regional Park 2005 Management Plan* constitutes an update of the 2003 *Horne Lake Regional Park Management Plan*. The updated plan retains the park vision and goals established in 2003; elaborates on the 2003 policy statements around vision and goals; and sets out a new operational framework for HLRP. The operational time frame for the 2005 update has been extended from five to twenty years because this plan proposes that a private contractor will be responsible for undertaking as well as financing park development in accordance with RDN direction. The updated plan introduces new park zoning and incorporates management directives from the *Regional Parks and Trails Plan 2005-2015* and operating standards from the *2004 Park Use Regulation Bylaw 1399*.

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## 2.0 RDN Regional Parks and Trails

### 2.1 Regional Parks and Trails

The RDN regional parks function was first established in 1989 and has matured rapidly in the new millennium. Horne Lake Regional Park is one of eight regional parks in the RDN, and one of only two RDN campground parks.

Regional Park	Size (ha)	Year Acquired
Beachcomber	1	1955
Benson Creek Falls	22	1991
Little Qualicum River	44	1998
Nanaimo River	56	2001
Horne Lake (with campground)	105	2002
Descanso Bay (with campground)	16	2002
Little Qualicum River Estuary (conservation area)	5	2003
Englishman River	177	2004

In addition to regional parks, there is a large and growing network of regional trail within the RDN. Regional trails connect regional parks: the motto for the regional trails system is *Trail from Park to Park*. See *Map 1* for a graphic representation of the regional parks and trails system.

Regional trail of significance to HLRP includes the corridor running up the Big Qualicum River, around the north side of Horne Lake through Horne Lake Strata Corporation lands, through HLRP, and over to Port Alberni via the undeveloped 1911 Horne Lake and Alberni Road. The RDN has applied to the Province to have this stretch of regional trail corridor declared a BC heritage trail. The proposed heritage trail reflects the age-old transportation, trade and recreational route across Vancouver Island via Horne Lake, or Enoksasent as the lake was known by area First Nations. See *Appendix A* for a brief history of the Horne Lake Trail.

### 2.2 Regional Parks and Trails Plan

In 1994, the first regional park plan was developed to guide the management of existing parks and the acquisition of new parklands. In 2005, this plan was updated with the production of the RDN's *Regional Parks and Trails Plan 2005-2015*. Between 1994 and 2005, the RDN's regional parks function was converted to a service (*Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231*) and the ability of the Regional Board to regulate and act in respect of parks without direct Provincial oversight was established.

From 1989 to 2005, land acquisition and large capital expenditures for Regional parks and trails were funded by the eight electoral areas in the Region. The eight electoral areas as well as the four municipalities in the Region jointly funded operations and maintenance. One conclusion of the 2005 *Regional Parks and Trails Plan 2005-2015* was that a considerable increase in tax assessment would be required for parks if the population's park acquisition goals are to be met. In late 2005, the Regional Board amended the regional parks function to include the four

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municipalities as full participants and instituted a parcel tax throughout the electoral areas and municipalities of the RDN in order to finance parkland acquisition. It is not envisaged that these new park funds will be directed in any substantial way to the development of existing parkland, e.g., Horne Lake Regional Park.

## **Vision**

The *Regional Parks and Trails Plan 2005-2015* envisages a system of parks and trails that:

- secures, protects and stewards lands and water features of environmental significance and wildlife habitat value;
- provides rewarding outdoor recreational opportunities;
- fosters education and appreciation of the Region's natural environment; and
- enhances livability for the current and future residents of the RDN.

## **Goals**

The *Regional Parks and Trails Plan 2005-2015* establishes the following goals for the RDN's system of parks and trails:

- represents key landscapes and ecosystems of the Region;
- encompasses unique natural, historic, cultural and archaeological features;
- assists in protecting watersheds and important habitats as part of the RDN's broader land use planning mandate;
- promotes the enjoyment and appreciation of regional parks and trails in a manner that assures their qualities are unimpaired for generations to come;
- provides education and interpretation of the Region's natural features;
- links components within the system as well as with other parks and trails in the Region and adjacent Regional Districts;
- provides opportunity to all RDN residents to access and enjoy regional parks and trails; and
- assists the economy of the Regional District by attracting tourists and generating revenue, as appropriate, to support the parks and trails system.

### **2.3 Park Use Regulation Bylaw 1399**

In November 2005, the Regional Board approved *Park Use Regulation Bylaw 1399*, a uniform set of standards for use of RDN parks (see Appendix B). The Bylaw applies to both regional and community parklands including traditional park and trail as well as lands operated by the RDN under permit or licence, e.g., Ministry of Transportation water accesses and private lands. The Bylaw sets out standards for human behaviour as well as interaction with the park land itself. Reference is made in the Bylaw to authorized personnel who have rights to carry out activities prohibited by the general public, for example, to remove vegetation. This Management Plan establishes the basis for the authority vested in park operators of HLRP to carry out activities otherwise not permitted by Bylaw.

## 3.0 Horne Lake Regional Park

### 3.1 Park Property

Horne Lake is situated in the northwest corner of the RDN (Electoral Area ‘H’) and the Park itself is located at the far west end of the Lake (*see Map 2*). HLRP is approximately 35 kilometres from Qualicum Beach and 70 kilometres from Nanaimo. Access to the park is via Horne Lake Caves Road, off Horne Lake Road and Highway 19. It is about 13 kilometres from the highway to the Park on predominantly gravel road that is shared by recreational users and logging trucks.

#### About Horne Lake Regional Park

(*see Map 3*)

<b>Legal Description</b>	Remainder Block 40, Plan 691N, except Plans 46603 (Horne Lake Caves Provincial Park) and 1339R (Fisheries and Oceans Canada (DFO) waterfront parcel situated at the park entrance.
<b>Size</b>	105 hectares
<b>Encumbrances (see Map 4)</b>	(1) the undeveloped 1911 Horne Lake and Alberni Road; (2) Terasen right of way; (3) easement in favour of Block 251A lands (forestry); (4) DFO parcel at park entrance; (5) DFO flooding covenant .
<b>Improvements</b>	75 campsites in three separate areas; nine double pit toilets; two shallow wells with pitcher pumps; kiosks and signage; gravel road and parking areas; boat launch; park house with old septic field (situated on the 1911 Road); one old storage building; 5 kw generator in a shed; gazebo; gates; small quarry; small gravel pit; single lane forestry bridge over the Qualicum River. NB: HLRP makes use of one double pit toilet and a shallow well on the DFO parcel; the well services the park house via a gravity fed water system using BC Park and Strata Corporation lands and fuelled by the generator.
<b>Landscape</b>	Diamond shaped parcel bisected east to west by the Qualicum River. Approximately 75 per cent of the parcel was clear cut in the late 1990s and sparsely replanted with one-year old coniferous seedlings. Stands of mature trees remain along Horne Lake and to a lesser extent along both sides of the Qualicum River. The park is situated on a fluvial fan; terrain overall is level, with land starting to rise along the south-western boundary.
	2.9 km of lakefront and 2.5 km of riverfront. A floodplain exists along Horne Lake and a flooding covenant is registered on title. Most of the lakefront in the northern half of the park has been subject

<b>Waterfront</b>	to intensive recreational use for the last 20 years and is showing considerable wear. Restoration has begun on the northern shore of the river where it meets the lake (Gazebo Point). Waterfront development in the south half of the park is limited the two campgrounds. While Terasen buried their gas line under the Qualicum River in 2003, the works appear to still affect the flow of the River.
<b>Vegetation &amp; Wildlife</b>	Remaining trees are typical of the area: Douglas-fir, hemlock, spruce, cedar, pine, alder, big leaf maple and cottonwood. Rose, willow, ninebark and grasses edge the riparian areas. Fern, salal and alder are growing up in the clear-cut along with some young conifers. Wildlife includes deer, bear, the occasional cougar, and many waterfowl. DFO and the Province regularly stock Horne Lake with Chinook, Coho and Cutthroat trout.
<b>Neighbours</b>	Horne Lake Caves Provincial Park, the Horne Lake Strata Corporation, Fisheries and Oceans Canada (DFO), Island Timberlands and one small private landowner.

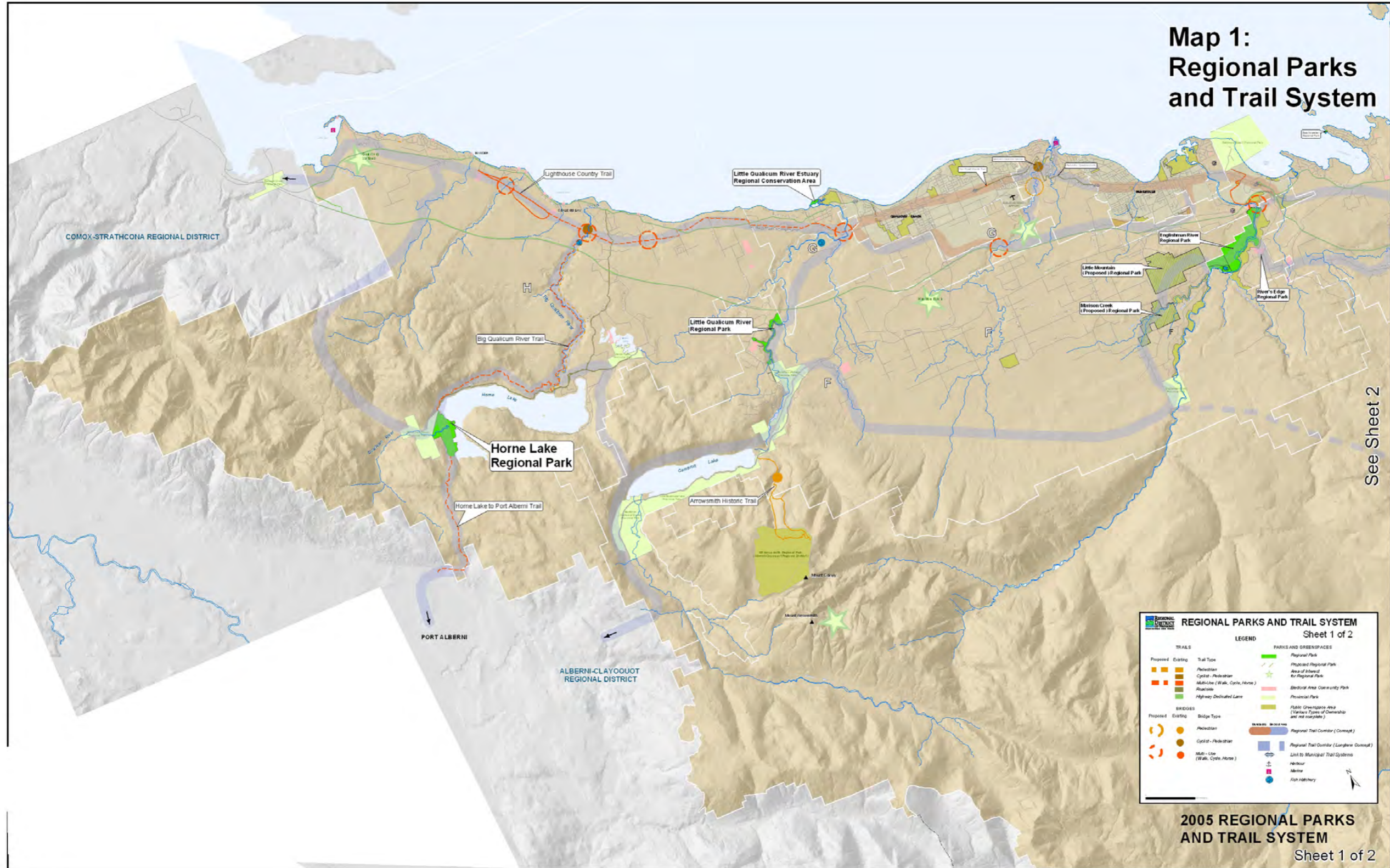
### 3.2 Park Vision

When the Province created HLRP as Regional Park, a covenant was placed on the property in favour of the Province and later the Horne Lake Strata Corporation. The covenant stipulates that the RDN cannot use the property for any other purpose than Regional Park, defined as including the following broad uses: *campground, caretaker's facility, camp store and administration, picnicking and boat landing facilities*. The management vision for HLRP is to see these covenanted uses developed wisely and:

- to the benefit of all residents of the Region, particularly children and families, in terms of health, access to outdoor recreation and educational opportunities, and enjoyment of a wilderness setting,
- to a standard in keeping with the park's location, neighbourhood and the model for large wilderness parks offered by BC Parks,
- in a way that is environmentally sensitive and sustainable over the long-term, and
- such that the regional taxpayer is not required to support park operations and development through deep subsidy and the park contributes to the economic vitality of the regional tourism sector.



# Map 1: Regional Parks and Trail System



See Sheet 2

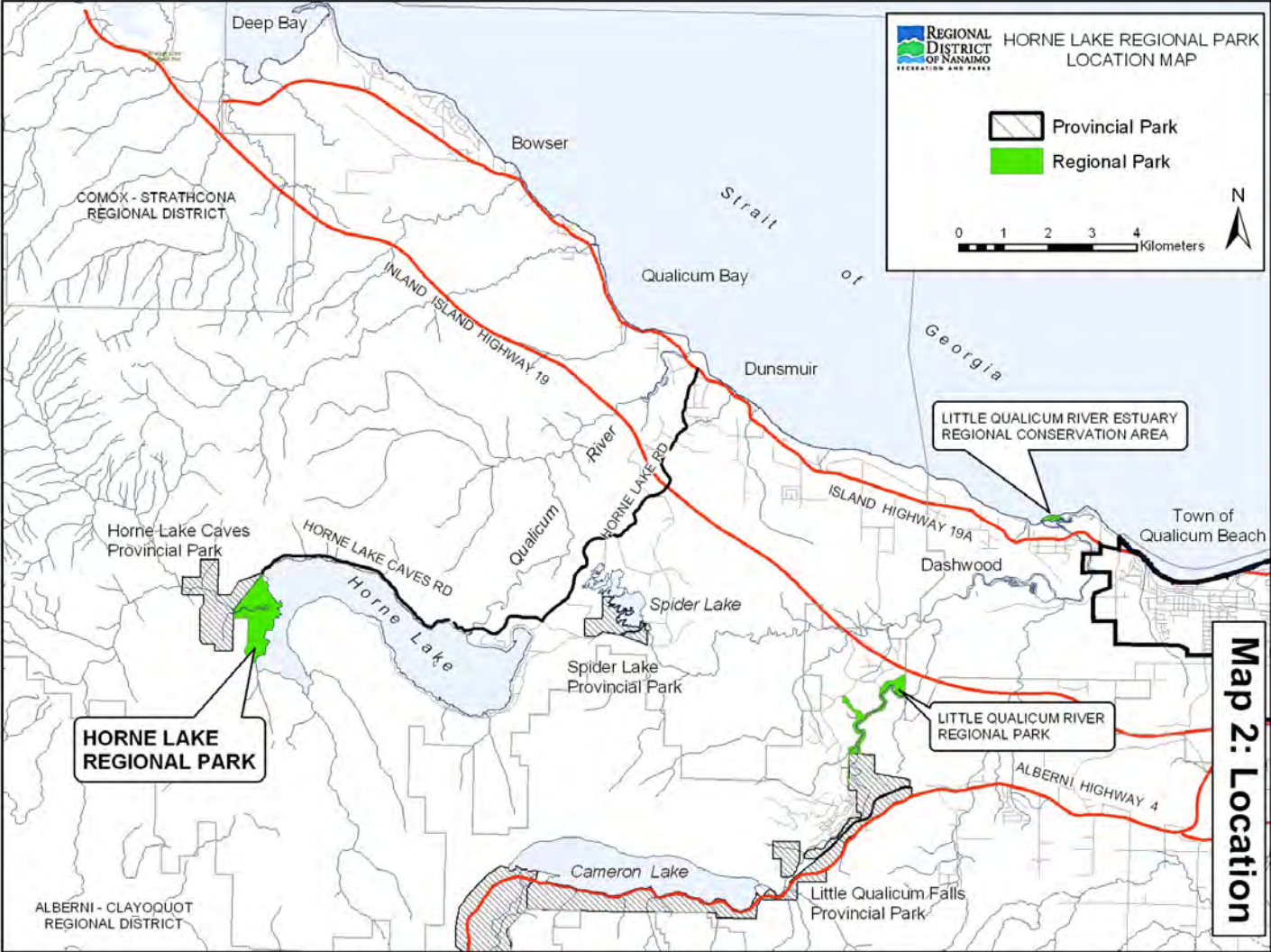
**REGIONAL PARKS AND TRAIL SYSTEM**  
Sheet 1 of 2

TRAILS		LEGEND	
Proposed	Existing	Trail Type	PARKS AND GREENSPACES
Proposed	Existing	Pedestrian	Regional Park
Proposed	Existing	Cyclist - Pedestrian	Proposed Regional Park
Proposed	Existing	Multi-Use (Walk, Cycle, Horse)	Area of Interest for Regional Park
Proposed	Existing	Roadside	Electoral Area Community Park
Proposed	Existing	Highway Dedicated Lane	Provincial Park
Proposed	Existing	Bridge Type	Public Greenspace Area (Various Types of Ownership and not compatible)
Proposed	Existing	Pedestrian	Regional Trail Corridor (Concept)
Proposed	Existing	Cyclist - Pedestrian	Regional Trail Corridor (Long-term Concept)
Proposed	Existing	Multi-Use (Walk, Cycle, Horse)	Link to Municipal Trail Systems
			Highway
			Railway

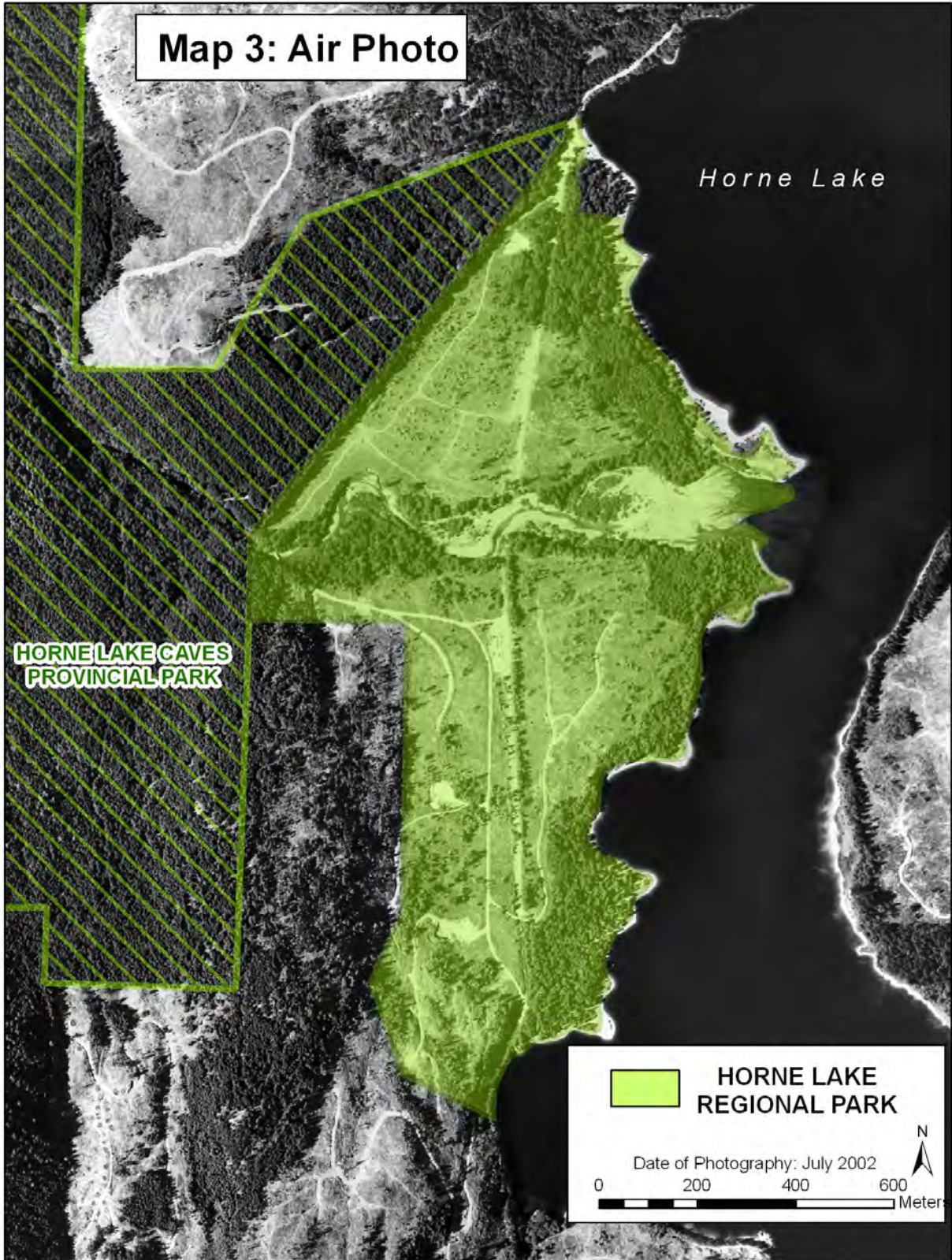
# Map 1: Regional Parks and Trail System



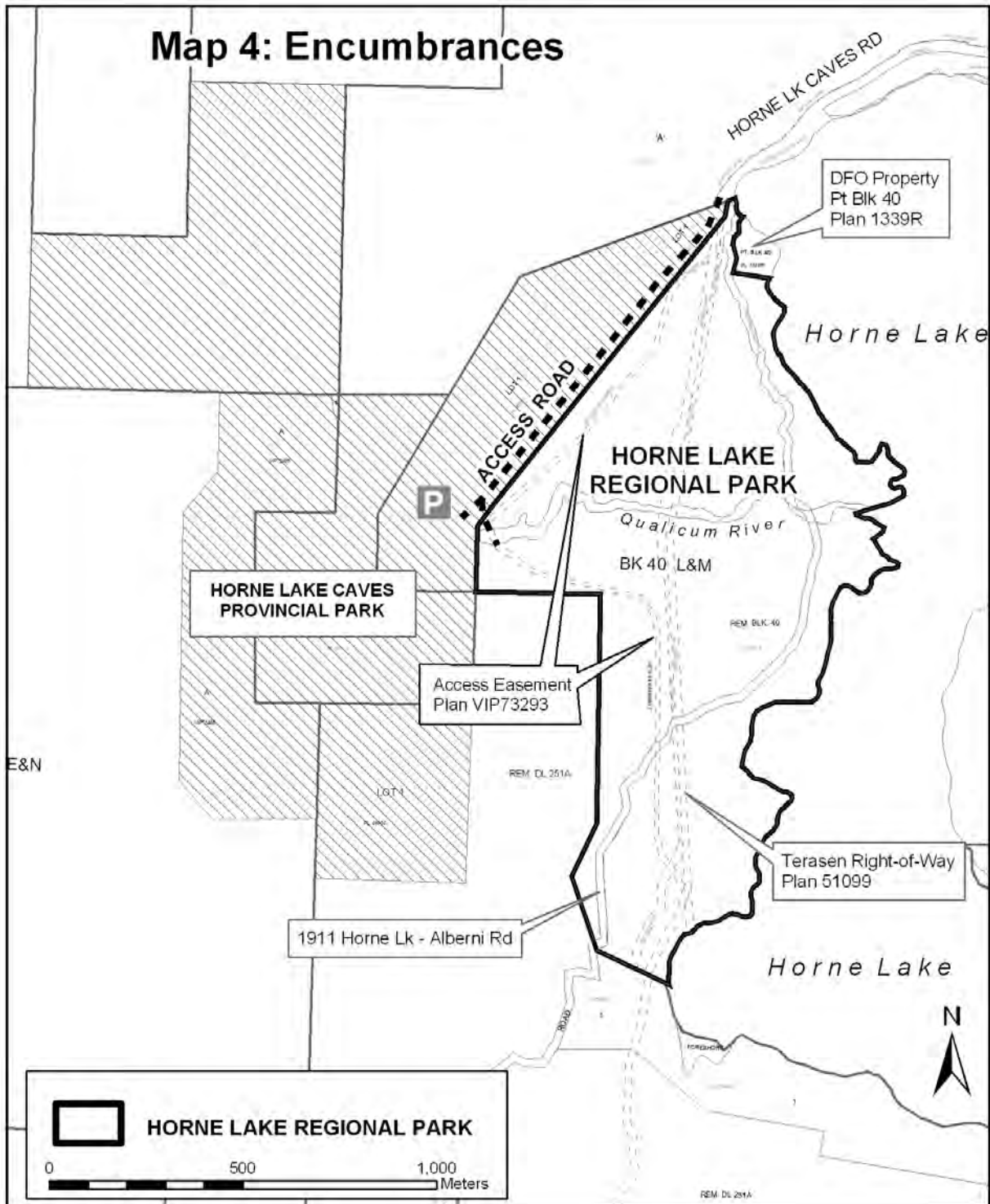
# Map 2 - Location



Map 3 – Air Photo



# Map 4 - Encumbrances



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### 3.3 Park Goals

The RDN's management goals for Horne Lake Regional Park that were set out in the 2003 HLRP management plan are repeated below. These management goals continue to be supported.

#### 2003 and 2005 Horne Lake Regional Park Management Goals

<b>1. Accessibility</b>	To provide a public park that is accessible for the benefit, enjoyment and use of all residents in the Region and beyond.
<b>2. Safety and Security</b>	To minimize natural and man-made hazards; to create and operate a park that is secure and provides an enjoyable and safe experience for visitors.
<b>3. Park Use</b>	To focus on a wide range of outdoor recreation activities carried out in a natural setting that include but are not limited to boating, swimming, individual and group camping, hiking, cycling, horseback riding, programmed recreation, interpretation and education.
<b>4. Environment</b>	To strike a balance between development for human use and protection of the environment by pursuing sustainable and best management practices and by promoting educational and interpretative programs that promote respect for the natural environment.
<b>5. Standards</b>	To develop quality facilities that are equal to or better than provincial parks of similar size and scope, and accord with RDN bylaws.
<b>6. Operations &amp; Administration</b>	To develop and operate Horne Lake Regional Park to be self-supporting.
<b>7. Economic Development</b>	To provide spin-off economic and tourism opportunities in the communities near the park as well as within the Region as a whole.
<b>8. Cooperation</b>	To liaise with neighbouring landowners and senior agencies in the planning, management and operations of the park.

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### 3.4 Current Operating Environment

In planning for the management, development and operations of HLRP, it is important to understand the current operating environment for decision-making.

- HLRP came to the RDN with a number of encumbrances that are unrelated to park use and that will continue to shape the park and diminish what can be achieved in meeting park goals, particularly environmental ones.
- Most existing park facilities and infrastructure fall well below common standards and all require redevelopment. The absence of regular hydro service to the park limits the scope of possible development, e.g., the provision of user services especially potable water and showers but also visitor and interpretation structures.
- HLRP is a former industrial site that has been largely clear-cut and parts of which, notably the waterfront, were used for many years as non-conforming private campground. The land and riparian areas at HLRP require considerable attention in order to be returned to good health.
- Public campground parks typically require deep public subsidy in order to operate let alone grow, so goals related to economic self-sufficiency at HLRP demand creativity from those who manage, operate and develop the Park.
- The Horne Lake area is not remote wilderness and HLRP is not isolated. The lake is a recognized recreation area on the mid-Vancouver Island tourism map, known for caving and boating and in past years climbing, and accessible to all age groups on a day-use basis. At the far west end of the Lake is HLRP, and a Class A Provincial day-use Park and internationally recognized caving attraction that is receiving upwards of 30,000 visitors each year coming throughout the year. Horne Lake is also second home to a community of 400 strata members, owners of recreational units around the lake and managers of forestry lands in the area. The Strata members enjoy HRLP and look forward to improved facilities, amenities and services at the regional park. As the regional trail system develops, so will HLRP's function as main western terminus and gateway across the Beaufort Range to Port Alberni and the West Coast of Vancouver Island. HLRP is to serve as a staging and meeting ground for large congregations of long-trail hikers, mountain bikers and equestrians as well as Scouts and other youth groups.
- HLRP and neighbouring Horne Lake Caves Provincial Park are clear candidates for joint park management, operations and development initiatives that will benefit both park properties and all park users. For example, an opportunity presently exists to avoid taking down a significant number of mature trees in the Caves Park to build much needed parking space by using nearby land in HLRP that has already been logged.

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## 4.0 Management and Development Policies

### 4.1 Introduction

This section provides a discussion of the eight park goals set out in Section 3.3 and establishes policies to help achieve the goals. The policies form the guiding framework for the operation, development and management of HLRP for the 2006-2025 period. The Regional Board will periodically review the policies, and may develop new policies. This management plan and its policies form part of any agreement with a private operator of the park.

The 2003 HLRP management plan contained a number of policies regarding park use that were not specific to HLRP and could be applied to other RDN parkland. The park use regulation bylaw adopted in November 2004 has now established regional policy regarding a large range of park use matters from permissible behaviours to prohibitions against cutting wood and including the permitting of special events. All policies that were not specific to HLRP were removed in this management plan update.

### 4.2 Accessibility

<b>Goal</b>	<i>To provide a public park that is accessible for the benefit, enjoyment and use of all residents in the Region and beyond.</i>
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#### Discussion

Until the dedication of HLRP in 2002, there was quite limited public access to Horne Lake and no park access. The coming of a large waterfront park at Horne Lake was clearly welcomed by the residents in the Regional District and many others have come to enjoy it too. The 2002 Park Advisory Committee identified the importance of universal and unrestricted access to HLRP and, for example, established that there would be no parking fees at the park or any other day-use fees for park access. The *Regional Parks and Trails Plan 2005-2015* established this prohibition against parking fees as RDN policy in all regional parks.

The HLRP Advisory Committee also turned down use of exclusive long-term leases at the park campgrounds, as was the practice under private ownership before HLRP became public land. Long-term leases would be an easy way to help raise needed funds for park operations and development, although few would benefit for quite some time.



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## Accessibility Policies

### Public Access

- Ø HLRP is open for day-use all year round and for camping at least the six-month period May to October of each year.

### Property Access

- Ø Access through HLRP to the south is limited to trail users proceeding on an authorized basis onto other lands, and to the owners and authorized users of the lands in Block 251A.
- Ø Park users are not permitted vehicle access through the gate at the south end of HLRP.

### Universal Design

- Ø Accessibility and universal design shall be considered in any new facility development or upgrading project in order to accommodate park visitors with different levels of ability.

### User Fees

- Ø User fees shall generally be consistent with rates charged for similar services or activities within BC Parks.
- Ø User fees for camping and boat launch use shall be determined by the RDN.

## 4.3 Safety and Security

<b>Goal</b>	To minimize natural and man-made hazards; to create and operate a park that is secure and provides an enjoyable and safe experience for visitors.
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### Discussion

Risk Management is fundamental to decision-making at HLRP. Through careful risk identification, evaluation and monitoring and effective communication, the liability inherently associated with a large campground park located in a wilderness waterfront setting can be managed.

In 2002, the RDN's insurer, the Municipal Insurance Association, assessed the campground at HLRP for general liability risk. The recommendations made were implemented. The exercise has assisted the RDN with identifying and managing risk at the Park. The insurer's continuing training and education on risk management is applied at all RDN parks; a risk management or 'emergency' plan is required for all major parks.

Fire poses a major risk at HLRP. Horne Lake and surrounding areas are considered to be of a "high" to "extreme" fire risk by the Ministry of Forests. HLRP is not situated within a Local Fire Protection Area. The Bow-Horne-Bay volunteer fire brigade, located 20 km away on the coast and the closest fire-fighting unit to HLRP, cannot be called out though it may chose to provide assistance. The Ministry of Forests will respond to forest fires but not to structural or

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campground fires. These fires are managed through sound park operations, e.g., a summer ban on campfires as issued by the RDN in consultation with the Coastal Fire Command Centre responsible for the mid-Vancouver Island area.

Park management at HLRP must include the ability to provide first response by trained personnel to all fires within the campground and operational areas, and to participate in the final stages of fire suppression involving forest fires on park property. Since fires do not respect property boundaries, fire risk management and fire-fighting operations must be pursued in cooperation with park neighbours. In 2005, the RDN provisioned HLRP with basic fire suppression equipment in line with that maintained around the rest of the lake by the Horne Lake Strata Corporation. Further cooperation on fire risk management is planned.

Flooding poses a predictable and recurrent risk at HLRP. The lake level can vary up to 15 feet per year, and large areas of the waterfront including day-use areas, the dock, internal roads and campsites may be inundated for months at a time over the winter and spring. Lake levels are controlled by a dam at the east end of the lake that is owned and operated by Fisheries and Oceans Canada (DFO). In 2002, DFO reconstructed the dam and lowered the height of the spill elevation to 120.8 metres GSC elevation. In the spring of 2005, DFO determined that the lake would be kept at higher levels than has been seen in the recent past at Horne Lake. Consequently, more of the park waterfront (day-use and campgrounds) is under water for longer periods of time.

At the time of subdivision of lands surrounding Horne Lake, a covenant was registered on the titles of the park and the properties owned by the Horne Lake Strata Corporation. This covenant defines a flood construction elevation and requires that new construction or structural alterations to existing buildings meet that flood construction elevation. The covenant also requires that an emergency plan be in place to deal with the risk of flooding.

Other risks particular to HLRP include:

- drowning and accidents related to an extensive waterfront open for public swimming and boating;
- personal and property injury resulting from hazard trees in the mature canopy of the Park's campgrounds;
- human conflict at the campgrounds; and
- conflict between park users and logging trucks and associated machinery.

*Park Use Regulation Bylaw 1399* speaks to enforcement within RDN parks. The Regional Board may designate the operator of HLRP as an enforcer of Bylaw 1399. All criminal acts require the attention of the Oceanside RCMP detachment.

## **Policies on Safety and Security**

### **General**

- Ø A comprehensive risk management plan for the park is required that addresses the range of risks present there and provides a clear plan to address them.

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**Fire Protection**

- Ø Trained fire suppression personnel shall be present at all times at HLRP and in numbers proportionate to the posted fire risk rating.

**Flood Hazard**

- Ø A flood preparedness and evacuation plan shall be prepared by the RDN and included in its comprehensive risk management plan for the Park.
- Ø The flooding covenant registered on title shall be honoured in the management, development and operations of HLRP.

**Hazard Trees**

- Ø A professional hazard tree assessment shall be carried out in the campgrounds and day-use areas every three years; an annual hazard tree removal plan shall be prepared and executed with year-end results evaluated.

**4.4 Park Use**

<b>Goal</b>	To focus on a wide range of outdoor recreation activities carried out in a natural setting that include but are not limited to boating, swimming, individual and group camping, hiking, cycling, horseback riding, programmed recreation, interpretation and education.
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**Discussion**

When acquired, HLRP was zoned resource. In late 2005, the RDN rezoned the park to reflect park use, particularly campground use; see Appendix C for rezoning Bylaw 500.318. Below are the permitted uses at HLRP that reflect the property's designation as a regional campground park.

**Permitted Uses**

Wilderness Campground  
Outdoor Wilderness Recreation  
Tourist Accommodation  
Day Use Recreation  
Group Camping  
Public Assembly

**Permitted Accessory Uses**

Accessory Office, Buildings, & Structures  
Boat Ramp  
Residential Use  
Tourist Store  
Visitor Centre

The permitted uses at HLRP confirm the property's primary use as a campground park, with emphasis on the provision of programmed recreation and group camping, and the services

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required to support these activities. Tourist accommodation refers to a limited number of fixed roof shelters with heating source but no plumbing or provision for food preparation; these units are intended to assist in broadening campground use beyond the summer months. Public assembly provides capacity for a park amphitheatre and visitor centre.

## **Park Use Policies**

### **Programmed Recreation and Interpretation**

- Ø Programmed recreation services and individual camping shall be available to all park visitors.
- Ø The creation of historical interpretation and education materials shall be developed in consultation with appropriate government agencies, First Nations, and the tourism industry.
- Ø Programmed recreation and interpretation services shall promote appreciation of the natural environment of the park.

### **Horse Riding**

- Ø The overnight keeping of horses is not permitted in the park.

## **Park Land Use Zones**

Park land use zones – see Map 5 – have been created to identify appropriate locations within the park for the various permitted uses. Through the use of zones, it is possible to manage and contain activities in the park, ensure that core values associated with environmental protection and stewardship are met, at the same time as provide for a full range of wilderness campground and waterfront experiences.

Below is a brief description of the park land use zones. Their location reflects existing development at HLRP, the limitations imposed on park layout and design by park encumbrances and the lack of hydro service, the need to restore and protect riparian areas, and the proximity of Horne Lake Caves Provincial Park and its roads, parking areas and other facilities.

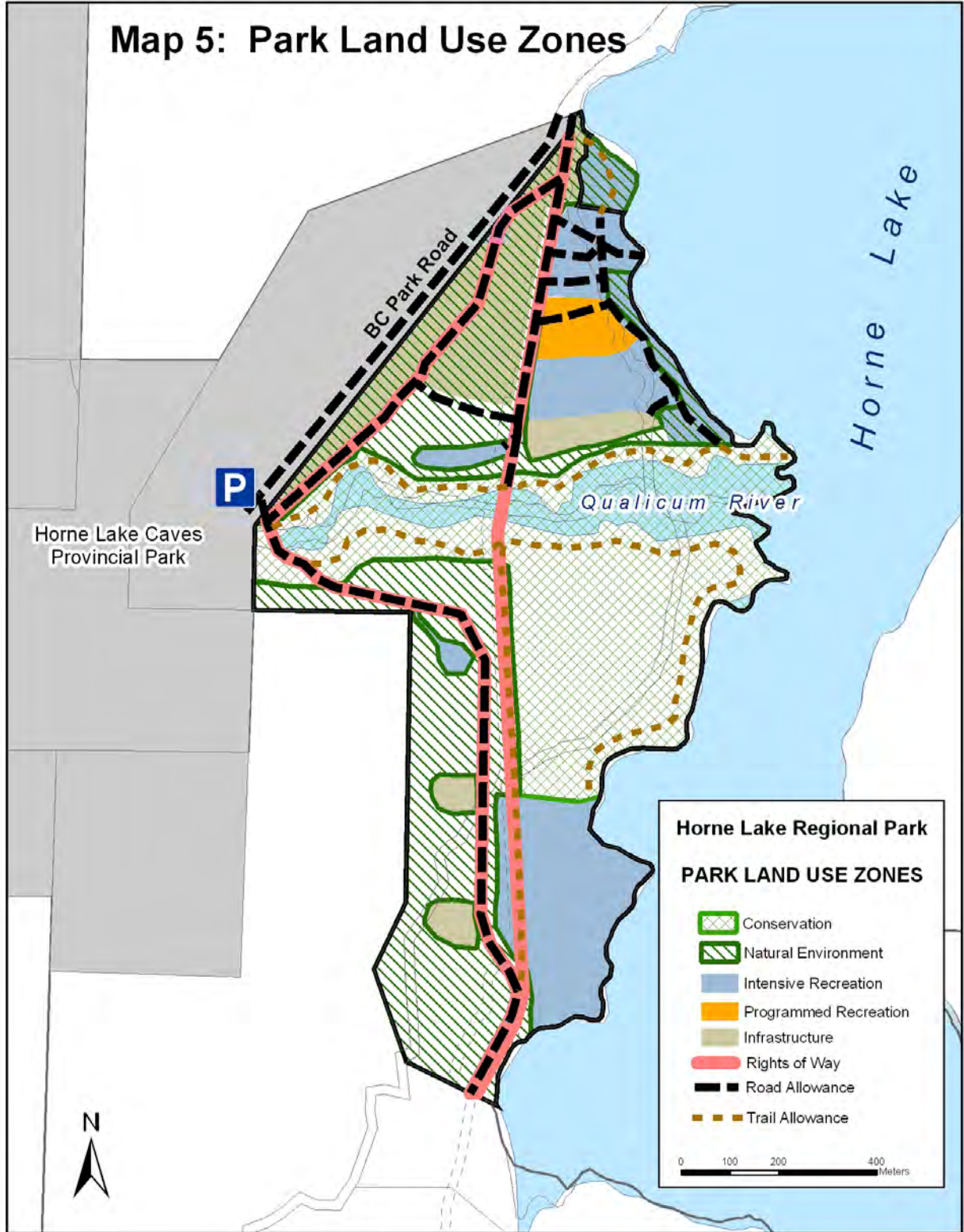
### **q Conservation Zone**

In this zone, protection, conservation and enhancement of the natural landscape along with fish and wildlife habitat takes precedence over human activities. No motorized vehicles or intensive recreational activities are permitted. The zone encompasses the largest single area of undeveloped (though not undisturbed) land at HLRP and includes considerable lakefront as well as the entire Qualicum River riparian corridor. Development within the conservation zone is limited to trail, necessary signs and fencing with the exception of the existing vehicular bridge over the Qualicum River.

### **q Natural Environment Zone**

In this zone, the emphasis on protection of natural park values continues but recognizes low-impact uses are accepted. The types of activities permitted here have a low to moderate impact on the natural environment and are dispersed over a large area; development is clearly limited. Where the natural environment zone has been superimposed on another type of zone, e.g., infrastructure or intensive recreation, it is expected that the protection of natural

# Map 5: Park Land Use Zones



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values and the retention of the natural landscape will be given equal weight to other permitted uses.

q **Intensive Recreation Zone**

All developed recreation areas including campgrounds and tourist accommodation, day-use areas, boat launch and associated facilities and amenities used to camp make up this land use zone.

q **Programmed Recreation Zone**

This zone is for programmed recreation involving group camping and special outdoor program areas, e.g., zip lines and orienteering courses.

q **Park Infrastructure Zone**

The infrastructure zone contains all developed operational areas within the park, i.e., major structures and buildings (commercial and operational), service yards, storage areas, roads, parking areas along with the park quarry and gravel pit. Where the natural environment zone has been overlaid on the infrastructure zone, it is expected that operational development will be carried out with a view to maximizing the visible extent of the natural environment and minimizing development's footprint and impact on the natural environment.

#### 4.5 Environment

<b>Goal</b>	To strike a balance between development for human use and protection of the environment by pursuing sustainable and best management practices and by promoting educational and interpretative programs that promote respect for the natural environment.
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#### Discussion

Upon acquiring HLRP in 2002, the RDN began applying best management practices in the development and management of the park. Initial work was directed to the elimination of a half kilometre of campsites strung along the waterfront in the north half of the Park. Riparian restoration work was also carried out at the waterfront campsites in the south half of the park, although these sites were left active. In 2004, vehicle camping was eliminated at Gazebo Point (north side of the Qualicum River where it meets the lake) and a revegetation program initiated with the assistance of a Tree Canada Foundation/BC Hydro grant. Erosion of the north side of the river downstream of the Terasen gas line is of concern, and could spell the eventual creation of an island at Gazebo Point.

Since much of HLRP has been clear-cut, reforestation is a significant task to be accomplished at the Park. Priority areas for reforestation and revegetation are located in the conservation zone. Programmed recreation and interpretation that stress the value of the natural environment and the role that humans play in protecting it are considered important to reaching park environmental goals.

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Activities within riparian areas at HLRP are subject to RDN bylaw directives applicable throughout the Region, the *Area H Official Community Plan*, and the HLRP park use zoning bylaw. Development permits will be required in riparian areas.

## Environmental Policies

### Park Use

- Ø Park activity in the recreation and infrastructure zones shall be carried out with the aim of avoiding damage to natural features and adjacent natural environment and conservation zones.
- Ø Where feasible, new facilities or services shall be sited on disturbed sites.
- Ø Downed wood may be collected and sold as campfire wood at HLRP.

### Development

- Ø All land alteration and development activity shall incorporate the principles and guidelines detailed in *Environmental Objectives, Best Management Practices and Requirements for Land Developments*, March 2001, MWLAP and DFO/MELP Stewardship Series.
- Ø The enhancement or rehabilitation of disturbed natural areas shall be actively pursued.
- Ø Park operations shall actively incorporate the principles of reducing, reusing, and recycling waste and promote the use of non-motorized vehicles for the carrying out of park operations
- Ø Park infrastructure shall be designed and operated with a view to energy efficiency and exploitation of alternate energy sources.
- Ø Partnerships with external agencies and interests in environmental research, monitoring and restoration programs that benefit HLRP shall be pursued and accommodated at the park.

## 4.6 Standards

<b>Goal</b>	To develop quality facilities that are equal to or better than provincial parks of similar size and scope, and accord with RDN bylaws.
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## Discussion

Most improvements at HLRP were developed by previous owners of the property and overall the works do not meet BC Parks standards or RDN development standards. Considerable effort will be required at HLRP to upgrade the park and meet the stated goal with respect to quality (including safety) of park facilities. Existing camping and day-use facilities are basic and in marginal shape. The RDN purchased 60 new picnic tables in 2005 to start replacing the badly deteriorated stock at the campgrounds and day-use areas. Operational facilities (house and out-

buildings) are inadequate and sub-standard. All park facilities and operations related to power, water and septic are inadequate and sub-standard. Roads and parking are limited and require expensive upgrading to meet standards especially as regards dust suppression.

**Policies on Standards**

**Facilities**

- Ø Provincial building codes, general RDN building standards and the HLRP zoning bylaw are in force at HLRP. BC Parks standards may be used as a guideline.

**Development**

- Ø In the design and maintenance of park facilities, negative impact on the natural environment will be avoided or minimized.
- Ø Colour, scale, style, and materials will blend with the natural environment.
- Ø Gravel and stone deposits within HLRP shall not be removed from the park property and may be used for park development. Provincial mining permits may be required.

**Environment**

- Ø Environmental standards shall be consistent with Provincial and Regional Health Authority protocols and standards.

**4.7 Operations and Administration**

<b>Goal</b>	To develop and operate Horne Lake Regional Park to be self-supporting.
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**Discussion**

The 2002 HLRP Advisory Committee and the Regional Board directed that HLRP be managed to be self-supporting. This direction was reiterated when the 2003 HLRP management plan was approved by the Board. Three years of subsequent operations at the park have confirmed that this goal cannot be met without substantial investment at HLRP.

It is known that public campground parks generally only operate given a large public subsidy. No provincial campground park in BC operates on a self-supporting basis. To achieve self-sufficiency, it is necessary to create revenue sources that contribute to the enjoyment of the park experience without detracting from the environment or conservation goals or prohibiting park access. As noted in Section 4.2, charging user fees for parking at HLRP is not an acceptable option for generating revenue.

There are ways to generate revenue without interfering with park access and enjoyment or harming the environment.

- ✓ Quality retail and rentals – a good source of revenue if restrained by zoning bylaw, a management plan and operating contract as to overall presence, footprint, appearance and potential interference with the natural environment or sense of ‘park.’



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- ✓ Programmed recreation and camping – capable of generating per capita revenue ten times that obtainable from regular camping; spin-offs include high quality outdoor recreation and environmental interpretation programs that are marketable to all park users, and accessory facilities like group camping kitchens that can be used to produce packaged food for sale in a park store to the benefit of general park users and neighbours; makes possible large events like Scout jamborees and wake boarding, hiking, mountain biking and equestrian competitions.
  - ✓ Training and licensing – the park is a natural site for the regular undertaking of qualifying courses and licensing activities related to navigation, boating, fishing, life saving, emergency services, fire suppression and environmental stewardship.
  - ✓ Fixed roof accommodation – restrained as to type by zoning bylaw, management plan and operating contract, log cabins providing shelter and heat but no plumbing or cooking facilities can help boost occupancy in the shoulder months of May-June and September-October as well as create a market for the off-season.
  - ✓ Targeted marketing – users of campground parks range from large RV rig owners expecting electrical hook-up and sanitation at their site along with park showers and laundry facilities, to wilderness hikers seeking a private natural setting and accepting of simple limited amenities. A wilderness park like HLRP, with no hydro power now or in the foreseeable future, cannot serve the full range of campground users, achieve environmental goals and be financially self-sustaining. A wilderness park must focus on market segments like youth and families, schools and outdoor recreation groups that value a wilderness setting with simple development and limited individual and powered amenities, and develop accordingly. The film industry is also a potentially lucrative source of park revenue.
  - ✓ Granting park access – for example, opportunity exists to work with BC Parks on the joint development and management of road, parking and trail along 1 km of shared boundary. Revenue for HLRP development would be generated by BC Park’s use of RDN park land.

## **Operational and Administrative Policies**

### **Operating Contract**

- Ø The park operating contract will direct park management and operations to be carried out on a cost recovery basis.
- Ø Park operations will respect public laws and regulations and the directives set out in this plan.
- Ø Park operations will be fully supported by all necessary insurance including liability and general property insurance.

### **Financial Management**

- Ø Charges for products, programs and services are determined by the park operator; charges for camping and boating fees are approved by the RDN (see Bylaw 1399).
- Ø An annual financial, inspection and risk management evaluation plan, year-end financial statement, development plan and maintenance plan shall be prepared for HLRP; audited financial statements shall be prepared every five years.

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### **Property Management**

- Ø Concern for quality, long-term use, safety and security, and protection of natural and cultural values shall guide all property improvements.
- Ø All health and safety standards will be met regarding water, septic and food.
- Ø Potable water shall be available to park users. Potability shall be ensured through documented application of water storage, purification, delivery and testing protocols endorsed by the regional health authority.

### **Environmental Management**

- Ø A bio-physical assessment of HLRP shall be completed by March 2008.
- Ø An annual environment plan shall be prepared that includes goals around reforestation, riparian restoration, the re-establishment of natural settings, efficient and low energy use, and waste management.

### **Marketing, Promotion, and Communication**

- Ø An annual communications plan shall be prepared including marketing strategy, promotional materials in use and planned, park user feedback and goals to improve service to park users.
- Ø The words “Horne Lake Regional Park” shall be evident in all material referring to the park. The RDN logo and RDN web site shall be included in all promotional products. Any web site for HLRP must be cross-linked to the RDN web site.
- Ø HLRP shall be advertised in the *BC Accommodation Guide* each year.
- Ø A continuous formal program for the gathering of park user feedback and opinion shall be in practice at HLRP; results are to figure in all financial and development plan reviews.

### **Human Resources**

- Ø Personnel employed at HLRP who deal in any way with the public shall have been checked for a criminal record and received basic training in (a) First Aid, (b) safe and effective interaction with the public, (c) this management plan and the role of the RDN at HLRP, (d) the RDN’s regional parks and trails system and the proposed regional trails leading to HLRP, (e) environmental sensitivity and knowledge of common native flora and fauna, and (f) the cultural and natural history of the Park and general Horne Lake area.
- Ø Key staff will require specialty training in chainsaw use, fire suppression (S100 course) and life saving (waterfront).
- Ø Volunteers may be used to help develop specific projects at the park, but are not permitted to use any powered machinery, must be supervised and must benefit from third party liability coverage.

## **4.8 Cooperation and Partnerships**

<b>Goal</b>	To liaise with neighbouring landowners and senior agencies in the planning, management and operations of the Park.
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## Discussion

A number of organizations and government agencies have interest in what is known and functions as HLRP.

- 1) Fisheries and Oceans Canada (DFO) owns the waterfront parcel at the entrance to HLRP that currently serves day-use, along with other waterfront lands at the east end of Horne Lake, and the Big Qualicum corridor that includes regional trail;
- 2) The Province (Ministry of Transportation) owns the undeveloped 1911 Horne Lake and Alberni Road allowance running through HLRP from entrance to south end;
- 3) Terasen owns the gas pipe line right of way bisecting HLRP north to south that is being used as internal road and trail with the permission of Terasen;
- 4) Island Timberlands owns significant private forestry lands to the west and south west of HLRP and has easement rights through HLRP that involves use of the main road in the south park area, the bridge over the Qualicum River and, if need be, an as yet undeveloped road in the north park area for logging trucks and related industrial vehicles;
- 5) The Province (BC Parks) owns Horne Lake Caves Provincial Park and provides the only developed access road to the south half of HLRP; and
- 6) The Horne Lake Strata Corporation owns most of the land surrounding Horne Lake including regional trail route and holds the covenant on HLRP.

The need for positive relationships with these varied interests and a strategy to develop and maintain them must form part of management at HLRP.

## Policies on Cooperation and Partnerships

- Ø HLRP will be managed on the basis of a ‘good neighbour’ policy.
- Ø HLRP managers will respect the property rights of park neighbours and seek the neighbours’ cooperation in the promotion of park goals.
- Ø Park facilities shall be located in a way that minimizes conflicts with neighbours.
- Ø HLRP managers will work with park neighbours on matters involving public access, special events, security and risk management particularly fire risk management.
- Ø HLRP will actively pursue partnership opportunities with BC Parks that benefit the land and users of both parks.

## 4.9 Economic Development

<b>Goal</b>	To provide spin-off economic and tourism opportunities in the communities near the Park as well as within the Region as a whole.
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## **Discussion**

As a large boating lake with public campground access, Horne Lake is a unique attraction in the RDN and comparable to Sproat Lake outside Port Alberni and Cowichan Lake in the south of Vancouver Island. Horne Lake is internationally known for its caves, and Horne Lake Caves Provincial Park is receiving national honours for its caving attractions. The Provincial Park will be the subject of considerable restoration and new development work over the next decade, and park visits will only increase from already high levels for a wilderness day-use park.

HLRP will grow as tourism generator as it develops and its permitted uses are realized. Maturation of the regional trail system will allow exploitation of HLRP's position as terminus for long-trail recreational users traveling between Vancouver Island's popular West Coast and the coastal communities of the RDN. To the extent that HLRP's growth and development compliment neighbouring Horne Lake Caves Provincial Park, HLRP will benefit from the strength of the Provincial attraction. Combined, the two parks represent a powerful tourism resource within the RDN and particularly the northern half of the RDN known as Oceanside.

Neighbouring coastal communities Bowser and Qualicum Bay are well placed to support and gain from the two parks. The communities provide a broad range of commercial and cultural services and are part of a growing outdoor recreation sector in the RDN and Vancouver Island.

## **Economic Development Policies**

- Ø HLRP will be actively promoted as a regional attraction of interest to park users within the RDN and beyond.
- Ø Promotion of HLRP will note Horne Lake Caves Provincial Park.

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## 5.0 2006-2025 Operating Agreement Framework

### 5.1 Introduction

This section presents a framework for the creation and execution of a 20-year operator-developer agreement at HLRP. The framework assumes regular management reviews by the Regional Board over the course of the term of the agreement. The length of term represents the time period required by a private operator to invest in RDN-prescribed development at HLRP and recoup the investment before turning over a developed park to the RDN, complete with all structures and improvements, at the end of the period.

The RDN is legally able to contract for periods longer than five years as long as agreements do not involve financial obligations extending beyond five years. Receipt of park revenues would constitute a financial obligation.

### 5.2 Agreement in Principle

- (a) The private contractor will undertake all operations and development at HLRP for the 2006-2025 period. This will be carried out according to this *2005 Management Plan* and any other guidelines approved by the Regional Board at the outset of the agreement or from time to time in accordance with the agreement's schedule of management review points.
- (b) The private contractor will be responsible for all expenses related to the operation and development of HLRP over the term of the agreement.
- (c) The private contractor will retain all revenues raised at HLRP from the sale of goods and services and the permitting of special uses over the term of the agreement.
- (d) The RDN owns HLRP and any improvements made to the park.
- (e) At the end of the 20-year contract period, the improved park shall be turned over to the RDN intact and the agreement terminated. The need to establish another long-term operator-developer agreement will be assessed by the Regional Board at that time; an operating contract may suffice in the years ahead with the RDN re-assuming responsibility for any funding of development at the Park.
- (f) The RDN will oversee contractor performance and ensure compliance with the agreement.
- (g) The agreement will include protocols concerning financial or other failure on the part of the contractor, as well as termination of the agreement by the RDN in the event that the contractor fails to perform in accordance with the agreement. The need to be in place long enough to reap financial returns on investment should provide an incentive to the contractor to work with the RDN on meeting performance requirements and avoid early withdrawal from the agreement.

### 5.3 Roles and Responsibilities

#### Accessibility

<i>Operator-Developer</i>	<i>RDN</i>
To deliver a year-round service at HLRP, with the option of seasonal rates, that is targeted at families, youth and related group camping.	To ensure that HLRP under the long-term agreement remains as accessible as it was prior to the agreement taking effect.
	<i>To approve camping and boating fees.</i>

#### Safety and Security

<i>Operator-Developer</i>	<i>RDN</i>
To provide full-time onsite security at HLRP for both park users and park property.	To designate the Operator-Developer as a bylaw officer capable of enforcing <i>Park Use Regulation Bylaw 1399</i> at HLRP.
To institute operating protocols based on the park emergency plan that will assure the safety and security goals contained in this plan.	To conclude an emergency plan for HLRP that encompasses management of known risks identified in this Plan and that is prepared in consultation with park neighbours.
To enforce Bylaw 1399 at HLRP.	

#### Park Use

<i>Operator-Developer</i>	<i>RDN</i>
To develop HLRP in accordance with and to the limits prescribed in this Plan and Zoning Bylaw 500.318.	To approve all applications for special use of HLRP as per Bylaw 1399.
To negotiate and process all special use applications as per Bylaw 1399, and retain associated fees.	

#### Environment

<i>Operator-Developer</i>	<i>RDN</i>

To carry out environmentally sustainable operations and development, and maintain a healthy natural park environment that stands out as the dominant image of the park.	To explore resolution of riparian failure along the Qualicum River with Terasen.
To be proactive in communicating with and educating park users on the subject of the environment.	

### Standards

<i>Operator-Developer</i>	<i>RDN</i>
To abide by all applicable bylaws, rules, guidelines and directives pertinent to HLRP.	To authorize as required building and other permit applications related to the operation and development of HLRP.
To ensure the footprint and visible presence of commercial activities at HLRP are minimized.	

### Operations and Administration

<i>Operator-Developer</i>	<i>RDN</i>
To carry out a professional business at HLRP that is founded on sound financial and operational practices.	To ensure orderly operations and development at HLRP by monitoring compliance with this management plan, reviewing scheduled reports on a timely basis, and conducting operation and development plan reviews with the contractor every five years.
To complete and submit all required reports, works plans and audits, and participate in formal RDN reviews of operations and development every five years.	To provide general information on HLRP at the Regional website and in regional parks and trails publications.
To ensure regular user feedback protocols are in place.	To hold an open house every five years on operations and development at HLRP in order to present the park and obtain regular feedback from park users and stakeholders.

## Cooperation and Partnerships

<i>Operator-Developer</i>	<i>RDN</i>
To coordinate with those having legal access through HLRP in respect of public safety, gate management and road and bridge maintenance.	To obtain a written lease with DFO concerning parcel Pt. Block 40, Plan 1339R at the entrance of the park; to purchase the parcel as soon as possible.
To maintain good relationships with all park neighbours.	To explore and ideally conclude an agreement with BC Parks on initiatives involving the coordinated operation and management of HLRP and neighbouring Horne Lake Caves Provincial Park.

## Economic Development

<i>Operator-Developer</i>	<i>RDN</i>
In undertaking all park advertising and promotion, to ensure that the park name is used and the RDN logo and web page address are included in all significant promotional material.	To continue working with area stakeholders and the tourism industry on achieving provincial heritage designation for the Horne Lake Trail that runs through HLRP.

### 5.4 Development Concept Plan 2006-2025

Property development at HLRP will involve the righting of a number of basic infrastructure problems relating to access, circulation, roads, parking, water, power, septic, floodplain limitations, encumbrances and the need for group camping areas. Development is required to make the park safe and environmentally sustainable. All development is to take place in conformity with the park land use zones.

At the end of 20 years, it is expected that the following development will have been completed in each park land use zone:

#### Conservation Zone

- Ü Riparian areas restored.
- Ü Standing forest throughout.
- Ü Completed trails including signage, kiosks, interpretive material, benches and other typical amenities.

#### Natural Environment

- Ü Strong revegetation and forest regeneration throughout and in particular adjacent to the conservation zone.



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- Ü A wide variety of native plants and trees.
  - Ü A well-maintained older forest that is safe and holds up to regular human activity around it.
  - Ü A developed and integrated trail system with signage and related facilities.

### **Intensive Recreation**

- Ü Safe individual and group campgrounds built and maintained to good standard, in numbers permitted by the park zoning bylaw, and with the requisite pit toilets, signage, kiosks, picnic tables, shelters, gatehouses and other amenities.
- Ü Fixed roof shelters with heating source but no plumbing or indoor cooking facilities.
- Ü Well-defined, serviced and accessible day-use areas, in both the north and south of the park, complete with typical amenities and facilities for group events, picnicking and children's play.
- Ü An organized main waterfront area in the north park with docks to service the boats of both campers and day-users, a solid boat launch and well organized boat launching process, and public beach.
- Ü Docks to serve the southern campgrounds.
- Ü An amphitheatre; other outdoor shelters and gathering places.
- Ü Equestrian facilities (barn, paddock and staging area).

### **Programmed Recreation**

- Ü A well-defined area for camping, group activities and eating.
- Ü Safe programmed recreation courses and activity areas, e.g., low-ropes, obstacle and orienteering.

### **Infrastructure**

- Ü An operational triangle inland of the northpark campgrounds that contains a store, office, park residence, deep well, septic system, maintenance, storage and operational structures, group kitchen, park showers with heated water, sani-dump, single source of potable water for the whole park, and an innovative and low-energy use power system to support structures and services in the operational triangle.
- Ü Simple cold-water shower facilities in the south park campgrounds.
- Ü A developed road network using existing road beds that provides safe circulation and efficient operations.
- Ü Adequate and accessible day-use parking; trailer parking lot in north park.
- Ü Developed or decommissioned gravel pit and quarry.
- Ü A well developed interface with Horne Lake Caves Provincial Park.
- Ü A front entrance that is un-congested and features the natural environment.
- Ü A visitor centre near the park entrance for the presentation of interpretive material, training and meeting space, and boat stowing space during non-flood periods.

At the end of 20 years, the following services are expected to be in place at the park:

- individual camping,
- group camping,
- programmed recreation (outdoor skills, orienteering and team building, training in small boating, swimming and wakeboarding),

- rentals (small boats; equipment and gear for camping, boating, fishing, mountain biking),
- interpretive programs, guided walks, self-guided tours,
- horseback riding,
- retail (cold packaged food and beverages, clothing, accessories, equipment and gear for camping, boating, fishing, mountain biking), and
- facilities and set-up for large group events, e.g., Scouts jamboree.

## 5.5 Process

<b>September 2005</b>	Park <i>Zoning Bylaw 500.318</i> is given final Board approval.
<b>November 2005</b>	The <i>Horne Lake Regional Park 2005 Management Plan</i> is approved by the Board.
<b>December 2005</b>	Recreation and Parks completes a draft operating agreement and issues a request for expressions of interest (REI) due January 6, 2006.
<b>January 2006</b>	<p>Qualified expressions of Interest are reviewed.</p> <p>Ø If more than one received, Recreation and Parks issues a request for proposals (RFP) and holds a competition for the contract. Proposals are due January 31, 2006.</p> <p>Ø If only one qualified expression is received, the proponent is requested to submit a proposal by January 31, 2006.</p>
<b>February 2006</b>	<p>The Recreation and Parks Department in consultation with Development Services and Finance Departments negotiates a draft agreement with the successful proponent. Performance requirements, development milestones as well as a schedule of operational review points are part of the agreement.</p> <p>NB: The RDN does not have to conclude an agreement. Alternate arrangements would however need to be made for HLRP before start of the 2006 camping season.</p>
<b>March 2006</b>	Recreation and Parks submits the draft agreement to the Regional Board for approval.
<b>April 2006</b>	New HLRP operating agreement takes effect April 1, 2006.

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## Appendix A

### Brief History of the Historic Horne Lake Trail

Since time immemorial, the Qualicum People travelled across Vancouver Island to the Alberni Inlet via a Native trail that passed by a large lake known as Enoksasent. The trail linked coastal communities and served as an important First Nations transportation corridor on Vancouver island. East Coast communities maintained social and economic relationships with members of the West Coast communities. The Alberni-Qualicum trail facilitated the cultural exchange of goods between two diverse eco-regions. In each region, First Nations harvested and manufactured specific cultural goods. Coast Salish baskets and Nuuchahnulth whale products were valuable trade items. In addition, First Nation communities exchanged mussels, camas bulbs, and dentalia shells. First Nations also traveled overland for social gatherings including the Potlatch. Travel, trade and social gatherings were fundamental to First Nation communities on both coasts of Vancouver Island.

In the mid-1800s, the Hudson Bay Company was actively pursuing the fur trade on Vancouver Island. In 1856, four years after the creation of Fort Nanaimo, the Company sent Adam Horne from Victoria to investigate a Native trail from Qualicum to Alberni that might provide an overland route connecting East and West Coasts of Vancouver Island. With the assistance of Native guides, Horne was able to confirm the existence of the overland trail and its utility to the Company. Later that year, the Colonial Government sent surveyor Joseph Pemberton to document the Trail. The lake known as Enoksasent was eventually renamed Horne Lake and the route the Horne Lake Trail. In 1872, the government developed the Trail into a wagon road and maintained it annually until 1885. All regular traffic to the West Coast including mail delivery followed the Horne Lake Trail.

In 1885, the Government concluded that the height of the mountain crossing along the Horne Lake Trail was not ideal for vehicles. The Cameron Lake/Arrowsmith Pass to the south was explored and identified as the new road route to link Nanaimo and Alberni. By 1889, most vehicular traffic between the two centres followed the new route and the government ceased regular maintenance of the Horne Lake Trail. East Coast and West Coast First Nation communities continued to use their traditional trail until other routes gained popularity.

District Lot 251 surrounding Horne Lake was surveyed in 1907. New owners threatened to close the Horne Lake Trail through DL 251 so the Government moved to secure the historic route in the public right and preserve it for future road development. In April 1911, H.H. Browne surveyed a 66-foot road allowance running from the Qualicum Reserve to Alberni and generally following the traditional Horne Lake Trail route. The new road allowance, formally called the Horne Lake and Alberni Road, was recognized in the provincial Gazette dated 8 June 1911. Despite occasional effort to establish road between Port Alberni and Horne Lake, the 1911 Gazetted Road has never been developed. Modern road development in the greater Horne Lake area however has generally reflected the traditional route of the Horne Lake Trail.

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Further to the 2001 sale of land around Horne Lake by the Texada Land Corporation to the Horne Lake License Holders Association, the section of 1911 Gazetted Horne Lake and Alberni Road running through DL 251 will be closed. The Caves Road will be made public road and widened by five metres. A one-metre right-of-way will be created alongside in favour of the Regional District of Nanaimo; this public right-of-way will effectively replace the closed section of 1911 Gazetted Road. The Region will develop multi-use recreational trail up the hillside from the Caves Road on a license basis. This upland route will connect with the section of 1911 Gazetted Road running to Port Alberni and with trail coming up the Big Qualicum River corridor through Fisheries and Oceans Canada lands, to make a modern-day Horne Lake Trail.

A partnership including the Regional District of Nanaimo, the Horne Lake License Holders, Texada Land Corporation, the Qualicum First Nation, and Alberni-Clayoquot Regional District requests that the Province of British Columbia proclaim the significant historical value of the Horne Lake Trail overland route linking East and West Coasts of Vancouver Island. The specific route to be associated with the proclamation is shown on the attached map. The route begins at the Qualicum Indian Reserve, follows the Horne Lake Road, the Caves Road and the 1911 Gazetted Horne Lake and Alberni Road from Block 40 at the western end of Horne Lake to Horne Lake Road in Port Alberni.

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## **Appendix B**

### **REGIONAL DISTRICT OF NANAIMO BYLAW NO. 1399**

#### **A BYLAW TO PROVIDE FOR THE REGULATION OF PARK USE IN THE REGIONAL DISTRICT OF NANAIMO**

WHEREAS by Supplementary Letters Patent dated October 19, 1972, amended September 21, 1979, the Regional District of Nanaimo was granted "Division XI – Park and Green Belt Acquisition" functions;

AND WHEREAS Bylaws No. 798 to 806 converted the community parks functions to a local service for each of Electoral Areas A, B, C, D, E, F, G and H respectively;

AND WHEREAS the Regional District of Nanaimo may, by bylaw, establish regulations, prohibitions and requirements with respect to the management, maintenance, improvement, operation and use, including establishing a system of licenses, permits and approvals with or without terms and conditions, with respect to regional and community parks, trails and other land the District holds for the purpose of parks;

AND WHEREAS the Board of the Regional District of Nanaimo is desirous of establishing such regulations, prohibitions and requirements;

NOW THEREFORE, the Board, in open meeting assembled, enacts as follows:

#### **SECTION 1 TITLE**

1.1 This Bylaw may be cited as "Regional District of Nanaimo Park Use Regulations Bylaw No. 1399, 2004."

#### **SECTION 2 REPEAL**

2.1 Bylaw No. 842, Regional District of Nanaimo Electoral Area 'B' Community Parks Regulation Bylaw No. 842, 1992, is hereby repealed.

#### **SECTION 3 APPLICATION AND EXEMPTIONS**

3.1 This bylaw is applicable to all parks, as defined in Section 4 of this bylaw and without restricting that definition includes properties identified in Schedule "A", within Electoral Areas 'A', 'B', 'C', 'D', 'E', 'F', 'G' and 'H' of the Regional District of Nanaimo.

3.2 Notwithstanding anything contained in this bylaw,

- i. District employees are exempt from this bylaw while carrying out their duties or performing their functions;
- ii. District contractors and agents are exempt from this bylaw while carrying out their duties or performing their functions only when such exemption is provided for in their terms of engagement; and,

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- iii. where the District holds park under subparagraph 4.1(q)(iv) below, the person or agency granting the lease, license, statutory right-of-way or permit is exempt from this bylaw, unless otherwise provided under the terms by which the District holds the land.

## SECTION 4 INTERPRETATION

### 4.1 In this bylaw:

- (a) **“Animal”** means any organism other than man.
- (b) **“Authorized personnel”** means District employees and contractors.
- (c) **“Bylaw Enforcement Officer”** includes a peace officer or a person appointed as a Bylaw Enforcement Officer by the Board of the Regional District of Nanaimo.
- (d) **“To camp”** means to sleep overnight with or without a shelter of any kind including, but not restricted to, a motor vehicle, recreational vehicle, tent, lean-to or other natural shelter.
- (e) **“Campground Rules”** mean the regulations, prohibitions and requirements, including fees and conditions of use, as described in Schedule “B” that apply in District parks containing campgrounds.
- (f) **“Common facilities”** mean anything other than natural park features, and include toilets, showers, shelters, water pumps, stairs, boardwalks, decks, congregate spaces, notices or signs, bridges, trails, docks and wharves, kiosks, gates, fences, picnic tables, and benches.
- (g) **“Curfew hours”** mean the time between 11 pm and 7 am.
- (h) **“Cycle”** means a device having any number of wheels that is propelled by human power and upon which one or more persons may ride.
- (i) **“Designated campsite”** means an authorized and numbered space for overnight camping by a registered camper.
- (j) **“District”** means the Regional District of Nanaimo.
- (k) **“District Manager”** means the Regional District of Nanaimo Manager of Recreation and Parks.
- (l) **“Household or other garbage”** includes garbage, trash, refuse, cans, bottles, papers, ashes, cuttings or other waste of any kind, including toxic and hazardous substances, that is not generated by a person in connection with reasonable park use.
- (m) **“Leash”** means a chain or other material, not exceeding two (2) metres in length, suitable for control of the type and size of animal attached to the leash.
- (n) **“Litter”** means any garbage, cans, bottles, papers, ashes, refuse, cuttings, trash or rubbish generated by a person while in the park and engaged in activities ordinarily connected with reasonable park use.
- (o) **“Management Plan”** means a guiding document approved by the District for the use, operation and maintenance of one or more parks.
- (p) **“Natural park feature”** includes any native or non-native tree, shrub, flower, berry, bough, grass or plant of any kind; soil, sand, gravel, rock, mineral, wood, fallen timber or other living or dead natural material.
- (q) **“Park”** means any property that:
- i. the District has possession and control of pursuant to the *Park (Regional) Act* or “Regional Trails Regulation”;
  - ii. the District has possession and control of pursuant to Section 941 of the *Local Government Act*;
  - iii. for the purpose of park, the District holds in fee simple;

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- iv. for the purpose of park, the District holds by Crown Lease or Crown License, by permit or lease from the Ministry of Transportation, or by lease, statutory right-of-way or occupancy or access agreement with a private landowner; and
  - v. the District acquires possession or control of, holds or otherwise has an interest in, has a license or access to, for the purpose of park, further to any of subparagraphs 4.1(q)(i)-(iv) subsequent to the enactment of this bylaw;  
and includes property commonly referred to as regional parks and trails, community parks and trails and water or beach accesses.
- (r) **“Park Use Permit”** means a permit for special use of a park.
  - (s) **“Peace Officer”** means a constable or a person having the powers of a constable and includes a member of the Royal Canadian Mounted Police.
  - (t) **“Petroglyph”** means a rock carving typically made by First Nations people and of recognized historic and cultural value.
  - (u) **“Pictograph”** means a rock painting typically made by First Nations people and of recognized historic and cultural value.
  - (v) **“Registered camper”** means a person who has purchased use of a designated campsite.
  - (w) **“Special use”** means:
    - i. any commercial or non-commercial service, activity or event that is intended to attract or requires participants or spectators and includes: a festival; competition; tournament; procession, drill, performance, concert, gathering, march; fishing derby; show; party; outdoor ceremony; regatta; animal show; group training or lesson or recreational programming; operation of a model airplane, vehicle or vessel; television or motion picture filming; and research, survey or petition activity;
    - ii. any use of reservable common facilities; and
    - iii. any incursion onto park property for non-park purposes including access for water lines, structures, road, signs or fences.
  - (x) **“Sun shelters”** include any lightweight open-sided structure intended for use as a sunscreen.
  - (y) **“Traffic control device”** means a sign, signal, line, parking meter, marking, space, barrier, or device placed or erected in order to control vehicular or non-vehicular traffic flow on roads, parking lots, trails and bridges.
  - (z) **“Vehicle”** means a device in, upon or by which a person or thing is or may be transported or drawn upon a highway, except a device designed to be moved by human-power or used exclusively upon stationary rails or tracks. Without limiting the generality of the foregoing, this provision includes cars, trucks, motorcycles, scooters, recreational vehicles, and trailers but does not include medi-scooters and wheelchairs.
  - (aa) **“Vessel”** includes any ship, boat, seaplane, parasail, sail board, kite board, canoe, kayak, row boat or paddle boat used or other device designed to be used for navigation on, in or under water.

**4.2** The intent of this bylaw is to permit the reasonable use of parks by the public in a manner that accommodates individual rights, including the rights of freedom of assembly and freedom of expression, within the context of operating parks that are intended to provide the benefits of outdoor recreation and enjoyment for the general community and preservation and protection of natural park features.

**4.3** In the event that any portion of this bylaw is declared *ultra vires* by a court of competent jurisdiction, then such portion shall be deemed to be severed from the bylaws and the remainder of the bylaw shall continue in full force and effect.

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- 4.4 When the singular or neutral are used in this bylaw they include the plural or the feminine or the masculine or the body politic, and vice versa, where the context or the parties require.
- 4.5 The headings to the clauses in this bylaw have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this bylaw or any provision of it.
- 4.6 For certainty and clarity, this bylaw applies to all parks currently held by the District and any subsequent acquisitions.

## **SECTION 5 PARK REGULATIONS, PROHIBITIONS AND REQUIREMENTS**

### **5.1 Rules and Signage**

Every person shall comply with this bylaw, campground rules, traffic control devices and any other regulations, prohibitions or requirements where such additional regulations, prohibitions or requirements have been authorized by the District Manager and identified on posted signage.

### **5.2 Delegation**

- (a) Where a provision of this bylaw makes reference to the District Manager, or authorized personnel, then the District Manager, or authorized personnel, as the case may be, are authorized to so act.
- (b) Without limiting the generality of the foregoing, the District Manager is authorized to:
- i. post signs that may identify additional regulations, prohibitions or requirements consistent with the intent of this bylaw;
  - ii. deal with park use permits further to section 5.19, including authorizing the exclusive use of a park; and,
  - iii. remove or cause to be removed from a park:
    - (A) any obstruction placed therein contrary to the provisions of this bylaw;
    - (B) anything erected therein contrary to the provisions of this bylaw;
    - (C) any vehicle parked or left standing therein contrary to the provisions of this bylaw
    - (D) any sign placed therein contrary to the provisions of this bylaw;
    - (E) any vehicle being used or driven in a manner contrary to the provisions of this bylaw; or
    - (F) any vessel parked or moored contrary to the provisions of this bylaw.
- (c) Without limiting the generality of the foregoing, authorized personnel, including the District Manager, are authorized to:
- i. post signs or traffic control devices in parks that:
    - (A) designate the maximum speed to be traveled by vehicles on roads, parking lots, trails and bridges;
    - (B) designate areas where parking of vehicles is permitted;
    - (C) designate the direction that vehicles are to travel upon roadways;
    - (D) designate areas that are to be used for certain functions or purposes;
    - (E) set out rules and regulations governing the use of certain facilities;
    - (F) designate areas in which certain activities are prohibited;
    - (G) limit the use of roadways or other facilities;
    - (H) give warning of danger; and,
    - (I) prohibit entry to the park or facilities;
  - ii. remove any person from a park who fails to leash their animal when requested; and



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- iii. restrict or prohibit access to water bodies within a park.

### **5.3 Public Conduct**

- (a) No person shall:
  - i. behave in a disorderly, dangerous, violent or offensive manner, or molest or injure another person or another person's property;
  - ii. loiter or engage in a public display of lewd or sexual acts;
  - iii. obstruct or interfere with any person or traffic lawfully using a park or any common facilities located therein; or
  - iv. hinder, deter or interrupt any person in the exercise of any of their duties in charge of any special use activity or event.
- (b) No person except the holder of a park use permit granting specific exemption shall:
  - i. make or cause noises or sounds, including yelling, screaming, the blowing of horns and the playing of musical instruments, radios, tape players, compact disc players, vehicle sound systems or similar devices or as produced by the operation of model cars, boats or airplanes or any equipment, generators, vehicles, vessels or machinery, which disturb or tend to disturb the quiet, peace, enjoyment, and comfort of others in the park, adjacent landowners or persons in the vicinity; or
  - ii. make, play or cause to be made or played electrically or electronically amplified sound of any kind.
- (c) All persons shall use toilets to relieve themselves if toilets are provided in a park. Where no toilet is provided, no person shall relieve themselves in public view or within 300 metres of a private residence outside the park.
- (d) No person may consume or possess liquor, except:
  - i. holders of a park use permit granting exemption; and
  - ii. registered campers and their guests within designated campsites.
- (e) No person shall enter or otherwise remain within a park for any purpose whatsoever during curfew hours, except:
  - i. a registered camper;
  - ii. a person using a Level 3 park as described in Schedule "A";
  - iii. a person who has a park use permit granting exemption; and
  - iv. the houseguests of a contractor occupying a park residence.

### **5.4 Vehicles**

- (a) No person shall:
  - i. drive, propel or otherwise operate any vehicle, except:
    - (A) on designated roadways or in designated parking areas;
    - (B) in conformance with traffic control devices;
    - (C) in such a manner that natural park features are not disturbed; and
    - (D) where applicable, in conformance with a park use permit;
  - ii. drive, propel or otherwise operate an all terrain vehicle (ATV), dirt bike or recreational motorcycle;
  - iii. drive a vehicle in such a manner as to disturb the enjoyment of the park by other persons;
  - iv. bring in or allow to remain in a park a mobile home, whether or not outfitted for use as accommodation; or
  - v. clean, repair or carry out maintenance on a vehicle.
- (b) Where no speed limit is posted, no person shall drive a vehicle at a greater speed than 10 kilometres per hour.

### **5.5 Parking**

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- (a) No person except the holder of a park use permit granting exemption shall:
    - i. park a vehicle anywhere except in designated parking areas;
    - ii. park or station a vehicle in such a manner as to impede the proper use of a road or parking area;
    - iii. park or station a vehicle in contravention of a traffic control device; or
    - iv. park or station an ATV, dirt bike or recreational motorcycle.
  - (b) No person except a registered camper or the holder of a park use permit granting exemption shall park or leave a vehicle in a park during curfew hours.
  - (c) Vehicles, and ATVs, dirt bikes and recreational motorcycles parked, stationed or left in violation of this bylaw, traffic control devices or posted signs may be towed away immediately, at the owner's expense.

## **5.6 Camping**

- (a) No person shall camp in a park, except a registered camper in a Level 1 park.
- (b) Without limiting the applicability of this bylaw, all registered campers shall abide by campground rules as described in Schedule "B" and any other authorized regulations, prohibitions or requirements posted at District campgrounds.

## **5.7 Vessels**

- (a) No person except the holder of a park use permit granting exemption shall:
  - i. launch or remove a vessel from a body of water except:
    - (A) from a designated boat launch ramp, or
    - (B) by physically carrying, and not dragging, the vessel to and from the water;
  - ii. be off designated roadways or interfere with natural park features in order to launch a vessel;
  - iii. operate a vessel within an area designated by signs or buoys for swimming or along waterfront in a way that will endanger, disturb or otherwise interfere with the free use of the water for the purpose of bathing and swimming except in the immediate vicinity of a boat launch and for the purpose of approaching or moving away from the boat launch on a line perpendicular to shore;
  - iv. run a vessel ashore except in designated boat beaching areas;
  - v. impede or endanger pedestrian movement along a beach or foreshore;
  - vi. moor a vessel to dry land; or
  - vii. store a vessel on land or water.
- (b) No person except a registered camper or the holder of a park use permit granting exemption shall leave a vessel on land or water during curfew hours.
- (c) No person shall bring in, park, station, operate, launch or run ashore a personal watercraft.
- (d) When on the water, all persons operating a vessel shall abide by Canadian Coast Guard regulations. No person shall exceed the Coast Guard shoreline speed restriction of 10 kilometres per hour (5.4 knots or 6.2 miles per hour) while operating within 30 metres (100 feet) of shore.

## **5.8 Cycling and Horseback Riding**

- (a) No person shall operate a cycle or ride a horse:
  - i. where prohibited by traffic control devices or posted signs;
  - ii. along a beach or below any water course's top of bank, natural boundary or high tide mark unless on a trail identified by posted signs as permitting cycle or horse use; or
  - iii. in such a way as to damage natural park features, common facilities or other improvements including roadways and trails.

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## **5.9 Domestic and Wild Animals**

- (a) No person, except a person with a disability accompanied by a guide animal on a leash, shall bring a domestic animal into a park or a section of park where such animals are prohibited by posted sign.
- (b) No person shall permit a domestic animal to run or roam at large or to feed on vegetation.
- (c) A person having custody of an animal must exercise effective control over the animal by restraining it with a leash or by having the animal respond and return immediately when called by the handler.
- (d) A person having custody of an animal must exercise control over the animal to ensure that it causes:
  - i. no annoyance, including barking or howling for a continuous period of ten (10) seconds or more;
  - ii. no injury to wild animals;
  - iii. no injury to any person or their animal(s); and
  - iv. no damage to any public or private property, natural park feature or common facility.
- (e) A person having custody of an animal shall when requested by authorized personnel restrain the animal with a leash or remove the animal from a park.
- (f) A person having custody of a dog must remove any excrement deposited by the animal to a waste container. This provision does not apply to Level 4 parks as identified in Schedule "A" unless signed to the contrary at a park.
- (g) No person shall:
  - i. feed, snare, trap, catch or hold by any means or purposely disturb, frighten, molest or injure any wild animal; or
  - ii. store or set out food in a way that will attract wild animals.

## **5.10 Firearms, Hunting, Fishing and Shellfish Harvesting**

- (a) No person except the holder of a park use permit granting exemption shall hunt or carry or discharge any firearm, air gun, blank ammunition starting pistol, bow or crossbow, slingshot or similar device.
- (b) No person shall fish or harvest shellfish without having the requisite provincial or federal license.
- (c) No person shall fish or harvest shellfish
  - i. in a designated swimming area, or
  - ii. in a way that impedes or endangers the free use of waterfront by swimmers and bathers.

## **5.11 Garbage and Pollution**

- (a) No person shall deposit or leave litter in or upon a park except in the containers provided for such purpose.
- (b) No person shall bring in, deposit or leave any household or other garbage in or upon a park.
- (c) No person operating a recreational vehicle shall release sewage except where a sanitation is provided for that purpose.
- (d) No person shall foul or pollute in any way, including washing in a lake, stream or river or around wells, any area of water including wells and water pumps.
- (e) No person shall observe oil, gasoline or other undesirable spills on land or water and including a well without immediately alerting authorized personnel.

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### **5.12 Damage and Interference**

- (a) No person shall:
  - i. alter, remove, move, deface, cut, damage or destroy any building or structure or other improvement, common facility or other fixture;
  - ii. alter, deface, cut, scrape, grind, bury or uncover or otherwise damage any petroglyph or pictograph;
  - iii. remove or deposit soil or gravel;
  - iv. store any material or objects of any kind;
  - v. climb, walk or sit upon any wall or fence, or climb up on or jump off of a bridge;
  - vi. damage or destroy the utility of any court or play structure or in any way interfere with or obstruct their free use by those lawfully entitled to use them;
  - vii. bring in, build or cause to be built any temporary or permanent structure including a fence or playground equipment;
  - viii. erect a tent or other permanent or temporary shelter or set up an encampment. Sun shelters having a footprint no greater than three metres by three meters are excluded from this provision; or
  - ix. obstruct or cause to obstruct public access to a park.
- (b) No person shall place graffiti on walls, pavement, common facilities, natural park features, petroglyphs or pictographs or elsewhere in a park.
- (c) No person shall let off, turn on, or discharge any water so that the water runs to waste out of any tap, pipe, hose or other fixture.

### **5.13 Fire**

- (a) No person except the holder of a park use permit granting exemption shall:
  - i. light a fire except in designated fire pits provided for that purpose or in a portable hibachi, barbecue or propane stove;
  - ii. build a fire exceeding 1-metre in height; or
  - iii. set off any fireworks or other explosive material.
- (b) No person shall discard on the ground or into a garbage container any lighted or burning matter including a match, cigar or cigarette.
- (c) No person shall observe a fire not in a designated fire pit without immediately alerting authorized personnel.

### **5.14 Natural Environment**

- (a) No person except the holder of a park use permit granting exemption shall:
  - i. remove, move, cut, prune, top, apply herbicides, fungicides or insecticides to, or ii. damage or destroy any natural park feature;
  - ii. pick wild or cultivated flowers, salal, coniferous boughs or other plants except edible berries and mushrooms;
  - iii. deposit plant waste, debris or compost; or
  - iv. plant or fertilize any vegetation.
- (b) Without limiting the foregoing, no person except the holder of a park use permit shall:
  - i. alter, disturb or harm natural park features for the purpose of creating a play space, cycle jump, game course or other defined area for playing; or
  - ii. denude an area of edible berries or mushrooms.

### **5.15 Play**

- (a) No person shall play ball or any games so as to molest or interfere with or become a nuisance to others.

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- (b) The playing of any games on or in any court, playground, ball field or anywhere else may be restricted and regulated at any time by authorized personnel.

#### **5.16 Special Use and Commerce**

- (a) Except for authorized personnel or where authorized by a park use permit, no person shall:
  - i. undertake or engage in a special use;
  - ii. carry on a commercial or industrial undertaking of any kind or nature or provide professional, personal or other services;
  - iii. post, paint or distribute any advertisement, sign, handbill, pamphlet, poster or placard of any kind; or
  - iv. operate, park or station any vehicle displaying advertising or equipped with a public address system.

#### **5.17 Park Use Permits**

- (a) Application for a park use permit shall be made to the District Manager who may:
  - i. grant, refuse, revoke, renew or refuse to renew a park use permit;
  - ii. establish park use permit fee amounts that differ from the general rates described in Schedule "C";
  - iii. impose terms and conditions on obtaining, holding or renewing a park use permit;
  - iv. determine the amount of a park use permit fee refund in the event of a cancellation; or
  - v. refer an application to the District Board for determination.
- (b) An applicant for a park use permit may appeal the decision of the District Manager to the District Board by submitting a written request to the Board Chairman within 15 days of issuance of a decision by the District Manager.
- (c) A park use permit application must be accompanied by the required permit fee, damage deposit and proof of comprehensive general liability insurance, as set out in Schedule "C".
- (d) Conditions associated with a park use permit may include:
  - i. the confinement of a special use to a specific location within a park, to certain time periods or to participation by certain people;
  - ii. that the applicant supply, install and service additional garbage receptacles or portable toilets or pay the District for additional servicing required as a result of the permitted activity;
  - iii. that the applicant provide and pay for the provision of appropriate fire and police or security protection during the course of the special use;
  - iv. restrictions on the use of generators and other mechanical, electrical or electronic devices; the playing of live or recorded music; and the erection or placement of any temporary structures, seating, tables, flags, banners or other gear associated with the special use activity;
  - v. specific exemptions from provisions of this bylaw;
  - vi. any other terms and conditions specific to the nature of the special use requested given consideration of the impact of the special use on the park, park users and neighbours; and
  - vii. any other terms and conditions consistent with the intent of this bylaw.
- (e) A park use permit may not be issued unless all the following criteria are met:
  - i. the special use conforms to any management plan produced for a park;
  - ii. the location of the permitted activity will not cause a significant or permanent negative environmental impact on the park and is sensitive to the use of the park by others;

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- iii. the applicant assumes full responsibility for the special use and indemnifies the District to its satisfaction; and
  - iv. the applicant has satisfied the requirements of paragraphs (c) above and agreed to the conditions set out in his park use permit.
- (f) Without limiting the authority of the District Manager, a park use permit may be refused if the applicant has previously contravened this bylaw.
  - (g) The holder of a park use permit must also comply with the regulations, prohibitions and requirements of all other government bodies and local authorities including this and other District bylaws, for example, Bylaw No. 1010 Special Events Regulatory Bylaw for events involving more than 500 people, unless specifically exempted in writing.
  - (h) In addition to any other penalties and enforcement actions, where the holder of a park use permit has not satisfied the terms and conditions of his permit:
    - i. a park use permit may be revoked;
    - ii. a park use permit fee or a damage deposit may be forfeited to the District;
    - iii. the District may exercise any rights under the applicant's insurance; and
    - iv. the applicant may be required to pay, at the rate specified in Schedule "C", the cost of preparations, repairs, clean-up or park restoration undertaken by the District consequent to special use, failure to do so entitling the District to do the work at the applicant's expense.

## **SECTION 6 ENFORCEMENT**

**6.1** This bylaw may be enforced by Bylaw Enforcement Officers in the course of their duties.

**6.2** A Bylaw Enforcement Officer may, in his sole discretion, order a person who does anything contrary to this bylaw or campground rules to:

- (a) cease and desist contravention of the bylaw;
  - (b) leave a park immediately or within a period of time specified by the Bylaw Enforcement Officer;
  - (c) remove or cause to be removed any animals, cycles, vehicles, vessels, structures, buildings or other things that are in contravention of the bylaw; or
  - (d) restore any damage caused to natural park features, common facilities or other park property;
- and every person so ordered shall comply.

**6.3** Bylaw Enforcement Officers and District employees may enter onto private property, with or without consent of the landowner, for the purposes described in, and in accordance with, Section 16 of the *Community Charter*.

## **SECTION 7 PENALTIES**

**7.1** Any person who contravenes a provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw or who refuses or omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this bylaw, is guilty of an offence and:

- (a) on summary conviction, is liable for a fine of not less than \$50.00 and not more than \$10,000; or
- (b) on conviction of a ticket offence under the District's Ticket Information Utilization Bylaw No. 1015 or Schedule "D" of this Bylaw, is liable for the fine imposed.

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## SECTION 8 REMEDIAL ACTION

- 8.1** Where a person has damaged or removed any natural park feature or common facility, the person is required to replace that natural park feature or common facility with one of similar value, or pay an equivalent amount to the District upon demand.
- 8.2** Where a person has been requested to do something under a provision of this bylaw, and that thing has not been done within the time specified:
- (a) authorized personnel may fulfil the requirement at the expense of the person;
  - (b) authorized personnel may enter onto the person's property, if necessary or convenient, to fulfill the requirement; and
  - (c) the District may recover the costs incurred from that person as a debt.

Introduced and read three times this 23<sup>rd</sup> day of November 2004.

Reconsidered and adopted this 23<sup>rd</sup> day of November 2004.

Joe Stanhope  
Chairperson

Carol Mason  
General Manager, Corporate Services

**Schedule “A”**

**DISTRICT PARKS**

<b>Electoral Area</b>	<b>Location/Name</b>	<b>Legal Description</b>	<b>Use<sup>1</sup></b>
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**Level 1 Parks – Parks with Campgrounds**

B	Descanso Bay	Nanaimo Gabriola LD, S20 LA & B Plan VIP73679	RP
H	Horne Lake	Alberni LD, B1 140 VL&M Plan VIP691N exc Plan 46603	RP

**Level 2 Parks – Improved Parks, Trails and Other Open Spaces**

A	3500 Hallberg Road Morden Colliery Trail  Nanaimo River	Bright LD, DL7 L32 PID 002706831 Plan 25967 Cedar LD, R1 S12 & 13 Pcl A, S14 Pcl B, S15 Pcl C, R2 S14 Pcl B, S15 Pcl A and Cranberry LD, R8 S12 Pcl A; all Plan DD6974-N Cranberry LD, S7 R8 PID 008996318 Cranberry LD, S6 R8 W25 ac S6R8 PID 008996369	O CT  RP
B	1574 Whalebone Drive 1612 Whalebone Drive 1656 Whalebone Drive 1748 Tashtego Crescent Rollo McClay Joyce Lockwood  Descanso Bay Road #26  Narrows Road #38	Nanaimo Gabriola LD, S31 Plan 17658 Nanaimo Gabriola LD, S31 Plan 17658 Nanaimo Gabriola LD, S31 Plan 17658 Nanaimo Gabriola LD, S31 Plan 17658 Nanaimo Gabriola LD, S18 Plan VIP51655 Nanaimo Gabriola LD, S16 UCL (N of S16 & E of S31) Plan 17658 Nanaimo Gabriola LD, S25 between L16 & 17 Plan VIP14718 Nanaimo Gabriola LD, S28 between L15 & 16 Plan 17835	CP CP CP CP CP CP  BA  BA
C	2201 Bramley Road	Cranberry LD, R2 S11 L1 PID 001992627 Plan 42672	O
E	Jack Bagley  Nanoose Place Fire Hall 2457 Nanoose Road Brickyard Beachcomber	Nanoose LD, DL6 Lot A PID 001486772 Plan 13317 Nanoose LD, DL6 L2 PID 016373677 Plan 50996 Nanoose LD, D130 L7 Plan 27190 PID 002571633 Nanoose LD, DL130 L3, 4, 5 & 6 Plan 27190 Nanoose LD, DL78 Plan 47638 Nanoose LD, DL38 B1 A Lots 29 & 30 PIDs 005276420 & 005276446 Plan VIP10777	CP  O O CP CP RP

<sup>1</sup> Use: Community Park (CP), Community Trail (CT), Beach Access (BA), Other (O), Regional Park (RP), Regional Conservation Area (RCA), Regional Trail (RT).



Electoral Area	Location/Name	Legal Description	Use <sup>2</sup>
F	Fire Hall	Nanoose LD, DL104 L1 PID 001384546 Plan 29491	O
	Fire Hall	Nanoose LD, BI 521 L40 PID 001081608 Plan 32293	O
	Fire Hall	Cameron LD, DL4 L1 PID 000018732 Plan 38539	O

**Level 2 Parks – Improved Parks, Trails and Other Open Spaces (continued)**

G	1035 Maple Lane Drive	Nanoose LD, DL1 Plan 30958	CP
	Boulton	Nanoose LD, DL49 L66 PID 000166677 Plan 32604	CP
	Hawthorne Rise	Nanoose LD, DL49 Plan 40962 & VIP76162	CP
	Fire Hall	Newcastle LD, DL80 L1 PID 000591122 Plan 41282	O
	Needen Way	Nanoose LD, DL81 Plan 42840	CP
	836 San Malo Crescent	Nanoose LD, DL181 Plan 45190	CP
	Women’s Institute Hall	Newcastle LD, DL11 Lot A PID 000158321 Plan 32528	O
1000 Miraloma Drive		Nanoose LD, DL88 Plan VIP65008	CP
	1046 Tara Crescent	Nanoose LD, DL29 Plan VIP69574	CP
	San Pareil Boardwalk	Nanoose LD, DL181, inter-tidal flat W of L1, 2 & 3 Plan 45190	CT
H	Lighthouse Community Centre	Newcastle LD, DL32 Lot A PID 008840024 Plan 45846	CP/O
	Sunnybeach Road #18	Newcastle LD, DL33 between L1 Plan VIP72052 & LA Plan 73539	BA

**Level 3 Parks – Commuter Trail**

G	Barclay Crescent Bridge	Nanoose LD, DL28, between L10 Plan VIP23031 & L1 Plan 26472	RT
	Fern Road Woods Trail	Nanoose LD, DL78 Plan 1694 between BI15 L7 & BI 16 L17	RT

**Level 4 Parks – Undeveloped Parks, Trails and Other Open Spaces**

A	1625 Fawcett Road	Cedar LD, DL36 S16 R5 VIP14877	CP
	2931 Ivor Road	Cedar LD, S19 R4 Plans 35760 & 41900	CP
	2180 Addison Way	Cedar LD, S10 R1 Lot D PID 002071681 Plan 42783	CP
Electoral Area	Location/Name	Legal Description	Use <sup>3</sup>

<sup>2</sup> Use: Community Park (CP), Community Trail (CT), Beach Access (BA), Other (O), Regional Park (RP), Regional Conservation Area (RCA), Regional Trail (RT).

<sup>3</sup> Use: Community Park (CP), Community Trail (CT), Beach Access (BA), Other (O), Regional Park (RP), Regional Conservation Area (RCA), Regional Trail (RT).

B	Malaspina Galleries	Nanaimo Gabriola LD, S24 Plan 13535	CP
	1463 Moby Dicks Way	Nanaimo Gabriola LD, S31 Plan 17658	CP
	1486 Moby Dicks Way	Nanaimo Gabriola LD, S31 Plan 17658	CP
	1645 Whalebone Drive	Nanaimo Gabriola LD, S31 Plan 17658	CP
	1961 Clamshell Drive	Nanaimo Gabriola LD, S3 Plan 23476	CP
	2061 South Road	Nanaimo Gabriola LD, S3 Plan 24754	CP
	1220 Fleet Street	Nanaimo Gabriola LD, S18 Plan 30963	CP
	1888 Stalker Road	Nanaimo Gabriola LD, S4 Plan 41031	CP
	1185 The Strand	Nanaimo Gabriola LD, S18 Plan 45781	CP

**Level 4 Parks – Undeveloped Parks, Trails and Other Open Spaces (continued)**

B	3045 Coast Road	Nanaimo Gabriola LD, S4 PID017390397 VIP52510	CP
	1103 Sea Fern Lane	Nanaimo Mudge LD, S26 Plan 15752	CP
	Petroglyph Trail	Nanaimo Gabriola LD, S2 VIP66198	CT
	1412 Coats Drive	Nanaimo Gabriola LD, S9, Plan VIP69975 & S10 Plan VIP75929	CP
	De Courcy Island	Nanaimo De Courcy LD, S24, Plan VIP71391	CP
	Cox Community Park	Nanaimo Gabriola LD, S20, PID 002138719, Rem N1/2 of N1/2 of S20	CP
	Link Bay Road	Nanaimo De Courcy LD, S24, Plans 39964 & 46938	CP
	Decourcy Drive	Nanaimo Gabriola LD, S21 PID 004799071, Plan 12655	CP
	Decourcy Drive #15	Nanaimo Gabriola LD, S21 between L14 Plan VIP12655 & L1 Plan VIP13796	BA
	Tinson Road #011	Nanaimo Gabriola LD, S21 between L45 & 46 Plan VIP12655	BA
Spring Beach #044	Nanaimo Gabriola LD, S2 Plan VIP21158 between L17 & 26	BA	
The Strand #87	Nanaimo Gabriola LD, S8 Plan VIP17698 between L36 & 37	BA	
C	2840 Riverbend Road	Cranberry LD, R6 S4 Plan 38144	CP
	2966 Forever Road	Cranberry LD, R6 S4 Plan 38144	CP
	1919 Plecas Road	Cranberry LD, R5 S13, Plan 50377	CP
	1563 Nanaimo River Rd	Douglas LD, DL5 Plan VIP59461	CP
	431 Virostko Road	Cranberry LD, R2 S13 Plan VIP69191 & Plan DD4495N Pcl C PID 009694854	CP/CT
	1730 Nanaimo River Rd	Douglas LD, DL3 L9 Plan VIP73765	CP
	Trans Canada Trail	Cranberry LD, R1 pt S3-5 & 16-20, & pt Bl 87; Nanaimo LD, R1 pt S4; Bright LD, pt Bls 714 & 87; Douglas LD, pt Bl 87	RT
Haslam Creek Bridge	Bright LD, pt Bl 87 Plan DD61352-N & Bl 1252 PID 008721084	RT	

Electoral Area	Location/Name	Legal Description	Use <sup>4</sup>
D	Benson Creek	Mountain LD, R1 S18 Bl A, Plan VIP4TU1485	RP
E	3005 Dolphin Drive Blueback Crownsnest 2450 Collins Crescent 1809 Ballenas Road Enos Creek 1808 Amelia Crescent 2940 Powder Point Road	Nanoose LD, DL78, Plan 14212 Nanoose LD, DL78 Plan 15983 Nanoose LD, DL78 Plan 22994 Nanoose LD, DL6 Plan 23588 Nanoose LD, DL68 L1 PID 002066734 Plan 27376 Nanoose LD, DL78 Plan 29112 Nanoose LD, DL68 L86 PID 001271482 Plan 30341 Nanoose LD, DL78 Plan 36514	CP CP CP CP O CP CP CP

**Level 4 Parks – Undeveloped Parks, Trails and Other Open Spaces (continued)**

E	2301 Weston Place 2297 Weston Place 1542 Crab Road 8428 Rumming Road 3471 Carmichael Road Henley Place Arbutus Grove Wall Estate 3383 Redden Road Dolphin Lake Schooner Ridge Dolphin Marsh Claudet Road  2453 Ainsley Place 2531 Rowland Road	Nanoose LD, DL6 L22 PID 000978060 Plan 38573 Nanoose LD, DL6 Plan 38573 Nanoose LD, LD52, Plan 44310 Nanoose LD, DL186 Plans 47433 Nanoose LD, DL78 Plan 51142 Nanoose LD, DL30 & 78 Plan 51707 Nanoose LD, DL117 Plan 43915 Nanoose LD, DL22 Plan 50198 Nanoose LD, DL30 Plan 53134 Nanoose LD, DL30 Plan 60049 Nanoose LD, DL78, 30, Plan 59180 Nanoose LD, DL30, 78 Plan 60602 Nanoose LD, DL62 L1 PID 002732548 Plan 26234 & LA PID 011167084 Plan 46810 Nanoose LD, DL78, Plan VIP68559 Nanoose LD, DL67, Plan VIP75472	O CP CP CP CP CP/CT CP/CT CP CP CP/CT CP CP CP CP CP CP CP
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<sup>4</sup> Use: Community Park (CP), Community Trail (CT), Beach Access (BA), Other (O), Regional Park (RP), Regional Conservation Area (RCA), Regional Trail (RT).

Electoral Area	Location/Name	Legal Description	Use <sup>5</sup>
F	3529 Harris Crescent 2753 Old Alberni Hwy 1281 Gregory Road 1023 Allsbrook Road 1209 Kilby Road 898 Hillier Road 3171 Brooklin Lane No civic No civic 3857 Wild Road Malcolm Property  Little Qualicum River Arrowsmith Trail	Cameron LD, DL74 Plan 24741 Nanoose LD, DL143 Plan 37624 Nanoose LD, DL140 Plan 37952 Nanoose LD, DL43 Plan 39421 Nanoose LD, DL149 Plan 43286 Cameron LD, DL4 Plan 46163 Cameron LD, DL4 Plan 48368 Newcastle LD, B1 1375 Plan 41053 Cameron LD, DL8, Plan VIP1981, 52834 Cameron LD, DL9 Plan 52495 Cameron LD, DL9 Lot A, SW ¼ Plan DD4504N PID 008738505 Newcastle LD, B1 359 L1 Plan VIP 69346 Cameron LD, pts B1 415, 1324 & 1377	CP CP CP CP CP CP CP CP CP CP CP RP RT
G	FCPCC  676 Barclay Crescent 1013 Centre Crescent 1225 Sunrise Drive 1592 Marine Circle No civic 943 Lee Road 675 Chartwell Boulevard Top Bridge	Nanoose LD, DL28 L4 Pcl A PID 006365876 Plan DD5360-N; L2 Exc E 4.5 ch PID 006365779 Plan 2570; L3 Exc P1 26472 PID 005572681 Plan 9203 Nanoose LD, DL28 Plan 27077 Newcastle LD, DL9 Plan 28564 Nanoose LD, DL49 L23 PID 001397826 Plan 29438 Nanoose LD, DL28 Plan 30213 Nanoose LD, DL29 Plan 32898 Nanoose LD, DL29 Plan 45825 Nanoose LD, DL88 Plan 49333 Nanoose LD, B1 419 Plan 30113	O  CP CP O/CP CP CP CP CP CP

<sup>5</sup> Use: Community Park (CP), Community Trail (CT), Beach Access (BA), Other (O), Regional Park (RP), Regional Conservation Area (RCA), Regional Trail (RT).

**Level 4 Parks – Undeveloped Parks, Trails and Other Open Spaces (continued)**

<b>Electoral Area</b>	<b>Location/Name</b>	<b>Legal Description</b>	<b>Use<sup>6</sup></b>
G	1030 Ganske Road	Newcastle LD, DL76 Plan 60023	CP
	1257 Lee Road	Nanose LD, DL29 & 28 Lot B PID 023004533	CP
	903 Riley Road	Plan 60349Nanose LD, DL81, Plan 51544	CP
	597 Columbia Drive	Nanose LD, DL28 Plan VIP62528	CP
	807 Miller Road	Nanose LD, DL28 Lot A PID 023846194 Plan	CP
	740 Miller Road	65679Nanose LD, DL29 & 83 Lot 2 PID	CP
		025783017 Plan VIP76030	
	Admiral Tryon Blvd	Nanose LD, DL28 between L22 Plan 22290 & L1 Plan 33977	BA
	Little Qualicum River Estuary	Newcastle LD, DL 11, 110, Lot 1 PID 025651561 Plan 75238	RCA
	Englishman River	Nanose LD, Block 602 L1 Plan VIP76721 PID 025900323 & all remainder B1 602	RP
River's Edge	Nanose LD, B1 564 L1, PID 025862804 Plan 76468; L7 PID 025920260 Plan 76856; L19 PID 025920383 Plan 76856; L11 PID 025863649 Plan 76472; L38 PID 025863525 Plan 76471; L1 Plan VIP75276 PID 025665545	RP/O	
Top Bridge Trail	Nanose LD, DL 129 L3 PID 006718876 Plan VIP2072	RT	

<sup>6</sup> Use: Community Park (CP), Community Trail (CT), Beach Access (BA), Other (O), Regional Park (RP), Regional Conservation Area (RCA), Regional Trail (RT).

**Level 4 Parks – Undeveloped Parks, Trails and Other Open Spaces (continued)**

H	5354 Gainsburg Road	Newcastle LD, DL1 Plan 20442	CP
	Rose Park	Newcastle LD, DL22 Lot 1 PID 018048757 Plan VIP55641	CP
	4776/4877 Ocean Trail	Newcastle LD, DL82 Plan 31044	CP
	2905 Marshall Road	Newcastle LD, DL9 Plan 34434	CP
	241 Huson Road	Newcastle LD, DL9 Plan 34642	CP
	Dunsmuir	Newcastle LD, DL31 Plan 37285	CP
	5162 Pearl Road	Newcastle LD, DL27 Plan 38181	CP
	68 Islewood Drive	Newcastle LD, DL22 L20 PID 000668443 Plan 41507	CP
	3875 Bovanis Road	Newcastle LD, DL22 Plan 41640	CP
	3876 Bovanis Road	Newcastle LD, DL22 L8 PID 000775088 Plan 41662	CP
	212 Kenmuir Road	Newcastle LD, DL9 Plan 42807	CP
	151 Jamieson Road	Newcastle LD, DL40 Plan 43604	CP
	Illusion Lakes	Alberni LD, B1 360 Plan 37698	CP
	216 Kenmuir Road	Newcastle LD, DL9 Plan 52606	CP
	4370 Kelsey Road	Newcastle LD, DL36 Plan VIP53143	CP
	95 Esary Road	Newcastle LD, DL36 Plan VIP61726	CP
	7123 Island Highway	Newcastle LD, DL85 Plan VIS4417	CP
	W.	Newcastle LD, DL 20 L1 Plan 6994	CP
	No civic		

H	Wildwood	Newcastle LD, DL85 L38 PID 006659985 Plan 2018	CP
	5320 Gainsburg Road	Newcastle LD, DL1, 86 L2 PID 024784338 Plan VIP70719	CP
	2910 Leon Road	Newcastle LD, DL9 Plan VIP65473	CP
	Alert Road #11	Newcastle LD, DL16 between LA Plan VIP11435 & L1 Plan VIP10527	BA
	Franksea Road #14	Newcastle LD, DL33 between L1 Plan VIP918R & LA Plan VIP28923	BA
	Baywater Road #17	Newcastle LD, DL20 between L1 Plan VIP74109 & LA Plan VIP61092	BA
	Crane Road #23	Newcastle LD, DL22 between rem. Lot 1, Plan 12132 & Pt 2 Plan 5622	BA
	Nile Road #24	Newcastle LD, DL22 between L2 Plan VIP41640 & L2 Plan VIP12132	BA
	Bowser Road #31	Newcastle LD, DL36 between L4 Plan VIP21618 & LA Plan VIP58219	BA
	Buccaneer Beach Rd #36	Newcastle LD, DL40 between L35 & 36 Plan 16121	BA
	Shoreline Drive #42	Newcastle LD, DL28 Plan 24584 between L9 & 10	BA
	Deep Bay Drive #47	Newcastle LD, DL1 between L70 & 71 Plan VIP20442	BA
	Lighthouse Country Trail	Newcastle LD, Whistler Road from DL32 LA Plan 45846 to DL85 L38 Plan 2018, & DL85 Plan 2018 Corduroy Rd from sthly bndry Noonday Rd to wstly bndry L39	RT
Horne Lake Caves Road	Alberni LD, DL251 nrthly bndry of Road	RT	
Hunts Creek Bridge	Alberni LD, DL254 PID 001903276 Plan VIP1753R	RT	

H	Wildwood	Newcastle LD, DL85 L38 PID 006659985 Plan 2018	CP
	5320 Gainsburg Road	Newcastle LD, DL1, 86 L2 PID 024784338 Plan VIP70719	CP
	2910 Leon Road	Newcastle LD, DL9 Plan VIP65473	CP
	Alert Road #11	Newcastle LD, DL16 between LA Plan VIP11435 & L1 Plan VIP10527	BA
	Franksea Road #14	Newcastle LD, DL33 between L1 Plan VIP918R & LA Plan VIP28923	BA
	Baywater Road #17	Newcastle LD, DL20 between L1 Plan VIP74109 & LA Plan VIP61092	BA
	Crane Road #23	Newcastle LD, DL22 between rem. Lot 1, Plan 12132 & Pt 2 Plan 5622	BA
	Nile Road #24	Newcastle LD, DL22 between L2 Plan VIP41640 & L2 Plan VIP12132	BA
	Bowser Road #31	Newcastle LD, DL36 between L4 Plan VIP21618 & LA Plan VIP58219	BA
	Buccaneer Beach Rd #36	Newcastle LD, DL40 between L35 & 36 Plan 16121	BA
	Shoreline Drive #42	Newcastle LD, DL28 Plan 24584 between L9 & 10	BA
	Deep Bay Drive #47	Newcastle LD, DL1 between L70 & 71 Plan VIP20442	BA
	Lighthouse Country Trail	Newcastle LD, Whistler Road from DL32 LA Plan 45846 to DL85 L38 Plan 2018, & DL85 Plan 2018 Corduroy Rd from sthly bndry Noonday Rd to wstly bndry L39	RT
Horne Lake Caves Road	Alberni LD, DL251 nrthly bndry of Road	RT	
Hunts Creek Bridge	Alberni LD, DL254 PID 001903276 Plan VIP1753R	RT	



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## Schedule “B”

### CAMPGROUND RULES APPLICABLE TO LEVEL 1 PARKS

#### 1. Registration

At Horne Lake Regional Park, all campers must register and pay at the park office upon arrival. At Descanso Bay Regional Park, campers may proceed to the campground and set up camp in their reserved site, or in a site with no ‘reserved’ sign posted, and register and pay when authorized personnel make their rounds.

#### 2. Fees

- (a) *Horne Lake Regional Park*
  - Wooded sites – \$17 per night
  - Waterfront and overflow sites – \$22 per night
  - Non-profit youth group rate – \$2 per head per night
  - Boat launch – \$5 per launch; \$2 per launch for Owners of Strata Plan – VIS 5160.
  - Programmed recreation campsites – as authorized by District Manager
  - Programmed recreation – as authorized by District Manager
  - Rentals – as authorized by District Manager
  - Firewood and other goods – as authorized by District Manager
- (b) *Descanso Bay Regional Park*
  - All sites \$15/night
  - Non-profit youth group rate – \$2 per head per night
  - Firewood and other goods – as authorized by District Manager

Any person who has not paid a required fee will be charged double the regular rate. The Goods and Services tax may be charged in addition to the above noted fees.

#### 3. Number of People and Vehicles per Designated Campsite

At each designated campsite there may be no more than:

- (a) eight (8) people, including no more than four (4) adults, an adult being 16 years of age or older; and
- (b) one recreational vehicle (RV).

A second non-RV vehicle may be permitted by authorized personnel at a designated campsite for an additional nightly charge of 50 per cent of the campsite fee if space permits.

#### 4. Length of Stay

The maximum length of stay for a camper is fourteen days per season, not necessarily consecutively. Additional stays may be allowed by authorized personnel if vacancies permit.

#### 5. Campsite Condition

Campers must remove all garbage from their campsites and fire pits before vacating a site.

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**6. Noise**

During the hours between 11 pm and 7 am, all campers shall be quiet. During the remainder of the day, noises or sounds generated at one campsite must not be sufficient to bother neighbouring campers.

**7. Boat Launch Ramp at Horne Lake Regional Park**

All vessels requiring a trailer must be launched at the boat launch ramp. All launchers must register and pay at the park office before launching a vessel, and carry with them when on the water any boating rules and maps provided at registration. The ramp opens at 7 am and closes by no later than 9:30 pm or dusk, whichever is earlier. All vessels must be out of the water by ramp closing time.

**Schedule “C”**

<b>PARK USE PERMIT FEES<sup>7</sup></b>				
<b>Special Uses</b>	<b>Permit Fee<sup>8</sup></b>	<b>Damage Deposit</b>	<b>Site Preparation and Clean-up Costs</b>	<b>Comprehensive General Liability Insurance</b>
<b>1. Use of common facilities such as shelters and congregate spaces for groups involving up to 50 people</b>	\$50 / day	n/a	Repair to facilities at cost, plus  Hourly charge-out rate of  \$28/person and \$25/vehicle	n/a
<b>2. Non-profit recreation services or activities such as training, guiding and recreation programming</b>	\$15 / day	\$100		\$2,000,000
<b>3. Commercial recreation services or activities such as training, guiding and recreation programming</b>	\$100 / day	\$100		\$2,000,000
<b>4. Events such as festivals, shows, parties, competitions, regattas, ceremonies, and the operation of model planes</b>	\$100 / day	\$100		\$2,000,000
<b>5. Commercial filming (video, motion picture or television) or still photography</b>	\$250 / permit	\$500		\$5,000,000
<b>6. Research activity including survey and petition work</b>	\$50 / permit	\$100		\$2,000,000
<b>7. Access through a park for utilities or vehicles</b>	\$500 / year	n/a		\$2,000,000

<sup>7</sup> All fees are subject to the Goods and Services Tax.

<sup>8</sup> A permit fee exemption may be granted where a special use is deemed to be of benefit to a park. Non-profit groups including schools that involve participants less than 18 years of age only are exempt from the requirement to pay a permit fee.

**Schedule “D”**

**FINE SCHEDULE**

<b>Description of Offence</b>	<b>Section of Bylaw</b>	<b>Minimum Fine</b>
Failure to comply with rules and signage	5.1	\$100
Unacceptable public conduct	5.3	\$100
Improper use of a vehicle	5.4	\$100
Improper parking	5.5	\$100
Failure to obey camping rules	5.6	\$100
Improper use of a vessel	5.7	\$100
Inappropriate cycling or horseback riding	5.8	\$100
Failure to control or manage an animal	5.9(a) to (f)	\$ 50
Behaviour detrimental to a wild animal	5.9(g)	\$100
Hunting; carrying or discharging guns or bows	5.10(a)	\$200
Improper fishing or shellfish harvesting	5.10(b)(c)	\$ 50
Littering	5.11(a)	\$ 50
Depositing garbage or polluting with undesirable materials	5.11(b)to (d)	\$200
Failure to alert authorities about a known pollution event	5.11(e)	\$ 50
Causing damage or interfering	5.12	\$100
Unacceptable use of fire, lit materials or explosives	5.13(a)(b)	\$100
Failure to alert authorities about known at-large fires	5.13(c)	\$ 50
Improper treatment of the natural environment	5.14	\$100
Unacceptable play behaviour	5.15(a)	\$ 50
Unauthorized special use or commercial activity	5.16	\$100
Failure to comply with the terms of a park use permit	5.17(g)(h)	\$100
Failure to obey or obstruction of a Bylaw Enforcement Officer	6.2, 6.3	\$100

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## Appendix C

### HLRP Zoning Bylaw

#### RDN BYLAW NO. 500.318

#### HORNE LAKE REGIONAL PARK COMPREHENSIVE DEVELOPMENT ZONE 24

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##### 3.4.124.1 Permitted Uses

- a) Wilderness Campground
- b) Outdoor Wilderness Recreation
- c) Tourist Accommodation
- d) Day Use Recreation
- e) Group Camping
- f) Public Assembly

##### 3.4.124.2 Permitted Accessory Uses

- a) Accessory Office, Buildings, and Structures
- b) Boat Ramp
- c) Residential Use
- d) Tourist Store
- e) Visitor Centre

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##### 3.4.124.3 Maximum Number and Size of Buildings and Structures

- a) Wilderness Campground Maximum of 125 individual camp sites and a maximum of seventy five (75) camping parties within three (3) group camping areas subject to subsections 3.4.124.4 and 3.4.124.6 to 3.4.124.8
- b) Tourist accommodation Maximum 10 units and shall not exceed 35m<sup>2</sup> in floor area per unit excluding a 7.5 m<sup>2</sup> deck
- c) Dwelling units/parcel 1
- d) Dwelling Unit height 8.0 m as measured above the flood construction elevation pursuant to subsection 3.4.124.5
- e) Accessory Buildings Combined floor area of 500m<sup>2</sup>  
Accessory horse boarding stable – maximum of 10 stalls not exceeding 5m<sup>2</sup> in floor area per stall  
Tourist Store shall not exceed 20 m<sup>2</sup> in floor area.
- f) Accessory Building/structure height 8.0 m as measured above the flood construction elevation pursuant to subsection 3.4.124.5 except for zip line
- g) Parcel Coverage 30%

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##### 3.4.124.4 Minimum Setbacks Requirements

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- a) Buildings and structures for housing livestock or for storing manure
    - i) All lot lines 30.0 m
    - ii) Horne Lake 30.0 m natural boundary
    - iii) Qualicum River 30.0 m natural boundary
  - b) All other buildings, structures, camp sites, campground services (internal roads, parking, water, and waste disposal systems)
    - i) All lot lines 8.0 m
    - ii) Horne Lake 30.0 m natural boundary
    - iii) Qualicum River 30.0 m natural boundary
    - iv) Internal access roads 3.0 m
- 

#### **3.4.124.5 Flood Control**

- a) The following lands are designated flood plain:
    - i) Block 40, Alberni District, Plan 691N, except that part thereof shown outlined in red on Plan 1339R and except that part in Plan 46603
    - ii) Part of Block 40, Alberni District, Plan 1339R
  - b) The flood construction elevation shall be 121.7 metres Geodetic Survey of Canada for any permanent building.
- 

#### **3.4.124.6 Campground Layout Standards**

- a) Individual Camp Sites
  - i) Every camp site shall have a minimum area of not less than 110m<sup>2</sup>.
  - ii) Every camp site shall have a maximum slope of five percent.
  - iii) No camp site shall be located within:
    - 01. 3.0 m of another camp site; and
    - 02. the setback areas established pursuant to Part 3.4.124.4 of this Bylaw.
  - iv) Each individual camp site shall have one conveniently located parking space adjacent to the internal access road and may be sited in the area allotted for the 3.0 m internal road access setback.
  - v) No recreation vehicle or tent shall be located elsewhere in a campground than on a camp site or group camp site.
  - vi) No more than one camping party shall be permitted in one camp site.
- b) Group Camp Area
  - i) A maximum of 3 group camping areas with a combined area of 3.0 ha is permitted.
  - ii) A maximum of 75 camping parties are permitted in the 3 group camping areas.
  - iii) A maximum of 2 vehicles per camping party may park within the group camping area.
  - iv) Each group camp area shall have a minimum of a 5 m wide vegetated buffer.
  - vii) Each group camping area shall have a centralized fire pit.
  - viii) Each group camp area shall have a maximum slope of five percent.
  - ix) No recreation vehicle or tent shall be located elsewhere in a campground than on a group camp site.
  - x) No group camp site shall be located within:
    - 01. 3.0 m of another camp site; and

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02. the setback areas established pursuant to Part 3.4.124.4 of this Bylaw.

c) Buffer Area

i) Day use recreation is permitted within the setback pursuant to subsection 3.4.124.4b. ii.

b) Internal Access Roads

- i) All internal access roads shall be of hard durable surface so as not to produce dust.
- ii) The minimum internal access road width shall be 6.0 metres
- iii) Dead-end internal access roads and cul-de-sacs shall have a turning radius of 12.0 metres.

e) Group, Day Use and Trailer Parking

- i) These requirements do not apply to parking spaces pursuant to 3.4.124.6.a.iv and 3.4.124.6.b.iii
- ii) A minimum of 100 parking spaces shall be provided.
- iii) Parking stall and aisle dimensions shall be in accordance with Schedule '3B' Table 2 of this Bylaw.
- iv) A minimum of 10 disability parking spaces shall be provided.
- v) Each disability space shall be:
  - 01. a minimum of 4.0 metres wide
  - 02. marked with the International Symbol of Accessibility
  - 03. located adjacent to the day use area within convenient access of the development, building, or use that it is intended to serve, and any level change shall not exceed 13 mm
- vi) A minimum of 50 boat trailer parking spaces shall be provided for boat launch patrons once the number of camping parties exceeds 100. Each boat trailer parking space shall:
  - 01. enable the vehicle to pull thru; and
  - 02. be a minimum length of 11 m.
- vii) All parking spaces shall be clearly delineated.
- viii) All parking spaces shall be provided and maintained with a hard durable surface that does not produce dust and is permeable.
- ix) All parking spaces shall have a maximum gradient and cross-slope of 6%.

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**3.4.124.7 Campground Servicing**

a) Washroom Facilities:

- i) Shall be located in a separate building(s); and
- ii) Shall be located:
  - 01. a maximum of 150 m from any individual camp site or group camping area;
  - 02. a minimum of 4.5 m from any camp site;
  - 03. a minimum of 15 m from any drinking water source or surface water;
  - 04. a minimum of 3 m from any building, internal access road or water supply pipe, and
- iii) Shall be established as outlined in Table No. 1; and
- iv) Where holding tanks are utilized for toilets they shall be sealed and have a minimum capacity 200 gal
- v) A minimum of 2 toilets (1 male and 1 female) shall be wheelchair accessible and located adjacent to the primary day use area.
- vi) A minimum of 2 wash basins and 2 shower (1 male and 1 female) shall be wheelchair accessible.

**Table No. 1**

Number of potential	Toilets	Wash basins	Showers
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camping parties	Female Male		Female Male		Female Male	
1 - 75	10	10	0	0	0	0
76 – 120	12	12	2	2	2	2
121 – 200	14	14	4	4	6	6

b) Sewage Disposal Station (Sani-dump)

One sewage disposal station for use by recreational vehicles shall:

- i) be established once the number of potential camping parties exceeds 100
- ii) be located:
  - 05. in the North park ;
  - 06. a maximum of 150 m from any individual camp site or group camping area;
  - 07. a minimum of 4.5 m from any camp site;
  - 08. a minimum of 15 m from any drinking water source or surface water; and
  - 09. a minimum of 3 m from any building, internal access road or water supply pipe.

c) Water System

Potable water source shall be provided once the number of potential camping parties exceeds 75.

d) Garbage Disposal and Recycling

- i) Large communal garbage and recycling facilities shall be centrally located in the North and South Park;
- ii) Small garbage and recycling receptacles shall be located in all day use areas; and
- iii) All garbage and recycling facilities and receptacles shall be animal and insect proof.

### 3.4.124.8 Other Regulations

a) For the purposes of this zone:

- i) “*Adventure Camp*” means an outdoor wilderness recreation program area including one group camping area.
- ii) “*Camp site (Individual)*” means an area within a campground used by one camping party for tents or recreational vehicles.
- iii) “*Camping Party*” means a maximum of eight (8) persons including no more than four (4) adults, an adult being a person 16 years of age or over.
- iv) “*Day Use Recreation*” means an area consisting of largely of open space, which may include picnic area, playground, gazebo, docks and wharves, or similar use but shall not include a campground.
- v) “*Group Camping Area*” means an area used for camping by three or more camping parties and shall include the Adventure Camp.
- vi) “*Outdoor Wilderness Recreation*” means a recreational activity undertaken where the outdoor setting and natural landscape is a significant element in the activity, where there is no significant alteration of the land, where there is no hydro service, and the density of recreational users is not



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a significant element and includes obstacle course, zip line course, orienteering, horse boarding and trail rides, trails, day use recreation.

- vii) “*Temporary accommodation*” means the occupation of a camp site to a maximum of 28 days in total per year by any one camping party.
- viii) “*Tourist accommodation*” means a one-storey building with a heat source and with no provision for cooking, sanitation or permanent residential occupancy.
- ix) “*Tourist Store*” means a detached accessory building or portion of an accessory building that sells supplies and pre-packaged dry goods catering to park users and specifically prohibits the preparation of food.
- x) “*Visitor Centre*” means a place in a fully enclosed building for the purposes of viewing or displaying information and exhibits related to natural and cultural history, the natural environment, and wilderness recreation, and where such display is intended, in part, to serve the educational and cultural needs of the community as a whole.
- xi) “*Washroom facilities*” means a building or buildings that contain toilets, washbasins, and heated showers.
- xii) “*Wilderness campground*” means an area in Horne Lake Regional Park without hydro service that provides for the temporary accommodation of travelers using tents, tent trailers, or recreational vehicles and specifically excludes a mobile home park or hotel.