



STAFF REPORT TO COMMITTEE

DATE OF REPORT April 8, 2021
MEETING TYPE & DATE Special Electoral Area Services Committee Meeting of July 7, 2021
FROM: Community Planning Division
Land Use Services Department
SUBJECT: CVRD Community Amenity Policy for the Electoral Areas 2021
FILE: 6480 Community Planning – Official Community Plan

PURPOSE/INTRODUCTION

The purpose of this report is to present the CVRD Community Amenity Policy for the Electoral Areas 2021.

The Community Amenity Policy will be presented at a forthcoming workshop for electoral area Directors on the MOCP for discussion.

RECOMMENDED RESOLUTION

For information.

BACKGROUND

As part of ongoing improvement, existing land use planning policies were reviewed for consistency with the draft Official Community Plan for the Electoral Areas Bylaw 4270 and with the *Local Government Act*.

Enabling legislation for land use management in British Columbia provides several tools with which local governments may ensure that land development carries an appropriate share of the cost burden in relation to the demands that it places on local infrastructure and the livability of communities. These tools include parkland and highway dedication requirements for subdivision, development cost charge bylaws, density bonus provisions in zoning bylaws that may secure community amenities and affordable and special needs housing, and phased development agreements, which may also secure community amenities. The Regional Board may also exercise its discretion regarding rezoning applications to ensure that the incremental value derived from rezoning is used to mitigate the impact of the development in question and generally enhance community amenities.

The purpose of this community amenity policy is to guide the Regional Board, Regional District staff, the development community, advisory planning commissions and members of the public in regard to this latter aspect of the Regional Board's land use management function.

Community amenities contributions (CAC) are generally capital facilities, improvements or services that service a growing population or create a more complete community (e.g., leisure centres, cultural centres, libraries). This capital infrastructure cannot be provided for through development cost charges (DCC). Development cost charges are limited by legislation to fund basis infrastructure only (e.g., sewage, water, drainage, roads and parks) that is required because of growth.

Local governments have an obligation to consider the fiscal impact of growth when considering a rezoning application. If a proposed project will impose unacceptable capital cost burdens local governments can reasonably deny the application. On the other hand, if a proposal benefits the

community and does impose any capital cost burden, the rezoning may be acceptable. In support of this perspective, developers should pay in the form of a community amenity contribution.

ANALYSIS

The purpose of this policy is to guide the Regional Board, Regional District staff, the development community, advisory planning commissions and members of the public in regard to consideration of rezoning applications, and to mitigate the impact of the development and generally enhance community amenities. The different community amenity approaches can generally be classified into cost-based and value-based methodologies.

Cost-based approach to CACs applies a per unit amount apportioned to growth via established CAC rates (usually agreed at the time of rezoning).

A value-based approach uses the increased land value conferred on a developer as a result of rezoning and is proportioned between the developer and the local government with the local government using its share for various community amenity projects. With value-based approach, the increase in the value of land that results from a rezoning is called a “land lift” and the portions that are conferred to the developer and the local government are jointly agreed. The cost-based method is more transparent and less complex than the land-lift approach. Under the cost-based method, all factors that determine the contribution amount are understood and disclosed upfront. The land-lift approach is based on determining the increased value of land that results from a rezoning. The assumptions and factors that go into determining this increased value are complex and at times subjective.

The Cowichan Valley Regional District should consider in the review of this draft community policy the electoral area’s future in terms of projected growth and what amenities/facilities are needed/desired to create a more complete community. Community amenity contributions are community amenities, such as recreational facilities, fire halls, and cultural centers, which enhance a community and/or are needed because of a growing population. Without developer community amenity contributions, taxpayers would bear the entire cost burden of constructing these projects, including paying for debt servicing costs (principal and interest) on borrowed dollars.

Staff are recommending forwarding the draft policy to the Directors’ workshop for discussion.

FINANCIAL CONSIDERATIONS

N/A

COMMUNICATION CONSIDERATIONS

N/A

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

This responds to the Strategic Plan direction to review all existing land use bylaws to identify challenges and opportunities for improved consistency.

GENERAL MANAGER COMMENTS

☐ Not Applicable

Referred to (upon completion):

- ☐ Communications & Engagement
- ☐ Community Services *(Cowichan Community Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Emergency Management, Facilities & Transit)*

- ☐ Corporate Services (*Finance, Human Resources, Legislative Services, Information Technology, Procurement*)
- ☐ Engineering Services (*Environmental Services, Recycling & Waste Management, Water Management*)
- ☐ Land Use Services (*Community Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails*)

Prepared by:

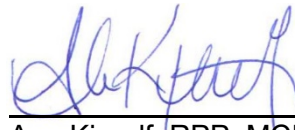
Reviewed by:



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

Resolution:

Financial Considerations:

☒ Manager, Legislative Services

☒ Manager, Finance

ATTACHMENTS:

Attachment A – CVRD Community Amenity Policy for the Electoral Areas 2021