



***Avery Road Public Access
Management Plan***

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EXECUTIVE SUMMARY

The goal of the Avery Road Public Access Management Plan is to establish objectives and strategies for the long-term management of the Park for the next 15 to 20 years. It is intended to provide strategic direction and guidance for the Regional District, operators, maintenance contractors and stewards of the public access.

Much of the shoreline of St. Mary Lake is either inaccessible by vehicle or is private land. The primary function of Avery Road Public Access is to provide public access to St. Mary Lake for pedestrians and small watercraft.

With no picnic table or garbage facilities and only seasonal sanitary facilities, day use opportunities at the site are somewhat limited. Use of the site will be monitored, and improvements considered should the use of the site increase.

1 INTRODUCTION

1.1 Park Overview

A subdivision along the northwest side of St. Mary Lake resulted in the Ministry of Transportation and Infrastructure (MoTI) creating a Right of Way for public access to the shore of St. Mary Lake along Avery Road. In 2010 the RDEK signed an agreement with MoTI to operate, maintain and improve a 0.3 ha portion of the MoTI Right of Way from the end of Avery Road to the shore of St. Mary Lake. This area is now known as Avery Road Public Access.

Avery Road Public Access is located on the north shore of St. Mary Lake, approximately 18 km from the intersection of St. Mary Lake Road and Highway 95A in Kimberley, BC. Much of the north shore of St. Mary Lake is occupied by residential parcels.



FIGURE 1: LOCATION PLAN

1.2 Establishment of Regional Parks

1.2.1 Background

The provincial government granted the RDEK authority to establish a regional park function by Supplementary Letters Patent in 1966. The RDEK now operates regional parks and trails under the authority of the *Local Government Act*.

In the 1970's, the RDEK began development of its regional parks system after having acquired crown lands at Wycliffe and Tie Lake for park facilities. In 1975, a major study of potential regional park sites was undertaken by the RDEK but no formal park plan was adopted. In 1980, the Elk Valley Regional Park was included in the regional parks system.

In 1990, Extended Service (Regional Parks) Area Establishment Bylaw No. 933 was adopted. This bylaw converted the Regional Parks function to an Extended Service to enable the RDEK to recover annual operating and servicing costs of parks from taxes levied on properties within the Regional District.

In 2002, the RDEK added the Old Coach Greenway (Columbia Valley Regional Trail) to its services in order to address the absence of a regional park in the Columbia Valley subregion. In 2004, the RDEK adopted Electoral Area Regional Parks and Trails Service Area Establishment Bylaws and the Regional Park Plan to simplify the financing of parks and trails and to administer the expanding parks system.

Electoral Area E Regional Parks and Trails Service Establishment Bylaw No. 1751, 2004 established a service to provide regional parks and trails within Electoral Area E. The capital and operating costs of parks and trails are recovered by monies collected by property tax levied on property within the Electoral Area.

With the regulatory tools in place to administer an expanding park system, a Regional Parks Plan followed. The focus of the Regional Parks Plan is to provide policies to guide the expansion, administration and financing of the regional parks system.

In 2019, the Parks and Trails Regulation and Fee Bylaw No. 2833 was adopted and outlines regulations and fees related to the use and management of all parks within the RDEK.

1.2.2 Avery Road Public Access Planning Process

The RDEK operates regional parks and trails under the authority of the *Local Government Act*.

As per the RDEK Regional Parks Plan, separate management plans may be prepared for regional parks on an as required basis. Management plans should address topics such as land acquisition, site planning, facility development, recreation, user groups, access management, public safety, maintenance, control of invasive plants, threat from wildfire and funding and partnership agreements.

Each management plan will be approved by the Environmental Services Manager and adopted by Board resolution.

Consultation for this plan included the St. Mary Valley Residents Association and adjacent homeowners.

A review and update to the Kimberley Rural Official Community Plan was underway at the time of drafting this management plan. Feedback from the consultation related to that process for Avery Road Public Access and the use of St. Mary Lake was included as part of the creation of this plan.

1.3 Existing Infrastructure & Current Uses

1.3.1 Existing Infrastructure

Existing infrastructure and amenities at the Avery Road Public Access include:

- Gravel parking area
- Welcome/information sign
- No diving sign
- Norm Walter memorial bench and plaque
- Gravel trail to the lake suitable for pedestrians and portaging small watercraft
- Large rocks delineating edge of parking area from top of slope leading to the lake shore.
- Seasonal outhouse

1.3.2 Current Uses

Avery Road Public Access is a day use area meant to provide public access to St. Mary Lake. Small water craft can be portaged along a short gravel path from the parking area to the shore of the lake. With one bench and no picnic table, day use opportunities are limited. Swimming is possible but the beach is rocky and the water drops off quickly. St. Mary Lake and River can both be accessed from the public access and offer angling and boating opportunities.

2 CULTURAL HERITAGE OVERVIEW

The Ktunaxa have inhabited the general area for over 10,000 years. The natural landscape provided food, medicine, shelter and clothing for the first inhabitants as they followed seasonal vegetation and animal cycles throughout their territories.

Nearby Kimberley has a rich and storied history of mining. The area around St. Mary Lake and St. Mary Valley has a history deeply rooted in another of British Columbia's significant natural resources – Lumber.

From 1899 to 1900, John Breckenridge and Peter Lund constructed the 25 km NorthStar Line between Cranbrook and Kimberley to ship ore from the mines in Kimberley. Peter Lund was intrigued by the vast amounts of timber located along the St. Mary Valley and

elsewhere in the region and founded the Crow's Nest Pass Lumber Co. Logs from the St. Mary Valley were to be cut and floated down the St. Mary River to the Kootenay and then driven downstream to the saw and planer mill in Wardner. The 1907 *Lumberman and Contractor* described the St. Mary Valley as *"...one rolling ocean of the finest timber one can see uncut in this province east of the coast range. Over long distances trees stand as closely as the economy of nature permits timber to crowd and still thrive and attain its maximum growth"*.

Large diameter stumps with evidence of springboard logging can still be found in the forests surrounding St. Mary Lake and modern commercial logging still takes place. Logs are not the only natural resource that draw people up the St. Mary Valley today. The natural beauty of the Lake, River and surrounding peaks provide abundant recreational opportunities for all seasons.



3 RELATIONSHIP TO RDEK GUIDING DOCUMENTS

3.1 Regional Sustainability Strategy

The Regional Sustainability Strategy (RSS) provides the RDEK with a wide ranging, long term planning tool. It equips the region with a sustainability lens to guide and evaluate operations and decision-making. The RSS was adopted by the Board on October 3, 2014.

During the RSS public consultation process, it was evident that the environment is a primary concern for the region's residents. The protection of the natural environment is consistently ranked as one of the most important considerations when decisions are made about development and economic activities. The natural environment is also integral to both the quality of life of individuals for recreational purposes and the provision of economic opportunities for many businesses.

3.2 Regional Parks Plan

The purpose of the Regional Parks Plan is to determine the goals and objectives of the RDEK's regional park and trails system, to set criteria for additions to the regional parks and trail system, to establish policy for the RDEK's administration of park land or cash-in-lieu from a developer at time of subdivision, to initiate standards for the regulation, administration and operation of park and trail facilities and to identify existing park and trail services and their funding mechanism.

3.3 Kimberley Rural Official Community Plan Bylaw

The Kimberley Rural OCP was adopted in June 2017.

Avery Road Public Access is located in the St. Mary Valley subarea of the plan and is designated Open Space, Recreation and Trails, which supports the use of this land as a park. Continued operation of the Avery Road Access for recreational purposes and the implementation of this plan are supported by policies in the Kimberley Rural OCP.

3.4 Electoral Area E Zoning and Floodplain Management Bylaw

The Electoral Area E Zoning and Floodplain Management Bylaw is the regulatory tool used by the RDEK to establish development provisions for individual parcels of land. The zoning bylaw establishes permitted uses, development density and parcel size, and other development controls such as building setbacks, building height and parking.

Avery Road Public Access is zoned P-2, which supports the land being used as a park.

3.5 Parks and Trails Regulation and Fee Bylaw

Adopted in 2019, the Parks and Trails Regulation and Fee Bylaw outlines regulations and fees related to the use and management of all parks within the RDEK and acts as an enforcement tool if required.

4 ECOSYSTEM & HABITAT

4.1 Shoreline Management Guidelines

Shoreline Management Guidelines are used to inform policies and bylaws that have an impact on shorelines. Shoreline Management Guidelines for St. Mary Lake were completed in 2011 by the East Kootenay Integrated Lake Management Partnership and use a risk based approach to determine the risk a proposed activity would have on a specific segment of shoreline.

The segment of shoreline at Avery Road Public Access has a low habitat index rating. The Shoreline Management Guidelines outline that new development may be considered in low value habitat areas. Any proposed works which may have an impact on the shoreline should be assessed using the activity risk matrix in the Shoreline Management Guidelines for St. Mary Lake.

The Kimberley Rural OCP includes a St. Mary Lake Shoreline Development Permit Area; however, since the shoreline at Avery Road Access is identified as a low habitat index, it is not included in the development permit area.

4.2 Invasive Plants

Invasive plants are typically non-native plants that have been introduced to British Columbia without the insect predators and plant pathogens that help keep them in check in their native habitats. For this reason and because of their aggressive growth, non-native plants can be highly destructive, competitive and difficult to control.

The Ministry of Forests, Lands, Natural Resource Operations and Rural Development administers the *BC Weed Control Act*. As stated in the *Weed Control Act*, all land owners and occupiers in the Province of BC have a legal responsibility to control provincially and regionally listed invasive plants. The *Weed Control Act* is enforced within the East Kootenay through RDEK Bylaw No. 2711.

The RDEK will coordinate the management of invasive plants within Avery Road Public Access.

4.3 Wildlife

Avery Road Public Access provides access to St. Mary Lake, which is home to bull trout and cutthroat trout, both blue listed species. Blue listed species in BC include indigenous species and subspecies considered to be of special concern because of characteristics that make them particularly sensitive to human activities or natural events.

4.4 Natural Hazards

4.4.1 Alluvial Fans and Flooding

Avery Road Public Access is located in an alluvial fan as noted in Schedule B2, Argyll Creek Hazard Area, of the Electoral Area E Zoning and Floodplain Management Bylaw. Much of Avery Road Park is also located within 7.5 m of the ordinary high water mark of St. Mary Lake, meaning it is within the floodplain. Provincial Flood Hazard Mapping is used to identify hazard areas and primarily relates to establishing flood construction levels and floodplain setbacks for structures intended for dwelling purposes, business, or the storage of goods which are susceptible to damage by floodwater.

Although the current vision of the park and operational strategies do not include plans for structures used to store goods that could be damaged by floodwater, future infrastructure planning should take into account the potential effect of natural hazards on siting infrastructure.

4.4.2 Wildfire

Avery Road Park is identified as being in an area with high wildfire hazard rating. The RDEK will align vegetation maintenance procedures at the park with FireSmart principles. Due to the proximity of the park to residential properties and the high wildfire hazard ratings, installation of fire or cooking facilities are not supported.

5 PARK VISION

5.1 Goal

Provide public lake access for pedestrians and small watercraft that enhances visitor experience and provides opportunity for outdoor, water-based recreation.

5.2 Key Management Issues

The St. Mary Valley Residents Association and property owners adjacent to Avery Road Public Access were consulted during the development of the public access and the preparation of this plan. Residents expressed concerns regarding fire risk from users and a desire to ensure that fire pits are not part of future improvements. Applying FireSmart principles will be considered as part of ongoing park maintenance.

Noxious weed management is an ongoing priority for all RDEK public facilities.

5.3 Public Safety

The RDEK prides itself on the quality of services provided to the public including the condition of RDEK parks in relation to public safety. To reduce the risk of liability associated with park use by the public, the RDEK has developed a detailed park inspection policy which includes frequency and content of inspections and encompasses all aspects of park use in relation to public safety.



6 PRIORITY ACTIONS & COST ESTIMATES

The following is a list of potential improvements to Avery Road Public Access. It is a guideline and does not commit the RDEK to any particular course of action or investment in park infrastructure. The proposed timeframe for the improvements may change depending on future funding, human resource capacity and community involvement. The improvements could be funded through allocating funds through the annual budgeting process. Should a community or stewardship group be interested in performing maintenance or enhancement activities at the public access, alternative funding mechanisms could include community fundraising efforts. The Avery Road Public Access Management Plan will be periodically reviewed by the RDEK. The Plan will also be considered during the preparation of five-year financial plans.

Basic operational and maintenance items such as removing danger trees and invasive plant control are not included in the following list as they are considered to be regular maintenance items included in the annual operating budget.

<u>2019 - 2029</u>	<u>Estimated Cost</u>
Regulatory signage as required	300
<u>Possible Future Improvements</u>	
Kiosk and replacement signage	4,000
TOTAL	\$4,300