
TO: Committee of the Whole **MEETING:** September 4, 2018
FROM: Jamai Schile
Senior Planner **FILE:** 6780-30 MA
SUBJECT: Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach
Official Community Plan

RECOMMENDATIONS

1. That the amendments required to “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011” to implement the “Town of Qualicum Beach Official Community Plan Bylaw No. 800, 2018” proceed through the minor amendment process.
2. That the Regional Context Statement be accepted.
3. That the Consultation Plan for the “Regional Growth Strategy Amendment to Implement the Town of Qualicum Beach Official Community Plan” be endorsed.

SUMMARY

The “Town of Qualicum Beach Official Community Plan Bylaw No. 800, 2018” was adopted on June 18, 2018 after a two year review process with extensive community engagement. To implement several policies and map changes resulting from the Official Community Plan (OCP) review, an amendment to the Regional Growth Strategy (RGS) is required. The Town of Qualicum Beach (the Town) is requesting to proceed with the amendment through the minor amendment process. In addition, the Town seeks acceptance of the updated OCP Regional Context Statement.

BACKGROUND

Pursuant to the *Local Government Act*, where an RGS applies to a municipality, the OCP must include a Regional Context Statement that is accepted by the Board of the regional district. The Regional Context Statement must specifically identify the relationship between the OCP and the RGS, and how the OCP is to be made consistent with the RGS over time.

The Town adopted the “Town of Qualicum Beach Official Community Plan Bylaw No. 800, 2018” on June 18, 2018. Updates to the plan include an updated Regional Context Statement and map amendments that will take effect after an amendment to the RGS. As a result, the Town is requesting that the Growth Containment Boundary (GCB) be moved so that it is contiguous with the Town’s municipal boundary (see Attachment 1). This change to the GCB means that all land within the municipal boundary will be designated Urban Area in the RGS.

The Town also requests the acceptance of the Regional Context Statement to ensure continued consistency with the RGS.

The amendment of an RGS may proceed in one of two ways: through a regular amendment process or a minor amendment process. The regular amendment process is outlined in the *Local Government Act* and requires acceptance by all affected local governments. The process for approving a minor amendment is outlined in Section 1.5.2 of the RGS, see Attachment 2. The process for a minor amendment has fewer steps and requires less consultation than a regular amendment to the RGS.

An RGS amendment resulting from an OCP review must be requested by the municipality. For an amendment to be considered minor, it is first assessed in terms of the “Criteria for Minor Amendments” in Section 1.5.1 of the RGS, and the Board may resolve, by an affirmative vote of 2/3 of the Board members attending the meeting, to proceed with the amendment bylaw as a minor amendment, see Attachment 3.

As the proposed amendments to implement the Town’s OCP bylaw are the result of a “full Electoral Area or Municipal Official Community Plan review process”, the amendment meets the first set of criteria to be considered minor. The RGS amendments resulting from the Town’s OCP review are as follows:

- RGS Appendix A Maps 1, 2 and 5 amended so that the RGS GCB is the same as the municipal boundary.
- Map 3 and Map 4 amended so that the RGS GCB is the same as the municipal boundary and all of the land within the municipal boundary is shown as Urban Area.
- Sheets 5 and Sheet 6 of Appendix B amended so that the GCB is the same as the municipal boundary.

A draft bylaw to amend the RGS as per the above list is included as Attachment 4.

ALTERNATIVES

1. That the amendment required to the “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011” to implement the “Town of Qualicum Beach Official Community Plan Bylaw No. 800, 2018” proceed through the minor amendment process, the Consultation Plan be endorsed and the Regional Context Statement accepted.
2. That the amendments required to the “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011” to implement the “Town of Qualicum Beach Official Community Plan Bylaw No. 800, 2018” not proceed through the minor amendment process and the Consultation Plan be amended to reflect the additional steps required for the regular amendment process.
3. Provide alternative direction.

LAND USE IMPLICATIONS

Development Implications

One of the primary tools for managing growth is to establish a GCB that defines where growth will be directed. The GCB must be the same in both the RGS and the municipal OCP, which means that a change to the GCB in the RGS is required before the Town can finalize the change to the GCB in its OCP.

The RGS currently recognizes that Urban Centres, which are to be fully serviced with community water and sewer systems, are the primary locations for growth and development in the region. The Town has stated that it still intends to have an Urban Containment Boundary (UCB) in the OCP. This means that while the GCB will be located at the Town boundary there will still be an UCB that surrounds the areas where urban type growth will develop. Further to this, the Town's OCP Policy 2.1.1.3 states: "*The Town shall not provide sewer services to areas located outside of the designated UCB or municipality boundary, except where existing development threatens public health or the environment.*" This approach to growth management is consistent with the RGS policies on Urban Centres (RGS Section 4.7 – 4.9).

Based on this understanding the inclusion of all of Qualicum Beach within the GCB would not be inconsistent with the general premise that the majority of new growth will take place within the municipalities. Of all the municipalities, Qualicum Beach currently has the smallest percentage of its land within the GCB: only 51% as compared to Nanaimo with 96%¹, Parksville with 77% and Lantzville with 60%.

In accordance with the *Local Government Act*, the Town's OCP includes a Regional Context Statement that outlines the relationship between the OCP and the RGS. Given this information, no inconsistencies between the two policy documents are identified.

Environmental Implications

The Town has stated that moving the GCB is an issue related to governance and not land use. Moving the GCB to the Town boundary gives the Town more autonomy and allows them to evaluate proposals for higher levels of development on all lands within the Town without involving the RDN or other municipalities. Further, the Town will continue to evaluate proposals to amend the OCP and subsequent zoning amendments as they arise. For each proposal, the Town will conduct a thorough evaluation including protection of environmentally sensitive areas and impacts on the aquifers.

Public Consultation Implications

The RGS Policy 1.5.2 requires the determination of an appropriate form of consultation. For public consultation, a distinction has to be made between the Town's OCP review process and the RDN's RGS minor amendment process. Each has its own requirements with respect to public consultation. Unlike an OCP, for an RGS amendment there is no specific requirement to consult with the public. There is however a requirement to determine the appropriate form of consultation. Depending on the circumstances the appropriate consultation can consist of notifying the affected local governments before the first reading to the proposed amendment bylaw.

In the case of a minor amendment request originating in a municipality, the RDN's role is limited to the process to amend the RGS. Opportunities for the public to comment on the specifics of the change to the OCP are provided during the municipal OCP review process. As significant consultation has already occurred through the OCP review process, a similar level of consultation is not warranted for the RGS minor amendment. The proposed consultation consists of the following:

- Notification of the proposed amendment to the affected local governments as per Section 1.5.2 of "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011".

¹ Within the boundaries of the City of Nanaimo, only a few small islands (eg. Jesse's Island) are not within the GCB.

- Staff written reports and the bylaw to amend the RGS will be available to the public at the RDN main administration office and on the RDN website.
- One advertisement in local newspapers will be posted to advertise the date, time and place of the Board meeting at which the amending bylaw will be considered for first reading.
- Ensuring RDN staff are available to answer questions from the public and others regarding the proposed RGS minor amendment.

In accordance with the minor amendment criteria, the proposed bylaw may be adopted without a public hearing after second reading in the event that the amending bylaw receives an affirmative vote of all Board members attending the meeting. Once the bylaw receives third and final reading a letter is sent to the affected local governments informing them of the Board's decision. For further details of the approach to public consultation, see Attachment 5: Consultation Plan.

FINANCIAL IMPLICATIONS

Should the RGS amendment process proceed through the minor amendment process there are no anticipated financial implications to the RDN.

Should the request proceed through the regular amendment process then there are some financial implications for the RDN and the Town. The implications for the RDN are that a significantly higher amount of staff time is required to process the request. For the Town, in addition to the staff time there are a number of professional reports that are required to accompany the request.

STRATEGIC PLAN IMPLICATIONS

The Board's Strategic Plan recognizes "the environment" and "economic health" in its core focus areas. The identified amendments to the RGS will enable implementation of the Town's OCP policies related to these areas.



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August 15, 2018

Reviewed by:

- P. Thompson, Manager, Long Range Planning
- G. Garbutt, General Manager, Strategic and Community Planning
- P. Carlyle, Chief Administrative Officer

Attachments:

1. Letter of Request from the Town of Qualicum Beach
2. RGS Section 1.5.2 Process for Approving Minor Amendments
3. RGS Section 1.5.1 Criteria for Minor Amendments
4. Draft Bylaw No.1615.03

5. Consultation Plan