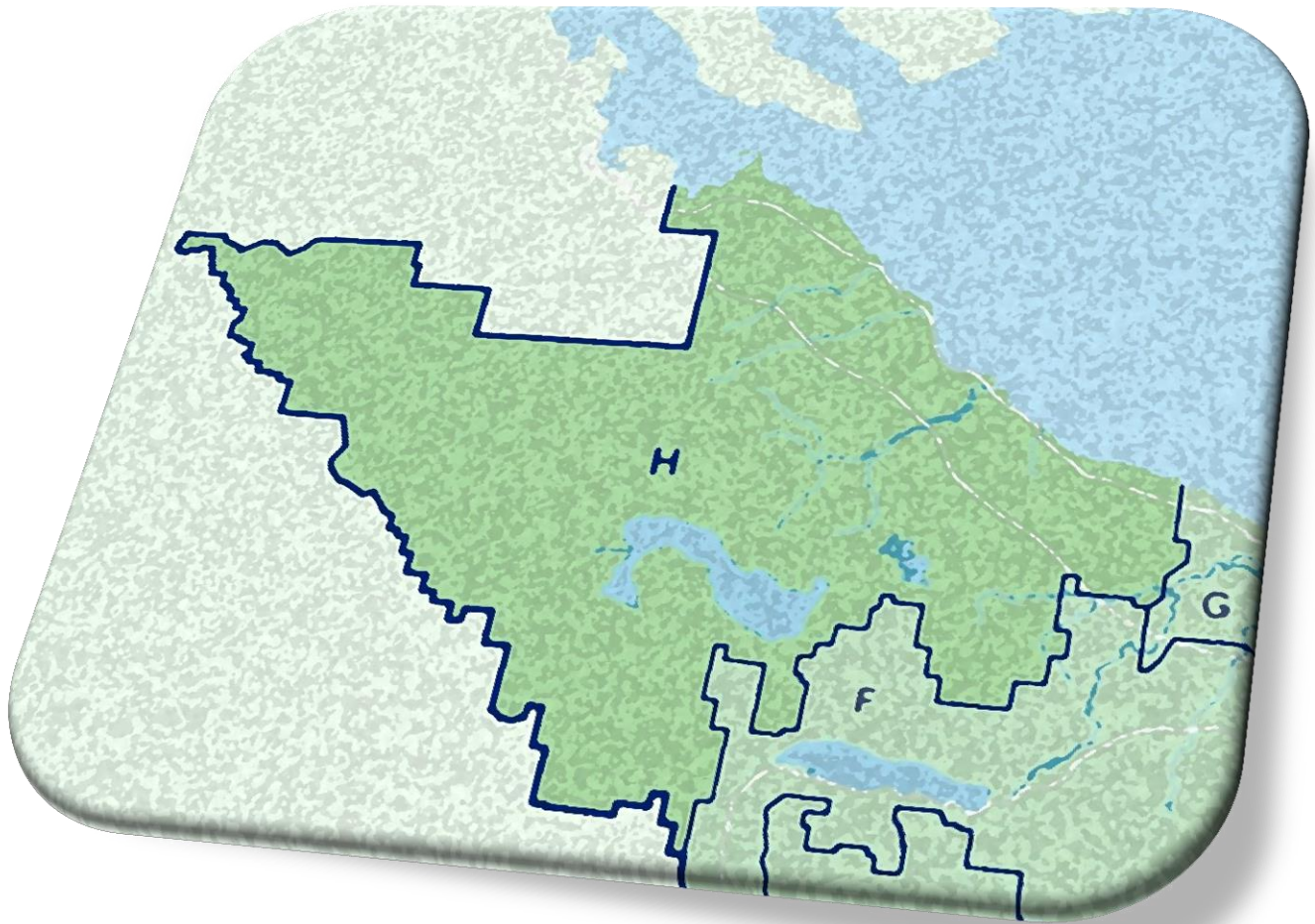

Electoral Area H

Official Community Plan Review

Terms of Reference

October 30, 2015



1. Background

An Official Community Plan (OCP) describes a long-term vision for the future and a course of action to achieve it. The course of action is described in objectives and policies to guide land use, servicing, and physical, social and economic changes in the community over the long term.

An OCP has legal status which requires that all development and use of land be consistent with the policies of the Plan. Implementing the vision of the OCP occurs through zoning and other detailed development-related tools.

The current Electoral Area H Official Community Plan (OCP) was adopted in 2004, and in 2010 the Bowser Village Plan was adopted as part of this OCP. These two plans were created through extensive public engagement, with many community members volunteering their time to provide input and to help achieve a unified community vision.

In the 10 years since the OCP was adopted the pace of development has been slower than anticipated and notable changes have occurred in the area including: establishment of the Vancouver Island University (VIU) Centre of Shellfish Research in Deep Bay, expansion of Deep Bay Harbour, changes to provincial legislation such as the *Riparian Areas Regulation*, allowance for secondary suites, and introduction of building inspection.

Many action items in the 2004 OCP have been accomplished, and some are outstanding. Some new items to be addressed have emerged, and new strategies to achieve long-standing community goals may be needed. This OCP review project will be structured around a list of topic areas and recognize that many of the objectives and policies are still relevant, rather than build a new OCP from a blank slate.

1.1. Goal

To revise identified topic areas of the Electoral Area H Official Community Plan so it continues to be a relevant and effective plan able to achieve the community vision.

1.2. Objectives

- Provide early and ongoing information and opportunity for First Nations to engage in the OCP review process
- Provide meaningful opportunities for public and agency input and participation
- Review OCP policies that do not appear to be achieving their objectives
- Consider adding new OCP objectives and policies to address emerging issues
- Consider relevant RDN planning projects completed in recent years
- Coordinate amendments with Bowser Village Plan for ease of interpretation
- Consider recommended OCP language from relevant sources such as provincial ministries and independent organizations
- Meet all **Local Government Act** required OCP content
- Meet or exceed **Local Government Act** required consultation

2. Scope of Work

This project is proposed as a “targeted” OCP review, meaning that it is not a complete re-write but will be focused on amending those areas in need of change, or adding topics currently absent. Below is a list of topics that have been identified by staff and the Area Director as in need of review. These topics are grouped under main topic areas to suggest how they could be divided into a series of working group sessions. The topics and groupings will be presented to the community for review and amendment at the first general community meeting. When complete, this process will constitute a full OCP review.

Proposed Topics for Review

| | Topic | Sub-topics |
|----------|---------------------|---|
| 1 | Economy | Tourism Tourist accommodation Aquaculture cultivation & processing Agricultural Land Reserve Commercial development |
| 2 | Housing | Seniors housing Affordable housing |
| 3 | Natural Environment | Environmentally sensitive areas Coastal zone and sea level rise Groundwater Surface water Streams and lakes Steep slope hazard Development permit areas |
| 4 | Transportation | Cycling & pedestrian infrastructure Roadside trail Traffic calming E&N Railway Corridor Highway corridors Transit |
| 5 | Deep Bay | Access Parking Economic development Residential development |
| 6 | Horne Lake | Vision for Horne Lake Recreation Area Community services |

The initial stages of the project will involve discussion with First Nations and the public about the scope as outlined by the topic areas above. There is an opportunity to amend the scope based on those discussions. Once the scope has been confirmed, it is intended that the project will stay focused on the topics in order to complete it on time, and any new issues brought forward may be set aside for a future project.

The OCP Review project will be aligned with the schedule for the Bowser Sewer Study underway through the Wastewater Services department of the RDN. Their preliminary consultation schedule includes two public events in the first few months of 2016. Long Range Planning will coordinate with Wastewater Services to ensure consistent and clear messaging, and to take advantage of opportunities to engage with the public.

Pursuant to the **Local Government Act**, an OCP is a statement of objectives and policies to guide decisions on planning and land use management; the intent of an OCP is to set out the community vision and 'course of action' for the plan area through a document that outlines the community's goals and the policies needed to achieve those goals. The OCP will serve as the primary plan that guides future land use in electoral area. In addition, as the RDN has an adopted Regional Growth Strategy (RGS), the **Local Government Act** requires that the OCP be consistent with the RGS.

2.1. Required and Optional OCP Content

The **Local Government Act** requires that an OCP include policy statements and map designations respecting the following:

- location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least 5 years;
- location, amount and type of present and proposed commercial, industrial, institutional, agricultural, recreational and public utility land uses;
- location and area of sand and gravel deposits that are suitable for future sand and gravel extraction;
- restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development;
- location and phasing of any major road, sewer and water systems;
- location of present and proposed public facilities, including schools, parks and waste treatment and disposal sites;
- policies with respect to affordable housing, rental housing and special needs housing; and
- targets for the reduction of greenhouse gas emissions in the area covered by the plan, and policies and actions of the local government proposed with respect to achieving those targets.

In addition to the required content outlined above, an OCP may include the following:

- policies relating to social needs, social well-being, and social development;

- policies respecting the maintenance and enhancement of farming on land in a farming area or in an area designated for agricultural use in the OCP; and,
- policies relating to the preservation, protection, restoration, and enhancement of the natural environment, its ecosystems, and biological diversity.

From a legislative and Regional District policy perspective, the new Electoral Area H OCP should also address the following:

- policies contained in the Regional Growth Strategy, Community Energy and Emissions Plan, and other plans and policies for the Regional District of Nanaimo;
- updated information from the Regional Parks and Trails Plan (2005) and Community Parks and Trails Strategic Plan (2014); and,
- applicable changes to federal and provincial legislation

2.2. Background Report & Acquiring New Information

Preparing a background report is one of the first steps in this OCP Review project. The background report will compile the most current information from numerous sources to create a “community profile” of Electoral Area H, including topics such as demographic trends, land use, public amenities, transportation, environmentally sensitive areas, etc. The audience for the background report is both internal and external; it will be a resource for staff and elected officials, as well as the interested public.

There is one RDN study running concurrent with this OCP review that is expected to provide background information that can inform OCP policy:

| | |
|---------------------------------|---|
| Water Information Update | Drinking Water & Watershed Protection has \$10,000 budgeted for Electoral Area H in 2016, currently planned to update information on surface and groundwater. |
|---------------------------------|---|

Three additional background studies are budgeted for in this project:

| Study | Description | Estimated budget |
|-----------------------------------|--|---------------------|
| Hazard Mapping | Including steep slope and flooding hazard, this information will enable improvements to the development permit areas. Recently acquired elevation data will now allow us to contract with an engineering firm to undertake hazard mapping of the area. | \$40 - 50k |
| Active Transportation Plan | To set a specific plan for needed active transportation infrastructure such as to improve safety and accessibility of roadside walking and cycling. The plan will help to leverage grant funding for infrastructure | \$25 - \$30k |

| | | |
|------------------------------|--|----------------------|
| | upgrades. | |
| ALR boundary analysis | <p>To assess agricultural capability of land in the ALR as well as outside of the ALR, in support of boundary amendment application by the RDN. <i>To be completed in two phases:</i> <u>Phase 1</u> – Scoping study including reconnaissance survey <u>Phase 2</u> – In depth study including soil mapping (\$200k estimated) <i>Phase 1 only to be completed as part of this OCP review project.</i></p> | \$20k - \$30k |

3. Tasks & Timeline

Project Timeline

| | MILESTONE | TARGET DATE | |
|---|--|-----------------|------|
| INITIATE | Terms of Reference endorsed by Board | November, 2015 | 2015 |
| | Background Report for Area H | December, 2015 | |
| | Initiate dialogue with First Nations | January, 2016 | |
| | General Community Meeting #1 – <i>scoping & prioritizing</i> | January, 2016 | |
| EXPLORE ISSUES | Working Group Session #1 – <i>economy</i> | February, 2016 | 2016 |
| | Working Group Session #2 – <i>housing</i> | March, 2016 | |
| | Working Group Session #3 – <i>natural environment</i> | April, 2016 | |
| | Working Group Session #4 – <i>transportation</i> | May, 2016 | |
| | Horne Lake Community Meeting | May, 2016 | |
| | Working Group Session #5 – <i>Deep Bay</i> | June, 2016 | |
| | General Community Meeting #2 – <i>confirmation of direction</i> | June, 2016 | |
| Working Group Session #6 – <i>review of community meeting</i> | July, 2016 | | |
| DRAFT PLAN | Official Community Plan Draft | September, 2016 | 2016 |
| | Consider early referral of draft to agencies and First Nations | October, 2016 | |
| | Working Group Session #7 – <i>review draft OCP</i> | October, 2016 | |
| | Working Group Session #8 – <i>review draft OCP</i> | November, 2016 | |
| | General Community Meeting #3 – <i>confirmation of draft OCP</i> | November, 2016 | |
| ADOPT | Report to RDN Board requesting 1 st reading | January, 2017 | 2017 |
| | Formal bylaw referral to agencies and First Nations | January, 2017 | |
| | Report to Board requesting 2 nd reading | March, 2017 | |
| | Public Hearing | April, 2017 | |
| | Adoption | May, 2017 | |

4. Roles & Responsibilities

Staff: to provide project management and professional advice, organize, coordinate and facilitate public consultation, drafting and finalizing the OCP.

Electoral Area Director: to provide situational leadership throughout the community planning process by chairing and/or presenting at public events, and reporting to the RDN Electoral Area Planning Committee and Board on the process as required.

Electoral Area Planning Committee: to review the Project and final Plans from a regional and sub-regional perspective and make recommendations to the RDN Board on OCP or RGS amendments which may result from the project.

Community Working Group: to confirm and prioritize local issues, and act as information sources for the both the community as a whole and staff.

5. Stakeholders & Public Engagement

The RDN is committed to on-going and meaningful public consultation, and recognizes that not only do the people who live with the impacts of any of our plans, policies, programs or projects expect to share in the decision-making process but that better decisions are made through a shared approach¹.

An Engagement Plan has been prepared separately from this Terms of Reference, based on the following principles:

Inclusiveness – engage the widest possible audience through multiple consultation opportunities

Timeliness – offer early and ongoing opportunities for participation well before decisions are made

Transparency – records of all consultation activities will be made available to the public

Balance – provide opportunities for diverse perspectives and opinions to be raised and considered

Flexibility – adapt as required to meet the needs of participants

Traceability – demonstrate the impact of participation input on decision-making

The Engagement Plan details how information will be distributed, how and when online and live engagement will occur, and what outreach activities are planned. The Engagement Plan includes setting up a site office in the Electoral Area and coordination with Wastewater Services' planned consultation regarding the Bowser Sewer Study.

There is a statutory requirement for consultation in Section 879 of the **Local Government Act** which requires that during the development of an Official Community Plan, the Regional District must provide

¹ Regional District of Nanaimo, 2008. *A Coordinated Public Consultation/Community Framework*.

one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. The Board must specifically consider whether consultation is required with the board of any regional district that is adjacent to the area covered by the plan, the council of any municipality that is adjacent to the area covered by the plan, First Nations, school district boards, greater boards and improvement district boards, and the Provincial and Federal governments and their agencies.

The following is a list of stakeholders for Board consideration pursuant to the requirements in the **Local Government Act**. First Nations engagement is addressed in the following section.

| | |
|---|---|
| Local | Adjacent Local Governments |
| <ul style="list-style-type: none">• Local resident associations• Owners of large properties• Deep Bay Waterworks• Bowser Waterworks• Qualicum Bay-Horne Lake Waterworks• Little Qualicum Waterworks• Bow Horn Bay Fire Protection• Dashwood Fire Protection• Deep Bay Harbour Authority• Lighthouse Country Business Association• Qualicum Beach Chamber of Commerce• Oceanside Construction and Development Association• School District No. 69• Deep Bay Marine Field Station / VIU• Parksville Qualicum Beach Tourism Association• Island Corridor Foundation | <ul style="list-style-type: none">• Town of Qualicum Beach• Alberni-Clayoquot Regional District• Comox Valley Regional District• Islands Trust – Ballenas-Winchelsea Local Trust Committee• Islands Trust – Denman Island Local Trust Committee |
| Federal | Provincial |
| <ul style="list-style-type: none">• Fisheries and Oceans Canada | <ul style="list-style-type: none">• Island Health• Agricultural Land Commission• Ministry of Agriculture• Ministry of Community, Sport and Cultural Development• Ministry of Energy & Mines• Ministry of Environment• Ministry of Forests, Lands & Natural Resource Operations• Ministry of Natural Gas Development (responsible for housing)• Ministry of Transportation & Infrastructure• Ministry of Small Business |

6. First Nations

The Regional Growth Strategy recognizes the need to coordinate planning with First Nations: Policy 11.3 states that “the RDN wishes to involve First Nations in its planning processes in the same way it involves other levels of government”, and that the RDN will “continue dialogue with First Nations regarding land use planning in the RDN... for the purpose of building a mutual appreciation and understanding of land use planning processes”. The following First Nations have indicated interest in Electoral Area H, with the Qualicum and K’omoks First Nations expected to have the greatest interest in this project. The Engagement Plan, prepared separately, addresses First Nations engagement in more detail.

| | |
|-------------------------|------------------------|
| Qualicum First Nation | K’omoks First Nation |
| We Wai Kai First Nation | Sna’Naw’As Nation |
| We Wai Kum First Nation | Tseshahst First Nation |
| Homalco First Nation | Sliammon First Nation |
| Hupacaseth First Nation | |

7. Budget & Resources

One full-time staff equivalent and mapping resources will be assigned to the project through to completion. Aside from specified background studies, all work to gather and collate data, consult with the public, produce and design documents/consultation materials and draft the Official Community Plan will be completed by RDN staff.

The total project budget is \$127,000, as outlined in the table below. Public consultation costs, including all materials, mailing, newsletters, web resources, and room and office rentals for the project are budgeted at \$10,000. The remainder of the budget is for background studies, and is funded by a combination of Area H OCP Review project budget, sea level rise adaptation project budget, and Community Works Funds.

| | | Area H OCP Project Budget | Sea Level Rise Adaptation budget | Community Works Funds | TOTAL |
|-------------|----------------------------|---------------------------------|--|--------------------------|------------------|
| 2016 | Public consultation | \$10,000 | | | \$10,000 |
| | Hazard Mapping | \$25,500 | \$30,000 | | \$55,500 |
| | Active Transportation Plan | | | \$30,000 | \$30,000 |
| | ALR Boundary Scoping | | | \$30,000 | \$30,000 |
| 2017 | Public Hearing | \$1,500 | | | \$1,500 |
| | Total | \$37,000 | \$30,000 | \$60,000 | \$127,000 |