

STAFF REPORT TO COUNCIL

Report Prepared By: Jake Belobaba, RPP, MCIP, Director of Development Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: August 1, 2023
File No:
Re: CVRD Regional Planning

RECOMMENDATION:

That Council, in response to the Cowichan Valley Regional District's April 28, 2023 letter seeking input on the potential establishment of a regional planning service, request further information on:

- a. Proposed funding mechanisms;
- b. Proposed projects to be undertaken within the first five years of establishing the planning service; and
- c. Whether or not the proposed regional planning service would be tasked with developing a Regional Growth Strategy.

EXECUTIVE SUMMARY:

The Town has received a letter (Attachment A) from the Cowichan Valley Regional District (CVRD) seeking input on establishing a regional planning service. Staff recommend requesting further details and analysis.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

On February 22, 2023 the CVRD Board passed the following resolution:

"That a letter be sent to municipal councils inviting input on the potential establishment of a regional planning service."

The letter and accompanying staff report (Attachment A) were received by the Town on May 8, 2023.

Currently, CVRD planning functions are divided into three departments:

1. Development Services, which implements planning policies and reviews development applications;

2. Community Planning, which is responsible for long range planning for the electoral areas, such as the modernization of development procedures and zoning bylaws; and
3. Strategic Initiatives, which is responsible for long range planning, including electoral area OCPs and regional planning initiatives such as the Housing Needs Assessment.

All three of these planning services are funded from electoral area taxation (i.e., member municipalities do not pay into these services), and generally speaking these departments only work on planning projects that are specific to the regional district (e.g., development proposals within the CVRD, or electoral area OCPs). Despite this, the CVRD has in the past undertaken planning projects of regional significance with the participation of member municipalities, the most recent examples being Cowichan 2050 in 2018 and regional collaboration on the Housing Needs Assessment¹ in 2021.

Regional Districts in BC are permitted to work in conjunction with member municipalities on planning processes and to establish a regional planning service, the most relevant example being Regional Growth Strategies. These are statute-enabled documents that function much like a collective OCP that are developed and agreed to by the Regional District and member municipalities.

PROPOSAL:

The CVRD is seeking feedback from member municipalities on the possibility of establishing a regional planning service. Staff are recommending that the Town request additional information, analysis and discussion on the prospect of a regional planning service, specifically:

- How the service will be funded and what the costs would be
- Projects that would be undertaken within the first five years
- Whether or not a Regional Growth Strategy would be undertaken

ANALYSIS:

Staff note a regional planning service has significant merit. However, the value of such a service to the Town of Ladysmith is rooted in the services provided relative to the cost to the Town.

The Town's OCP contains the following policies requiring regional collaboration:

- Part B 2.4(am). Participate in regional monitoring of readily serviceable industrial land with the objective of maintaining sufficient capacity to meet the needs of the regional economy.
- Part C 2.22. Improve connectivity to the regional trail network in the Cowichan Valley including more direct access to the Cowichan Valley Trail.

¹ This project was funded by a UBCM grant.

- Part C 2.25. Work with CVRD and the Stz'uminus First Nation to undertake an assessment of all regional and municipal trails to better understand existing conditions and to establish consistent trail evaluation standards.
- Part C 2.37. Continue to work with BC Transit, the Regional District of Nanaimo, and CVRD to improve the quality of transit services, frequency, operating hours, local and regional connections, and alignment with school, post-secondary, and work commuter schedules.
- Part C 2.38. Establish a focus group with representatives from Stz'uminus First Nation, CVRD, BC Transit, and residents who frequently use transit—including youth and low-income residents—to explore solutions to create connectivity between communities.
- Part C 3.10. Continue working regionally to assess regional and local housing needs, in order to update OCP policies and other Town plans as needed.
- Part C 3.18. Strengthen local partnerships to deliver more affordable housing, including but not limited to neighbouring jurisdictions, Stz'uminus First Nation, Cowichan Valley Regional District/Cowichan Housing Association, and LCRA.
- Part C 5.25. Work with CVRD to install a regional anaerobic digester to treat organic materials and wastewater. Sell the facility's renewable natural gas.
- Part C 5.29. Establish a time-bound program of climate change adaptation measures to implement on local and regional infrastructure, according to the prioritized assessments. Ensure that the program has a full suite of “green infrastructure” interventions.
- Part C 6.1. Work regionally to reduce poverty in the Cowichan Valley and address the poverty themes identified in the Ladysmith/Stz'uminus Poverty Reduction Strategy (2022).
- Part C 6.19. Support partners and regional initiatives in the provision of addiction recovery centres, including those that provide onsite residential facilities. Permit these centres in residential and mixed-use land designations that are adequately serviced by “wrap around” support services.
- Part C 8.7. Amend the Building Bylaw to accelerate adoption of the BC Energy Step Code for all new buildings, requiring the following standards. Undertake this in tandem with CVRD and member municipalities to achieve consistency across the region.

Additionally, other objectives of the OCP that do not specifically call for regional planning or collaboration can be supported or hindered by the actions of the regional district or member

municipalities, providing further justification for a regional planning service. For example, the Town's goals to concentrate growth in core growth areas could be affected by land use policies of the regional district and/or member municipalities.

Presumably, a regional planning service would require the Town to contribute to the cost of providing the service, which the regional district would manage. For these reasons, the Town should carefully evaluate the proposition of a regional planning service to determine if the services offered will advance the Town's goals. Assuming other member municipalities have some level of interest in a regional planning service, a clear picture of its costs and mandate can be developed allowing for an informed decision by the Town.

Overall, staff are intrigued by the concept of a regional planning service and its potential. The proposed response is intended to continue the conversation on the topic and set the stage for a more definitive recommendation and decision by Council at a later date. Staff recommend responding as proposed.

ALTERNATIVES:

Council can choose to:

1. Support establishing a regional planning service without requesting further analysis or information;
2. Not support a regional planning service; or
3. Request additional information not included in the recommended response, as specified by Council.

FINANCIAL IMPLICATIONS:

A regional planning service may require additional contributions from the Town of Ladysmith to the CVRD. The proposed recommendation allows the Town to have a clearer picture of what those contributions might be before committing to a regional planning service.

LEGAL IMPLICATIONS:

The recommended response does not create any legally binding obligations on the part of the Town.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Staff do not recommend undertaking public engagement on this matter until more information is known about what a regional planning service will entail.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

If and when staff have a clearer picture of what a regional planning service might look like, the proposal will be referred to Town departments for review and comment.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Core Infrastructure

Economy

- Official Community Plan Implementation
- Waterfront Area Plan

- Leadership
- Not Applicable

I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

ATTACHMENT:

- A. CVRD Letter and Staff Report



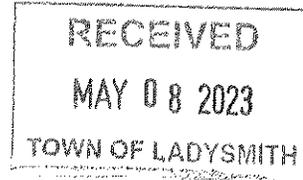
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April 28, 2023

File: 3720-80

Town of Ladysmith Council
Allison McCarrick, Chief Administrative Officer
Town of Ladysmith
410 Esplanade St PO BOX 220
LADYSMITH BC V9G 1A2



Dear Town of Ladysmith Council:

Re: CVRD Regional Planning

The Cowichan Valley Regional District (CVRD) Board, at its regular meeting of February 22, 2023, considered a staff report on the merits of establishing a regional planning service. The Board resolved (23-69):

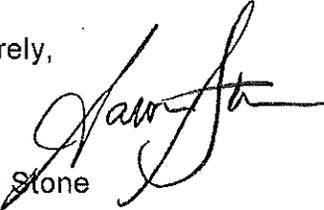
“That a letter be sent to municipal councils inviting input on the potential establishment of a regional planning service.”

While the CVRD and each member municipality currently provides community and land use planning services, there are opportunities for coordination on regionally-significant matters such as housing, transportation, climate change and reconciliation. We recognize the prior effort that the CVRD and partners have made in developing the Cowichan 2050 Regional Collaboration Framework and Regional Housing Needs Assessment, and positive outcomes of this work. However, we also recognize that that if there is interest to continue regional planning efforts, a formal structure is needed, with dedicated resources and funding. The attached staff report provides further context.

At this early stage in the process, the CVRD Board is requesting that municipal councils consider the potential for regional planning and provide comments to support the Board in its deliberations on this topic. Once this feedback has been received, the Board will consider the feasibility of advancing regional planning, and explore options respecting resources and funding.

We look forward to engaging in this important discussion.

Sincerely,


Aaron Stone
Chair

AS/CB/lkp

Attachment

pc: Jake Belobaba, Director of Development Services



STAFF REPORT TO COMMITTEE

DATE OF REPORT January 11, 2023
MEETING TYPE & DATE Committee of the Whole of January 25, 2023
FROM: Planning - Strategic Initiatives
Land Use Services Department
SUBJECT: Regional Planning Service
FILE: 3720-80 Regional Planning

PURPOSE/INTRODUCTION

The purpose of this report is to seek direction to re-establish a service to support regional planning.

RECOMMENDED RESOLUTION

That it be recommended to the Board that a letter be sent to municipal councils inviting input on the potential establishment of a regional planning service.

BACKGROUND

History of Regional Planning in the CVRD

In 1969, Order in Council (OIC-2016) established the Cowichan Valley Regional District Regional (CVRD) and community planning and building regulation functions. In the latter part of 1972, the CVRD took steps to become actively involved in both regional and community planning by establishing a planning department. It was felt, in part due to the accelerated population growth rate, that the time had come whereby formal planning at the regional level should be undertaken to ensure development would meet various standards and several goals and objectives being established by local councils and the Regional Board.

The planning function was divided between "regional" and "community" levels, and in both instances the purpose was to "see that the best use is made of limited resources of the region" (see Attachment A – CVRD Report on the Regional Planning Function, 1978). It was recognized that a strong and accurate technical base of information must be available so that the various governments within the Regional District would be able to make sound decisions in such fields as residential, commercial and industrial development, resource preservation, economic and social policies, and recreational and transportation needs.

The CVRD Planning Department was divided into three areas of work.

- Regional planning was to work toward an overall regional plan with various sub-studies required in such areas as transportation, water source surveys, land capability studies, and industrial and recreational needs.
- Community planning was divided into electoral areas and municipal areas. In the municipal areas, planning services were to be undertaken at the request of the municipality and on a contractual basis.
- Development services was responsible for the administration of zoning and subdivision controls.

During this period, the Planning Department undertook several programs, such as:

- house numbering for the electoral areas;
- assisting the City of Duncan in a neighbourhood improvement program;
- assisting other municipalities in bylaw preparation, including cartography projects, questionnaires and implementing zoning bylaws in all electoral areas;
- subdivision bylaws in eight of the nine electoral areas;
- other special bylaws, such as one for mobile home parks and sign control; and
- settlement plans were undertaken for Thetis Island and Electoral Areas D, A, and B.

At the same time, there was close liaising with the planning consultants undertaking community plans for the Municipality of North Cowichan and the City of Duncan.

In early 1978, a more detailed outline of the Planning Department's roles and upcoming work programs was drafted for the first time. It included the objectives:

To establish an overall planning program, which will allow us to attain a comprehensive understanding of the region; to involve the public in the planning process; to develop a planning policy structure based upon these objectives; and to adopt a regional plan for the Cowichan Valley.

The "CVRD Report on the Regional Planning Function" stated:

Regional planning was established to undertake planning matters that cross boundaries of governmental jurisdiction, especially looking into matters of transportation, utilities, parks and recreation systems, as well as the whole range of environmental considerations, such as energy production, waste disposal, water quality and resource planning.

Nevertheless, over the past few years the regional planning department has acted more like a department exclusively concerned with electoral area matters, undertaking a few background regional studies and occasionally involved with strictly municipal matters.

In 1978, fee levies assigned to the municipalities to support regional planning were removed, despite the report's recommendations to establish a single regional planning service for the municipalities and electoral areas. The CVRD Official Regional Plan, however, remained until the BC Government cancelled all regional plans in 1985.

After 1978, CVRD corporate records indicate interest in exploring a regional growth management plan. In July 28, 1993, there was the following motion:

"That CVRD planning staff proceed to prepare preliminary terms of reference for a Regional Growth Management Study and that the member municipalities within the CVRD be approached for their support of an application to the Ministry of Municipal Affairs for a Regional Strategic Planning Grant".

See Attachment A – CVRD Report on the Regional Planning Function, 1978

In December 1998, the CVRD Board resolved not to proceed with a regional growth strategy despite the availability of Provincial financial assistance.

In 2005, a regional growth strategy was again considered by the CVRD Board:

*It was moved and seconded that:
Whereas the Growth Strategies Amendment Act (1995) and part 25 of the Local Government Act encourage Regional Districts to partake in regional planning;
And Whereas Regional Districts representing 91% of the population within the high growth profile of the province have embraced Regional Growth Strategies;*

*And Whereas the Capital Regional District to the South, and the Regional District of Nanaimo to the North have both adopted a Regional Growth Strategy Plan;
And Whereas the Cowichan Valley Regional District is experiencing similar growth pressures and issues as the two adjoining Regional Districts;
And Whereas water management (bulk water), amalgamation and border issues, common social, economic and environmental objectives, etc. are all in need of the framework offered by a Regional Growth Strategies Plan;*

Therefore, be it resolved that the CVRD initiate a Regional Growth Strategy Management Planning process.

In 2008, the Board committed to financially supporting studies for a growth management plan to be rolled over and included as part of the Corporate Strategic Plan:

It was moved and seconded that proposed funding in the amount of \$60,000 for the Corporate Strategic Plan be included in the 2008 budget; and that the \$50,000 allocated to the proposed growth management plan be rolled over and included as part of the \$60,000 commitment to the Corporate Strategic Plan.

It was also moved that engagement in a regional growth management strategy be referred to a future regional services meeting:

It was moved and seconded that the motion "That the CVRD and all member municipalities engage in a Regional Growth Management Strategy" be referred to a future Regional Services Meeting, 2010 (10-033).

A search of the Regional Services Committee agendas and minutes did not find any record of discussion about a regional growth strategy in 2010.

Cowichan 2050

In 2018, the Board initiated a non-statutory regional planning process called Cowichan 2050 and developed the Regional Collaboration Framework, a commitment for Cowichan Valley local governments to:

- build more collaborative regional working relationships
- improve communications and information sharing; and
- support more coordinated planning on critical, region-wide issues.

As an initiative, the Regional Collaboration Framework presents a clear opportunity for the communities of the Cowichan Valley to take hold of the future by beginning the process of creating a more proactive, integrated and collaborative regional planning model. This model enables our communities to more effectively address the major changes coming to the region.

Recognizing that the nature of the work will change over time, the signatories to this statement committed to working with the partners on implementing the Regional Collaboration Framework and moving toward a more collaborative and coordinated regional planning approach on critical, region-wide issues (i.e., First Nations relations and reconciliation, growth management, including housing needs and affordable housing, climate change, economic development and parks).

While a priority in the Strategic Plan 2020–2022, advancement of Cowichan 2050 has not been funded or gained further momentum to date, primarily due to the COVID-19 pandemic.

Regional Housing

In 2020-21, the CVRD electoral areas and municipalities participated jointly in the development of a Regional Housing Needs Assessment funded through the Province of BC. It should be noted that the *Local Government Act (LGA)* now includes a legislative requirement for local governments to undertake housing needs assessments every five years.

In 2018, the CVRD adopted Bylaw 4201 – a bylaw to establish a service to provide an annual financial contribution to the Cowichan Housing Association, to assist the Cowichan Housing Association with costs associated with providing programs and services related to affordable housing and homelessness prevention in the Cowichan Valley.

Bioregional Growth Strategy

In 2021, the Board resolved that staff engage with Regional District of Nanaimo (RDN) staff on the merits of a bioregional¹ growth strategy (BRD 21-235). Subsequent to consideration of a letter from the CVRD Board, the RDN Board advised in December 2022 that while the proposal has merit, their preference was to utilize development permit authority (DPA) and alternatively resolved to support aquifer development permit areas in the respective regional districts and to coordinate on DPA development where possible. This does not preclude the CVRD independently pursuing a bioregional growth strategy.

See Attachment B – RDN Response to CVRD

Regional Planning Authority

The *Local Government Act (LGA)* (part 14) expressly provides local governments authority to establish a regional planning service and adopt a regional growth strategy. Pursuant to s. 338 of the *LGA*, the Board may establish a regional planning service by resolution and neither elector assent or an establishing bylaw is required.

Funding

Currently, electoral area planning services are authorized under *LGA* (part 14) to include the costs associated with the CVRD Bylaw No. 4373 Official Community Plan for the Electoral Areas (OCP), including the cost of research and analysis involved in monitoring, implementation and updating of the OCP; administering development permit systems in the electoral areas; and housing needs assessments. Where municipalities and electoral areas jointly participate in regional planning services, such as housing needs assessments, regional agriculture, climate change and marine plans, funding may occur through agreed cost-sharing in accordance with Part 11 of the *LGA* (ss. 380-381).

There are currently no participation agreements on the noted planning initiatives that assign financial cost-sharing to the municipalities.

ANALYSIS

The CVRD has historical regional planning origins and has demonstrated subsequent efforts to establish a regional planning service and regional growth strategy. The earliest efforts include the town settlement plans and the most recent is the Cowichan 2050 effort.

¹ **Bioregionalism** is a philosophy that suggests that political, cultural and economic systems are more sustainable if they are organized around naturally defined areas called bioregions, which are similar to ecoregions. Bioregions are defined through physical and environmental features, including watershed boundaries and soil and terrain characteristics. Bioregionalism stresses that the determination of a bioregion is also a cultural phenomenon and emphasizes local populations, knowledge and solutions.

While the CVRD currently has no regional planning service, there are a number of regional services that deliver regional-scale planning processes including:

- Economic Development (e.g. Industrial Lands Strategy, Workforce Housing Strategy (under development))
- Environmental Services (e.g. Climate Change Adaptation and Risk Management Strategy)
- Regional Parks (e.g. Regional Active Transportation Plan (under development))

Should the Board wish to continue with coordination on housing needs assessments, it would be important to establish an appropriate regional framework for this work – either through a regional planning service or coordination agreement.

Housing needs assessment provisions are silent on who pays for the work, confirming that part 14 services don't need an establishing bylaw and are paid for by electoral area taxpayers and municipal taxpayers if municipalities conduct their own housing needs assessments. The "2021 Regional Housing Needs Assessment Report" was supported by a \$150,000 provincial grant and electoral area planning staff (guided by a regional planning team of representatives from each municipality and the electoral areas) co-ordinated, reviewed and provided additional consulting support in the form of report graphics and production. An argument could be made that the electoral area housing needs assessments benefit the municipalities to the extent that they lead to a more considered accommodation of housing needs based on a coherent regional strategy.

The CVRD Strategic Plan (2020–2022) encourages planning co-ordination between the electoral areas and municipalities, the advancement of Cowichan 2050 and the establishment of protocols with First Nations. The Cowichan 2050 as expressed in the Regional Collaboration Framework offers both a process and a commitment for Cowichan Valley local governments to work together to build more collaborative regional working relationships, improve communications and information sharing, and support more coordinated planning.

The Regional Collaboration Framework presents a clear opportunity for the communities to take hold of the future by beginning the process of creating a more proactive, integrated and collaborative regional planning model

Regional Planning Service Benefits Summary

- Builds collaborative regional working relationships
- Improves communications and information sharing
- Co-ordinated planning on critical, region-wide issues (e.g., growth management, climate change)
- Proactive, integrated and collaborative regional planning
- Establish protocols with First Nations
- Provincial referrals could be considered broadly by municipalities and electoral areas

A Regional Planning Service (new CVRD Division) could be established and funded through a cost-sharing agreement with municipalities based on the scope of services to be provided. The spectrum of services which could be provided range from collaboration (e.g. advancement of Cowichan 2050 roundtable discussions) to coordination of planning initiatives (e.g. regional housing needs assessment, regional housing strategy) to regional growth management (e.g. regional growth strategy).

Further detail regarding service partnership agreements and funding would be provided should the Board wish to proceed with a regional planning service.

For clarity, a regional planning service is recommended to be established prior to consideration of further regional planning projects including future regional housing needs assessments and a regional plan or growth strategy.

It is important that consultation with municipalities occur in any discussion regarding establishment of a regional planning service, both to understand interests and opportunities but also to understand potential challenges and concerns. As such, staff are recommending that a letter be sent to municipal councils inviting input on this significant topic.

Recommendation

That a letter be sent to municipal councils inviting input on the potential establishment of a regional planning service.

FINANCIAL CONSIDERATIONS

N/A

COMMUNICATION CONSIDERATIONS

Consult with CVRD municipality planning staff to explore regional planning initiatives and cost-sharing.

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

2.2) Further the Cowichan 2050 initiative through the establishment of a Cowichan 2050 working group and a set of regional roundtables 6.1) Encourage collaboration and co-ordination on the development of official community plans, land use policies and bylaws across electoral areas, municipalities and First Nations.

GENERAL MANAGER COMMENTS

Not Applicable

Referred to (upon completion):

- Community Services (*Arts & Culture, Cowichan Community Centre, Cowichan Lake Recreation, South Cowichan Recreation, Facilities & Transit*)
- Corporate Services (*Finance, Human Resources, Information Technology, Legislative Services*)
- Operations (*Parks & Trails, Recycling & Waste Management, Utilities*)
- Land Use Services (*Building Inspection & Bylaw Enforcement, Community Planning, Development Services, Strategic Initiatives*)
- Strategic Services (*Communications & Engagement, Economic Development, Emergency Management, Environmental Services*)

Prepared by:

Reviewed by:



Coralie Breen, PhD, RPP, MCIP
Manager

Not Applicable
Not Applicable



Ann Kjerulf, RPP, MCIP
General Manager

Reviewed for form and content and approved for submission to the Committee:

Resolution:

Corporate Officer

Financial Considerations:

Chief Financial Officer

Attachment A – CVRD Report on the Regional Planning Function, 1978

Attachment B – RDN Response to CVRD

Attachment A