

## **Terms of Reference:**

### **Regional District of Nanaimo Electoral Area F Boundary Study**

#### **1.0 BACKGROUND**

In 2022, the Ministry of Municipal Affairs (Ministry) contributed funding for a Governance and Services Study within Electoral Area F of the Regional District of Nanaimo (RDN) to document service delivery and governance arrangements, engage with local community members to understand their concerns and interests, and identify potential future governance and service delivery options for the area.

The resident Electoral Area F Governance and Services Study Committee established to oversee the study presented their final report to the RDN Board in May 2023. The report recommended undertaking an incorporation study for Electoral Area F. The RDN Board subsequently requested approval and sought funding from the Ministry for such a study.

In its evaluation of the request, the Ministry identified several reasons why proceeding directly to an incorporation study was not appropriate for Electoral Area F:

- The findings from the governance study included residents' desire to have robust land use and planning bylaws in place to protect the rural environment. Many of these issues can be addressed through the Official Community Plan, which is currently being updated.
- Public participation rates for community outreach events held during the governance study were low.
- Incorporation of the entire Electoral Area is not viable due to the number of farms that would be impacted (e.g., farms are taxed at a higher rate in municipalities).
- There is not a strong sense of shared identity across the communities in Electoral Area F.
- The Electoral Area F Governance and Services Study did not specify which portion of the Electoral Area is most suitable for incorporation.

The Ministry recognizes there is a strong desire from the RDN to build on the momentum of the Governance and Services Study. To address some of the above concerns, the Ministry provided a \$45,000 grant to the RDN to undertake a boundary study in Electoral Area F. Such a study would help determine any viable boundaries within the Electoral Area that would be mapped to identify, at a high-level, some of the implications of the proposed boundaries on any future incorporation of that area. It would also provide opportunities for additional public engagement to solicit community input on the boundary scenarios.

#### **2.0 SCOPE OF WORK**

##### **2.1 Objectives**

The objectives of the Electoral Area F boundary study are to:

- outline the criteria used to decide on a future study area boundary including, but not limited to population, settlement patterns, roads, and land use regulation;
- recommend a potential study area boundary scenario reflecting the outlined criteria;
- identify, at a high level, restructure implications resulting from the recommended study area boundary that could be explored further by a future incorporation study;
- if appropriate, identify secondary boundaries that could also be suitable for a study area;
- if secondary boundaries are identified, describe the differences between the recommended boundary and the secondary boundaries.

## **2.2 Components for a viable boundary**

When assessing boundary options, the following factors should be considered:

- services and infrastructure (e.g. existing infrastructure, including water and sewer; complete service areas; future infrastructure needs and development plans; current and projected future local services and standard demands; existing local roads);
- settlement patterns (e.g. zoning; OCP land use designations; ALR status; lot sizes; area population, population density, and dispersion);
- existing infrastructure needs and development plans;
- property class composition and assessed property values;
- existing local roads and designated highways;
- tax revenue capacity (e.g. property class composition and assessed property values);
- a diverse demographic profile;
- a shared sense of community identity;
- a population of at least 3,000 to 5,000 people;
- the exclusion of Crown land from the prospective boundaries, where practical, to ensure that the majority of the land within the boundaries would be primarily under local government jurisdiction;
- community input and perspectives collected during the previous Governance and Services Study and this study;
- other factors determined relevant based on data gathered during the study process.

The boundary study will provide a comprehensive assessment of quantitative and qualitative data in sufficient detail and rigour to make recommendations for the study area(s). The analysis is expected to consider, at a high-level, implications of any proposed boundaries on a potential future incorporation scenario, but it is not expected to analyze the impacts of each restructure scenario on residents in the area or the RDN (e.g. impacts on taxation). If the Minister and RDN Board decide to move forward with an incorporation study following the boundary study, a detailed technical examination of the impacts of incorporation will be explored at that time.

The boundary study will be completed by a consultant retained by the RDN. The RDN will lead the procurement process and administer the contract. As this study is mostly technical in nature, it will not include the re-establishment of the committee that was used for the Governance and Services Study. Instead, the RDN will update past committee members and solicit feedback as needed. Targeted public engagement will be undertaken after the boundary scenarios have been defined and analyzed by the consultant, to solicit community views and feedback on the data provided about the implications

relating to each boundary in the event of a restructure, to determine whether there is a desire to proceed with an incorporation study for a more in-depth analysis.

If the boundary study leads to an incorporation study, a study committee would be re-established at that time.

## **2.3 Study Area**

A map of Electoral Area F is provided as Appendix A, but it is expected that the study itself will identify various boundaries for future study areas within the overall Electoral Area.

## **2.4 Study Outputs**

The final study report should align with the objectives of the boundary study. The report should present observations and analysis in a form that is legible and understandable to a broad public audience. The contents should include, but are not limited to:

- Background and context: overview of the purpose of the study and report contents; and evaluation criteria used with the service analysis and to decide on the various boundaries;
- Results of analysis: analysis of community and area services, description of each boundary configuration scenario, including detailed maps; high-level overview of potential restructure implications for each boundary; and associated analysis of available data and identification of data 'gaps';
- Summary of public engagement results;
- Observations and conclusions: clear summary of services, finance, governance and property tax implications, or other conclusions; GIS based maps depicting recommended and alternative (if appropriate) study boundaries;
- Supporting evidence for conclusions and options: data collection methodologies, technical or aggregated data (as necessary).

## **2.5 Public Engagement**

The consultant must develop a public engagement strategy and outline how best to engage with the public and other participants directly affected in the study process. It is important to establish parameters for public participation so that residents and property owners understand the opportunities to participate in the study.

The public engagement strategy should include, at a minimum:

- a communication plan for reporting out to the public on the study progress;
- one or more community meetings to present information to the public and to solicit community views and feedback on the data provided about the implications relating to each boundary in the event of a restructure. This will be done to aid the consultant in identifying a recommended boundary, and to determine whether there is a desire to proceed with an incorporation study for a more in-depth analysis of that boundary.

First Nations consultation will be undertaken on a government-to-government basis by the Ministry. Engagement with First Nations, including, but not limited to, information sharing for any community

meetings or other events related to the study will be undertaken by RDN staff on a government-to-government basis, rather than by the consultant.

## Linkages

The study should consider linkages with:

- The previous 2023 study report completed by the RDN Governance and Services Study committee;
- The Electoral Area F Official Community Plan;
- A potential future incorporation study for the recommended boundary.

## 2.6 Out of Scope

Detailed technical and financial information on the impact of municipal incorporation within a proposed boundary. This analysis would be found in an incorporation study, which may follow this study.

## 3.0 ADMINISTRATION

### 3.1 Timeline

It is recommended that the project be completed within the following timelines:

Task/Deliverable	Completion Date
Copy of the consultant's proposal and/or a preliminary outline of the study and workplan delivered to the Ministry	October 1, 2024
Interim progress report delivered to the Ministry	November 1, 2024
Draft report provided to RDN and Ministry staff for review/comment	April 1, 2025
Public Engagement	May 26, 2025
Final formatted report delivered to RDN and the Ministry	June 24, 2025
Final account of project expenses delivered to the Ministry	July 31, 2025

This timeline will become more certain after a consultant is selected and agreement is reached with the consultant on a feasible study completion schedule. Timelines may be flexible, to factor in unanticipated delays, and may be adjusted with mutual consent of the Ministry and the RDN.

### 3.2 Role of Ministry

RDN and Ministry staff will undertake engagement and outreach with First Nations who may have an interest in the boundary study and in providing their input and views in addition to their participation in the public engagement component of this boundary study.

Ministry staff will be available as a resource to RDN staff and the consultant and will provide additional input including review of the draft materials and provision of comments prior to completion of the final report.

Funding for the boundary study and public engagement is via the Restructure Planning Grant Program, pursuant to the *Local Government Grants Act* and Regulation to the RDN from the Ministry.

### **3.3 Role of the RDN**

The RDN Board will oversee the boundary study and consider the study findings and any recommendations to determine how to proceed. Ensuring the boundary study process is carried out in an inclusive, open, and transparent manner, the study consultant will provide an important link between the community and the Board.

The RDN will procure a consultant, or consultants, in accordance with its procurement policy and process. The consultant will be sought to undertake this study with sufficient experience and expertise in local government boundary extension/restructure, service delivery and governance studies and public consultation to effectively identify restructure implications arising from the selection of study boundaries. The consultant must also demonstrate the ability to work with and generate GIS data and mapping.

The consultant will report directly to the RDN, who will administer the contract. In supervising the work of the consultant, the RDN is responsible for ensuring that the expected outputs completed by the consultant meet the requirements outlined in this Terms of Reference.

The total funding available for the boundary study and associated public engagement will be determined by the RDN; the Ministry's contribution is \$45,000. Disbursements under contract(s) will be made by the RDN.

The RDN will provide a progress report to the Ministry on or before November 1, 2024, through program staff, that includes a copy of the selected consultants' proposal accepted as the basis of a contract for the study, and/or a preliminary outline of the work plan before substantive work begins. A draft report will be provided to the Ministry for review and comment prior to the report being finalized.

The RDN must ensure that the report and engagement with the community are neutral and balanced. The responsibility for ensuring the information collected by the consultant is appropriately shared with the public, RDN Board, community, and the Ministry rests with the RDN staff.

Following completion of the study, the RDN will convey the findings to the Minister of Municipal Affairs. Depending on the results of the study and subsequent decisions by the RDN Board, further steps towards an incorporation study for Electoral Area F may be considered, if warranted.

## Appendix A

