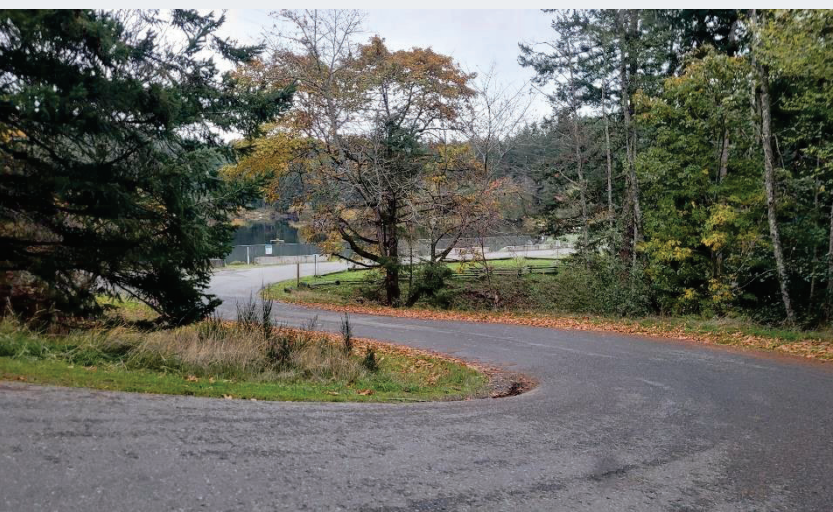




CAPITAL REGIONAL DISTRICT

Magic Lake Estates Community Issues Assessment



FINAL REPORT
March 2024



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Capital Regional District

Magic Lake Estates Community Issues Assessment

FINAL REPORT

March 2024

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Connecting communities every day, from the traditional territories of the Ləkʷəŋən people.

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1. INTRODUCTION

Magic Lake Estates (MLE) is an approximately 600-acre neighbourhood on North Pender Island (see map inset), located on the traditional lands and waters of the Coast Salish peoples. Its origins date back to the 1960s as a vacation home development known as “Gulf Island Estates”. The proposed development is often cited as one of the catalysts for the formation of the Islands Trust in 1974. Today, Magic Lake Estates comprises approximately 1,200 parcels with an estimated population of 1,930 full and part time residents, and is one of the largest, most densely populated residential neighbourhoods in all of the Southern Gulf Islands.



The lands are situated within an unincorporated area of the Capital Regional District (CRD), in the Southern Gulf Islands Electoral Area. Additional local amenities and community voice are provided by the Magic Lake Property Owners Society (MLPOS). In recent years, the MLPOS has identified a number of issues surrounding governance, service delivery, taxation and representation. In October 2021, the MLPOS requested funding from the Ministry of Municipal Affairs (the Ministry”) for a formal governance study to be undertaken for the Magic Lake Estates neighbourhood. Given the range of forms that a governance study can take – from a high-level community issues assessment to a more detailed governance review – the Ministry considered the request and provided funding to the CRD in 2023 to support a Community Issues Assessment (“the study”).

The scope and objectives of the study were outlined in the Terms of Reference as follows:

- Document the current service delivery and governance arrangements;
- Itemize the interests, needs and concerns of the community;
- Describe how decisions are made by the various governments operating within the boundaries of the Magic Lake Water Service Area, including: Capital Regional District, Province of BC, Federal Government, Island Health, and Islands Trust, and Island Health; and
- Engage residents, property owners, and the regional district in the identification of practical methods to address issues under the current system.

Connections Planning Associates Ltd. (CPAL) has been commissioned to assist the CRD and MLPOS in undertaking the study. This report has been prepared as a summary of the background research, interviews with stakeholders and key interested groups, and community engagement conducted as part of the study.

2. BACKGROUND ON GOVERNANCE AND SERVICES

Governance is the framework by which decision-making for the provision of local services functions within a community. For residents and property owners in Magic Lake Estates, decisions on local services, regulations and funding are provided by a number of agencies at varying levels of government. An overview of these agencies is highlighted below, followed by a table of services to Magic Lake Estates residents and their delivery provider.

2.1 *Capital Regional District*

Like most of the island communities in the Salish Sea (with the exception of Bowen Island), North Pender Island is located in an unincorporated area of the province – in this case, within the Southern Gulf Islands Electoral Area of the Capital Regional District. Regional districts are federations of municipalities and unincorporated areas, and were created in the 1960's to provide a variety of local government services to its residents, namely:

- Local government services to unincorporated areas within the electoral areas;
- Region-wide services provided to all electoral areas and municipalities within the regional district; and
- Sub-regional services provided to a subset of communities (municipalities and electoral areas) which agree to receive the services.

The CRD Board currently consists of 24 members, including 3 Electoral Area Directors. The current Electoral Area Director for Southern Gulf Islands is Paul Brent. Electoral area directors are elected to the same 4-year cycle as their municipal counterparts, and they represent the local interests of their constituents as would a municipal council. Voting on issues at the CRD Board table depends on the nature of the service area (i.e. local, sub-regional or regional), and the votes may be weighted or non-weighted depending on the issue.

To help support decision-making at the Board level, there are a number of committees and commissions who provide advice to the CRD on specific programs and services. In relation to Magic Lake Estates, these include the following:

- Magic Lake Water and Sewer Committee
- Pender Island Community Parks and Recreation Commission
- Other broader committees and commissions, e.g. Electoral Areas Committee, Southern Gulf Islands Harbours Commission, Southern Gulf Islands Public Library Commission, etc.

The CRD provides most of the typical local government services to Magic Lake Residents, including water and sanitary sewer (see Figures 1 and 2 on following page for service boundary maps), building inspection, fire protection, and library services. Refer to Table 1 for a more fulsome list of services provided by the CRD.

Figure 2 - Magic Lake Water Service Area (Source: CRD)

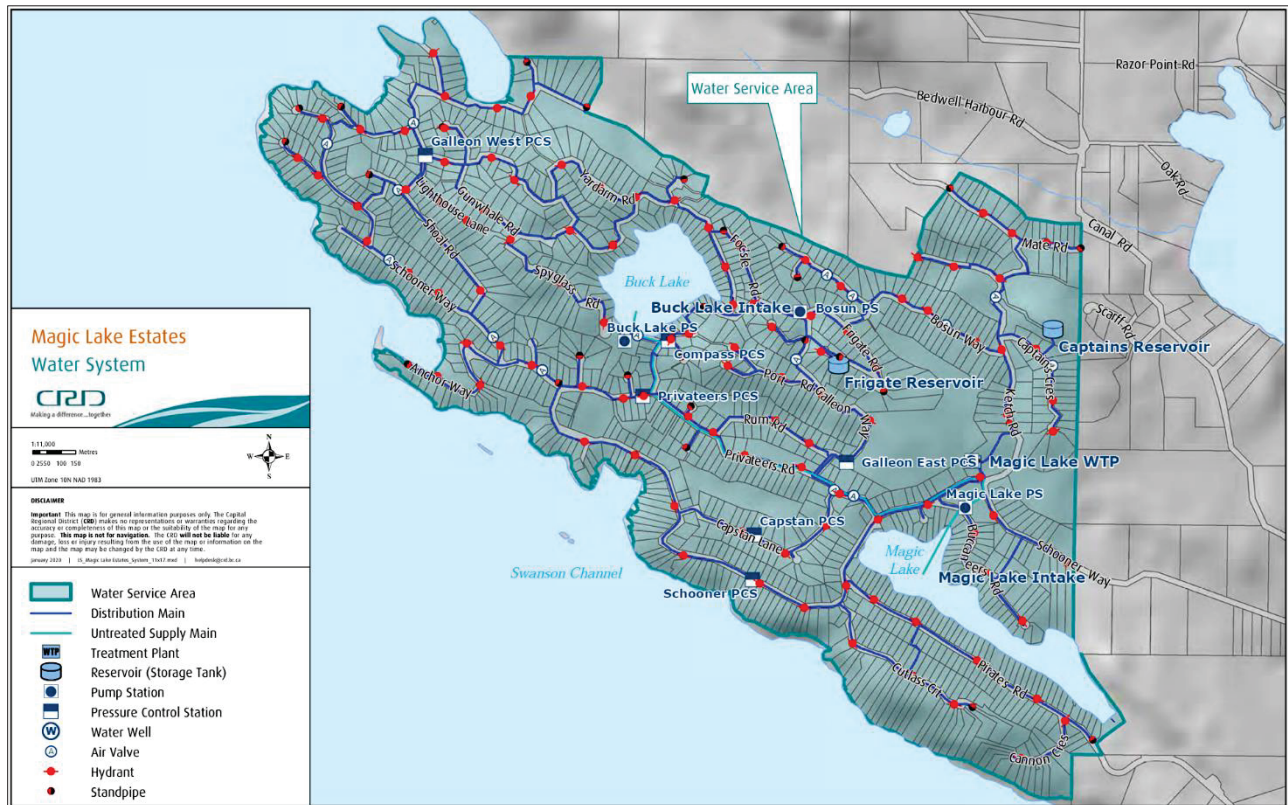
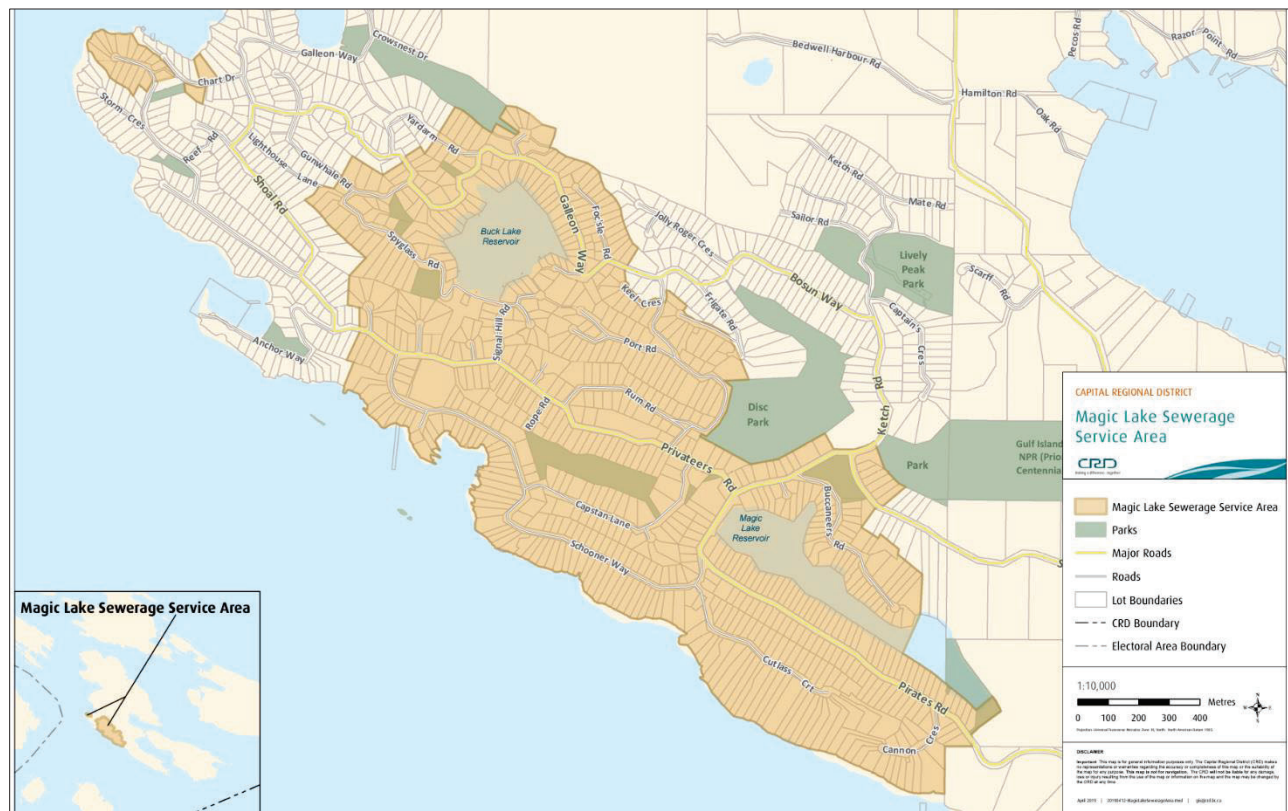


Figure 1 - Magic Lake Sewer Service Area (Source: CRD)



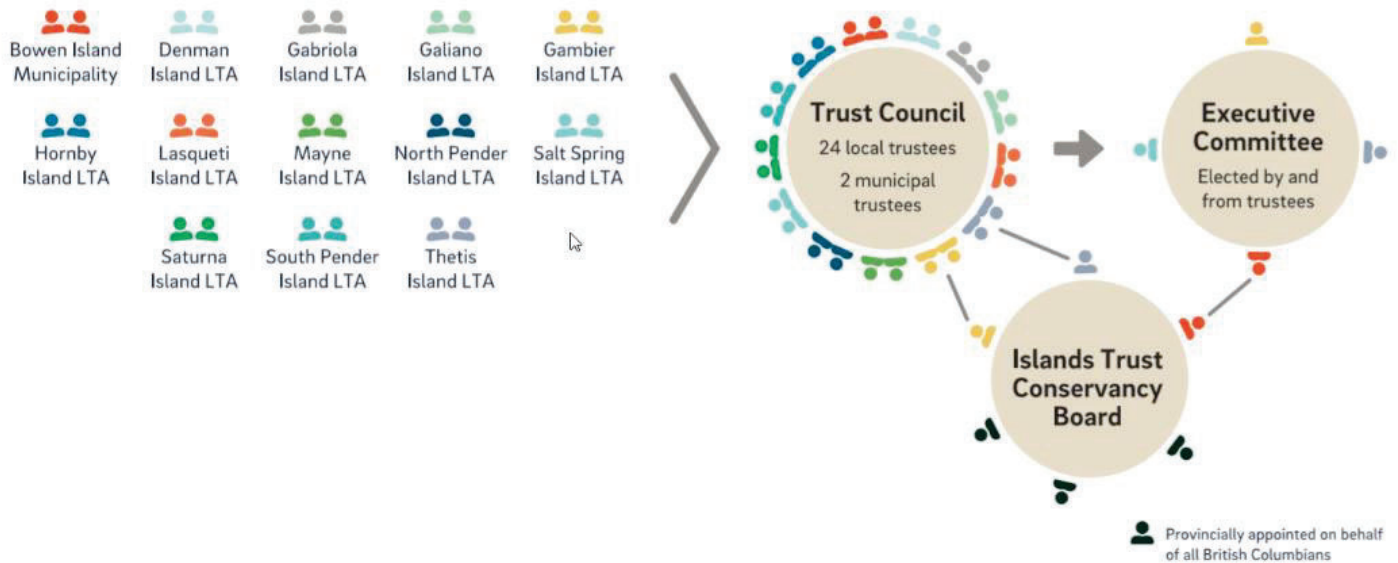
2.2 Islands Trust

Unique to the Gulf Island communities, the Islands Trust is a special purpose government established by the Province of British Columbia in 1974 mandated to manage the lands and environment of over 450 islands in the Salish Sea. The object of the Trust is to *“preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia.”*

The Islands Trust manages lands use planning and regulation, including the preparation and adoption of Official Community Plans (OCPs), Zoning Bylaws, and Subdivision Bylaws, the regulation of soil removal and deposit, and authorization of permits. It is accountable to the Ministry of Municipal Affairs, and is regulated by the Islands Trust Act.

Governance of the Island Trust is through an elected 26-member Islands Trust Council (see Figure 3). This is comprised of two local trustees from each of 12 local trust areas and two municipal trustees from Bowen Island. All land use matters within Magic Lake Estates go through North Pender Island Local Trust Committee, which is comprised of the two North Pender Island Trustees (Aaron Campbell and Deb Morrison) as well a third Trustee from Mayne Island (David Maude), who is the Executive Committee Vice-Chair.

Figure 3 - Islands Trust Governance (Source: Islands Trust)



2.3 Province of British Columbia

The provincial government provides a number of services to all residents of British Columbia, including health, education, provincial highways, provincial parks, BC Assessment Authority and the Municipal Finance Authority. In unincorporated areas, property owners pay a Provincial Rural Tax which helps to fund the maintenance of local roads, which are the responsibility of the Ministry of Transportation and Infrastructure (MOTI). Property owners also pay a separate Police Tax which helps to fund the provincial rural police services through the Royal Canadian Mounted Police (RCMP).



The provincial government is also the collector of property taxes in unincorporated areas, through the Surveyor of Taxes. Please refer to Table 1 for a more detailed breakdown of services by delivery agency.

2.4 Magic Lake Property Owners’ Society

In the mid-1970s, the Magic Lake Property Owners’ Society (MLPOS) was established to provide a number of local community amenities, and to be a voice for residents of Magic Lake Estates. Currently, the MLPOS owns and manages Thieves Bay Marina, tennis/pickleball courts located on Privateers Road (see image), and a playground.



The MLPOS is a registered organization under the Societies Act, with a current Board of Directors/Officers of ten (10) members. The current MLPOS Board Chair is Bob Coulson. Membership in the association is encouraged for all Magic Lake Estates property owners, but is not mandatory.

2.5 Table of Services

As noted above, residents of Magic Lake Estates receive their local services from a variety of service providers rather than from a single municipality. The various agencies and their services provided include, but is not limited to: Province of BC (highways and local roads, subdivision approval, schools, policing, and others), Capital Regional District (water, sanitary sewer, building inspection, regional planning, library and others), Islands Trust (local land use planning), and the Magic Lake Property Owners Association (Thieves Bay Marina, tennis/pickleball courts and a playground). For ease of reference, a summary of local services to Magic Lake Estates residents listed by service provider can be found in the following table.

Table 1 - Summary of Local Services provided to Magic Lake Estates

| Service | MLPOS | CRD | Province / Other |
|---|-------|-----|------------------|
| Thieves Bay Marina | • | | |
| Tennis/Pickleball courts and playground | • | | |
| Regional and Electoral Area General Government | | • | |
| Regional Planning | | • | |
| Regional Hospital District | | • | |
| Regional Parks and Trails | | • | |
| Community Parks and Recreation | | • | |
| Emergency Planning and Preparedness | | • | |
| Fire Protection | | • | |
| Water System (within defined area) | | • | |
| Sewer System (within defined area) | | • | |
| Stormwater Quality Management | | • | |
| Building Inspection | | • | |
| Bylaw Enforcement (e.g. noise, unsightly premises) | | • | |
| Small Craft Harbour Facilities | | • | |
| Library | | • | |
| Health Care (Pender Island Health / Island Health) | | • | • |
| Septic Requirements (Island Health) | | | • |
| Land Use Planning (Islands Trust) | | | • |
| Policing (RCMP contract) | | | • |
| Schools (School District 64) | | | • |
| Subdivision Approval (MOTI) | | | • |
| Roads and Highways (MOTI) | | | • |
| Provincial Parks | | | • |
| BC Assessment Authority / Municipal Finance Authority | | | • |
| Property Tax Collection | | | • |

Abbreviations:

MLPOS – Magic Lake Property Owners' Association

CRD – Capital Regional District

MOTI – Ministry of Transportation and Infrastructure

RCMP – Royal Canadian Mounted Police

3. COMMUNITY ISSUES SURVEY

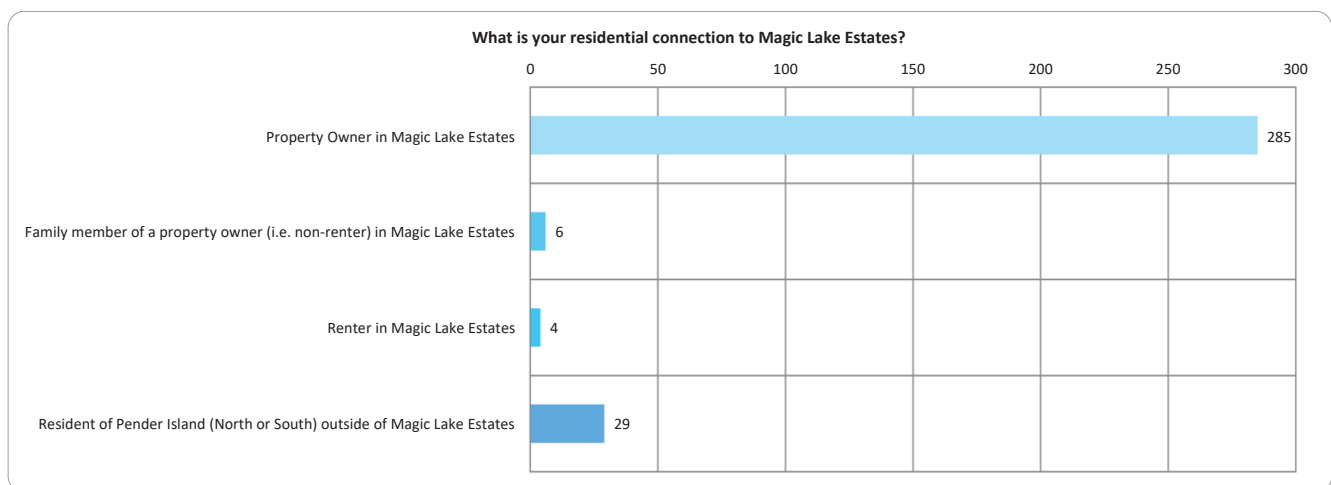
A component of the study was a comprehensive community survey of residents and property owners, in order to obtain key background information about Magic Lake Estates residents as well as gain a better understanding of the level of satisfaction and importance on a variety of local services provided by the various agencies.

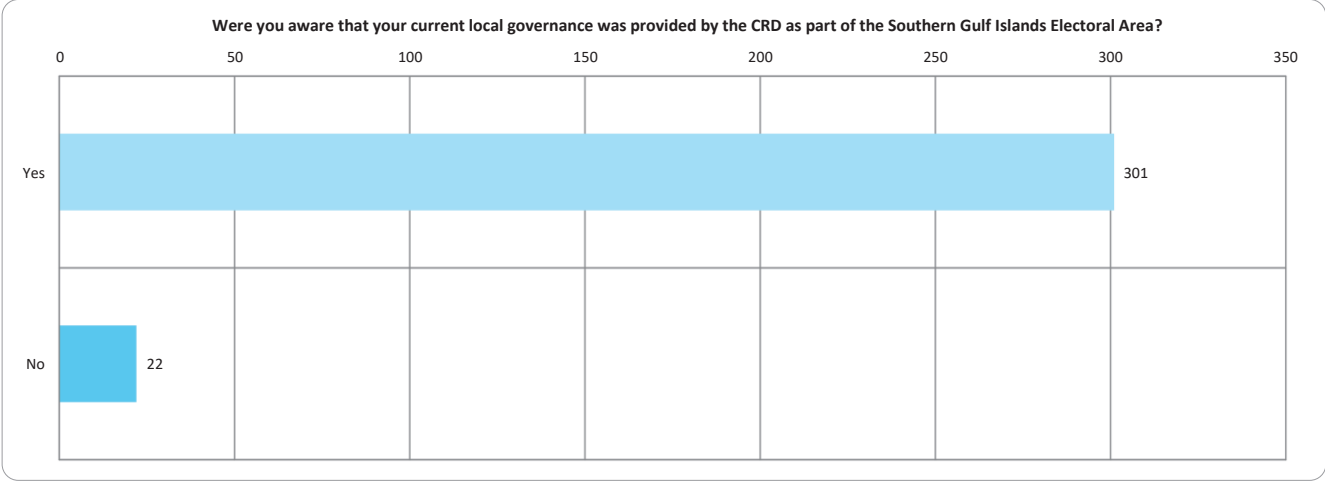
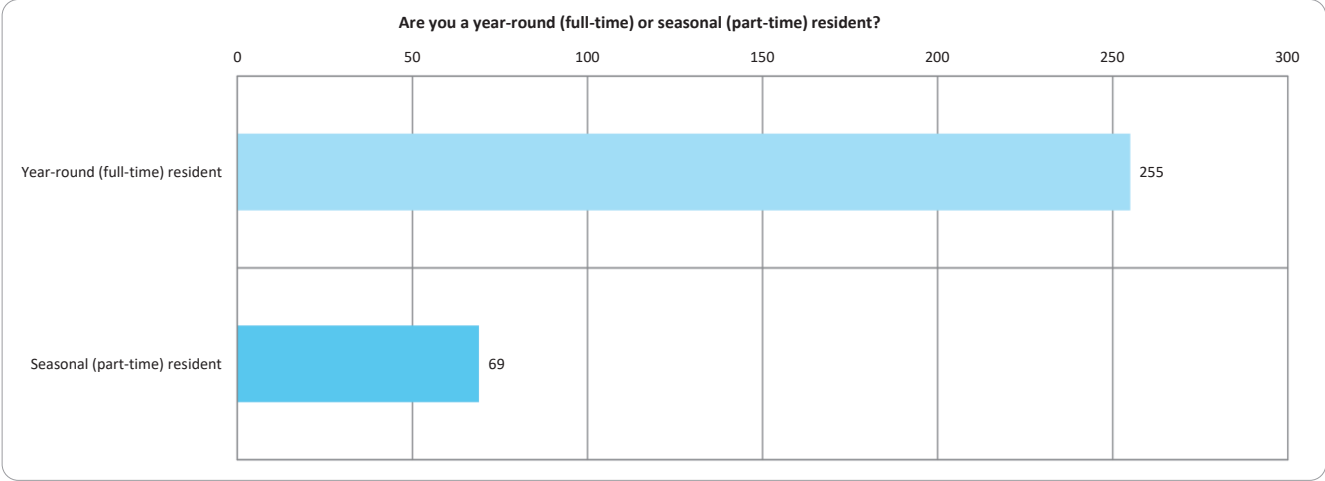
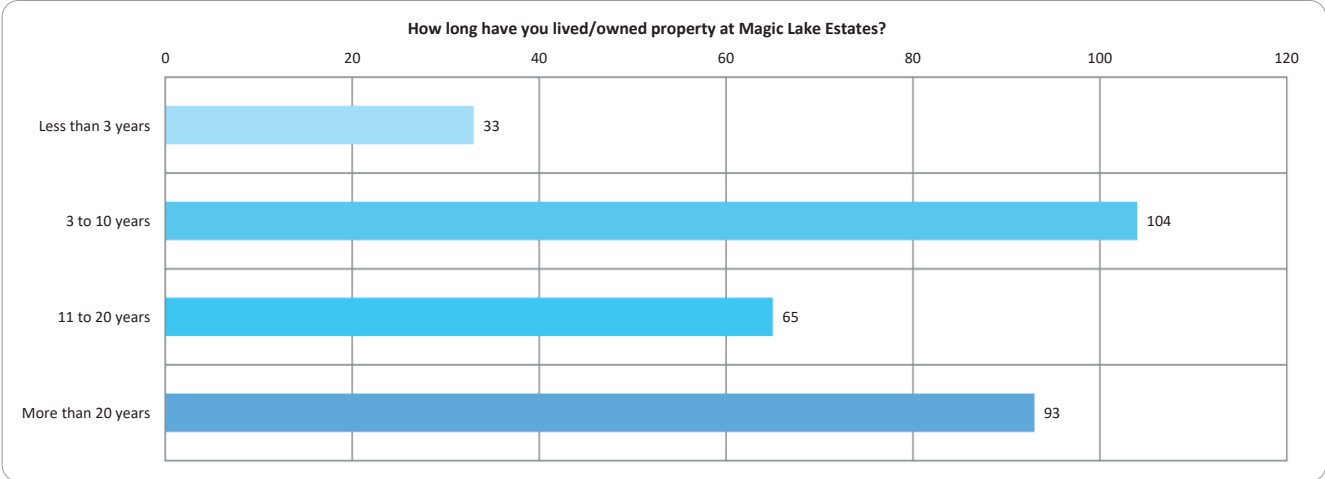
The survey was conducted over a period of 4 weeks, from September 22, 2023 to October 23, 2023. A copy of the survey template is provided in Appendix A. In preparation for the survey and community discussions, residents were asked to reflect on the following questions:

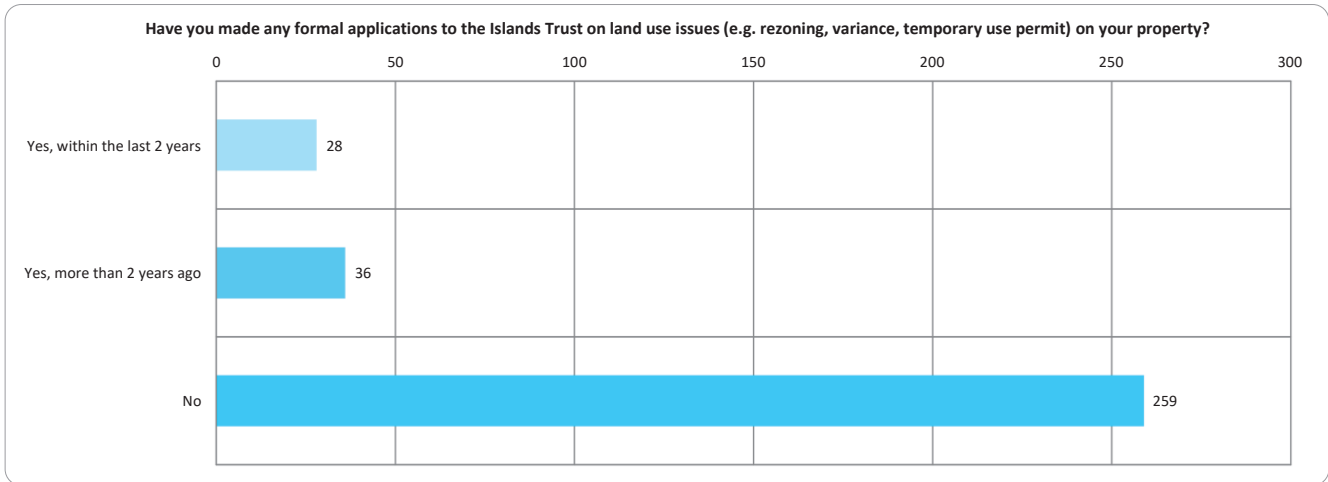
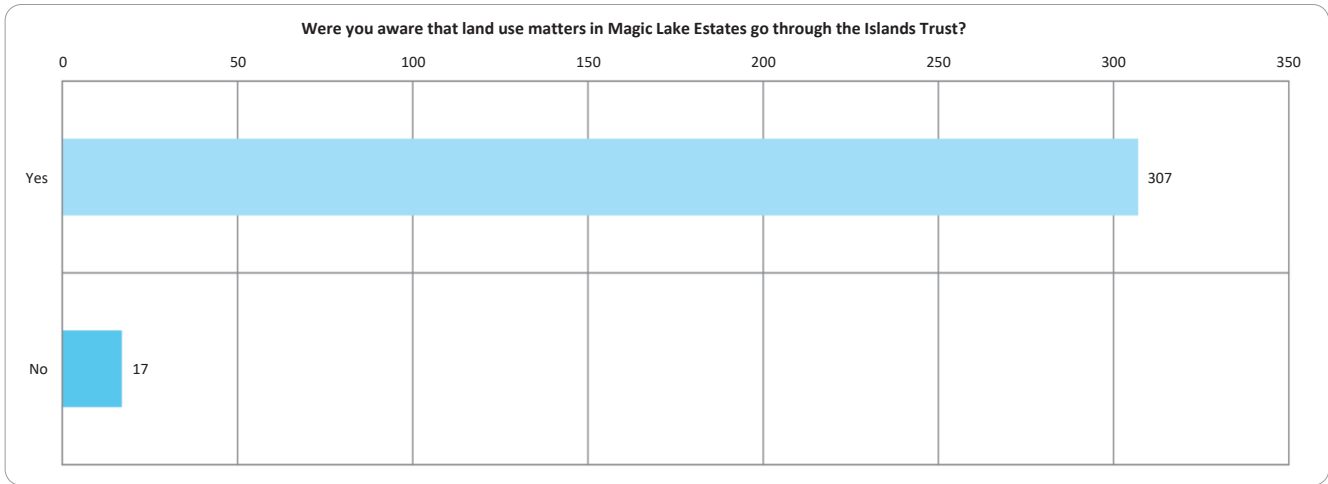
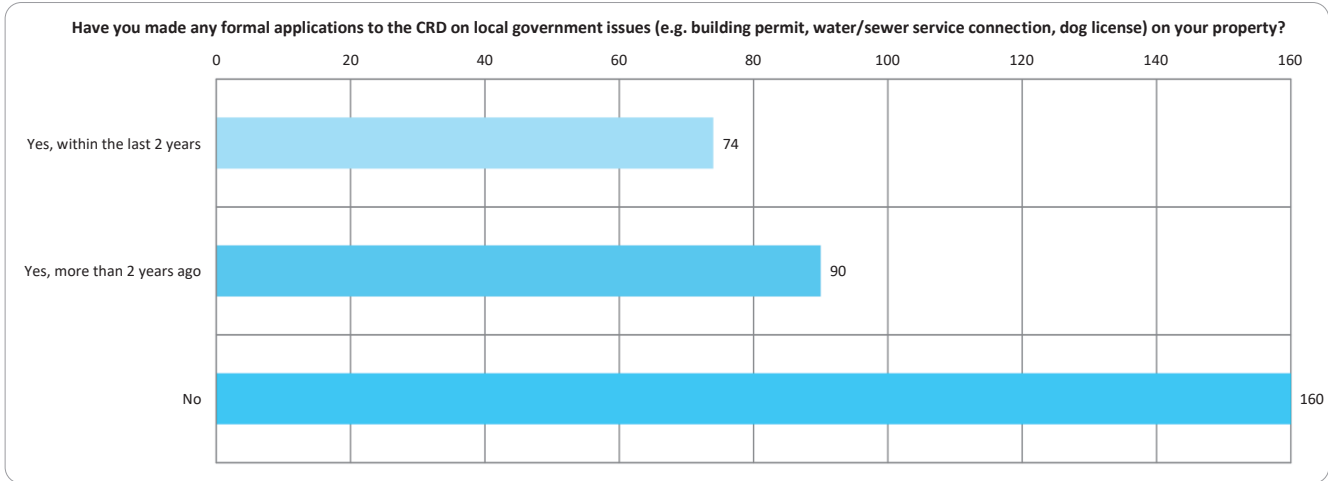
- Does Magic Lake Estates receive all the local services it needs? Are there some services that should be added or removed?
- Are current service levels appropriate? Are there existing levels that should be enhanced or reduced?
- Do you have concerns with any specific services? If so, which one(s)?
- In general, do you feel that you receive good value for the property taxes you pay?
- Do you think that Magic Lake Estates residents have sufficient input into, and influence over, decisions on the services that they receive?
- In unincorporated areas like Magic Lake Estates, services are coordinated through a variety of agencies. Is the inter-agency coordination of service delivery sufficient, and if not, how can it be improved?
- What could the Regional District do to help address your local government service and governance concerns?

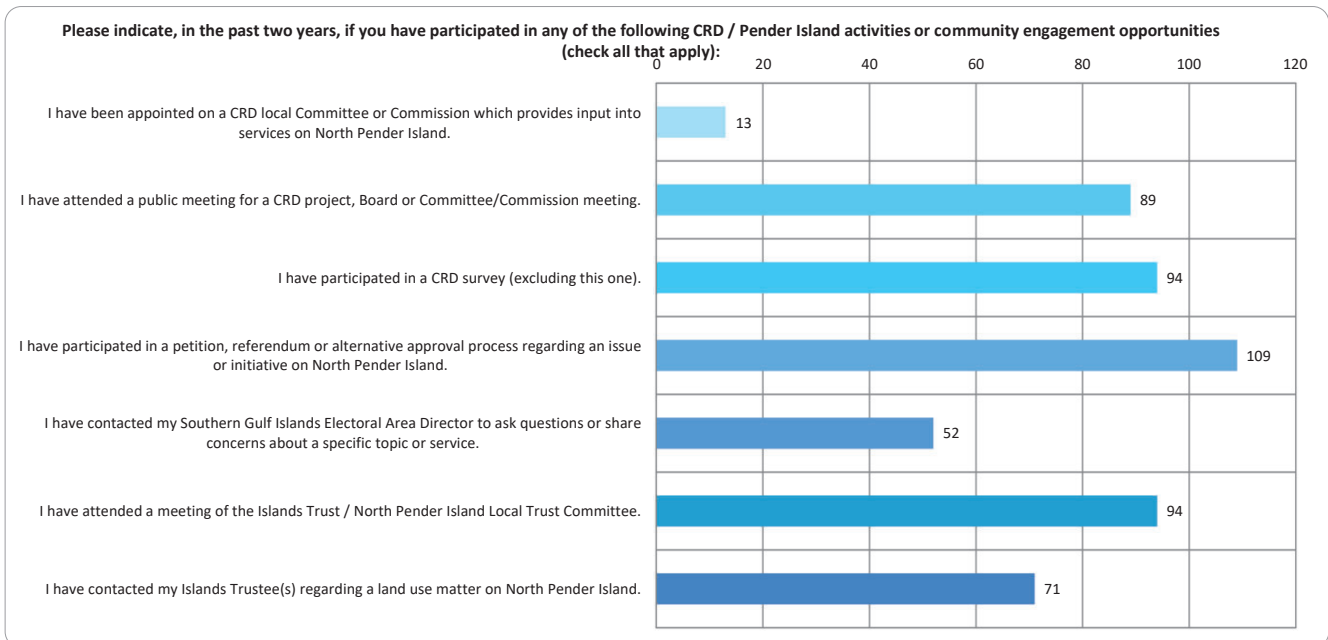
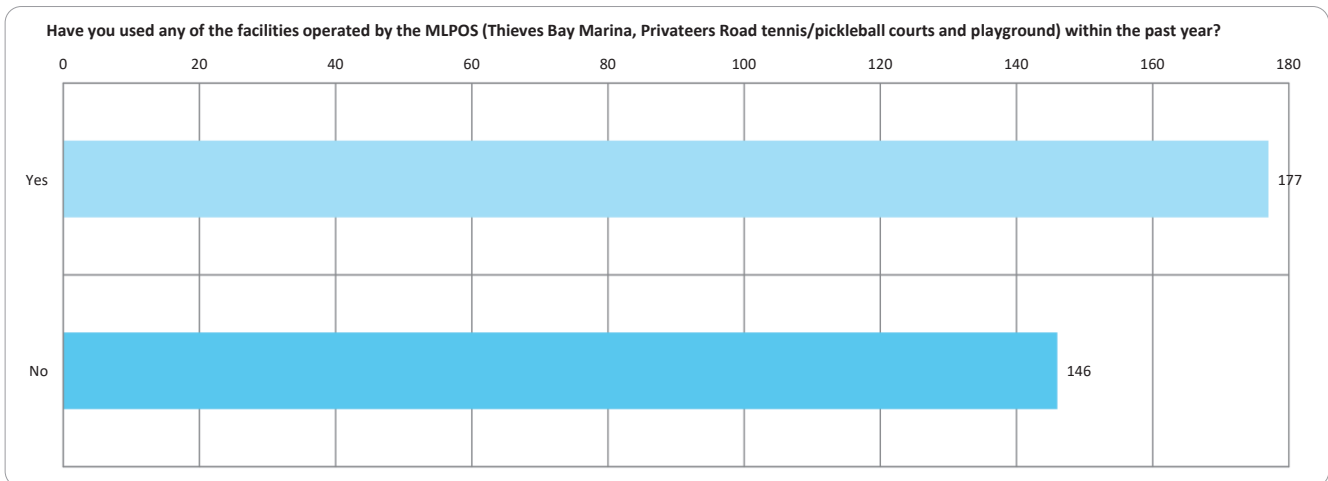
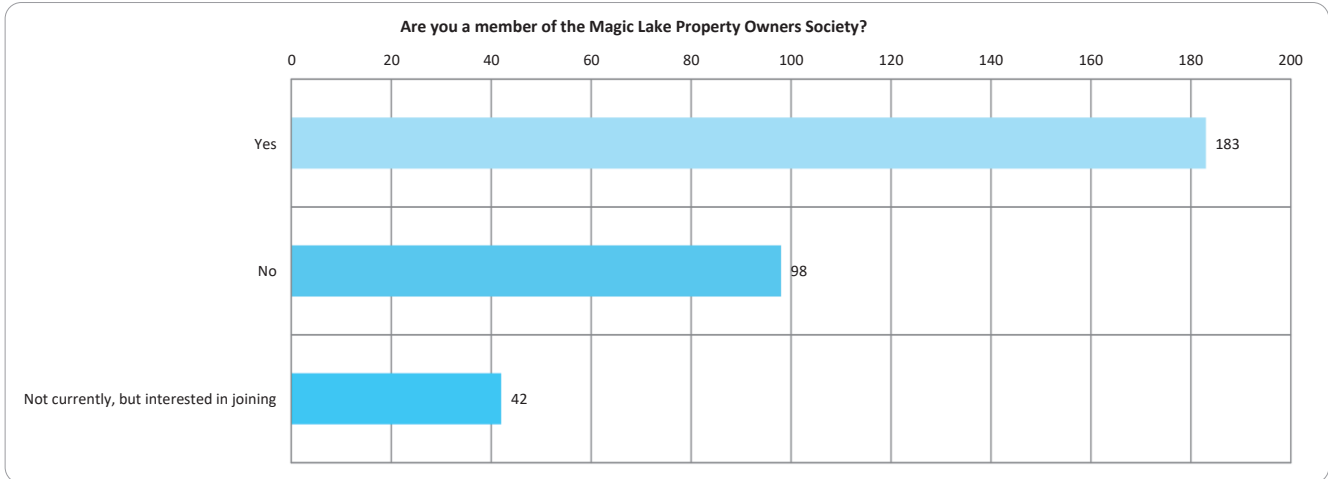
3.1 General Survey Questions

A total of 324 responses were received, with the vast majority of respondents (91%) being residents of Magic Lake Estates. A number of introductory questions were asked, with a summary of responses indicated in the following graphs:









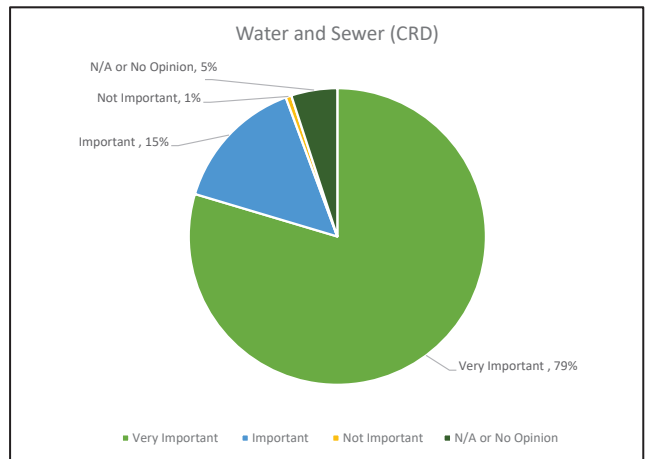
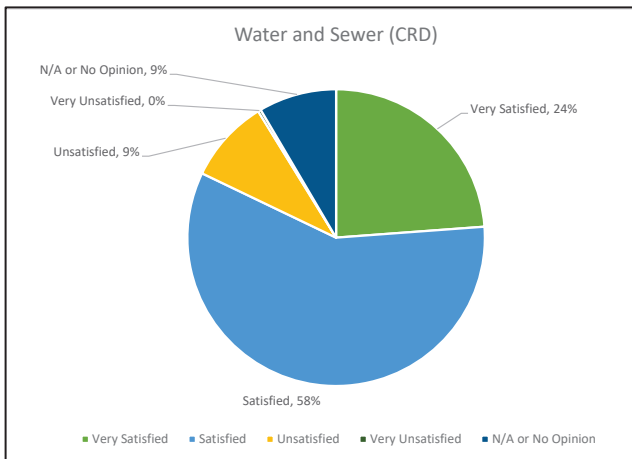
3.2 Local Services – Satisfaction and Importance

As discussed in Section 2 of this report, local services to Magic Lake Estates residents are provided by a variety of service providers. As part of the survey, the services were introduced individually to obtain feedback from respondents on the Level of Satisfaction and the Level of Importance residents placed on each. Respondents were asked to rate each service based on the following scale:

| | | | | |
|----------------|-----------|---------------|------------------|-------------------|
| Very Satisfied | Satisfied | Unsatisfied | Very Unsatisfied | N/A or No Opinion |
| Very Important | Important | Not Important | Very Unimportant | N/A or No Opinion |

In addition, many respondents included comments with respect to individual services. All written comments were reviewed and have been summarized within each respective service.

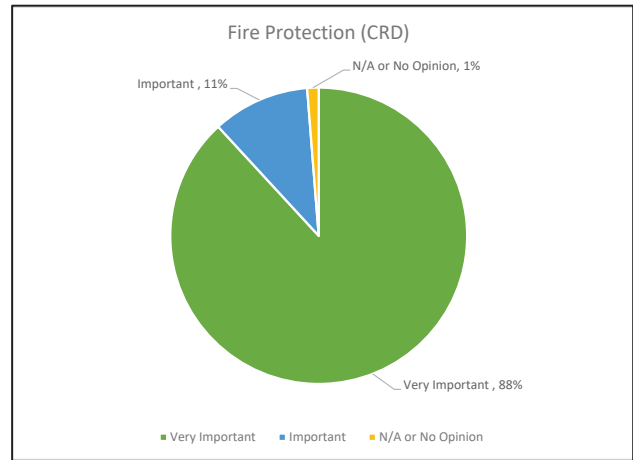
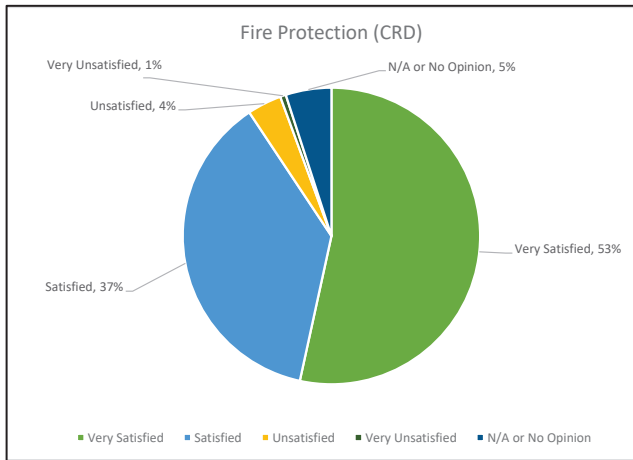
3.2.1 Water and Sewer (CRD)



Comments:

- Very important services (water and sewer), but cost is an issue
- Approximately 70% of properties within the Magic Lake Water Service Area are connected to the Magic Lake sewer system (718 of 1,036 parcels), with the remaining 30% on individual septic systems.
- Sewer pipe replacement challenges
- Some issues with water quality, especially from Buck Lake
- Protection of water source is very important

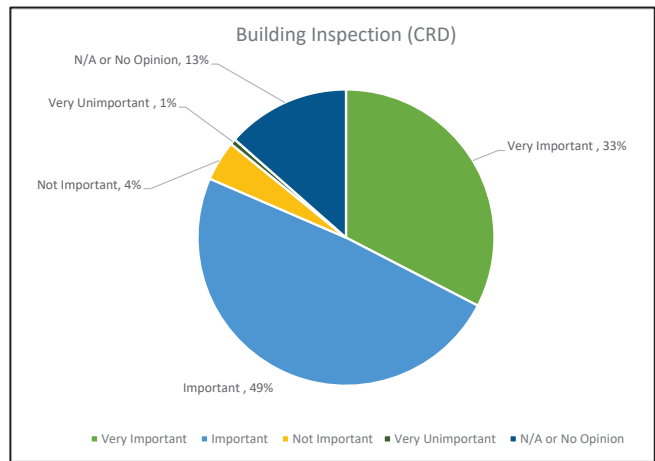
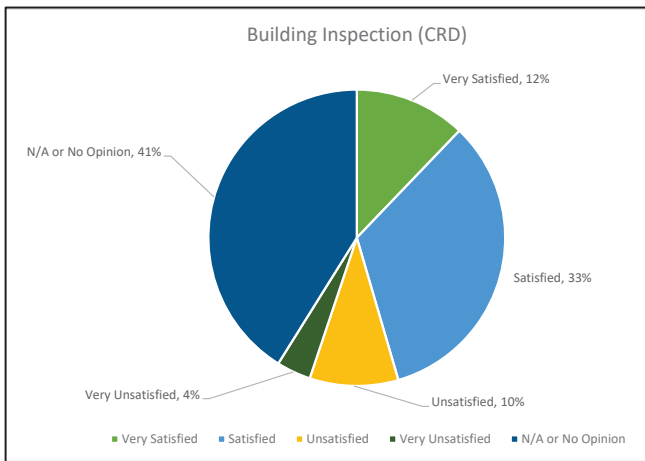
3.2.2 Fire Protection (CRD)



Comments:

- Dedicated group of volunteers, who do an excellent job
- Some felt costs were high, others felt more investment required
- More education on wildfire protection needed

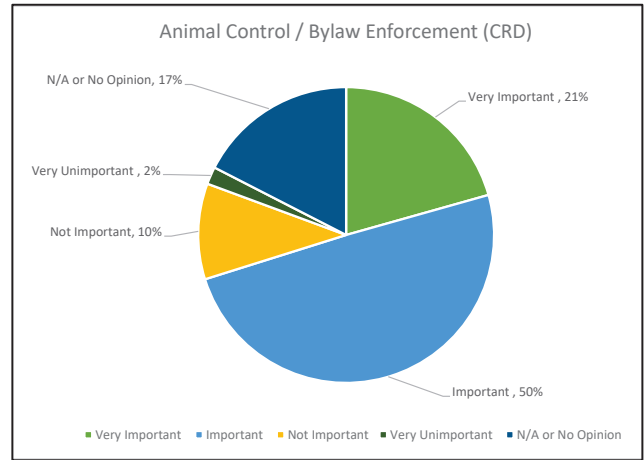
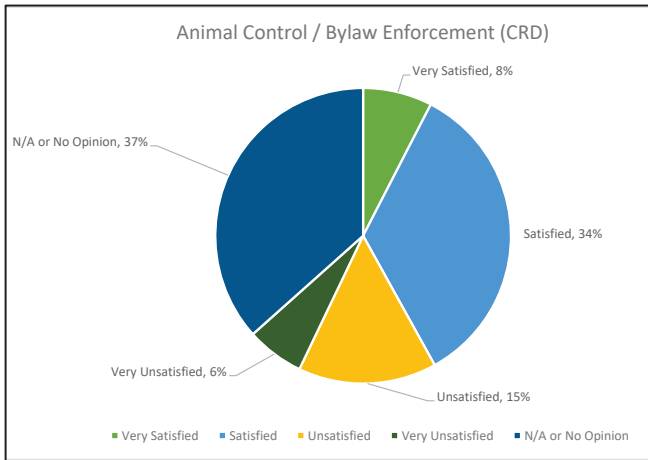
3.2.3 Building Inspection (CRD)



Comments:

- Generally good experience for those involved, with a few challenges with specific situations
- Would help to have more than one building inspector
- Some issues with red tape and cost

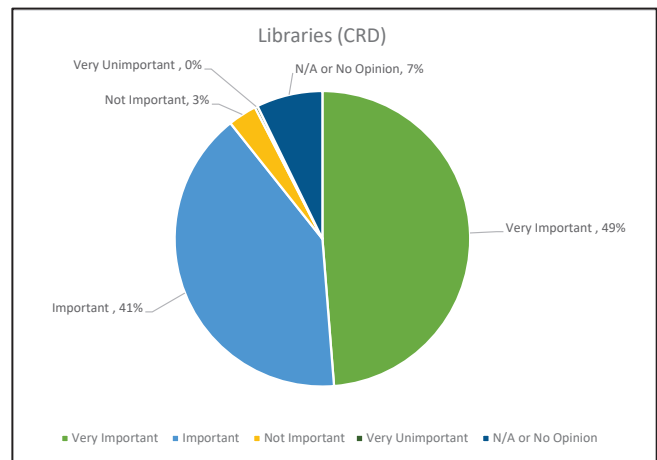
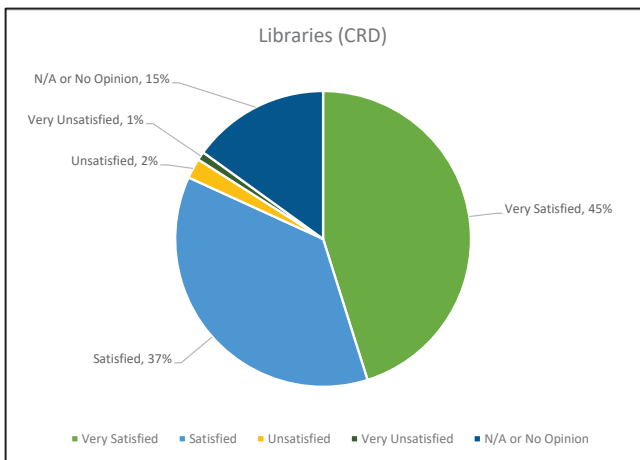
3.2.4 Animal Control / Bylaw Enforcement (CRD)



Comments:

- Generally good services provided by animal control
- Some challenging situations e.g. off-leash dogs and domestic cat concerns
- Other challenges with bylaw enforcement i.e. lack of
- Some deer issues

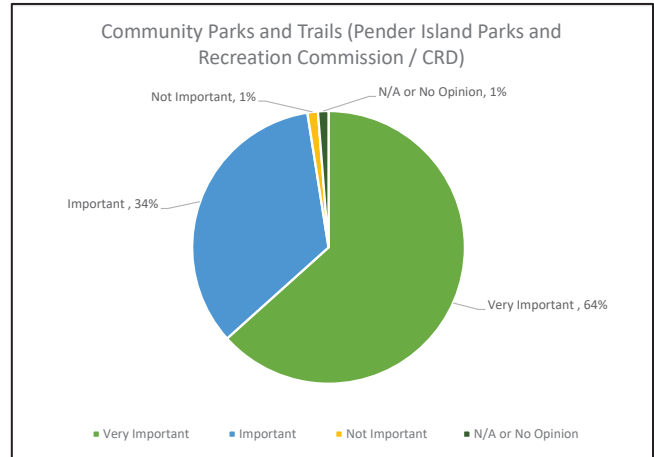
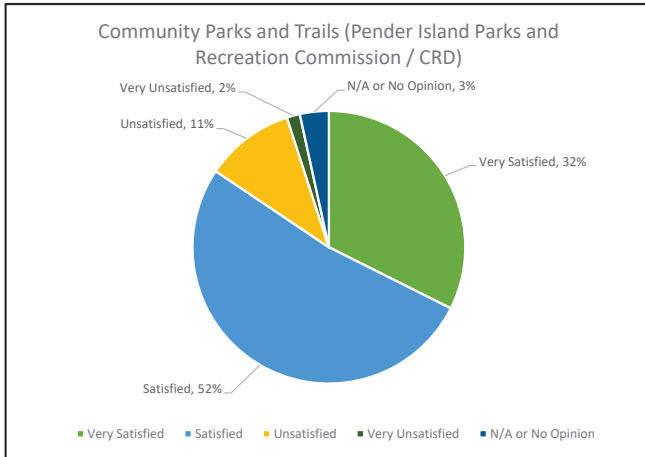
3.2.5 Libraries (CRD)



Comments:

- Excellent facility, important service to have
- Would like more online services
- Not being used to its full potential

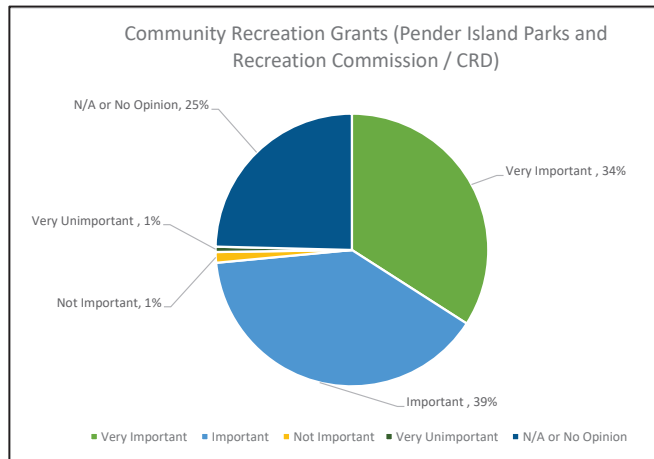
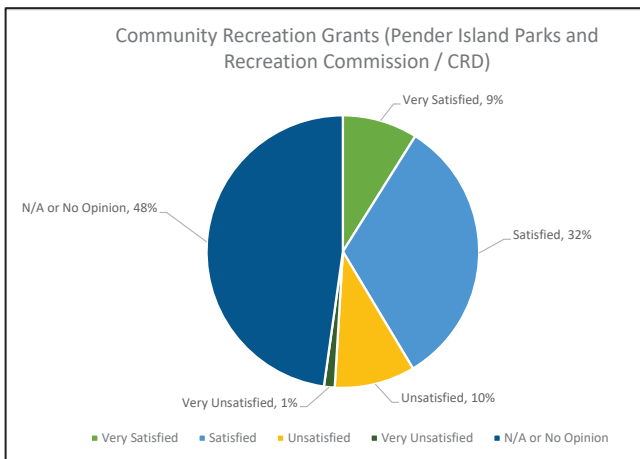
3.2.6 Community Park and Trails (Pender Island Parks and Recreation Commission / CRD)



Comments:

- Good network of parks and trails, more multi-use pathways desired
- Dog park issues
- Some parks in need of additional attention, i.e. maintenance
- Improvements needed for those with mobility challenges
- Questions about who operates certain parks, e.g. Danny Martin Ball Park (operated by the Pender Island Youth Sports Association under license from Pender Island Parks and Recreation Commission)

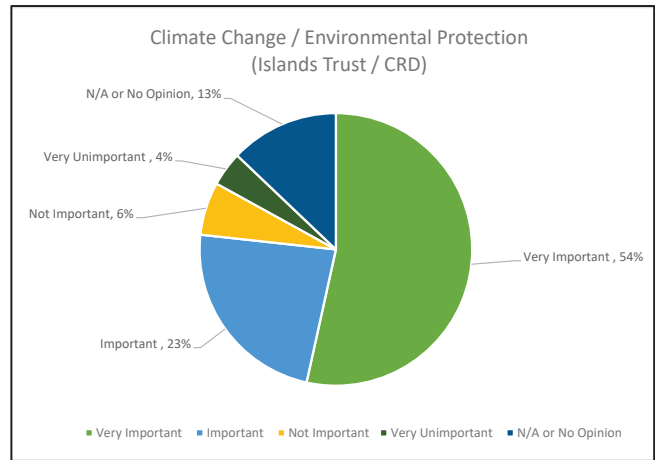
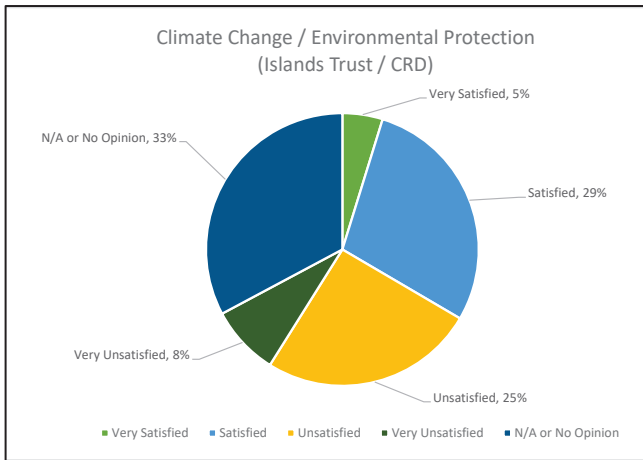
3.2.7 Community Recreation Grants (Pender Island Parks and Recreation Commission / CRD)



Comments:

- Generally not much awareness / information about grants
- More resources / funding needed, as it is over subscribed

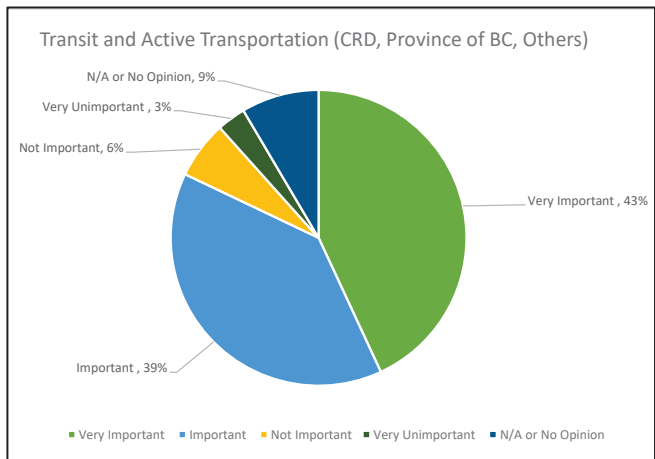
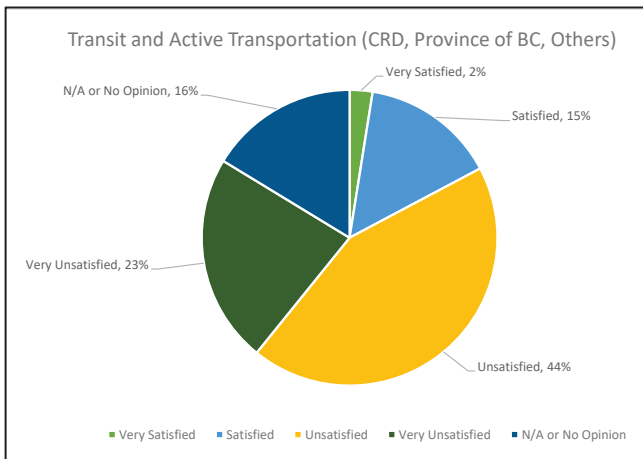
3.2.8 Climate Change / Environmental Protection (Islands Trust / CRD)



Comments:

- Climate change is important, but many obstacles so progress is challenging
- Managing invasive species
- A number of comments asking what the CRD can realistically do in this area

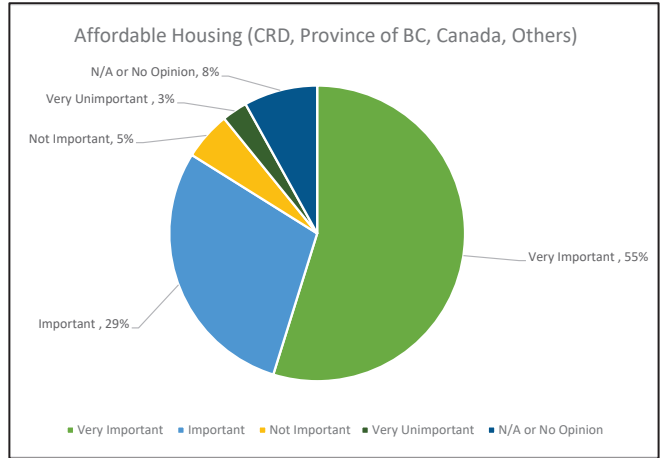
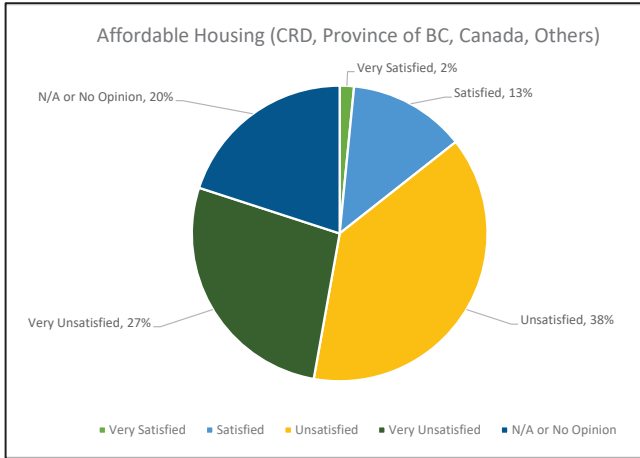
3.2.9 Transit and Active Transportation (CRD, Province of BC, Others)



Comments:

- Many comments regarding the recent Active Transportation referendum, which did not pass
- Desire for local/seasonal bus service
- More cycling facilities
- Ferry service challenges
- Road system challenges
- Car stops are great

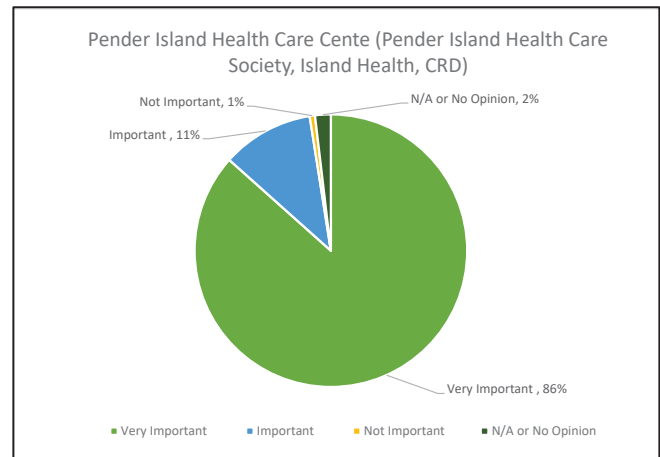
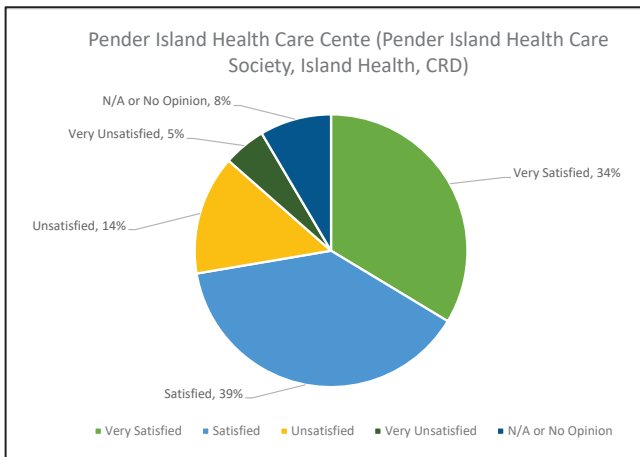
3.2.10 Affordable Housing (CRD, Province of BC, Canada, Others)



Comments:

- Important and desperate need for affordable housing, especially for local workers
- Bylaw changes to allow secondary and rental units, but challenges with Short Term Rentals
- Complicated issue with many organizations involved

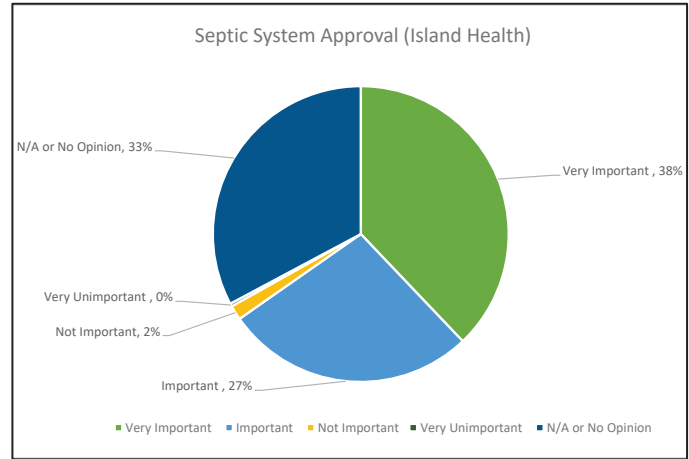
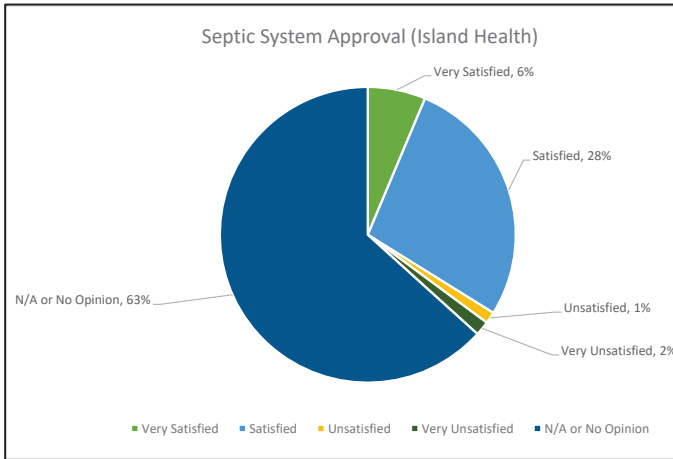
3.2.11 Pender Island Health Care Centre (Pender Island Health Care Society, Island Health, CRD)



Comments:

- Grateful for the excellent service given the limited population
- Challenges with attracting and retaining doctors
- Needs more resources, run more like a full Island Health facility

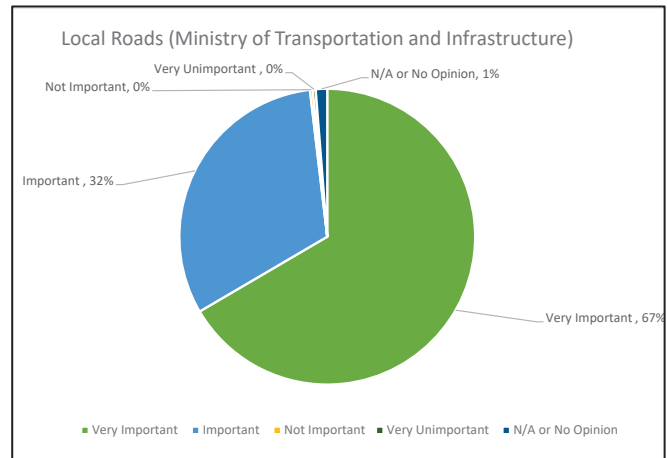
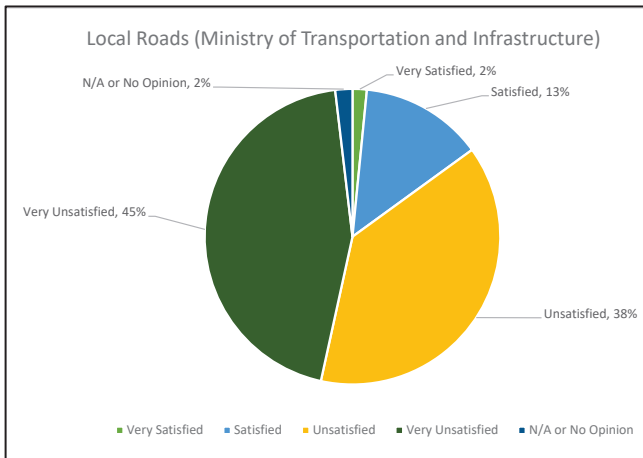
3.2.12 Septic System Approval (Island Health)



Comments:

- An important service, although most are on community sewer system
- Should be approved by CRD instead of Island Health

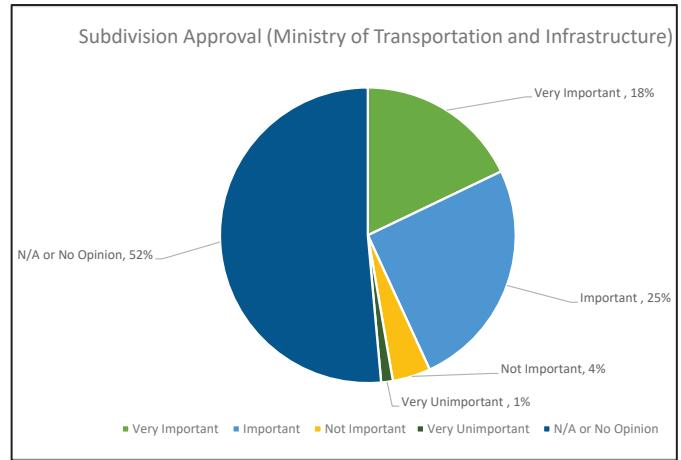
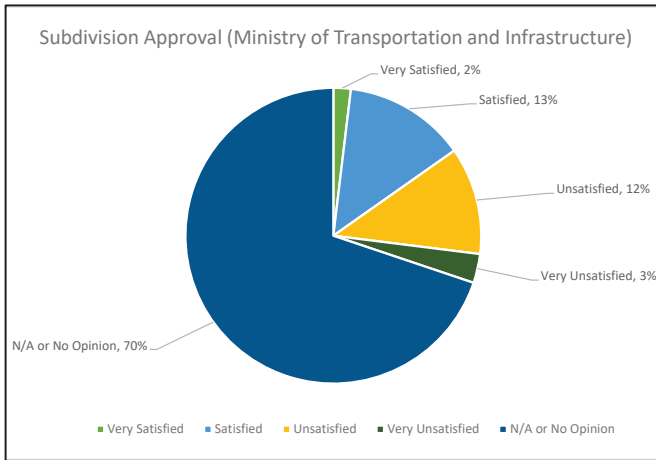
3.2.13 Local Roads (Ministry of Transportation and Infrastructure)



Comments:

- Numerous issues with road conditions and lack of line painting
- Road maintenance is hit and miss, i.e. numerous potholes in certain areas
- Safety concerns - blind corners, speed, additional signage required
- Lack of cyclist facilities
- Numerous comments about "the dip" (Canal Road dip slide)
- Largest number of comments from survey respondents

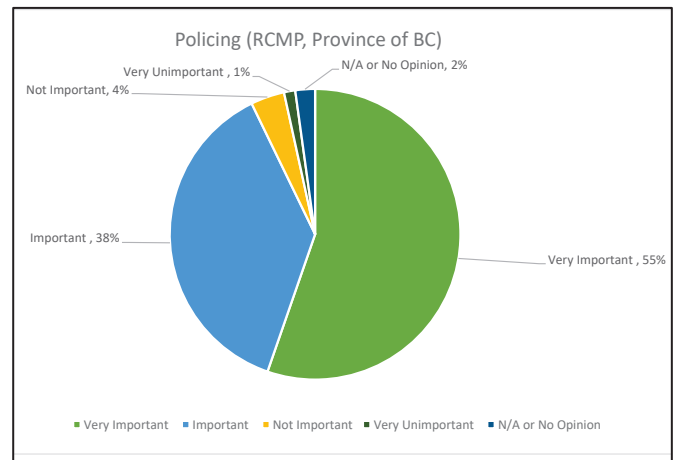
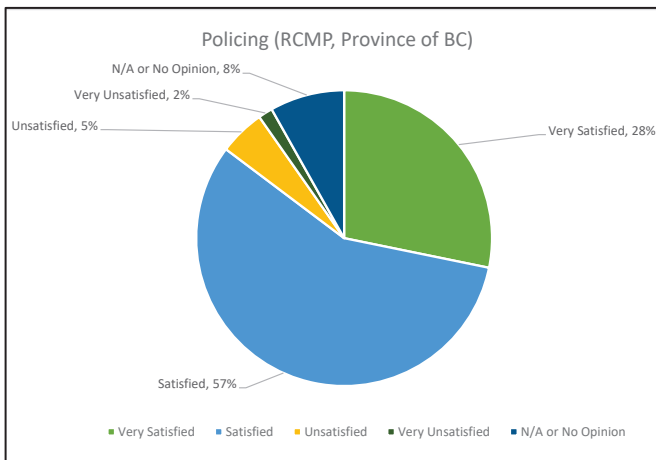
3.2.14 Subdivision Approval (Ministry of Transportation and Infrastructure)



Comments:

- Not too many experiences, given that MLE is largely subdivided out
- Some would like to potentially subdivide in the future
- Consider water supply for future subdivisions

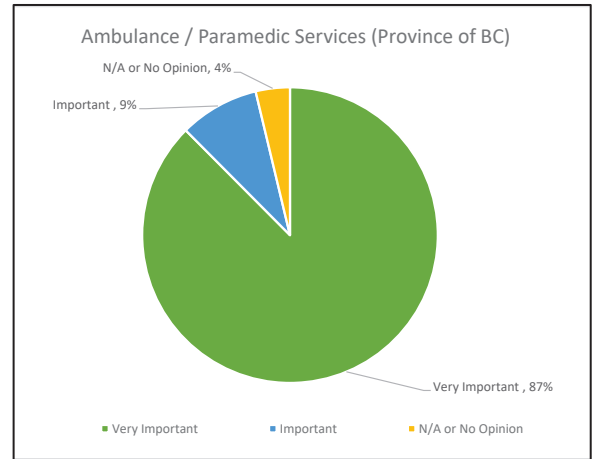
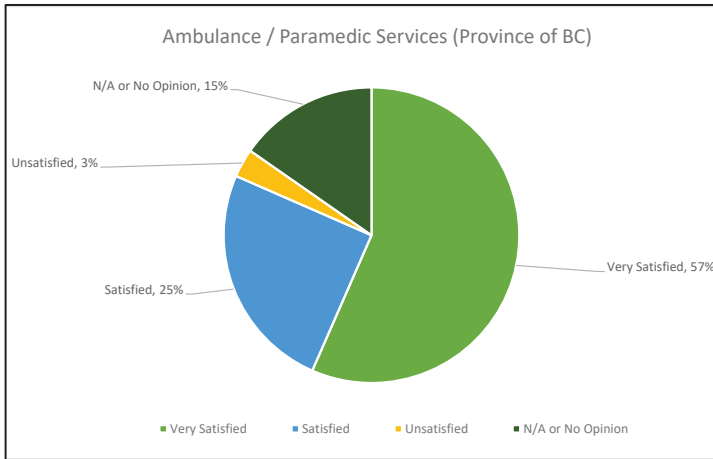
3.2.15 Policing (RCMP, Province of BC)



Comments:

- Generally good service, seen as draw for living on Pender Island (i.e. public safety)
- Potential for over-policing given the types of issues seen on the island

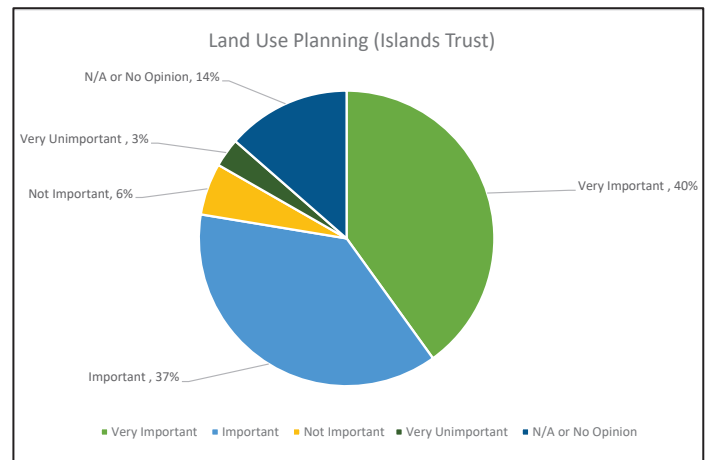
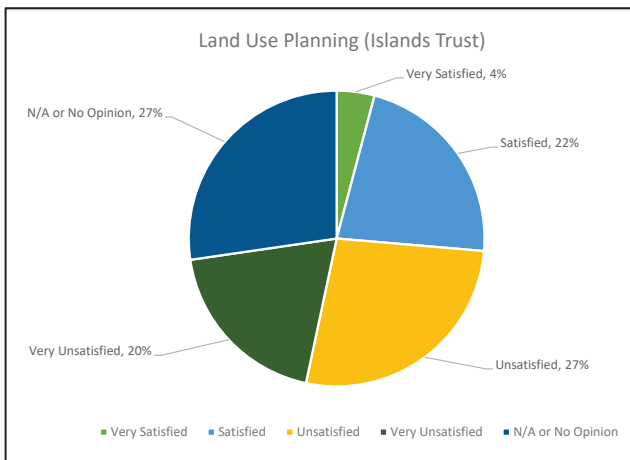
3.2.16 Ambulance / Paramedic Services (Province of BC)



Comments:

- Good service, appreciative of first responders
- Concerns about future staffing / recruiting issues

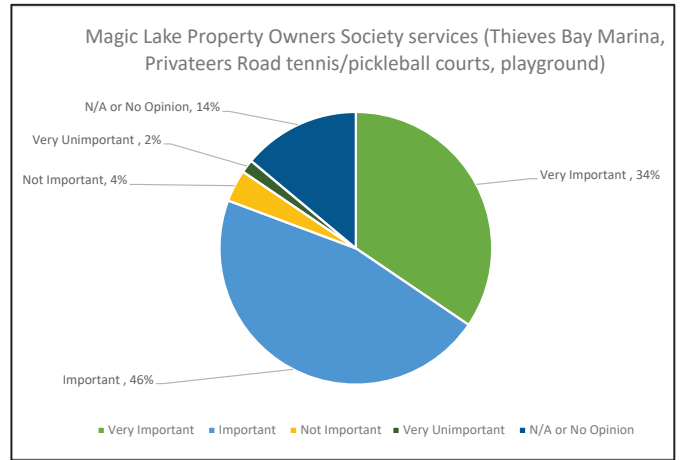
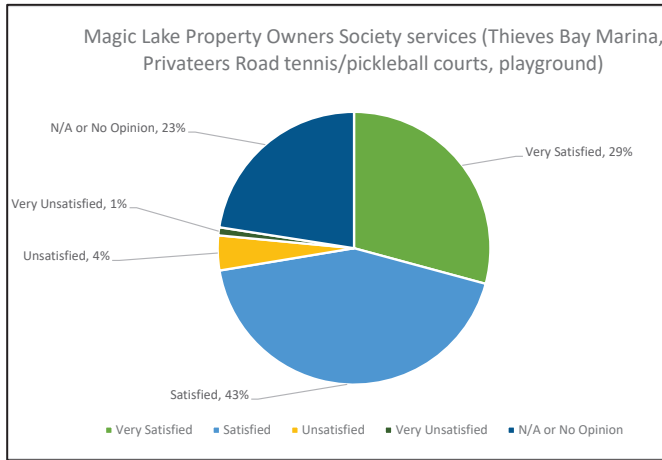
3.2.17 Land Use Planning (Islands Trust)



Comments:

- Land use planning is important, to address growth management concerns
- While some saw value in the mandate of the Islands Trust, many expressed challenges with the Islands Trust structure and service delivery model
- Expand housing density as appropriate, more commercial spaces
- Protect sensitive ecosystems

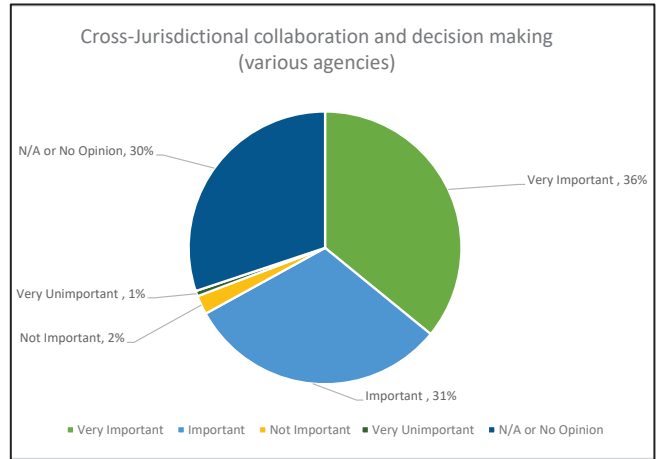
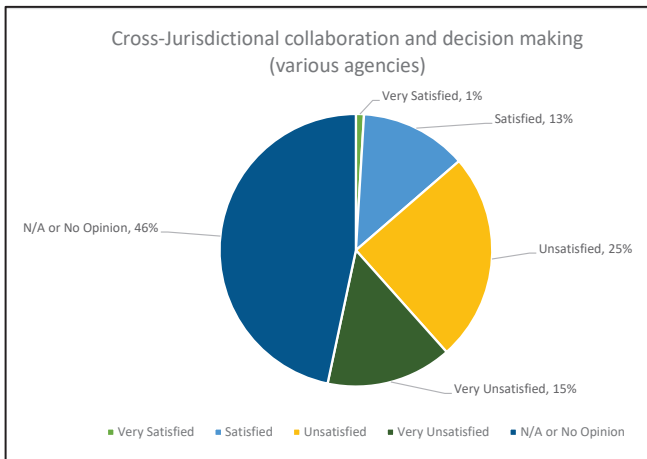
3.2.18 Magic Lake Property Owners Society services (MLPOS)



Comments:

- Good service delivery, appreciate the volunteers
- New facilities, e.g. separate pickleball courts
- Thieves Bay park/marina valued, but some areas could use maintenance
- MLPOS seen as an advocate for the neighbourhood

3.2.19 Cross-jurisdictional collaboration and decision making (various agencies)



Comments:

- Challenges of crossover jurisdictions i.e. overlap
- Too many layers / duplication
- Better and more efficient communications required, e.g. semi-annual meetings between parties
- A few were not aware / not understanding the question

3.3 Additional Survey Comments

In addition to the rated responses provided above, respondents were asked if there were any additional local services or issues not mentioned, with the following additional suggestions provided:

- Inter-island passenger only ferry service
- Alternative transportation, e.g. allow electric scooters on roads
- Community gardens
- Enhanced garbage/recycling collection
- Health care / doctor shortage
- Faster / lower cost internet

Finally, respondents were provided an opportunity to provide any additional comments, which are summarized below:

- Concentrate on making existing services more efficient, would like to see more for the taxes paid
- Keep it simple, we are rural
- Governance of Pender Island is complex and could be improved, streamlined or consolidated

3.4 Services Summary

Based on the survey responses, a “scatterplot” was created which mapped out the percentage of responses that were Very Satisfied and Satisfied against the percentage of responses that were Very Important and Important. The resulting graph is provided on the following page. It should be noted that while the level of satisfaction (x-axis) is shown between 0% and 100%, the level of importance (y-axis) begins at 80% and goes to 100%, as there was no service identified with a level of importance less than 85%. For the 19 services reviewed, they generally fall into 3 categories:

High Satisfaction / High Importance – eleven (11) of these services fall into this category, including the following (sorted by level of satisfaction):

| | | |
|---------------------------------------|------------------|-----------------|
| • Ambulance / Paramedic Services | 96% Satisfaction | 100% Importance |
| • Libraries | 96% Satisfaction | 96% Importance |
| • Fire Protection | 95% Satisfaction | 100% Importance |
| • Policing | 93% Satisfaction | 95% Importance |
| • Magic Lake Property Owners Services | 93% Satisfaction | 94% Importance |
| • Septic System Approval | 92% Satisfaction | 97% Importance |
| • Water and Sewer | 90% Satisfaction | 99% Importance |
| • Community Parks and Trails | 87% Satisfaction | 99% Importance |
| • Pender Island Health Care Centre | 79% Satisfaction | 99% Importance |
| • Community Recreation Grants | 79% Satisfaction | 97% Importance |
| • Building Inspection | 77% Satisfaction | 94% Importance |

Medium Satisfaction / Medium Importance – four (4) of the services fall into this category, including the following (sorted by level of satisfaction):

| | | |
|---|------------------|----------------|
| • Animal Control / Bylaw Enforcement | 66% Satisfaction | 85% Importance |
| • Subdivision Approval | 51% Satisfaction | 89% Importance |
| • Climate Change / Environmental Protection | 50% Satisfaction | 88% Importance |
| • Land Use Planning | 36% Satisfaction | 90% Importance |

Low Satisfaction / High Importance – four (4) of the services fall into this category, including the following (sorted by level of satisfaction):

| | | |
|--------------------------------------|------------------|----------------|
| • Cross-Jurisdictional Collaboration | 26% Satisfaction | 96% Importance |
| • Transit and Active Transportation | 21% Satisfaction | 90% Importance |
| • Affordable Housing | 18% Satisfaction | 91% Importance |
| • Local Roads | 15% Satisfaction | 99% Importance |

While the respondents were generally satisfied with the majority of services, whilst also attaching a high importance to them, four of the services stood out as having low satisfaction/high importance ratings, namely: cross-jurisdictional collaboration (given the many service providers); transit and active transportation (possibly due to the recent failed referendum); affordable housing (an issue faced in communities across Canada) and local roads (under the jurisdiction of MOTI). These topics were further explored and discussed with the community during the information sessions, described further in the next section.

Services Scatterplot - Satisfaction vs. Importance

