

REGIONAL DISTRICT OF NANAIMO
SUSTAINABILITY SELECT COMMITTEE
TUESDAY, MAY 20, 2014
3:00 PM

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

- 3 **Lance Nater**, re Regional Growth Strategy.
- 4 **Scott Tanner**, re Proposed Minor Amendment to the Growth Containment Boundary in Qualicum Beach.
- 5 **Kevin Monahan**, re Proposed Expansion of the Growth Containment Boundary in Qualicum Beach.
- 6 **Shanna Mastrangelo**, re The Future of Our Land.
- 7 **Deb McKinley**, re The Impact of the Proposed Amendment on the Community of Qualicum Beach.
- 8 **Graham Riches**, re Responses from the People of Qualicum Beach Regarding the Qualicum Beach Growth Containment Boundary Amendment.
- 9 **Faye Smith, Streamkeepers**, re Concerns of Qualicum Beach Streamkeepers for Beach Creek about the possible moving of the Growth Containment Boundary in Qualicum Beach.
- 10 **Bruce Fleming-Smith**, re The Qualicum Beach Growth Containment Boundary Amendment application as it Relates to Sustainability Principles.
- 11 **Michael Jessen, Arrowsmith Parks and Land Use Council (APLUC)**, re RGS Amendment Request.
- 12 **David Golson**, re RGS Amendment Request.
- 13 **John Marsh, Town of Qualicum Beach**, re RGS Amendment Request.

Distribution: J. Stanhope (Chair), A. McPherson, H. Houle, M. Young, B. Veenhof, J. de Jong, J. Kipp, D. Brennan, M. Lefebvre, D. Willie, P. Thorkelsson, G. Garbutt, C. Midgley, P. Thompson, N. Hewitt

J. Fell

For information only: G. Holme, J. Ruttan, B. Bestwick, D. Johnstone, T. Greves, G. Anderson, M. Brown, T. Graff, F. Manson, J. Hill, C. Golding,

COMMUNICATIONS/CORRESPONDENCE

- 14 **Peggy Bodnar**, re Our Urban Boundary Change.
- 15 - 16 **Deb McKinley**, re Town of Qualicum Beach GCB Amendment.
- 17 - 18 **Elaine Watson**, re Town of Qualicum Beach GCB Amendment.
- 19 **Hans Kratz**, re Qualicum Beach Growth Containment Boundary Amendment.
- 20 **David Golson**, re Qualicum Beach Council - GCB Amendment.
- 21 **Susan Porter**, re Qualicum Beach - GCB Amendment.
- 22 **Charna Macfie**, re Qualicum Beach Growth Containment Boundary.
- 23 **Cindy Flowers**, re Qualicum Beach Boundary Minor Amendment.
- 24 **Brian & Dianne Anderson**, re Change of Qualicum Beach Urban Boundaries.

UNFINISHED BUSINESS

REPORTS

- 25 - 154 Request to Amend the Regional Growth Strategy by the Town of Qualicum Beach.

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

ADJOURNMENT

IN CAMERA

Re: Town of Qualicum Beach request to amend the Regional Growth Strategy

From: Lance & Esther

Sent: Saturday, May 10, 2014 11:38 AM

Subject: Re: Delegate @ May 20 Sustainability Select Committee and May27 Board Meeting

Thank you for your phone calls and confirmation email. As you have suggested, please note I am now requesting to appear as a delegation at the May 20 Sustainability Select Committee and also at the May 27 Board Meeting.

Regards, Lance Nater

Re: Proposed minor amendment to the Growth Containment Boundary in Qualicum Beach

From: Scott Tanner

Sent: Saturday, May 10, 2014 5:14 PM

Subject: Sustainability committee delegation

Please put me on the agenda to speak briefly on the proposed minor amendment to the Growth Containment Boundary here in Qualicum Beach.

I understand the meeting will be held on May 20 at 3:00P.M. in the Board Room.

Thank you,

Scott Tanner

563 Crescent Road West in Qualicum Beach

V9K1J2

250 240-0070

Re: Proposed Expansion of the Growth Containment Boundary in Qualicum Beach

From: Kevin Monahan

Sent: Monday, May 12, 2014 10:30 AM

Subject: Delegation to Sustainability Select Committee

I am a resident and homeowner of Qualicum Beach, BC. I wish to make a delegation to the Sustainability Select Committee on May 20, 2014, on the subject of the proposed change to the Regional Growth Strategy, and specifically to the proposed expansion of the Growth Containment Boundary in Qualicum Beach.

I understand the RDN has already received a package from the Town of Qualicum Beach, and I would like to take the opportunity to bring some very important issues to the attention of the Regional District.

Unfortunately, due to circumstances beyond my control, I will not be able to attend the SSC meeting, so I have asked Fox McKinley to read my written delegation on my behalf.

Please let me know if this proposed delegation is acceptable.

Kevin Monahan

monahan@shipwrite.bc.ca

586 Alder St.

Qualicum Beach, BC

V9K 1J3

Ph 250-594-4774

Re: The Future of Our Land

From: Deb McKinley

Sent: Monday, May 12, 2014 11:03 AM

Subject: Request for Delegations, from Deb McKinley & Shanna Mastrangelo

2) Shanna Mastrangelo whose topic is "The Future of Our Land"

Address is 550 Qualicum Road, Qualicum Beach BC, V9K 1A4, Tel. 250-752-1753 Email =
shanna_mail@hotmail.com

Thanking you in advance for your consideration,
Deb McKinley

Re: The Impact of the proposed Amendment on the Community of Qualicum Beach

From: Deb McKinley

Sent: Monday, May 12, 2014 11:03 AM

Subject: Request for Delegations, from Deb McKinley & Shanna Mastrangelo

1) Deborah McKinley whose topic is "The Impact of the proposed Amendment on the Community of Qualicum Beach"

Address is 346 Nenzel Road, Qualicum Beach BC V9K 1M5, Tel. 250-752-7186. Email = debmckinley@shaw.ca

Thanking you in advance for your consideration,
Deb McKinley

Re: Responses from the People of Qualicum Beach regarding the Qualicum Beach Growth Containment Boundary Amendment

From: Riches, Graham

Sent: Monday, May 12, 2014 4:45 PM

Subject: Delegation to Sustainability Select Committee

i am a resident of Qualicum Beach (171 First Ave West) and with Barry Avis (1071) Eaglecrest, we wish to make a joint delegation to the Sustainability Select Committee on May 20, 2014. We wish to speak to the topic of 'Responses from the People of Qualicum Beach' regarding the QB Town Council's proposed 'Request for a Growth Containment Boundary amendment' as it relates to the Regional Growth Strategy.

We believe there are critical and as yet unaddressed questions and issues which should be brought to the attention of the RDN.

many thanks,

sincerely,

Graham Riches

Re: concerns of Qualicum Beach Streamkeepers for Beach Creek about the possible moving of the Growth Containment Boundary in Qualicum Beach

From: Faye Smith

Sent: Monday, May 12, 2014 5:49 PM

Subject: Sustainability Committee meeting

I am requesting a time at the Sustainability Committee meeting on May 20 to speak about the concerns of Qualicum Beach Streamkeepers for Beach Creek about the possible moving of the Growth Containment Boundary to the Urban Containment Boundary in Qualicum Beach. Thank you for your consideration.

Faye

Director, QB Streamkeepers

250 752 9297

Re: The Qualicum Beach Growth Containment Boundary Amendment application as it Relates to Sustainability Principles

From: Bruce Fleming-Smith [mailto:brucefs@shaw.ca]
Sent: Monday, May 12, 2014 8:33 PM
Subject: request to appear as delegation May 20 Sust Select Com.

Bruce Fleming-Smith
B.A./B.Arch. MRAIC LEED AP
564 Berwick Rd. North
Qualicum Beach
B.C. V9K 1L1
250-752-2909

Attention Mr. O'Halloran
RDN legislative Coordinator

I wish to apply as a delegation to make a statement to the Sustainability Select Committee meeting for May 20th.

The topic that I wish to address to the committee is:

The Qualicum Beach amendment application - specifically - the 2014 OCP Review-Request for Growth Containment Boundary Amendment application (as per the RGS "Process for Approving Minor Amendments"); as this application relates to the Regional Growth Strategy's sustainability principles and goals, land in the Agricultural Land Reserve, and Growth Containment Boundaries.

Kindly confirm my acceptance in this regard. Also, I would like to know whether it is possible to do a power point presentation or whether the committee only takes verbal submissions. Additionally please tell me whether supportive printed material for committee members is accepted. If it is possible to do a power point please include the contact info for the RDN's media technician that facilitates such things.

Thank you for your attention.

Sincerely
Bruce Fleming-Smith

From: mjessen
Sent: Tuesday, May 13, 2014 2:47 PM
To: O'Halloran, Matt
Subject: Request to be Delegation to Sustainability Committee May 20

Attention Mr. O'Halloran
RDN Legislative Coordinator

I wish to apply as a delegation to make a statement to the Sustainability Select Committee meeting for May 20th, on behalf of Arrowsmith Parks and Land-Use Council (APLUC).

The topic that I wish to address is:

The Town of Qualicum Beach amendment application to Regional District of Nanaimo to amend the Regional Growth Strategy by means of the minor amendment process. The necessary OCP review, other requirements and historical precedents to qualify as a minor amendment were not met. The presentation will give reasons, particularly from the view of community stakeholders in Qualicum Beach and the surrounding areas.

Please confirm my acceptance in this regard.

Your consideration of this request is appreciated.

Michael Jessen, P.Eng.
Representative to APLUC
1266 Jukes Place
Parksville, B.C.
V9P 1W5
Ph. 250-752-4579

From: Jo and Dave Golson

Sent: Tuesday, May 13, 2014 9:31 PM

To: sustainability

Subject: Sustainability Board Meeting May 20th 3.00pm 2014

Dear Board Representatives,

I would like to request a delegation presence at the Select Committee Sustainability Board meeting to be held May 20th at 3.00pm. I understand that by making this request by May 13th, I will be allotted a 10 minute presentation.

Please confirm my application.

Yours Truly.

David Golson

578 Memorial Avenue

Qualicum Beach

V9K 1L7

TEL 250 738 0350.

Re: RGS Amendment Request

From: John Marsh [<mailto:JMarsh@qualicumbeach.com>]

Sent: May-07-14 11:28 AM

Subject: RE: RGS Amendment request

Hi Paul. This is to advise that Luke Sales requests to be a delegation at the Sustainability Select Committee meeting at 3:00 p.m. on May 20th. Thank you. John

John K. Marsh, CMA

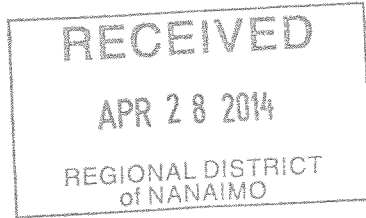
Financial Administrator/Acting CAO

Town of Qualicum Beach

Direct Line: 250.738.2204

Office Line: 250.752.6921

E-mail: jmarsh@qualicumbeach.com



Mrs. PEGGY BODNAR
624 Sumac Dr
Qualicum V9K 1A8
250 752 8384
April 23/14

Dear Sirs,

Please may I request that when you receive a notice from Qualicum Council re: our urban boundary change that you consider it a major change from our O.C.P. There was a tiny meeting March 4/14 that none of us noticed and a meeting April 22/14 that we all noticed, alas, a done deal no questions allowed to be asked or answered. There is a great hurry and a lot of secrecy involved so please buy us time to unravel the mystery.

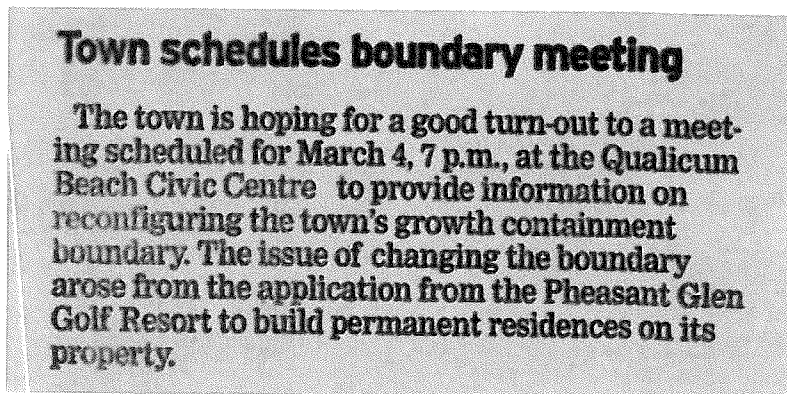
yours truly,
Peggy Bodnar

P.S. I apologize for no
Type writer and no
Computer!

Hello Chris et al – I have once again reformatted Fox’s previous message [below] regarding the Town Of Qualicum Beach GCB Amendment Request to the RDN, so hopefully it will be easier to read: As you may have experienced from time to time, all computers seem to have minds of their own.

Sincerely,
Deb McKinley

1) Did QB staff and Council “completely” meet the criteria of a Full OCP Review? If not, has the RDN granted QB an exemption from the criteria? [FYI – First Public Meeting was March 4th (pictured below is the announcement that appeared in the Oceanside Star just 2 weeks prior to the meeting when the majority of concerned QB citizens were away), and only 40 people attended and offered the comments on pages 79 – 87 of the PDF. Second Public Meeting held April 22 (became Third reading) at which 200 citizens appeared and offered comments on pages 118 – 121 of the PDF the majority of which (over 75%) were not in favour of the Amendment.



2) Does the RDN have a policy in place that excuses Qualicum Beach from meeting the criteria [Sec 882 (6) and (7)] from having to meet the requirements of the LGA?

3) Is the RDN aware there are serious flaws [errors, duplications, and questions] in the 123 page PDF pkg. from Qualicum Beach that requests the GCB Amendment?

Errors:

1 - under Section 1.5.1 of RGS By-Law No. 1615 section 2 (page 42 of PDF), many Criteria indicate the QB request is a NOT a Minor, but a **MAJOR** Amendment that the RDN has to consider: In the RDN Regional Growth Strategy Review it clearly states Major Amendments include:

A) “Negative Changes to Sensitive Ecosystems & water sources” --- Beach Creek as well as the QB aquifer will be part of this Amendment both of which will be irrevocably impacted by the PGGR Development;

B) “involve ALR lands” --- of the 869 hectares under review (currently QB’s GCB is 909 hectares), 354 hectares are ALR land;

C) “Require new community water/sewer outside GCB” --- which is precisely what is required with the PGGR development and any other developments that would fall within the new newly-proposed boundary;

D) “Inconsistent with policies to reduce GHG’s” --- if the RDN aims to limit/decrease GHG’s, in all likelihood the opposite will happen with this Amendment because the PGGR Development plan will be just the beginning of increased building, vehicular traffic and de-forestation of the lands in question.

2 - ALR and SD 69 [section 881] were NOT consulted in QB OCP process , which is another serious error.

Duplication's: {* tip if comparing the PDF pages use ALT key and/or the Forward & Back Arrows to switch between pages}

- 1 – pages 58 & 103 = same
- 2 – pages 40, 77, 98 & 110 = same
- 3 – pages 18 & 27 = same
- 4 – pages 41, 47 & 78 = same
- 5 – pages 48, 97 & 109 = same
- 6 – pages 30 & 31, 94 & 95, 106 & 107 = basically the same process
- 7 – pages 37 & 38, 74 & 75 = same
- 8 – page 33 + 49 to 55, pages 59 to 66 = same as updated version on pages 79 to 87
- 9 - pages 28 to 32, pages 35 to 39 & pages 72 to 76 and pages 92 to 96 = same as updated version on pages 104 - 108

Question: If RDN is to consider QB Zoning Amendment only, the following pages should be removed as they primarily concern Pheasant Glen issues:

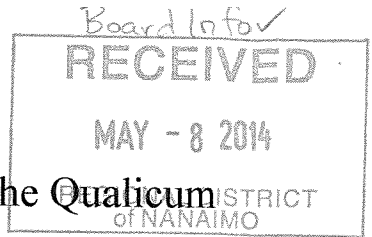
Pages 21 to 26 concern Pheasant Glen and Fire Hall = irrelevant to Amendment.

Pages 12 to 14 concern Corialis info about Pheasant Glen = irrelevant to Amendment.

Pages 111 to 116 is the Lawyer 's letter = irrelevant as it pertains to Pheasant Glen.

However, since the entire Review Request was precipitated by the PGGR Development Plan, then the above information should be included, as should all written comments Council received throughout the process by concerned QB Citizens (which however were **OMITTED** in the PDF) dealing with the effect it will have on their town and the manner in which the entire process was handled.

In summary, without the duplication's and errors you can easily reduce the QB PDF by greater than half: Relevant pages = 1 to 11; 27; 40; 42 to 47; 56 to 57; 58; 67 to 71; 79 to 97; 88 to 91; 99 to 109 and 117 to 123.



Dear Mr Stanhope

I am writing to the RDN to protest the recent move taken by the Qualicum Beach Town Council regarding the proposed change to the Growth Containment Boundary(GCB) for Qualicum Beach(QB). I believe the process was flawed, consultation with the people of QB has been minimal, and that these changes are being rushed through without consideration of the Qualicum Beach Official Community Plan(OCP).

Qualicum Beach Council says that this is a "minor amendment", but according to the Regional District of Nanaimo (RDN)'s website, this does not qualify as a minor amendment. Criteria for considering an amendment to the GCB minor, include having had a full OCP review. There has not been an OCP Review in any meaningful sense.

A meeting was held on March 4th, 2014 to discuss the amendment, however, it was not widely advertised and was misleading in its content and purpose. Only 40 people attended. This meeting was referred to as an "Information Meeting", but in fact, council said at the meeting that it was an OCP Review. The majority of speakers at this meeting were opposed to the amendment for various reasons, including not trusting a council that has had a history of ignoring community input, and for its cavalier disregard for the citizen created OCP.

Those council members in favour of the amendment say that there will be no changes in land use, that the issue is not about any particular proposal,

and refer to the process as simply a governance issue relating to the independence of QB in making its own decisions. It is not a coincidence, however, that this issue has arisen directly after the proposal by Pheasant Glen Golf Course for a permanent housing development. Council was urged to delay passing the amendment until after the November Civic Elections, but instead, ignored this request and third reading was passed.

I am concerned about "urban sprawl" and uncontrolled growth which I believe the GCB was created to address. I am also very concerned about the changes in the nature of QB that our current council seems determined to bring about. They have ignored the OCP and citizen input and are making major changes far too quickly. For these reasons, I ask that you recognize this as a major amendment, firstly, because a full review has not been conducted, and secondly, the proposed amendment affects property in the Agricultural Land Reserve.

Yours truly,



Elaine Watson
121 East Sunningdale Road,
Qualicum Beach, BC
V9K 1L1

Hamilton, Karen

From: Management, Growth
To: Thompson, Paul
Subject: FW: Qualicum Beach Growth Containment Boundary Amendment request.
Attachments: rgs_bylaw_no_1615.pdf; ATT00001.txt

From: Hans Kratz [<mailto:hkratz@shaw.ca>]
Sent: Sunday, May 04, 2014 2:49 PM
To: howardhoule@rdn.bc.ca
Cc: corpsrv; Management, Growth
Subject: Qualicum Beach Growth Containment Boundary Amendment request.

The Town of Qualicum Beach has sent in a request for Growth Containment Boundary Amendment.

The request for a Containment Boundary amendment does not qualify as a minor amendment for the following reasons;

- 1 A full Official Community Plan review process has not taken place.**
- 2 The area in question includes land in the Agricultural Land Reserve.**
- 3 The area would require the provision of new community water and sewer distribution systems outside the Growth Containment Boundary.**
- 4 There has not been adequate consultation by Town Council with the citizens of Qualicum Beach.**

I have attached Regional Growth Bylaw 1615 for your perusal.

I would request that the amendment not be allowed.

Your kind attention to this matter is appreciated.

Sincerely

**Hans G. Kratz
461 Linden Place,
Qualicum Beach,B.C.**

RECEIVED
MAY 09 2014
STRATEGIC & COMMUNITY
DEVELOPMENT

To Rural District of Nanaimo Select Committee on Sustainability

Ref. Qualicum Beach Council (Growth Containment Boundary) Change By Law 700,2011,
Ammendment By Law 700.10.2014.10.2014

I urge the RDN to reject the application to change the above by law on the basis that it contains Agricultural Land Reserve land within the newly defined boundaries and by definition is not a minor amendment and therefore requires a full Official Community Review process of the all residents of the town.

This was not conducted as only a very limited number of residents were invited to an Information Meeting on March 4th 2014 (less than 40 residents turned up), to what eventually became described as the OCP Review at the meeting itself, but not by description.


The letter in the press to the March 4th Public Information Meeting made no mention of this being an OCP Review for boundary change considerations.(see attached)

The Feedback from the 6 Questions described and discussed at the Public Information Meeting held March 4th were not placed on the town website for other members of the public to review and respond to until 24 hours after the meeting,so other members of the public, not invited, were unaware of the subject matter and reference to an OCP Review.(the majority of the limited number of respondees rejected the proposals to change the boundary by a 5 to 1 ratio.

Again I request the proposal be rejected until a FUL OCP REVIEW is undertaken.

Yours Truly,
David A Golson
578 Memorial Avenue
Qualicum Beach
BC
V9K1L7

Tel 250 738 0350


May 8th 2014.

RDN CAO'S OFFICE		
CAO	GM R&P	
GMS&CD	GM T&SW	
GM R&CU	DF	
MAY 12 2014		
DCS	BOARD	<input checked="" type="checkbox"/>
CHAIR		

To Mr. J. Stanhope, Chair of RDN Board Directors

Dear Sir,

Re: Qualicum Beach GCB

The majority of Qualicum Beach Council have stated that this amendment is only about 'governance'.

A memo summarizes a discussion with RDN staff where the idea was conveyed by RDN to Town staff that,

"An OCP review on the topic of governance that does not address a wider scope of topics may not qualify for the conditions required for a "minor amendment."

It seems obvious to me that a boundary change that almost doubles the size of Qualicum Beach's growth containment, requires a more in depth study of several topics related to growth management.

Agricultural land, Utilities & Services, Schools, and Transportation.

To my knowledge no consideration has been given to the impact on the environment water supply or the impact of a disaster on emergency services and the community.

These topics were not part of, or even mentioned at the so-called full OCP review which I attended on March 4th. 2014.

Myself and many others are requesting that the RDN require the Town Council of Qualicum Beach to hold a comprehensive OCP Review, After which they report their true findings to RDN for their consideration.

Yours truly,



Susan Porter,
165 Fourth Ave. West,
Qualicum Beach, BC. V9K 1S3

Thompson, Paul

From: Hewitt, Nicole on behalf of Planning Email
Sent: May-12-14 9:15 AM
To: Midgley, Chris; Thompson, Paul
Subject: FW: Qualicum Beach Growth Containment Boundary

-----Original Message-----

From: CHARNA MACFIE [mailto:charna00@shaw.ca]
Sent: Saturday, May 10, 2014 7:42 PM
To: Planning Email; Joe Stanhope
Subject: Qualicum Beach Growth Containment Boundary

Director Joe Stanhope and Regional District Directors,

The Regional District of Nanaimo Board shall be considering an amendment to the Regional Growth Strategy submitted by the Town of Qualicum Beach. I believe that this is a major amendment to the RGS which deserves careful consideration by the Board, the Select Sustainability Committee and planning staff.

2

One of the reasons why residents are justifiably concerned about changing the Growth Containment Boundary to be aligned with the municipal boundary is the size of the area that will be affected. Such a boundary change will almost double the size of the Town's urban/growth containment area. During the community's last Official Community Plan Review in 2011, the community decided not to expand their growth containment area.

One of the major components of this amendment are the criteria that defines what is a minor or major amendment, because this determines how the amendment is processed. The RGS explains this clearly. But what the RGS lacks in this case is a definition of what a "Full" OCP review is. According to the information supplied by the RDN and the Town of Qualicum Beach, there is no definition for what a "Full" OCP entails and that it is left to the discretion of Council to define the meaning of the word 'full' review. The residents of Qualicum Beach have discussed this technicality extensively among themselves and strongly disagree with the majority of Council's definition of this terminology. Hence the Town's request for a 'minor' amendment to the RGS and the residents' position that it is a major amendment.

Please include this letter under correspondence of the agenda.

Respectfully,
Charna Macfie

578 Maple St.
Qualicum Beach V9K 1J3

Golding, Cheryl

From: cindy flowers <cindymflowers@hotmail.com>
Sent: Tuesday, May 13, 2014 9:36 AM
To: corpsrv
Subject: Qualicum Beach boundaries minor ammendment

Dear honorable RDN members,

I live in Qualicum Beach and feel our Council is not leaving any room for safe guards. We need this issue to go a major ammendment. De regulation seems to be happening in Qualicum we need some safe guards to really get informed with all aspects of Growth Containment. Rather than speedily put things through, if it's such a good idea why now so fast before elections.

I am writing to the rdn to please put this to a major ammendment to keep in the best interest of all citizens in Qualicum.

Thankyou for your time

Sincerely

Cindy Flowers

Q.B.

Golding, Cheryl

From: Dianne Anderson <dmimta@shaw.ca>
Sent: Monday, May 12, 2014 6:50 PM
To: corpsrv
Subject: Changing of Qualicum Beach Urban Boundaries

To: The Regional District of Nanaimo
Re: Changing the Urban Boundaries of Qualicum Beach
Date: May 12, 2014

We strongly object to any change to our urban boundaries unless we have a plebiscite. We retired to Qualicum from the Toronto area because of its "Small Town" character. We shop here, we enjoy our surroundings and we volunteer here. Over the past two years we have been constantly focusing on attempts to ensure that our urban growth is accelerated. Citizens are invited to meetings, they spend countless hours preparing briefs and have absolutely no effect on votes which are a forgone conclusion, always favouring development. We the taxpayers have no say when developers are given huge exemptions to charges to create their schemes which benefit no one but themselves. It is noteworthy that none of our current councillors had fashioned themselves as "business above all" during the last election campaign.

Respectfully submitted,

Brian and Dianne Anderson
564 Tournament Tour,
Qualicum Beach, B C V9K 2J1



RDN REPORT	
CAO APPROVAL	
EAP	
COW	
MAY 14 2014	
RHD	
BOARD	

MEMORANDUM

TO: Geoff Garbutt
General Manager of Strategic and Community Development

DATE: May 13, 2014

FROM: Paul Thompson
Manger of Long Range Planning

FILE: 6780 30

SUBJECT: Request to amend the Regional Growth Strategy by the Town of Qualicum Beach

PURPOSE

To consider a request from the Town of Qualicum Beach to amend the Regional Growth Strategy through the minor amendment process.

BACKGROUND

This request for consideration of an amendment to the Regional Growth Strategy (RGS) is being presented to the Sustainability Select Committee (SSC) as amendments to the RGS fall within the mandate of the committee. The SSC provides advice and recommendations to the Regional District of Nanaimo (RDN) Board on issues connected to the RGS and the process for a minor amendment specifically mentions review by the SSC.

At their Council meeting on April 22, 2014, the Town of Qualicum Beach passed the following motion:

THAT Council, after hearing comments at the April 22, 2014 Official Public Hearing, adopts the following motion: THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be given third reading; AND FURTHER THAT Council directs staff to send notification to the Regional District of Nanaimo, along with relevant background reports, that the Town has given third reading to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No 700.10, 2014", which resulted from a "full Official Community Plan Review Process" in accordance with the procedural requirements of the Local Government Act and now requires an amendment to the Regional Growth Strategy; AND FURTHER THAT the Town hereby requests that the Growth Containment Boundary, as identified in "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011", be amended to include the entirety of the Town of Qualicum Beach following the process identified on Section 1.5.1 "Process for Approving Minor Amendments".

In accordance with RGS policy and Council direction the Town of Qualicum Beach staff has submitted a request to the Regional District of Nanaimo to amend the Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615 (see Attachment 2). The Town is requesting that the Growth Containment Boundary (GCB) be moved so that it is contiguous with the Town's municipal boundary. A change to the

GCB also means that all land within the municipal boundary will be designated as Urban Area in the RGS. The Town has requested that the RGS amendment be processed as a Minor Amendment in accordance with RGS Policy 1.5.1(1).

The RGS lists four criteria under which an amendment to the RGS can be considered minor. One of those criteria is: *Amendments resulting from a full Electoral Area or Municipal Official Community Plan review process*. The Town of Qualicum Beach has stated in its request to the RDN that the proposed amendment to its Official Community Plan (OCP) has “resulted from a full Official Community Plan Review Process”.

The process for approving a minor amendment is outlined in Section 1.5.2 of the RGS. A detailed table showing the Minor Amendment process for a municipality is provided as Attachment 1. In general terms the RDN Board must first decide if it wishes to have the RGS amendment proceed as a minor amendment. The process for a minor amendment has fewer steps and requires less consultation than a regular amendment to the RGS.

To accommodate this request, several changes to the maps in Appendix ‘A’ are required. Maps 1 - 5 have to be amended so that the RGS Growth Containment Boundary is the same as the municipal Boundary. Map 3 has to be amended so that all land within the municipal boundary is shown as Urban Area. Map 4 has to be amended so that all land within the municipal boundary is designated as Urban Area. As well, Sheets 5 and 6 of Appendix ‘B’ have to be amended so that the Growth Containment Boundary is the same as the municipal boundary.

The RGS is an agreement between the RDN and the four member municipalities on how growth and development will proceed on a regional basis. This type of agreement is approved by bylaw and like other bylaws there is a legislated process that must be followed in order to amend that bylaw. The bylaw cannot be adopted and changes to the bylaw cannot be made unless all of the parties agree. The Town of Qualicum Beach accepted the RGS in 2011 which meant that it agreed with the policies contained in the RGS.

Municipal Planning Approvals

The Town of Qualicum Beach has regulatory authority over all land use decisions within its boundaries. The RDN does not get involved in development approvals or changes to land use at a municipal level. The process for those approvals is determined by the Town. By accepting the RGS the Town agreed to direct the majority of growth onto lands inside the GCB. Outside of the GCB the Town still permits lesser amounts of development. Land use and development on these lands outside of the GCB is regulated through the Town’s zoning bylaw which must be consistent with direction provided in the OCP.

Growth Containment Boundary Process

The process for including the GCB in the RGS requires the municipality to provide this information to the RDN for inclusion in the RGS. The RDN has no part in establishing the location of the GCB within a municipality. Establishing the location of the GCB is the sole responsibility of the municipality, usually through a review of its OCP. Once the municipality establishes the location of the GCB it provides this information to the RDN for inclusion in the RGS. By providing the location of the GCB and accepting the RGS, the Town has agreed to direct the majority of growth to lands inside the GCB and to not increase the amount of development allowed on lands outside of the GCB.

The need to amend the RGS has resulted because the Town has decided it wants to change the levels and types of development on lands located outside of the GCB. As there will be a change to how the Town manages growth that is not consistent with the RGS, an amendment to the RGS is necessary. There is a legislated process that will allow for an amendment to the RGS so that the Town can change its approach to managing growth.

There are provisions in the RGS with respect to what is required for consideration of a change to the GCB. These requirements can be found in Section 4.2 Policy 4.3. Essentially, the requirements are meant to show that expansion of the GCB is needed and that moving the GCB is justified from the perspectives of land supply and demand, servicing, transportation and ecological protection. With this information a regular amendment to the RGS can be considered. However, any kind of amendment, including a change to the GCB, can be a minor amendment if it is the result of a full review of the OCP. The Town has stated that it has completed a full review of the OCP therefore it can be considered as a minor amendment.

ALTERNATIVES

1. That the requested amendment to the Regional Growth Strategy as submitted by the Town of Qualicum Beach proceed through the minor amendment process as outlined in Section 1.5.2 of the Regional Growth Strategy.
2. That the requested amendment to the Regional Growth Strategy as submitted by the Town of Qualicum Beach proceed through the regular amendment process.
3. That the requested amendment to the Regional Growth Strategy as submitted by the Town of Qualicum Beach not proceed.

FINANCIAL IMPLICATIONS

Should this RGS amendment request proceed through the minor amendment process there are no financial implications for the RDN. Should the request proceed through the regular amendment process then there are some financial implications for the RDN, the Town of Qualicum Beach and the other RDN member municipalities. 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. For the other member municipalities staff resources are required to participate in the regular RGS amendment review process.

LAND USE IMPLICATIONS

Development Implications

The RGS currently recognizes that Urban Centres, which consist of all of the municipalities, will be the primary locations for accommodation of growth and development in the region. During the RGS review that led to the adoption of the new RGS in 2011, the City of Nanaimo requested that the GCB be made the same as the municipal boundary and Lantzville requested a significant expansion to the GCB. As well, OCP reviews lead to expansions of the GCB in Cedar, Red Gap and French Creek. All of these requests were accommodated in the 2011 RGS.

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 has the smallest percentage of its land within the GCB: only 51% as compared to Nanaimo with 100%, Parksville with 77% and Lantzville with 60%.

With the change to the GCB the Town has stated that it still intends to have an Urban Containment Boundary in the OCP. This means that while the GCB will be located at the Town boundary there will still be an Urban Containment Boundary that surrounds the areas where urban type growth will be supported. This is similar to the approach taken by the City of Nanaimo. The change to the GCB in the RGS does not automatically result in changes to the Town's OCP. An amendment to the Town's OCP is still required to establish an Urban Containment Boundary that is different than the GCB. As well, amendments to the OCP are also required to change the land use designations to allow for higher levels of development.

Public Consultation Implications

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. The RDN is not involved in either determining or carrying out the consultation for the OCP amendment. For the RGS amendment there is no specific requirement to consult with the public. There is a requirement to determine the appropriate form of consultation. Depending on the circumstances the appropriate consultation can consist only of notifying the member municipalities and adjacent regional districts.

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 and amendments to 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. For this reason, the consultation should consist of:

- 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.
- RDN staff being available to answer questions from the public and others regarding the proposed RGS minor amendment.

A number of items of correspondence from the community have already been received by the Board with respect to the Town's request to amend the RGS. New correspondence not yet received by the Board is attached to this report as Appendix 3. Most of the comments express concern with the process used by the Town for the OCP review with most conveying concern that a full review was not completed. As included as correspondence on the May 20, 2014 Sustainability Select Committee Agenda, the RDN has received a motion from the Town that states that a full review of the OCP was completed.

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 the Town to evaluate proposals for higher levels of development on all lands within the Town without having to get the RDN or other municipalities involved. Further, the Town is not planning to initiate changes to land use designations on lands that were previously outside of the GCB. 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.

Strategic Plan Implications

The Strategic Plan recognizes that the RDN is a regional federation and that each of the partners needs to work together on issues. The Town of Qualicum Beach has decided to change its approach to managing growth within its boundary which requires a change to the Regional Growth Strategy. In accordance with the RGS, the Town is requesting a change to the RGS before adopting an amendment to its OCP.

Inter-governmental Implications

A member municipality does not submit an application to the RDN to amend the RGS. As the RGS is an agreement, a member municipality makes a request to amend the RGS. This allows the other partners to see how the municipality is changing its approach to growth management. The RDN is responsible for administering the RGS so requests to change the RGS must be sent to the RDN.

Having accepted the RGS the Town of Qualicum Beach has made a commitment to manage growth and development within its boundaries in accordance with the RGS. One of the primary tools for managing growth is to establish a Growth Containment Boundary that defines where growth will be directed. The GCB must be the same in both the RGS and the municipal OCP. When the latest version of the RGS was being drafted the Town provided the location of the GCB to be included in the RGS. Since that time the Town has decided to change the location of the GCB within the Town 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.

There are two possible options for amending the RGS: a regular process and a minor amendment process. The two options are quite different in terms of the process itself but also in terms of the requirements for information in support of a request to expand the GCB. If the determination is that this should be considered through the regular RGS amendment process then a significant amount of information in support of the request is needed before the Board can consider the request. If the matter is considered using the minor amendment process, the only criterion is that the Town has conducted a full OCP review. For a regular amendment, the information that accompanies a request to amend the GCB is quite lengthy and includes: a land inventory demand and supply analysis; a land use concept plan; an environmental impact assessment; a hydro-geological study; details on water and sewer services; a hazard analysis; a transportation analysis; and, an inventory of aggregate deposits.

In terms of the process, the major differences between the two processes are the number of steps and that all of the member municipalities and adjacent regional districts must approve a regular amendment. The Minor amendment process only requires a majority of the Board to approve the RGS bylaw amendment.

Should the change to the GCB in the RGS be approved through the minor amendment process further amendments to the Town's OCP will need to be approved to have a GCB that is different than an Urban containment boundary. Following the establishment of an Urban Containment Boundary that is different than the GCB, the Town will have to submit a revised Regional Context Statement to the RDN.

SUMMARY/CONCLUSIONS


The Town of Qualicum Beach has submitted a request to the Regional District of Nanaimo to amend the Regional Growth Strategy so that the Town Boundary is the same as the Growth Containment Boundary. The Town states that the change to the GCB is the result of a full official community plan review and has requested that the amendment be processed through the process for approving minor amendments. Part of the minor amendment process is for the Sustainability Select Committee to review the request and make a recommendation to the RDN Board.

The minor amendment process only requires that a notice be sent to the member municipalities and adjacent regional districts prior to the Board giving readings to the bylaw amendment. Should the Board determine that this request cannot proceed through the minor amendment process then the request will have to be put on hold until the information required to evaluate an expansion of the Growth Containment Boundary is provided.


Given the process adopted by the Town of Qualicum Beach and the motion forwarded to the RDN Board for consideration, staff recommend that the request from the Town of Qualicum Beach to amend the RGS proceed through the process for approving minor amendments.

RECOMMENDATION

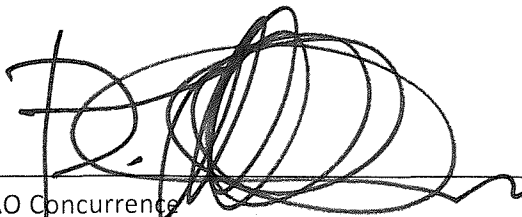
That the request from the Town of Qualicum Beach to amend the RGS proceed through the process for approving minor amendments.



Report Writer



For General Manager Concurrence



CAO Concurrence

Attachment 1

Process and steps to complete a Minor Amendment to the RGS as a result of changes to a municipal OCP

1. OCP Review is Completed	Municipality completes a full OCP review process which results in a need to amend the RGS
2. Municipality submits request for RGS Amendment to the RDN	Council forwards request to RDN Board to amend the RGS through the Minor Amendment Process
3. RDN Staff prepare report	A report providing information on the request and amendment process is prepared for the Sustainability Select Committee
4. Sustainability Select Committee	Committee reviews the request and makes a recommendation to the RDN Board
5. RDN Board Meeting a. Receive recommendation from SSC b. Decide on whether the proposed RGS Amendment is Minor	Board receives recommendation from SSC. A minimum of 2/3 of the Board must vote in favour to proceed as a Minor Amendment. If less than 2/3 Board vote in favour then amendment cannot proceed through Minor amendment Process.
c. Adopt consultation plan	If proceeding as a Minor Amendment, Board adopts a consultation plan.
6. Notify Affected Local Governments	Notice of the proposed RGS Minor Amendment is provided to the RDN's member municipalities and adjacent regional districts. They have up to 45 days to respond.
7. RDN Board Meeting a. Receive comments from affected local governments b. Give 1 st reading to bylaw c. Give 2 nd reading to bylaw and maybe d. Give 3 rd reading to bylaw	Board receives and considers comments from affected local governments Board gives 1 st reading to bylaw If unanimous vote for 2 nd reading then no public hearing required and can give Bylaw 3 rd reading Board gives 3 rd reading to bylaw
8. Public Hearing (only if required)	A public hearing is only required if there is <u>not</u> a unanimous Board vote in favour of giving the bylaw 2 nd reading
9. RDN Board Meeting a. Give final reading to bylaw Or b. Receive report from public hearing c. Give 3 rd reading to bylaw d. Give final reading to bylaw	Final reading if 3 rd reading given at last meeting or Board receives report from public hearing and proceeds with giving 3 rd and final readings to the bylaw
10. Notice to Municipality	A letter is sent to the municipality and other LGs informing them of the Board decision on the RGS bylaw



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April 24, 2014

Board of Directors
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Board Members,

2014 OCP Review – Request for Growth Containment Boundary Amendment

I am writing to notify the Regional District of Nanaimo Board that the Town has given third reading to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014", which resulted from a "full Official Community Plan Review Process" in accordance with the procedural requirements of the *Local Government Act* and now requires an amendment to the Regional Growth Strategy.

Official Community Plan Amendment Bylaw No. 700.10, 2014 has been read three times and an Public Hearing was held on April 22, 2014. A large-format Public Information Meeting was held on March 4, 2014.

The following attachments are included as background material for this request and documentation of the OCP review:

1. January 13, 2014: Planning Report to Council;
2. February 20, 2014: Background report on OCP review topic. Circulated and posted to website (Updated April 15);
3. March 3, 2014: Planning Report to Council;
4. March 17, 2014: Planning Report to Council;
5. Complete Transcription of Written Comments Received during the March 4, 2014 Public Information Meeting;
6. April 7, 2014: Planning Report to Council. OCP amendment bylaw introduced and read a first time;
7. April 14, 2014: Planning Report to Council. OCP amendment bylaw read a second time;
8. April 22, 2014: Planning Report to Council (Public Hearing);
9. April 22, 2014 Draft Minutes;
10. Certified Copy of April 22, 2014 Council motion to request an amendment to the Regional Growth Strategy.

2014 OCP Review - Request for Growth Containment Boundary Amendment

April 24, 2014

Page 2

The Town hereby requests that the Growth Containment Boundary, as identified in "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011", be amended to include the entirety of the Town of Qualicum Beach following the process identified on Section 1.5.1 "Process for Approving Minor Amendments".

If you have further questions, please do not hesitate to contact me at Town Hall, 250.752.6921.

Yours truly,



Luke Sales, MCIP, RPP
Director of Planning

Attachments

- cc John Marsh, Acting CAO, Town of Qualicum Beach
- Heather Svensen, Corporate Administrator, Town of Qualicum Beach
- Paul Thorkellson, CAO, RDN
- Paul Thompson, Manager of Long-range Planning, RDN
- Geoff Garbut, General Manager, Strategic & Community Development, RDN

file: 3900-20-700.10

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**Town of Qualicum Beach
MEMORANDUM**

TO: John Marsh, CMA, Deputy CAO

FOR: Regular Council Meeting, January 13, 2014

FROM: Luke Sales, Director of Planning

SUBJECT: Pheasant Glen – Official Community Plan (OCP) Review Work Plan Alternatives

RECOMMENDATION

- **THAT** Council directs staff to proceed with an OCP review in accordance with [insert Work plan 1, 2 and/or 3] of the January 13, 2014 Planning memo to Council;

PURPOSE

To consider alternative work plans for an OCP review in preparation for an application to amend the Regional Growth Strategy (RGS) through the minor amendment process.

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BACKGROUND

On November 25th, 2013 a Committee of the Whole meeting was held to discuss the urban containment boundary, the Regional Growth Strategy, and the Pheasant Glen Destination Resort development proposal. At that meeting, the Committee of the Whole recommended that staff commence the application process for the Pheasant Glen development proposal, and staff indicated that work plan alternatives would be prepared for Council consideration.

“THAT the Committee of the Whole recommends THAT Council directs staff, at the January 2014 regular Council meeting, to commence the application for 1025 Qualicum Road, also known as Pheasant Glen including due process. “

DISCUSSION

Based on the motion by the Committee of the Whole on November 25, 2013, staff have prepared three work plan alternatives for an OCP review that will enable the Town to apply to the Regional District of Nanaimo for a “minor amendment” to the Regional Growth Strategy (RGS). At the November 25th meeting, RDN staff clarified the distinction between two ways of amending the RGS: the regular amendment process and the minor amendment process. To qualify for the minor amendment process, the RGS amendment application must follow a full “OCP review process”. RDN staff emphasized that although an “OCP review” is different than a typical application review, the scope and work plan of the OCP review are primarily up to the discretion of the municipal Council.

In addition to the alternative work plans, a brief profile of two focused OCP reviews is provided for reference. One is from the City of Courtenay and the other is the 2012 Village Neighbourhood Planning project here in Qualicum Beach. See Appendix 3 for more information.

Referral process

After second reading of the OCP amendment bylaw, each of the OCP review alternative processes would be followed by an application to the RDN for a minor amendment to the RGS. The timeline of the RGS minor amendment review process is outside of Town control and the process is identical regardless of which work plan Council chooses; the three work plan alternatives for consideration by Council are only defined in detail up to the point of a referral.

The Pheasant Glen development application can be considered while the RGS amendment application is going through the process at the RDN, although the adoption of the Pheasant Glen amendment bylaw would need to wait for adoption of the RGS amendment. The process for considering minor amendments is outlined on pages 4-5 of the Regional Growth Strategy:

January 13, 2014 Planning Memo to Council
Pheasant Glen – OCP Review Work Plan Alternatives

“1.5.1 Criteria for Minor Amendments

1. Criteria under which a proposed amendment to the RGS may be considered a minor amendment include the following:

- Amendments resulting from a full Electoral Area or Municipal Official Community Plan review process;
- Text and map amendments required to correct errors or as a result of more accurate information being received;
- Amendments to incorporate changes to tables, figures, grammar, or numbering that do not alter the intent of the Regional Growth Strategy; and
- Addition or deletion, or amendment to Section 5.4 Key Indicators.

2. Although not considered as an exhaustive list, the following types of amendments are not considered minor:

- Those that lead to adverse changes to the health and ongoing viability of sensitive ecosystems and water sources;
- Those that include land in the Agricultural Land Reserve or will negatively impact agricultural lands;
- Those related to a development that would require significant works to address a natural hazard;
- Those that require the provision of new community water and sewer systems outside the Growth Containment Boundary; and,

1.5.2 Process for Approving Minor Amendments

1. On receipt of a request from a member municipality or an Electoral Area Planning Committee to amend the RGS, RDN staff will prepare a preliminary report for review by the Sustainability Select Committee. Committee comments and recommendations will be forwarded to the Regional Board.
2. A land use or development proposal or text amendment will be assessed in terms of the minor amendment criteria. The Board may resolve, by an affirmative vote of 2/3 of the Board members attending the meeting, to proceed with an amendment application as a minor amendment. Where the Board resolves to proceed with an amendment application as a minor amendment, the Board will:
 - a. Determine the appropriate form of consultation required in conjunction with the proposed minor amendment;
 - b. Give 45 days written notice to each affected local government, including notice that the proposed amendment has been determined to be a minor amendment. The notice shall include a summary of the proposed amendment and any staff reports, other relevant supporting documentation and the date, time and place of the board meeting at which the amending bylaw is to be considered for first reading; and
 - c. Consider the written comments provided by the affected local governments prior to giving first reading to the proposed amendment bylaw.
3. The 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.
4. Consider third reading and determine whether or not to adopt the amending bylaw.
5. Minor amendment bylaws shall be adopted in accordance with the procedures that apply to the adoption of a RGS under Section 791 of the *Local Government Act*. “

Source: 2011 Regional Growth Strategy, Bylaw No. 1615

January 13, 2014 Planning Memo to Council
Pheasant Glen – OCP Review Work Plan Alternatives

Overview of Work Plan Alternatives

The three OCP Review work plan alternatives would take the Town through an OCP review process intended to provide information to Council and assist with the subsequent review of the Pheasant Glen development application.

1. The first OCP review option looks at the Pheasant Glen site from the perspective of resort development in order to find an optimal configuration of tourism accommodation and/or permanent residential use.
2. The second option recognizes development potential in the area around Pheasant Glen and proposes a planning process to develop a Local Area Plan. A Local Area Plan for this area would be an effective tool for the management of the Town's land use pattern, transportation system, environmental features and future land-use decisions. This option includes a longer timeline to allow for extensive public consultation.
3. The third OCP review option addresses the governance aspect of regional growth planning and raises the question of whether the Town should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town. If the Growth Containment Boundary (GCB) in the RGS were the same as the municipal boundary, the Town could permit development in the areas that are currently outside of the GCB without amending the Regional Growth Strategy.

The OCP review options listed above vary in duration between three and eight months. Following the Town's OCP review, an application will be made to the Regional District for a minor amendment to the RGS. A referral to the Agricultural Land Commission and School District No. 69 Board would also be made at the same time.

January 13, 2014 Planning Memo to Council
 Pheasant Glen – OCP Review Work Plan Alternatives

2014 OCP Review Options Timeline Comparison			
	Option 1: Site-specific	Option 2: Local Area Plan	Option 3: GCB Review
January	Staff initiates work plan chosen by Council		
February	Consultant: Report preparation Public Meeting	Feb 7: Planning RFP closes Feb 17: Council awards contract for Area Planning	Public Meeting
March	Staff: Amendment bylaw drafting	Consultant work period	Staff: Report with decision points. Amendment bylaws drafted.
	Staff report. Introduce bylaws	Initial Public Meeting	Application to RDN
April	Application to RDN	Continued consultation (meetings, survey and/or charrettes)	
May		Consultant: Plan preparation	
June		Wrap-up public meeting	
July		Final consultant report	
		Consultant presentation to Council	
August		Preparation of amendment bylaws	
September		Application to RDN	

January 13, 2014 Planning Memo to Council
Pheasant Glen – OCP Review Work Plan Alternatives

OCP Review Work Plan 1

Site-specific review: "Resort Development at Pheasant Glen"

A site-specific OCP review of the Pheasant Glen site would be based on an analysis of the economics of a destination resort development. With the intention of enabling the development of an economically-viable destination resort, the consultant would advise Council on the matter, including answers to the following questions:

- What's the right mix of tourism accommodation and permanent residential at Pheasant Glen?
- How does the Town ensure that the proposed amount of tourism accommodation is built and maintained?
- How will the proposed integration of permanent residential into the Pheasant Glen destination resort affect financial viability in the short term? Long-term?

The Pheasant Glen site would be the focus of this OCP review, but the outcomes of the study and potential OCP changes will be relevant to other sites that are zoned for tourism use. This OCP review option stems from the applicant's assertion that integrating permanent residential use is vital to the success of a destination resort. This focused OCP review would examine the integration of permanent residential dwellings into a destination resort to inform the Town's policies and bylaws with regard to tourist accommodation.

In 2009 the Town of Qualicum Beach commissioned Coriolis Consulting Corp. to complete an analysis of the retail and tourism market conditions in Qualicum Beach, identify gaps in the current market, evaluate new retail and tourism opportunities and suggest strategies that the Town could consider to take advantage of the opportunities.

If Council favours Work Plan 1, staff recommend that Coriolis Consulting Corp. be engaged to carry out this work as a follow-up to the 2009 "Qualicum Beach Retail and Tourism Gap and Opportunity Analysis". Jay Wollenberg of Coriolis Consulting has prepared a brief proposal that outlines the scope of work and deliverables for a focused review of permanent residential development at Pheasant Glen, attached as Appendix 1.

Timeline: (Tourism Analysis of Pheasant Glen Destination Resort)

- January: Coriolis Consulting Corp. engaged to advise Council on a focused OCP on the integration of permanent residential at the Pheasant Glen destination resort;
- February: Large-format public meeting to review tourism designations in the OCP. Consultant presents report, overview of destination resort economics, why/how permanent residential use could be integrated;
- March: Report to Council, 1st and 2nd reading of amendment bylaw
- April: Application for Minor RGS amendment.

If Council chooses to proceed with both Work Plan 1 and Work Plan 2, the timeline above would be adjusted to coordinate public meetings.

January 13, 2014 Planning Memo to Council
 Pheasant Glen – OCP Review Work Plan Alternatives

OCP Review Work Plan 2
South Qualicum Beach Local Area Plan

The proposed study will establish a planning framework for land use, transportation planning and utility installations. Consultants will be expected to consult with the public through an intensive public consultation process to establish the foundation of a neighbourhood plan. The primary goal is to establish “good bones” for the area to ensure that current land use decisions do not limit land use decisions in the future.

Potential Consultants

Staff recommend a targeted Request for Proposals (RFP) process to streamline the consultant selection process. If Council wishes to pursue Work Plan 2, the attached Terms of Reference in Appendix 2 will be sent in an RFP to the following qualified consulting firms with local planning experience:

- JWT Architecture and Planning (JWT)
- Urban Systems
- Golder & Associates
- Ekistics

If Council selects Work Plan 2, proposals will be evaluated according to the following evaluation criteria, and a recommendation to Council will be prepared for the February 17th Council meeting.

Criteria	Maximum Points
Previous related work	25
Budget	25
References	25
Proposed work plan	25
Total Points Available	100

Timeline: (South Qualicum Beach Local Area Plan)

- January 17: Issue RFP for consultant services
- February 7: RFP closes
- February 17: Council awards contract
- Mid-March: Large-format Public Meeting
- April: Stakeholder meetings and/or charrettes
- June: Second large-format public meeting
- July: Consultant report presented to Council
- August: Staff prepare draft OCP amendments
- September: First and second reading of amendment bylaw, application for minor RGS amendment

If Council wishes to accelerate the process by eliminating the RFP and associated review, staff would recommend that JWT be selected based on recent experience and a strong recommendation from the City of Courtenay. Eliminating the RFP would accelerate the timeline by approximately one month, depending on the amount of time needed for JWT to provide a proposal.

January 13, 2014 Planning Memo to Council
Pheasant Glen – OCP Review Work Plan Alternatives

OCP Review Work Plan 3 ***Growth Containment Boundary Review***

The Town of Qualicum Beach, along with partnering municipalities, adopted the “Regional District of Nanaimo (RDN) Growth Management Plan” in 1997. This plan was the first iteration of what is now known as the Regional Growth Strategy (RGS). The RGS was implemented in response to residents’ concerns about the impacts of rapid population growth and unconstrained development in the late 1980s and early 1990s. One of the key policies of the RGS is the establishment of Growth Containment Boundaries (GCBs), which delineate the areas where most development is permitted to occur.

This OCP review process would frame the issue of the growth containment and land use planning as one of governance rather than land use policy.

Expanding the GCB to match the Town boundary would:

1. Remove the requirement that partnering municipalities and the Regional District consent to change the amount or form of development to urban in areas outside of areas currently intended for urban development. The Town would have complete autonomy over land use decisions for land not in the ALR.
2. Decrease the length of time to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP with respect to where urban development is supported.
3. Alter the potential demand for infrastructure and utilities (distribution, collection, supply) for water, sewer, drainage, roads etc.

An OCP review of the GCB could be conducted by Town staff since it does not require specialized services and the scope of work is less intensive than the other options. Work Plan 3 was suggested as an alternative by RDN staff.

Key Question:

- Should the Town’s Growth Containment Boundary be the same as the municipal boundary?

Consultant: none

Timeline: (Review of GCB)

- February 6th: Large Format Public Meeting to introduce the issue of regional growth management;
- March 3rd: Staff report summarizing feedback, requesting direction on key decision points;
- March: Staff prepare draft OCP amendments;
- March 17: 1st and 2nd reading of amendment bylaw, application for minor RGS amendment to follow.

January 13, 2014 Planning Memo to Council
Pheasant Glen – OCP Review Work Plan Alternatives

SUMMARY


Each of the three alternative work plans in this memo is a focused OCP review that would enable the Town to apply to the Regional District of Nanaimo for a “minor amendment” to the Regional Growth Strategy. It should be noted, however, that the RDN board will ultimately determine whether the RGS amendment application is “minor”. The Pheasant Glen development proposal could be considered after the application has been made to the RDN, or the proposal could wait for the outcome of the RGS amendment process.

Based on the Committee of the Whole recommendation from the meeting on November 25, 2013, staff have prepared three work plan alternatives that will commence the due process required to consider the development proposal for Pheasant Glen. Each of the work plans has its own merit; alternatives are included that would direct staff to initiate the review process at a later date.

Work Plan 1 and Work Plan 2 would both offer a valuable perspective and help the Town make informed decisions on the review of development applications in South Qualicum Beach; Council may wish to initiate both Work Plans (Alternative 1). Alternative 2 would give direction to start on one of the work plans at a later date.

ALTERNATIVES

1. **THAT** Council directs staff to initiate an OCP review process including both Work Plan 1 and Work Plan 2 of the January 13, 2014 Planning memo to Council;
2. **THAT** Council directs staff to proceed with an OCP review in accordance with [insert Work plan 1, 2 and/or 3] of the January 13, 2014 Planning memo to Council in [insert date];
3. **THAT** Council directs staff not to proceed with an OCP review related to the Pheasant Glen OCP/zoning amendment application;
4. Provide alternative direction to staff.



Luke Sales, MCIP, RPP
Director of Planning
Report Writer



John Marsh, CMA
Deputy Chief Administrative Officer
Concurrence



VIA EMAIL

7 January 2014

Mr. Luke Sales
Director of Planning
Town of Qualicum Beach

Dear Mr. Sales:

Re: Proposal for Pheasant Glen Analysis

As you requested, I have outlined a proposal for assisting the Town in the evaluation of development alternatives for the Pheasant Glen property.

Background

The Pheasant Glen property is currently designated for destination resort development. A golf course has been completed, but the planned tourist accommodation has not. The developer has recently proposed an amendment to the designation of the property to allow the development of some permanent residential use, on the grounds that developing resort accommodation on its own is not economically viable. The Town wants the destination resort development to occur and wants to know whether such development is not viable on its own or if the inclusion of residential could accelerate the resort development without compromising the project's ability to contribute to the growth of the Town's tourism sector.

The Town has asked Coriolis to submit a proposal for a market and financial analysis that will help the Town decide on the position it should take with regard to changing the designation of the property.

Objectives

The market and financial analysis will address these questions:

1. Is the development of tourism accommodation at Pheasant Glen economically viable on a stand-alone basis?
2. If so, how should the Town respond to the developer's proposal?
3. If not, would the inclusion of a permanent residential component make the whole project (tourism accommodation with permanent residential) viable?
4. What is the appropriate mix of tourist accommodation and permanent residential?
5. How could the Town structure an approval of a mixed development to ensure that the tourism component proceeds?

Approach

We suggest the following approach:

1. We will need detailed information from the Town about the Pheasant Glen property including:
 - The existing approved development plan, zoning, and OCP designation.
 - The golf course and related development that has occurred on the site.
 - The developer's application (and all supporting background information) for the amendment.
 - Site plans.
 - Existing road access and servicing.
2. We will review the site's location in the Town and regional context, with regard to OCP designations and the urban containment boundary.
3. We will review current market conditions for overnight visitor accommodation in the Qualicum/Parksville area. This review will include roofed tourist accommodation but not campgrounds and RV parks. The review will include:
 - Occupancy trends.
 - Room/unit rate trends.
4. We will review market conditions and selling prices for time share and individually-owned rental pool condominiums in the area.
5. We will examine available indicators of total tourism market trends in mid Vancouver Island including BC Ferry passenger volumes, passenger counts at the Nanaimo and Courtenay/Comox airports, and overall hotel occupancy data.
6. We will review recent/proposed changes in the inventory of accommodation including recent additions, recent closures, and any development proposals in order to estimate the likely total supply of accommodation in the region.
7. We will try to arrange a telephone conference call with the Pheasant Glen developer, to obtain available information about the performance of the existing golf course (number of rounds per year, resident vs. visitor rounds, annual net operating income) and to discuss the developer's perspective on the tourism accommodation prospects for the site.
8. We will evaluate the strengths and weaknesses of the Pheasant Glen site and compare with existing or potential competing tourism accommodation properties in the area.
9. We will produce a high level financial analysis of potential hotel-type tourism accommodation at Pheasant Glen, in which we will forecast annual operating income (based on our estimate of achievable occupancy rate and average room rate) after operating expenses and compare with the cost of creating the accommodation, to see if the project would be profitable. We will also estimate the sales price of rental pool or timeshare condo development and compare with construction cost.
10. If tourism accommodation does look profitable, we will re-contact the developer to discuss our preliminary findings and aim to understand the difference in perspectives.
11. If tourism accommodation does not look profitable, we will obtain market data about the land value associated with single family and multifamily unit types that could be considered for inclusion in a residential development at the Pheasant Glen property.
12. We will estimate the financial performance of single family subdivision and multifamily unit development.

13. If permanent residential development is financially attractive, we will estimate the financial performance of a mixed tourist and permanent residential development as an input to determining how much residential is needed to make the whole project (including the tourist accommodation) financially viable.
14. Based on the analysis we will provide conclusions and recommendations to the Town regarding:
 - Whether a residential component should be included.
 - How the approval of a residential component could be justified to the broader community and other land owners outside the urban containment boundary so as to minimize the tendency to view this approval as a precedent for other residential developments in the area.
 - The appropriate mix of residential and tourist accommodation.
 - Facilities and amenities that should be included in the project.
 - How the project should be phased and approaches the Town can use to ensure that the tourist component of the project is delivered.
15. We will document the entire analysis in a concise report.
16. We will present our findings to the Town and to the public at a community meeting that the Town intends to organize.

Schedule

We can start this work in the second half of January 2014 and complete the work by late February.

Budget

We suggest the following budget:

Fee for analysis and report	\$9,000
Fee for attendance at public meeting	\$2,000
Disbursements (including travel and accommodation)	\$1,000
<u>Total</u>	<u>\$12,000</u>

Taxes are in addition.

Yours truly,

CORIOLIS CONSULTING CORP.



Jay Wollenberg

Appendix 2: South Qualicum Beach Local Area Plan (Work Plan 2) DRAFT Terms of Reference

Overview

During the 2011 Official Community Plan (OCP) Review the Town of Qualicum Beach received a number of “Big Ideas” that proposed additional development potential within the framework of the OCP. Several of the proposals were in the South Qualicum Beach area. The “big ideas” were not supported by Council and were not incorporated into the OCP update. The Town may wish to reconsider these and/or other development proposals in the area, and therefore proposes to proactively develop a Local Area Plan that will look at transportation, land use and environmental concerns as well as establish guidelines for the overall development and infrastructure.

The preparation of a Local Area Plan will provide an effective tool for the management of the Town’s land use pattern, transportation system, environmental features and future land use decisions on growth. It will provide a framework for land use decisions and possible reconsideration of the Town boundaries in the future.

The Local Area Plan should provide specific recommendations regarding:

- Residential mix and densities
- Major parks, open space and environmental areas
- Pedestrian and bicycle linkage systems within and through the area, providing connections to other areas of town
- Protection of environmentally sensitive areas

The 2014 South Qualicum Beach Local Area Plan would be followed up in a subsequent project to bring a tighter focus to the Local Area Plan. For reference, a future OCP review would address topics such as:

- More detailed master planning
- A review of the Town boundary
- Density and Form and Character guidelines

Study Area

The proposed study area is generally defined in the attached Schedule ‘A’. Consultants may choose to expand or refine the area as needed to set the framework. The proposed development area is approximately 2 km from the Village Neighbourhood of Qualicum Beach.

January 13, 2014 Planning Memo to Council
Pheasant Glen – OCP Review Work Plan Alternatives

Schedule and Deliverables

The primary objective of the Project is to prepare a draft Local Area Plan that can be integrated into the Town of Qualicum Beach Official Community Plan. The consultant is expected to undertake significant public consultation through the development of the plan to ensure that the plan reflects community interests in South Qualicum Beach, both now and in the future.

The tentative schedule is as follows:

- February 17: Council awards contract;
- Mid-March: Large-format Public Meeting;
- April: Stakeholder meetings, survey and/or charrettes;
- Mid-June: Large-format public meeting;
- July: Final report and presentation to Council (Final Written Report: Four copies, and electronic copy).

Resources

The Town will provide maps, bylaws and other information applicable to the area. Town staff will be available to the Consultant for meetings and information.

Appendix 3: Sample OCP Reviews

Project Name: Village Neighbourhood Planning Project OCP Review

Municipality, Date: Town of Qualicum Beach, 2012

Timeframe: Five months to initial bylaw consideration (March - July 2012)

Consultant: none

The 2012 Village Neighbourhood Planning Project is the most recent case study in Qualicum Beach of a focused OCP review. Beginning in March of 2012, staff were requested to complete a consultation process and OCP amendment process that would reduce the barriers to development in the Village Neighbourhood.

The Village Neighbourhood has been identified for development and densification since the 1998 OCP. Village Neighbourhood development increases the vibrancy of the downtown, improves amenities for residents, supports local schools, provides housing that is within walking distance of businesses and services and supports many of the other OCP goals. Village Neighbourhood development makes efficient uses of existing servicing and resources, and does not diminish the ecological integrity of the Town's surrounding ecosystems in the way that "greenfield" development does.

In the 2012-2014 Corporate Strategic Plan, Council identified four primary strategic goals/directions. Economic recovery was ranked as a top priority with the following direction: "Economic recovery: Infill downtown, analysis of Town policies and bylaws to encourage infill on empty lots."

The project was implemented in five steps:

1. Identify barriers to development
2. Explore alternatives
3. Engage residents and stakeholders
4. Decide on action
5. Implement decision

The process proceeded through the first four steps in approximately five months, including a resident/stakeholder survey and two Committee of the Whole meetings. This was followed by the statutory bylaw amendment process that included additional public input. The bylaws were adopted in September 2012.



Appendix 3: Sample OCP Reviews – continued

Project Name: Arden Corridor Local Area Plan OCP Review

Municipality, Date: City of Courtenay, 2012

Timeframe: Six months to initial plan (July – December 2012)

Consultant: JWT Architecture and Planning

Budget: \$30,000

Summary

The Arden Corridor Local Area Plan (LAP) study area is located on the City of Courtenay's western boundary and encompasses an area approximately 413 hectares or 1022 acres in size. Approximately 40% of these lands are currently within the City of Courtenay; the other 60% is within Electoral Areas A and C and are under the jurisdiction of the Comox Valley Regional District.

The LAP was initiated in order to respond to growing development pressure within the City's boundaries, as well as anticipate development that will eventually occur in the Electoral Area lands. Within this study area, the lands currently within the Electoral Areas are designated Settlement Expansion Areas which means that settlement was permissible in these areas upon a number of criteria being met, as stated in the Comox Valley Regional Growth Strategy (RGS). The LAP allowed the community to plan for increasing development pressure in the Arden area by establishing a clear vision for the corridor. From its conception, the Plan aimed to actively include the perspectives of the community. A consultation strategy provided a range of opportunities for residents to have their say. A number of community agencies and organizations also participated in the creation of the Plan.

Detailed information about the Arden Planning process can be found on the City of Courtenay website.

Planning Reports Regular Council Meeting

January 13, 2014

4 (A)

PHEASANT GLEN – WORK PLAN ALTERNATIVES

OCP Review Options

1. Site-specific – review of tourism accommodation and/or permanent residential use.
2. South Qualicum Beach - Local Area Plan
3. Growth Containment Boundary Review

2014 OCP Review Options			
<i>Timeline Comparison</i>			
Option 1: Site-specific	Option 2: Local Area Plan	Option 3: GCB Review	
	Staff initiates work plan chosen by Council		
January			
February	Consultant: Report preparation Public Meeting Staff: Amendment bylaw drafting	Feb 7: Planning RFP closes Feb 17: Council awards contract for Area Planning Consultant work period Initial Public Meeting Continued consultation (meetings, survey and/or charrettes) Consultant: Plan preparation Wrap-up public meeting Final consultant report Consultant presentation to Council Preparation of amendment bylaws Application to RDN	Public Meeting Staff: Report with decision points. Amendment bylaws drafted. Application to RDN
March			
April			
May			
June			
July			
August			
September			

4 (d)

FIRE HALL – PARK LAND CONFIGURATION



Examples of Park Reconfiguration





TOWN OF QUALICUM BEACH

**SOUTH QUALICUM BEACH
OCP REVIEW
DRAFT STUDY AREA**

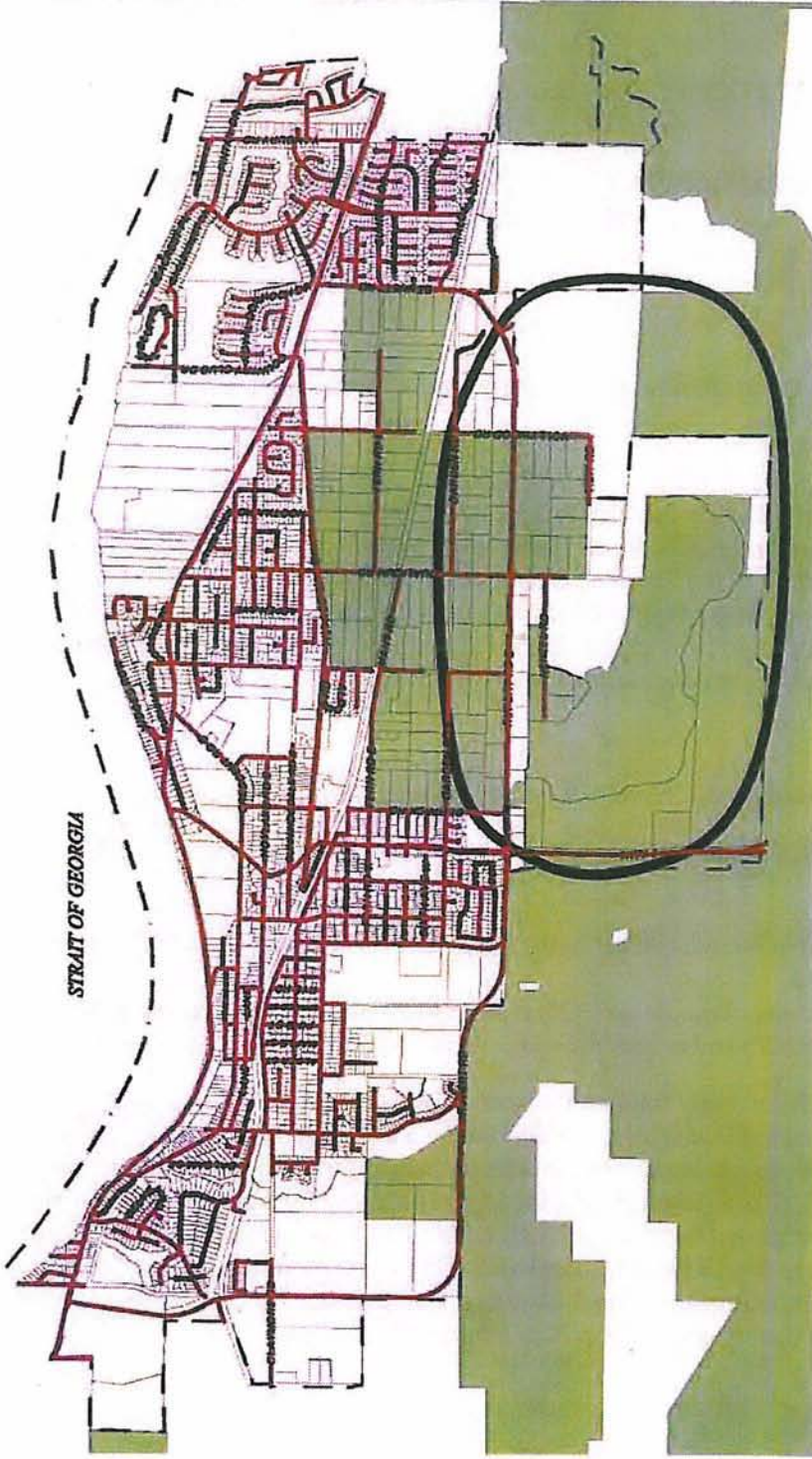
Legend:

-  Agricultural Land Reserve
-  Municipal Boundary
-  Existing Road Network



UPDATED: 2013-12-13

APPROXIMATE SITE AREA 545 ha
% Non-ALR AREA 170 ha
% ALR AREA 375 ha





TOWN OF QUALICUM BEACH

2014 OCP Review – Growth Containment Boundary BACKGROUND REPORT

Prepared for the March 4, 2014 Public Information Meeting
Updated April 15, 2014

Key Question:

Should the Town's Growth Containment Boundary be the same as the municipal boundary?

Introduction

The Town is currently reviewing its Official Community Plan (OCP) to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town as is the current designation. This OCP review specifically addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town.

Growth Containment Boundary (GCB) vs. Urban Containment Boundary (UCB)

Currently, the GCB and UCB include the same areas within the Town. However, the Town only controls the UCB.

- Growth Containment Boundaries are in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not have to be the same. For example, during the RGS review leading up to the adoption of an updated RGS in 2011, the City of Nanaimo requested that the entire municipality be within the Growth Containment Boundary (GCB), as identified in the Regional Growth Strategy. The City of Nanaimo maintains an Urban Containment Boundary (UCB) within its Official Community Plan that is not at the municipal boundary, and excludes ALR land and other areas not intended for development. Currently, the Town is considering a similar change that would result in a Growth Containment Boundary that is different than from the Urban Containment Boundary.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

Why would the Town set the GCB at the municipal boundary?

Expanding the GCB to match the Town boundary would:

1. Simplify the governance structure

Currently, the Regional District of Nanaimo and member municipalities have a role in permitting or denying urban growth and servicing within some areas of the Town. Setting the GCB at the Town boundary would remove the need for partner municipalities and the Regional District to consent to changes to the amount or form of development to urban use or density in areas outside of those that are currently intended for urban development. Town of Qualicum Beach Council would have complete autonomy over land use decisions for land that is not located in the Agricultural Land Reserve. Within the bounds of a GCB, a municipality does not have to consult with the Regional District of Nanaimo or other member municipalities. The Town can, however, maintain a separate UCB that designates some areas for growth, while restricting development potential in other areas.

If the GCB is set at the Town boundary, the Regional District of Nanaimo would no longer have a role in permitting or denying urban growth and servicing within the Town.

2. Shorten the process for some land use changes

Currently the process for approving a development application for lands outside of the Growth Containment Boundary is long and cumbersome. Setting the GCB at the Town boundary would decrease the length of time required to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP, with respect to where urban development is supported. The approval process would be unchanged for areas that are currently within the Growth Containment Boundary.

Presently, developers intending to develop land outside of the Growth Containment Boundary can initiate a change to the Regional Growth Strategy by applying to the Town for an OCP amendment. This allows the Town to decide whether it wants to proceed with an RGS amendment. Effectively, the Town would become the sponsor of an application to the RDN for an RGS amendment.

RGS amendment applications are currently analyzed on a project-by-project basis to ensure that they coincide with the goals set forth by the RGS. Based on the timelines for applications to the RDN in other areas, the process for a Regional Growth Strategy amendment application may take one to two years. The rigorous process for amending the RGS limits the speed with which local governments can permit urban development or provide servicing to areas outside of the GCB.

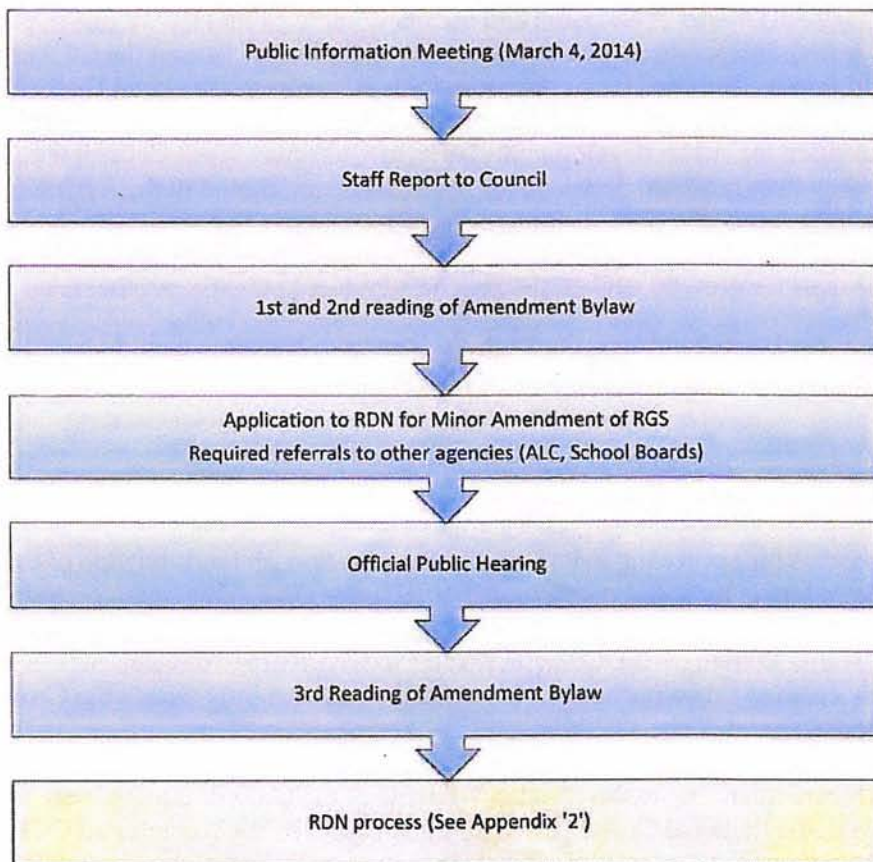
Expanding the GCB to include ALR land would have little effect on the Town's ability to permit development in these areas. Changing the GCB to the Town boundary would primarily affect non-ALR properties outside of the GCB. There are 909 hectares of land inside the GCB and 869 hectares of land outside the GCB. Of the land outside the GCB, 354 hectares is not in the ALR.

2014 OCP Review - Growth Containment Boundary Background Report
February 20, 2014

Updated

What's the process?

Growth Containment Boundary OCP Review Process



2014 OCP Review - Growth Containment Boundary Background Report
February 20, 2014

About the RGS and RDN

The Town of Qualicum Beach, along with partner municipalities, adopted the "Regional District of Nanaimo (RDN) Growth Management Plan" in 1997. This plan was the first iteration of what is now known as the Regional Growth Strategy (RGS). The RGS was implemented in response to residents' concerns about the impacts of rapid population growth and unconstrained development in the late 1980s and early 1990s. One of the policies of the RGS is the establishment of Growth Containment Boundaries (GCBs), which delineate the areas where most development is permitted to occur. Within the RGS, GCBs include urban areas and "Rural Village Centres" and generally exclude the Agricultural Land Reserve (ALR), resource land and rural areas.

The Regional District of Nanaimo provides regional governance and services throughout Vancouver Island's central east coast. Communities within the RDN include the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach, as well as seven unincorporated Electoral Areas. Established in 1967, the RDN is British Columbia's third most populous Regional District.

The RDN is governed by a 17-member Regional Board, comprised of ten directors from locally-elected municipal councils, and seven directors elected by Electoral Area residents. Board members also sit on a variety of regional select and standing committees for key services, as well as the RDN Committee of the Whole.

Growth Containment Boundary

"Growth Containment Boundaries (GCBs) are geographically-based lines shown on RGS maps that define where growth is intended to be directed. The Growth Containment Boundary is intended to control urban sprawl and to encourage the development of compact, complete communities within municipalities or within a Rural Village Area in electoral areas. Land situated outside the GCBs is intended primarily for rural purposes that require limited infrastructure and services."

- 2011 RGS, Glossary

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

What's the Next Step?

Following the Town's OCP review, if Council decides that the GCB should be the same as the municipal boundary, an application will be made to the Regional District for a minor amendment to the RGS. A referral to the Agricultural Land Commission and School District No. 69 Board would also be made at the same time to comply with the *Local Government Act*.

RGS Amendment Process

At the Committee of the Whole meeting on November 25, 2013, RDN staff clarified the distinction between two ways of amending the RGS: the regular amendment process and the minor amendment process. To qualify for the minor amendment process, a municipality must undertake a full "OCP review process". RDN staff emphasized that although an "OCP review" is different than a typical application review, the scope and work plan of the OCP review are primarily up to the discretion of the municipal Council. After third reading of the OCP amendment bylaw, the Town would apply to the RDN for a minor amendment to the RGS. This process is detailed on the attached Appendix "A".

Contact

For questions or comments about this OCP review process, please contact me directly:



Luke Sales, MCIP, RPP
Director of Planning
Town of Qualicum Beach

N:\6400-6999 PLANNING AND DEVELOPMENT\6480 COMMUNITY PLANNING - OFFICIAL COMMUNITY PLAN\2014 OCP Review\March 4 PIM\2014 OCP Review-GCB BG Report-updated April 14.docx

File: 3900-20-700.10

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

The Town of Qualicum Beach held a public information meeting on March 4, 2014 to discuss whether the Growth Containment Boundary (GCB) should match the municipal boundary. The following are written comments that were received as feedback from attendees through the forms that were distributed to them at the meeting.

Expanding the GCB to match the Town boundary would:

Q1. Remove the requirement that partnering municipalities and the Regional District consent to increase the amount of urban development in areas outside of areas currently intended for urban development. The Town would have autonomy over land use decisions for land within the Town that is not in the Agricultural Land Reserve (ALR).

Q1 – BENEFITS

A GCB change may help speed up a project that can enhance a town
The only beneficiaries would be developers, Councillors, Pheasant Glen
Cannot see any benefit at this time and am opposed to any boundary change
None
Why wouldn't the Town decide for the Town. The Town knows the Town best, and should make the Town decisions; It would allow the Town to stimulate the economy in ways they see fit; React dynamically to world/local changes.
No Benefits
Few!! Don't see the benefits here.
Developers, Councillors
Administratively simple and enhances the Town's autonomy; Practically, we are not speaking of much new land being added as potentially developable
Town should take complete responsibility for land use within its boundaries; Reduce cost/bureaucracy
Potential to connect Eaglecrest community with North Qualicum
Why does Council want to increase urban development in Qualicum Beach. Should this not be a community decision?
More encouragement to Councils' favourite developers to benefit at taxpayers' expense
Other areas don't control TQB decisions on Growth; TQB has control over land use decisions within the Town's boundaries
NONE
Yes – lets simplify the process; Better coordination of services; No need for Regional consultations of land use within municipal boundaries
With the old method we have a beautiful village with no big debt; why change now?
Council could make changes based more on their own bias – therefore it would facilitate their fast decision and benefit a developer – not really a 'benefit' but a negative
Removes other levels of government from land use decisions in QB
Faster permits; more control over areas within boundaries; more say in developments?
Quicker permits; more control over areas within boundary, more say on how these areas are developed
Only the developer and not the tax payers! We have been ignored by 3 members of Council and 1 newspaper person. If they resigned now our community would obviously benefit from a balanced approach! There has to be a structure to impeach people who represent only 1 group i.e. developers
Will benefit developers
None at this time
May reduce coordination burden with neighbouring municipalities; may allow better reaction if market changes; Town should plan long ahead for its containment boundary
None

**Town of Qualicum Beach
MEMORANDUM**

TO: John Marsh, CMA, Acting CAO

FOR: Council Meeting, March 3, 2014

FROM: Luke Sales, MCIP, RPP, Director of Planning;

SUBJECT: 2014 OCP Review - Growth Containment Boundary

RECOMMENDATION

For information purposes only.

PURPOSE

To provide a copy of the report about the 2014 Official Community Plan review of the Growth Containment Boundary (GCB) in advance of the March 4, 2014 Public Information Meeting on this topic.

BACKGROUND

The Town is currently reviewing its OCP to determine whether the Growth Containment Boundary (GCB) in the RGS should include the entire Town or only a portion of the Town as is the current designation. This OCP review specifically addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town.

DISCUSSION

Residents, business owners and stakeholder groups are invited to join Town staff and Council at a Public Information Meeting to discuss the Growth Containment Boundary and the benefits and drawbacks of aligning it with the Town's boundary.


Date: Tuesday, March 4, 2014
Time: 7pm-9pm
Location: Qualicum Beach Civic Centre,
747 Jones Street, Qualicum Beach

A presentation by Town staff will begin at 7pm

The attached report was distributed to an extensive email distribution list and uploaded to the Town's website. Also attached to this report is an excerpt from the Regional Growth Strategy about the minor amendment process.

ALTERNATIVES

For information purposes only



Luke Sales, MCIP, RPP
Director of Planning
Report Writer



John Marsh, CMA
Acting CAO
Concurrence



TOWN OF QUALICUM BEACH

BACKGROUND REPORT: 2014 OCP Review – Growth Containment Boundary

Public Information Meeting

7:00 pm, March 4, 2014

Civic Centre, 747 Jones Street, Qualicum Beach

Guiding Question:

Should the Town's Growth Containment Boundary (GCB) be the same as the municipal boundary?

The GCB is identified in the Regional District of Nanaimo Regional Growth Strategy (RGS) and broadly defines the growth areas within the region. The Town is pursuing a change to the GCB to change the governance requirements within the Town. To affect this change, the Town must review and amend its Official Community Plan (OCP).

The Town is currently reviewing its OCP to determine whether the Growth Containment Boundary (GCB) in the RGS should include the entire Town or only a portion of the Town as is the current designation. This OCP review specifically addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town.

Growth Containment Boundary (GCB) vs. Urban Containment Boundary (UCB)

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- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town. It is not currently being reviewed in the present OCP review.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not need to be the same. Currently, the Town is considering a change that would result in a GCB that would no longer mirror the Urban Containment Boundary, and instead align with the municipal boundary.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

Why would the Town set the GCB at the municipal boundary?

Expanding the GCB to match the Town boundary would:

1. *Simplify the governance structure*

Currently, the Regional District of Nanaimo and member municipalities have a role in permitting or denying urban growth and servicing within some areas of the Town. Setting the GCB at the Town boundary would remove the need for partner municipalities and the Regional District to consent to changes to the amount or form of development to urban use or density in areas outside of those that are currently intended for urban development. Town of Qualicum Beach Council would have complete autonomy over land use decisions for land that is not located in the Agricultural Land Reserve. Within the bounds of a GCB, a municipality does not have to consult with the Regional District of Nanaimo or other member municipalities. The Town can, however, maintain a separate UCB that designates some areas for growth, while restricting development potential in other areas.

If the GCB is set at the Town boundary, the Regional District of Nanaimo would no longer have a role in permitting or denying urban growth and servicing within the Town.

2. *Shorten the process for some land use changes*

Currently the process for approving a development application for lands outside of the Growth Containment Boundary is long and cumbersome. Setting the GCB at the Town boundary would decrease the length of time required to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP, with respect to where urban development is supported. The approval process would be unchanged for areas that are currently within the Growth Containment Boundary.

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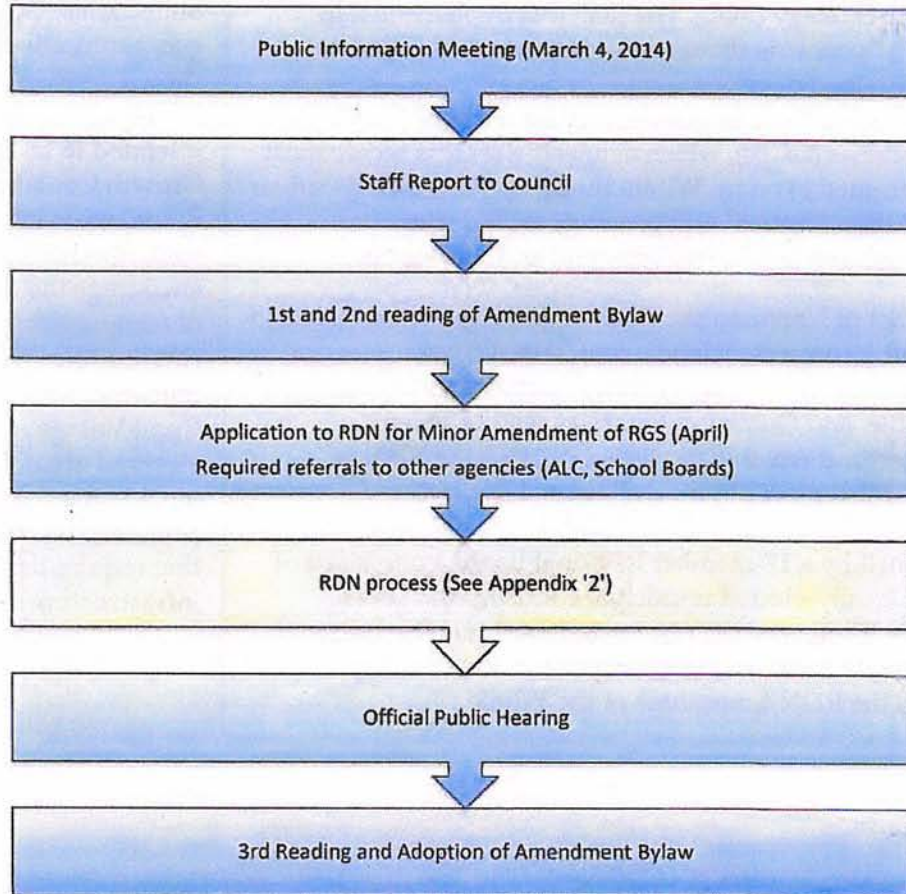
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2014 OCP Review - Growth Containment Boundary Background Report
February 20, 2014

What's the process?

Growth Containment Boundary OCP Review Process



2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

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– 2011 RGS, Glossary

2014 OCP Review - Growth Containment Boundary Background Report
February 20, 2014

What's the Next Step?

Following the Town's OCP review, if Council decides that the GCB should be the same as the municipal boundary, an application will be made to the Regional District for a minor amendment to the RGS. A referral to the Agricultural Land Commission and School District No. 69 Board would also be made at the same time to comply with the *Local Government Act*.

Contact

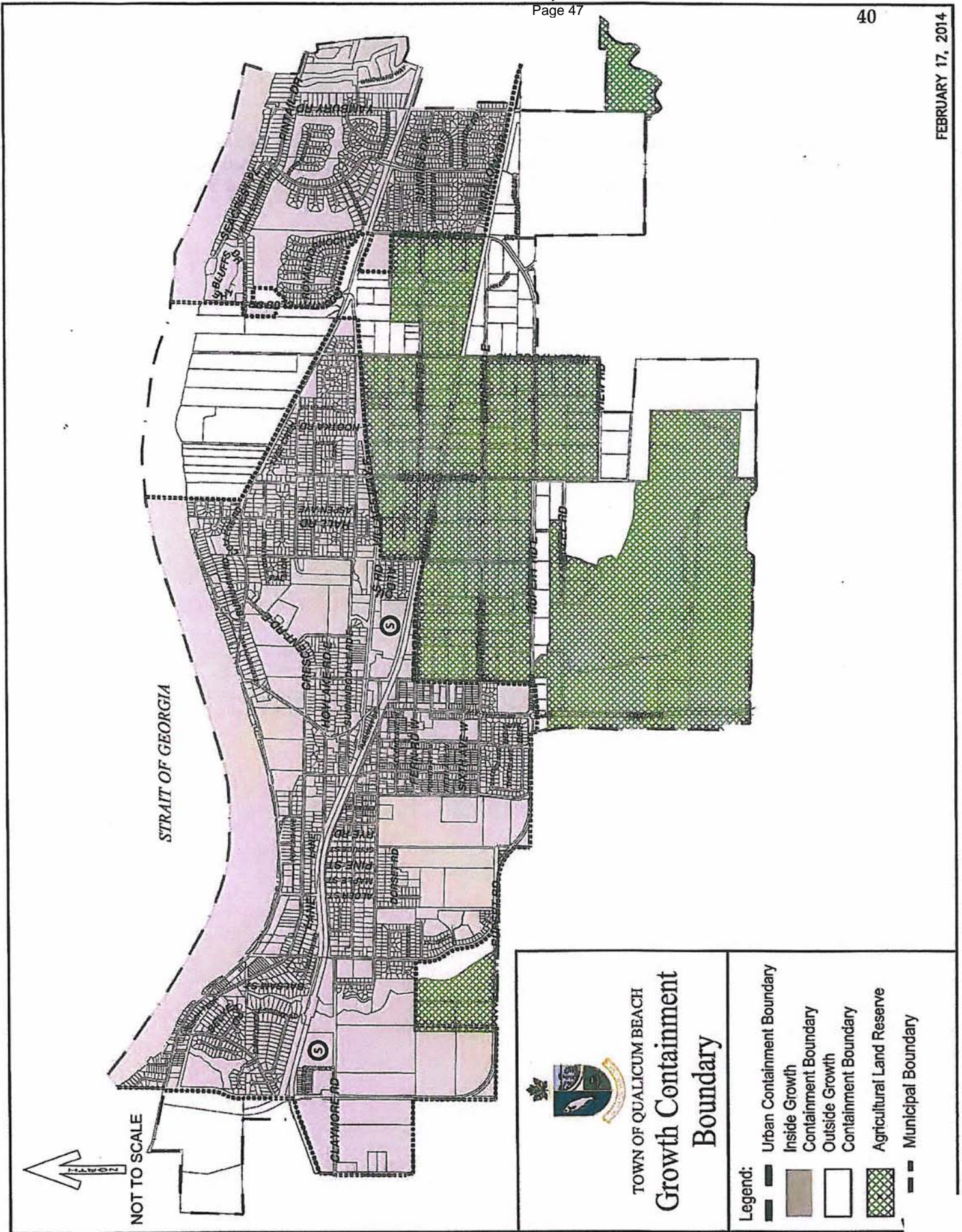
For questions or comments about this OCP review process, please contact me directly:



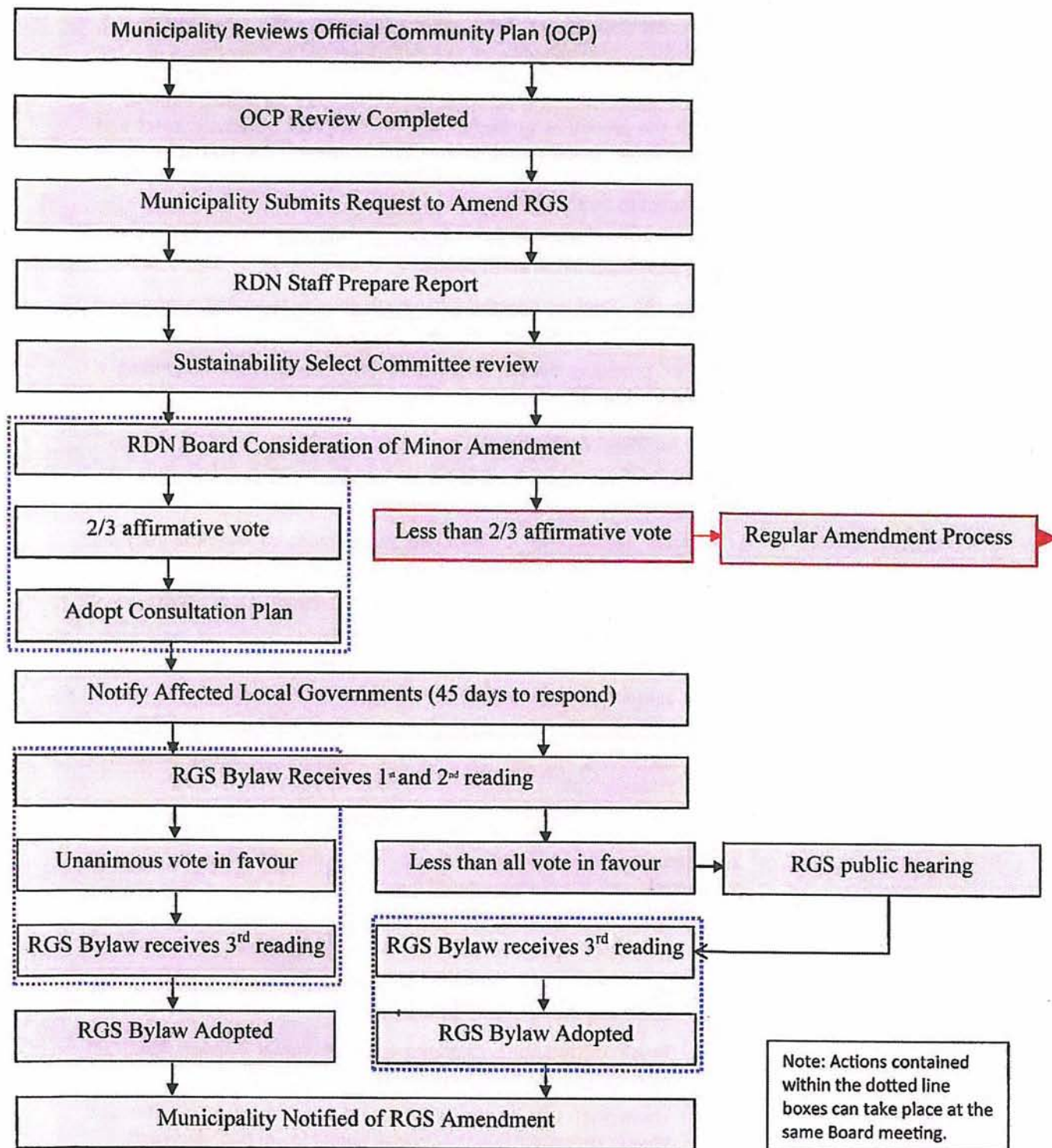
Luke Sales, MCIP, RPP
Director of Planning
Town of Qualicum Beach

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RGS Minor Amendment Process Triggered by OCP Review in Municipality



Source: Regional District of Nanaimo

1.5 Amendment Approval Process

Bill 27 of the *Local Government Act* makes provision for the amendment of a Regional Growth Strategy in one of two ways. Regardless of the amendment process used, amendments may only be made through bylaw. All amendments to the RGS considered to be major must be accepted by all affected local governments in accordance with the provisions of Section 857 of the *Local Government Act* and must follow the same process that is required to adopt the RGS. The *Local Government Act* also allows for minor amendments where a process has been established pursuant to Section 857.1 that includes:

- Criteria for determining whether a proposed amendment is minor for the purposes of allowing the process to apply;
- A means for the views of affected local governments regarding a proposed minor amendment to be obtained and considered; and
- A means for providing notice to affected local governments regarding a proposed minor amendment.

1.5.1 Criteria for Minor Amendments

The following outlines the criteria for considering minor amendments to the RGS.

1. Criteria under which a proposed amendment to the RGS may be considered a minor amendment include the following:
 - Amendments resulting from a full Electoral Area or Municipal Official Community Plan review process;
 - Text and map amendments required to correct errors or as a result of more accurate information being received;
 - Amendments to incorporate changes to tables, figures, grammar, or numbering that do not alter the intent of the Regional Growth Strategy; and
 - Addition or deletion, or amendment to Section 5.4 Key Indicators.
2. Although not considered as an exhaustive list, the following types of amendments are not considered minor:
 - Those that lead to adverse changes to the health and ongoing viability of sensitive ecosystems and water sources;
 - Those that include land in the Agricultural Land Reserve or will negatively impact agricultural lands;
 - Those related to a development that would require significant works to address a natural hazard;
 - Those that require the provision of new community water and sewer systems outside the Growth Containment Boundary; and,

- Those that are not consistent with measures and or policies to reduce greenhouse gas emissions and improve air quality.

1.5.2 Process for Approving Minor Amendments

1. On receipt of a request from a member municipality or an Electoral Area Planning Committee to amend the RGS, RDN staff will prepare a preliminary report for review by the Sustainability Select Committee. Committee comments and recommendations will be forwarded to the Regional Board.
2. A land use or development proposal or text amendment will be assessed in terms of the minor amendment criteria. The Board may resolve, by an affirmative vote of 2/3 of the Board members attending the meeting, to proceed with an amendment application as a minor amendment. Where the Board resolves to proceed with an amendment application as a minor amendment, the Board will:
 - Determine the appropriate form of consultation required in conjunction with the proposed minor amendment;
 - Give 45 days written notice to each affected local government, including notice that the proposed amendment has been determined to be a minor amendment. The notice shall include a summary of the proposed amendment and any staff reports, other relevant supporting documentation and the date, time and place of the board meeting at which the amending bylaw is to be considered for first reading; and
 - Consider the written comments provided by the affected local governments prior to giving first reading to the proposed amendment bylaw.
3. The 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.
4. Consider third reading and determine whether or not to adopt the amending bylaw.
5. Minor amendment bylaws shall be adopted in accordance with the procedures that apply to the adoption of a RGS under Section 791 of the *Local Government Act*.

1.6 Monitoring of the RGS

A monitoring program will be established in collaboration with member municipalities and appropriate provincial government agencies to track progress in achieving RGS goals, including GHG emissions reductions. Reports will be made to the RDN Board and public on an annual basis. The details of the monitoring program are outlined in Section 5.2.

**Town of Qualicum Beach
MEMORANDUM**

TO: John Marsh, CMA, Acting CAO

FOR: Council Meeting, March 17, 2014

FROM: Luke Sales, MCIP, RPP, Director of Planning;

SUBJECT: 2014 OCP Review – Growth Containment Boundary

RECOMMENDATION

THAT Council directs staff to provide additional opportunities for public engagement, including a Public Information Meeting in April, as a part of the 2014 Official Community Plan (OCP) Review on the Growth Containment Boundary.

PURPOSE

To provide a report with preliminary public feedback from the March 4, 2014 Public Information Meeting on the Growth Containment Boundary (GCB), as well as provide an updated timeline.

BACKGROUND

The Town is currently reviewing its OCP to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town, as is the current designation. This OCP review addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town. Furthermore, this OCP review is an opportunity to review how the location of the GCB may or may not support the Town's long-term growth management policies.

DISCUSSION

On Tuesday, March 4, 2014 a Public Information Meeting was held at the Qualicum Beach Civic Centre on the topic of the 2014 Official Community Plan review of the Growth Containment Boundary (GCB). A report on the topic of the potential change to the GCB was distributed to an extensive email distribution list and uploaded to the Town's website on February 21, 2014. A presentation by Town staff began at 7pm, followed by group discussion, written feedback and open mic. Feedback forms are available for those people that were unable to attend the meeting or wanted take their form home to complete it. Unless otherwise directed by Council, staff will accept feedback forms until March 28, 2014.

Discussion with RDN staff

Town staff met with Regional District of Nanaimo staff on February 28, 2014 to ensure that there is mutual understanding of the required process, should the Town proceed with the OCP review leading to an RGS amendment application. It was suggested that broadening the scope of the current OCP review to include issues related to long-term planning would strengthen the Town's application for a minor amendment of the RGS. A broadened scope could address topics such as how the proposed change to the GCB improves the Town's capacity to manage, accommodate, and direct future growth. A broadened OCP Review would also identify topics for future reviews. An OCP review on the topic of governance that does not address a wider scope of topics may not

qualify for the conditions required for a “minor amendment”. In any case, it will be up to the RDN Board to determine whether the Town’s OCP review is an acceptable process to qualify for the minor amendment process.

Further to the importance of maintaining a broad scope for the OCP review, it would be counter-productive for the Town to begin a site-specific review (e.g. Pheasant Glen) prior to the completion of the RDN process. As such, staff will not bring any site-specific applications to Council until the RGS amendment process has reached a conclusion.

The Regional District of Nanaimo includes the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach.

- The City of Nanaimo has a GCB at the municipal boundary. Their Urban Containment Boundary (UCB) excludes parts of the City that are not identified for development.
- The District of Lantzville does not have a GCB at the municipal boundary, but it does include some lands outside of their UCB. The UCB does not include parts of the District that are not identified for development.
- The City of Parksville does not have a GCB at the municipal boundary. Its UCB is the same as its GCB and excludes parts of the City that are not identified for development.
- The Town of Qualicum Beach does not currently have a GCB at the municipal boundary. Areas that are not identified for development are outside the UCB and the GCB.

Written Feedback from March 4, 2014 Public Information Meeting

Attached to this memo is a complete transcription of the written feedback from the March 4, 2014 Public Information Meeting (PIM). Additional feedback will be added to the transcription at a later date as more feedback forms are received.

2014 Timeline

- March 17 (Council Meeting): Report to Council.
- April 7 (Council Meeting): OCP amendment bylaw introduced and read a first time.
- April 14 (Council Meeting): OCP amendment bylaw read a second time. Public hearing date set.
- Late April: Public Information Meeting
- May 12 (Council Meeting): Official Public Hearing, OCP amendment bylaw read a third time.
- Mid-May: Application to the RDN (see attached diagram. Timeline estimated at three months)
- If RDN board approves the application, Council may adopt the OCP amendment bylaw in an open Council meeting. (possible timeframe: August 2014).

Originally the RGS amendment application was scheduled to be sent to the RDN in April, but the staff recommendation is that the timeline be delayed one month. Due to the irregular, shortened period of time between the April 7th and April 14th Council meetings, more time is required to meet the statutory notification requirements for an official public hearing. This change in schedule also allows for a second Public Information Meeting in late April, as well as focus groups or other forms of public engagement in the meantime. A good topic for a subsequent consultation is a review of the OCP Implementation items, as well as how the public process for future OCP

reviews should be conducted. The consultation could address questions such as whether the Town should continue with major OCP reviews every six years or whether it is more meaningful to conduct smaller, focused reviews on specific topics. Examples of smaller, topic-based public planning processes include the 2012 Village Neighbourhood Planning Project, the 2013 Secondary Suites Policy Review, as well as the 2013-2015 Waterfront Master Plan, which is now in the first phase.

ALTERNATIVES

THAT Council provides alternative direction to staff.



Luke Sales, MCIP, RPP
Director of Planning
Report Writer

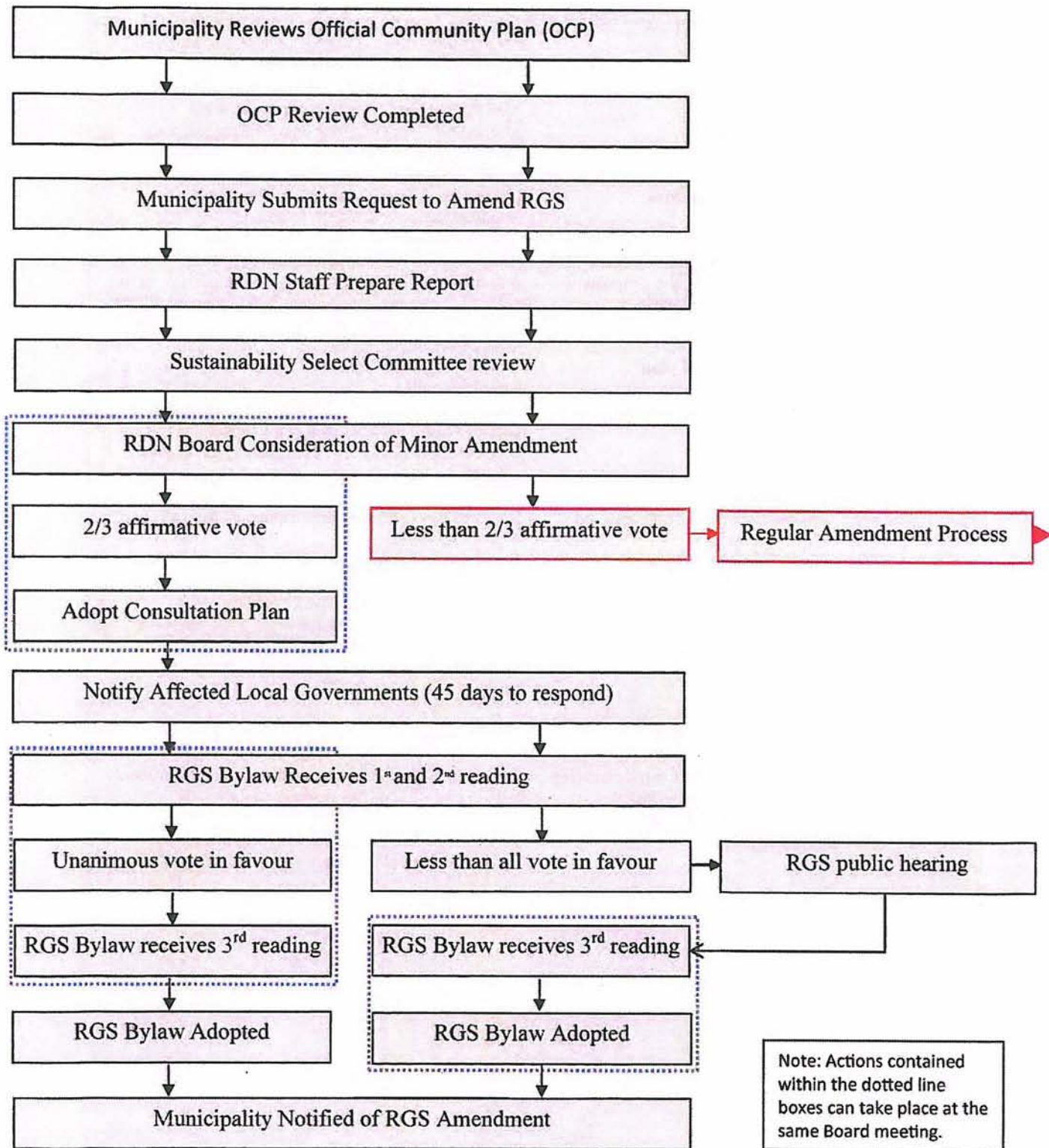


John Marsh, CMA
Acting CAO
Concurrence

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RGS Minor Amendment Process Triggered by OCP Review in Municipality



RGS Minor Amendment Process Triggered by OCP Review in Municipality

Process and steps to complete a Minor Amendment to the RGS as a result of changes to a municipal OCP	
1. OCP Review is Completed	Municipality completes a full OCP review process which results in a need to amend the RGS
2. Municipality submits request for RGS Amendment to the RDN	Council forwards request to RDN Board to amend the RGS through the Minor Amendment Process
3. RDN Staff prepare report	A report providing information on the request and amendment process is prepared for the Sustainability Select Committee
4. Sustainability Select Committee	Committee reviews the request and makes a recommendation to the RDN Board
5. RDN Board Meeting	
a. Receive recommendation from SSC	Board receives recommendation from SSC.
b. Decide on whether the proposed RGS Amendment is Minor	A minimum of 2/3 of the Board must vote in favour to proceed as a Minor Amendment. If less than 2/3 Board vote in favour then amendment cannot proceed through Minor amendment Process.
c. Adopt consultation plan	If proceeding as a Minor Amendment, Board adopts a consultation plan.
6. Notify Affected Local Governments	Notice of the proposed RGS Minor Amendment is provided to the RDN's member municipalities and adjacent regional districts. They have up to 45 days to respond.
7. RDN Board Meeting	
a. Receive comments from affected local governments	Board receives and considers comments from affected local governments
b. Give 1st reading to bylaw	Board gives 1 st reading to bylaw
c. Give 2nd reading to bylaw and maybe	If unanimous vote for 2 nd reading then no public hearing required and can give Bylaw 3 rd reading
d. Give 3rd reading to bylaw	Board gives 3 rd reading to bylaw
8. Public Hearing (only if required)	A public hearing is only required if there is <u>not</u> a unanimous Board vote in favour of giving the bylaw 2 nd reading
9. RDN Board Meeting	
a. Give final reading to bylaw	Final reading if 3 rd reading given at last meeting
Or	or
b. Receive report from public hearing	Board receives report from public hearing and proceeds with giving 3 rd and final readings to the bylaw
c. Give 3rd reading to bylaw	
d. Give final reading to bylaw	
10. Notice to Municipality	A letter is sent to the municipality and other LGs informing them of the Board decision on the RGS bylaw

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

The Town of Qualicum Beach held a public information meeting on March 4, 2014 to discuss whether the Growth Containment Boundary (GCB) should match the municipal boundary. The following are written comments that were received as feedback from attendees through the forms that were distributed to them at the meeting.

Expanding the GCB to match the Town boundary would:

Q1. Remove the requirement that partnering municipalities and the Regional District consent to increase the amount urban development in areas outside of areas currently intended for urban development. The Town would have autonomy over land use decisions for land within the Town that is not in the Agricultural Land Reserve (ALR).

Q1 – BENEFITS

A GCB change may help speed up a project than can enhance a town
The only beneficiaries would be developers, Councillors, Pheasant Glen
Cannot see any benefit at this time and am opposed to any boundary change
None
Why wouldn't the Town decide for the Town. The Town knows the Town best, and should make the Town decisions; It would allow the Town to stimulate the economy in ways they see fit; React dynamically to world/local changes.
No Benefits
Few!! Don't see the benefits here.
Developers, Councillors
Administratively simple and enhances the Town's autonomy; Practically, we are not speaking of much new land being added as potentially developable
Town should take complete responsibility for land use within its boundaries; Reduce cost/bureaucracy
Potential to connect Eaglecrest community with North Qualicum
Why does Council want to increase urban development in Qualicum Beach. Should this not be a community decision?
More encouragement to Councils' favourite developers to benefit at taxpayers' expense
Other areas don't control TQB decisions on Growth; TQB has control over land use decisions within the Town's boundaries
NONE
Yes – lets simplify the process; Better coordination of services; No need for Regional consultations of land use within municipal boundaries
With the old method we have a beautiful village with no big debt; why change now?
Council could make changes based more on their own bias – therefore it would facilitate their fast decision and benefit a developer – not really a 'benefit' but a negative
Removes other levels of government from land use decisions in QB
Faster permits; more control over areas within boundaries; more say in developments?
Quicker permits; more control over areas within boundary, more say on how these areas are developed
Only the developer and not the tax payers! We have been ignored by 3 members of Council and 1 newspaper person. If they resigned now our community would obviously benefit from a balanced approach! There has to be a structure to impeach people who represent only 1 group i.e. developers
Will benefit developers
None at this time
May reduce coordination burden with neighbouring municipalities; may allow better reaction if market changes; Town should plan long ahead for its containment boundary

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

Q1 – DRAWBACKS

Council only accountability is at the next elections
A layer of oversight is lost if the push is on for some major project or development
3 Councillors only make these crucial decisions, restricting input from residents
RDN no longer has a voice in this area; urban sprawl
Over development of beach from property. How would you control density and protect the environment and wildlife
This is a "profound" change in the words of Paul Thorkelson CAO of the RDN at a public meeting here last November. I think the fact that one Council with 5 members can overturn the wishes of the Town expressed in the OCP process is not a good way to proceed
Make sure the commercial heart/core isn't lost
Must consider consequences of growth (e.g. cost of infrastructure such as transportation, public services, etc.); Frightening that a small number of Town Councillors can make decisions outside OCP process
Political agenda; Economic inputs to Town
Decided by 3 or 4 Councillors; Little or no input to residents; Insufficient notification of information meetings
Removes the check on growth that the RDN criteria compels
I don't want the Town to have complete autonomy over all land use decisions. I believe having a 2nd level of government to apply to when/if local gov. (5 people) makes decisions not to the benefit of all of Qualicum Beach citizens; checks & balances are important
None
There is potential for urban development to a high density very adjacent to a rural area. eg. south side of Rupert Road; We do not want high density development adjacent to Milner Gardens; having high density development surrounded by ALR land does not make sense
Rural land becomes vulnerable; removes protection for rural land; potential for urban sprawl; not in agreement with Regional Growth Strategy; Encroachment on ALR land; Likely create leap frog development; undermines compact community; encourage development of rural property
No definition of areas of high density limits/low density area in outside growth containment boundary. Is Council waiting for developer input
Need checks and balances; Cost of growth; RDN is source of sober second opinion; Select, self-serving Council can do irreparable future damage; This is exclusively pro-growth
We must keep an eye on the successes of "village" life – why most of us moved here
Removes a level of "second thought" (RDN); Not fully discussed as part of a general OCP review; piecemeal change; puts too much power in the hands of a very small Council
Removes "sober second thought" from land use decisions
Increase in developed area; increased taxes for those coming into expanded area additional development costs?; obligation of Town to service these areas.
Potential footprint increase of developed area if areas are developed; increased property taxes? for those in new area; potential decreased density of built area – less efficient services, not as environmentally sustainable; does nothing to prevent development by private developers outside the Town boundaries; additional cost of development & servicing of developed area (which will increase all taxes)
The present structure should not be changed. Our community's decision will affect other communities living conditions. The RDN can give us a voice if we happen to have a Council or 3 or more who vote as a block on a consistent basis. There is no evidence that we can trust this Council to represent the taxpayers. They are obviously here to represent the developer
There would only be a small group of people (Town Council) who are making a decision regarding land that would affect other people. The RDN should be involved to give a more balanced opinion
Opens up areas to be developed willy-nilly by a Council that is hell bent to develop, develop, develop
The Council will have too much power to override the wishes of the majority of residents. It will be easier

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

for Council to amend zoning bylaw and approve more controversial developments. There are too many unfinished developments in Town already
More expensive servicing; makes planning for types of development more difficult; takes Town planning out of hands of PLANNERS and puts it in hands of developers

Expanding the GCB to match the Town boundary would:

Q2. Decrease the length of time and procedural requirements to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP with respect to land that is currently outside of the GCB.

Q2 – BENEFITS

No benefits to residents
None. It's a negative to much control by 5 people. No "sober second thought?" No full participation of the community
None
As long as there is sufficient public info & consultation things should proceed as quick as possible
No benefits
Little!!!
Council only. Residents spent 2 years defining the last OCP and are now being put down after so much work
Streamlining the prospects of Council and the community to control development as they see fit
Cost savings; Time savings; Town takes responsibility for what happens inside its boundaries
To potential developers
None
Yes by all means let's decrease the time for development processes. Hopefully that would encourage development (industrial, business) that would contribute to our future sustainability
Wait until a new Council is elected
Development can be fast tracked
Not sure
Faster permitting
Quicker permits
We are not given sufficient time. As usual things are being rammed through. How do the '3' justify ignoring the vast majority of taxpayers???
None
This means the Council, NOT the residents
Helps to provide some certainty to property owners if they have bright ideas

Q2 – DRAWBACKS

Residents of this community are at the mercy of 3 ruthless Councillors who could not care less about the opinions of residents
OCP can be changed to hastily lose compact quality – walkability
OCP changes of this magnitude should be carefully considered with full participation of the community
Reducing timeframes risks the possibility of "knee jerk" changes and neglecting consideration of the big picture
OCP belongs to the people. Changes should be by the people with defined timelines. Why not include votes on this subject in the municipal election
This will empower Council (as current) that is very pro development to fast track OCP revisions in favour of new development in previously undeveloped areas.

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

[Decrease the length of time and procedural requirements to make a change to the OCP] Perfect example of why we don't want this to happen is Pheasant Glen (formerly in the ALR – now may become urban sprawl with major housing development not in urban centre) Cherry picking, changing OCP to satisfy certain individuals is wrong
None
Rush through does not permit the whole community to be involved
Process for major land use changes needs checks and balances. Process needs to allow community time to make well informed decisions about land use changes; Why does Council want to change land uses outside UCB? Major changes and decisions need more time for contemplation and analyzing the consequences.
What is the purpose of a <u>community</u> OCP if Council can change it at its discretion. This is not a minor change to the OCP. It is a major change!
There is a sense of fear by some residents that Council (now and future) would move to fast with the “flavor of the day” or influence by those with “deep pockets”
Too hurried to make a decision of this magnitude. Please wait
Possible too fast a change without full consideration of long range repercussions; Do we want a small number of people who would be the majority of Council to have so much power? NO
Not sure
Could fewer reviews result in something undesirable being developed?
Fewer restrictions to undesirable development
3 members of Council vote as a <u>block</u> again and again; In my judgement and that of many others, the RDN will help us get a balanced and comprehensive study of the issues which is not forth coming of the present Council
What is the rush? This is a major decision that affects others. These decisions should be made with great care. The RDN would give more input
The Town if it wants an OCP change should then go through a <u>full</u> OCP review; Citizens involved in planning long range can help in setting up an OCP that everyone agrees with. Right now Council is off side from the citizens in their Town
The OCP should not be changed at all until decisions are made for the next OCP. If some important change is necessary, a referendum <u>should</u> be held whereby the citizens of the Town can participate in the decision-making. NOTE: A Council of 5 people should not be allowed to overturn the wishes of the majority of the residents who've spent much time and effort involved in the OCP process
Bad decisions are often made when insufficient time; Fundamentally don't approve decreasing the time! Long range planning solves all problem!! This was to be a public information meeting: We find it is to be OCP workshop

Q3. What other benefits do you see to the proposed change?

None
Absolutely none
None
0
Zero
With the current social and economic climate the Town needs to be in control of its future. To adapt and adjust to maintain the quality of life in Qualicum Beach
Town able to be the only level of government as oversight
None
It plays into the interest of the P-Glen development which will reinforce and exacerbate the polarization that currently exists in the community
Only benefits developers
A positive step towards facilitation of development of employment creating sustainable economy of TQB
None

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

None
More negatives than positives
None

Q4. What other drawbacks do you see to the proposed change?

COSTS – Leave it alone
All developers requests seem to be rubber stamped. <u>NO</u> consideration for the residents.
Can only make things worse here; opens up too many areas for subdivision type development eg. waterfront estates. Sustainability? Environment? Mere words.
As it is there seems to be little oversight of building projects in Town, how will less or no involvement by RDN improve things?
It misses the point of the Regional Growth Strategy to protect the environment, save us from urban sprawl, protect the taxpayer. We have seen instances of very bad development in this Town, now we can spread them around. Urban sprawl.
It doesn't sound like it will have any negative impacts. The Town & Council have been doing a great job of looking out for the Town's interest
Proposed changes/revisions to the OCP constitute a minor amendment – do not agree – changes constitute a <u>major</u> amendment
Having to supply sewer etc for any future approved development; slippery slope: would likely pressure to expand UCB
Urban sprawl. Water problems – aquifers down this winter; Parking chaos within the Town – unless the school closure is designated for parking not hi-rises?
The streamlined process plays to the interests of those who want to develop their property expediently – if the proposed developments are perceived by the community as un-wanted or as negatives – then expedited protocols will be felt as negative
Urban sprawl; Ignoring OCPs – changing whenever Council wants to; too much power for Town of QB
There will be pressure to provide sewer and water services to these new land areas once development potential is there
Council is leading this change. 5 persons making the decision for whole community. Process is flawed – too rushed – actually a major amendment to the Regional Growth Strategy
Listed on other side. This is a major amendment not a minor amendment
I'm not fully clear on why we <u>really</u> need this change now
Not enough time for thought as to what long-range impacts could happen in all the areas that could be affected
It is a bad idea unless you stand to benefit financially from this.
With this Council it would involve opening the Town up to developers and not respecting the wishes of the citizens who pay the taxes that run this Town.

Q5. What other information would assist you in furthering your understanding of this topic?

None
The truth
Full OCP review at the proper time this proposal has too many implications to leave up to 1 meeting. Why do we agree to large subdivisions only to have them change their plans – don't need anymore
No other information required
A map or summary of what could potentially change if this change took place. How many new homes, businesses, condos, etc.
How full/empty is current UCB – do we still have room. If so, why push expansion?
Presentation by UCB experts. Presentation by RDN personnel only – with no QB Town or Council present.

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

We need to understand this major change fully and completely
How is this a “minor amendment” to the Regional Growth Strategy, by definition
Present similar case examples please, including these that resulted in change and those where no changes were made. This might help us understand impacts to other communities
Lawyers’ opinion on the legality of a minor amendment versus major amendment
None
More information on possible infrastructure costs when development occurs in other areas
The ‘3’ has a moral responsibility to fully explain their reasons for this process.
This information and the drawings should have been in both local newspapers and not on the back pages
A full OCP review

Q6. Do you have any other comments?

Oh how the Town would benefit from the resignation of the three Councillors who vote as a block on any issue. Why is this being rushed through? Could this issue be voted on at the municipal election in November.
OCPs are made by the people after a lot of hard work – like the RGS and should be respected – not ignored by 5 people on Council. Referendum if need to change?
The OCP has turned into a great comic joke. How about a referendum? One public meeting of less than 50 people is <u>not sufficient!</u>
Is this an end run for Pheasant Glen? What about affordable housing? Lots of people are not present here for this <u>only</u> public hearing on March 4 th . How about a referendum on this topic? This is taking up a lot of staff time, how about all the other business of the Town. This apparently came from the Council Strategic Plan, how was that developed?
Why should we participate in the next OCP? Does this matter, what happens if “Council” doesn’t hear what they want to?
There is a lot of emotion, and misunderstanding around this meaning develop doesn’t need to go through the process
Planning must follow an open, transparent process that cannot be changed or compromised on an individual whim.
OCP is like a swiss match, discussing UCB & GCB is only 1 piece. Worried about only discussing a narrow part of OCP. Needs to be a broader conversation.
We fully expect this to be pushed through with as much speed as the Clarion Development. Is this really the only info session available to residents. Why was the info. package only put on your website 24 hrs. prior?
This is <u>not</u> a sufficient process to call an OCP review process
A major change to OCP at this time would be redundant and costly
I am not happy with the communication process used to the community. I do not believe this is a minor amendment to the OCP
It appears that Council does not agree with Regional Growth Strategy and its purpose. If Council feels the GCB is a hindrance or unfair or an obstacle to their autonomy then are they not supporting the Regional Growth Strategy
It’s time Council protected the interests of the taxpayer. Eg. desecration of land heritage development. Election! Election! Election!
Undo rush to have OCP amended. What’s the hurry?!
Why go ahead with now or wait until the OCP in 2016? My general observation throughout comments made is that there was a deep feeling of distrust in the current Council and therefore wonder what the <u>real</u> agenda is
Although it seems presented as a “minor” change, <u>it is not</u> . Stick with the Official Community Plan timeline.
RDN has already allowed undesirable developments in areas just outside of municipal boundaries – how can we be involved in influencing these approvals?

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
PUBLIC INFORMATION MEETING FEEDBACK**

We need to have more discussion with Counsellors when controversial items are dealt with. Will all Council members vote according to their own informed judgement?

An OCP review is an important decision. Where was a lot of publicity in the papers regarding our OCP a few years ago but there was very little publicity in the papers re this meeting and its importance

Town Council should have full fledged OCP reviews. ie. listen to the citizens who pay the taxes.

This Town needs more affordable housing to attract younger families to move here; the seniors require younger people to provide services that seniors are unable or unwilling to do. Besides, younger people bring energy, enthusiasm, new ideas, etc. with them.

Town of Qualicum Beach
MEMORANDUM

TO: John Marsh, CMA, Acting CAO

FOR: Council Meeting, March 17, 2014

FROM: Luke Sales, MCIP, RPP, Director of Planning;

SUBJECT: 2014 Official Community Plan (OCP) Amendment Bylaw – Growth Containment Boundary

RECOMMENDATION

THAT Council considers the additional alternatives in the March 17, 2014 Planning memo to Council regarding "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014";

PURPOSE

To consider reading "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" a first time.

BACKGROUND

The Town is currently reviewing its OCP to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town, as is the current designation.

DISCUSSION

If Council wishes to proceed with the 2014 Official Community Plan Review, the attached bylaw is ready for first reading. This accelerated timeline is now an option due to a recent BC Supreme Court decision involving Langley Township and Metro Vancouver, which ruled strongly in favour of municipal autonomy over land use decisions for long-range planning.

ALTERNATIVES

1. THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be introduced and given first reading;
AND FURTHER THAT Council holds a public hearing on Monday, April 14, 2014 at 7:00 pm at the Qualicum Beach Town Hall, 660 Primrose Street, Qualicum Beach in regard to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".
2. THAT Council provides alternative direction to staff.



Luke Sales, MCIP, RPP
Director of Planning
Report Writer



John Marsh, CMA
Acting CAO
Concurrence

**TOWN OF QUALICUM BEACH
 BYLAW NO. 700.10**

**A BYLAW TO AMEND THE TOWN OF QUALICUM BEACH
 Official Community Plan Bylaw 700, 2011**

The Council of the Town of Qualicum Beach, in open meeting lawfully assembled, hereby enacts as follows:

1. "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011" is hereby amended as follows:

- a) Replace Map Schedule 2.1 "Land Use" with the attached Appendix 'A'.
- b) On "Policies" page 2-6, insert policy six (6): "The Town shall manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary does not imply that rural lands outside of the Town's Urban Containment Boundary will ever be developed for urban use."
- a) On Appendix 'B' Regional Context Statement, amend Goal 4 (1) by checking "No" under "Consistency between OCP and RGS" and inserting the following under "OCP Reference", "To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.", as shown below.

	Yes	No	
1) Does the OCP's Urban Containment Boundary match the RGS's Growth Containment Boundary?		√	Section 2.1.1 "Urban Containment Boundary" Schedule 2.1 "Land Use" To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.

2. This bylaw may be cited as "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014"

READ A FIRST TIME this day of , 2014.

READ A SECOND TIME this day of , 2014.

Notice published pursuant to Section 892 of the *Local Government Act* on the day of , 2014 and the day of , 2014.

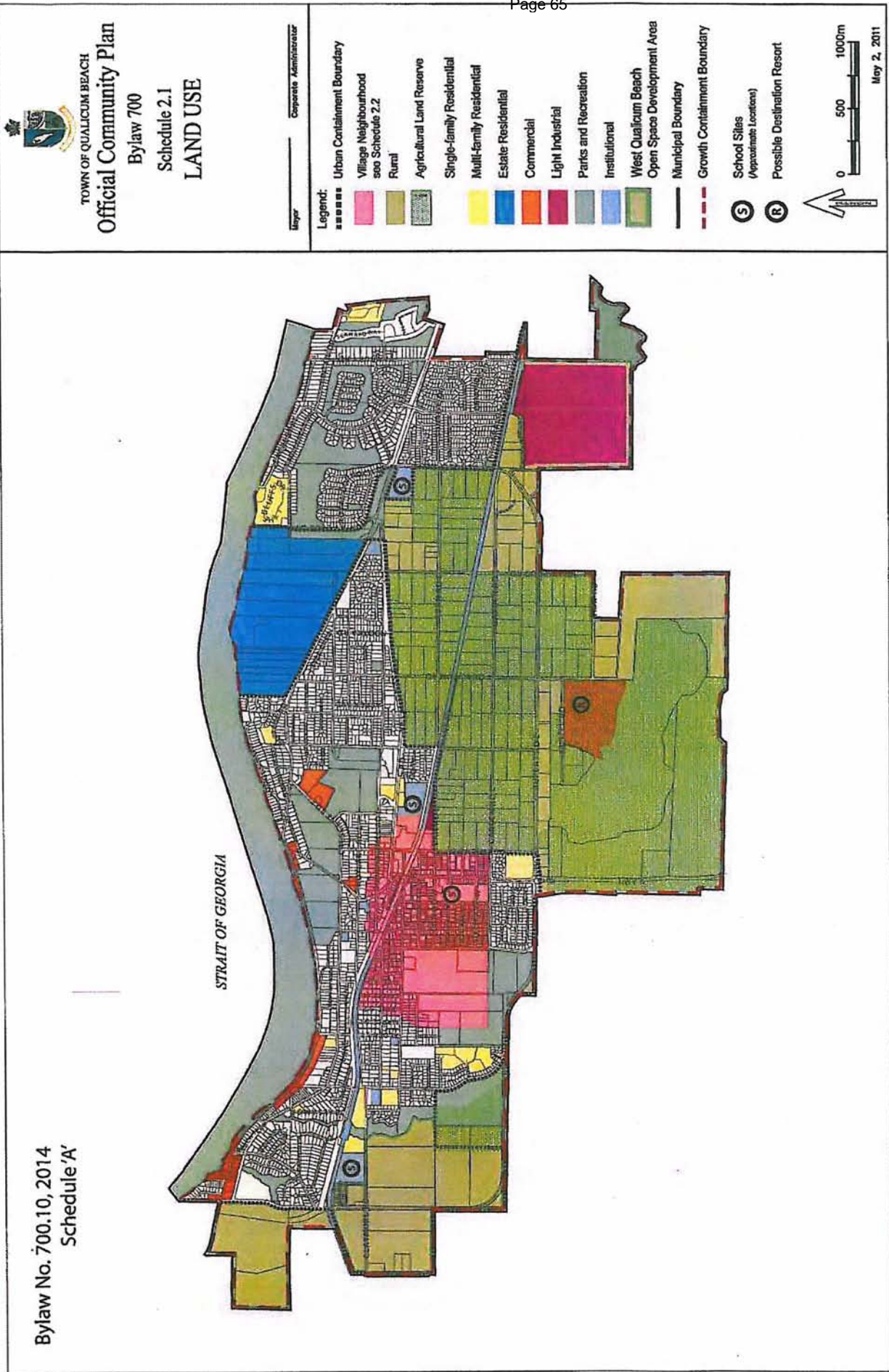
PUBLIC HEARING held on the day of , 2014.

READ A THIRD TIME this day of , 2014.

ADOPTED this day of , 2014.

 Teunis Westbroek, Mayor

 Trudy Coates, Corporate Administrator



**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

Gives Council the opportunity to change UCB and land uses and zoning that are now outside GCB; Benefits Council
None!
None
Simplify Planning
Leave as is. Keep Qualicum small - this is why we moved here!
I believe the GCB should match the municipal boundary. Any development requirement for change require extensive thorough detailed knowledge distributed and/or discussed openly and publicly.
Simplify process for development application. Simplify process for OCP amendments. Moving GCB may potentially provide opportunities for development on previously non-development land. Speed up and support growth.

Q1 – DRAWBACKS

Council only accountability is at the next elections
A layer of oversight is lost if the push is on for some major project or development
3 Councillors only make these crucial decisions, restricting input from residents
RDN no longer has a voice in this area; urban sprawl
Over development of beach from property. How would you control density and protect the environment and wildlife
This is a "profound" change in the words of Paul Thorkelson CAO of the RDN at a public meeting here last November. I think the fact that one Council with 5 members can overturn the wishes of the Town expressed in the OCP process is not a good way to proceed
Make sure the commercial heart/core isn't lost
Must consider consequences of growth (e.g. cost of infrastructure such as transportation, public services, etc.); Frightening that a small number of Town Councillors can make decisions outside OCP process
Political agenda; Economic inputs to Town
Decided by 3 or 4 Councillors; Little or no input to residents; Insufficient notification of information meetings
Removes the check on growth that the RDN criteria compels
I don't want the Town to have complete autonomy over all land use decisions. I believe having a 2nd level of government to apply to when/if local gov. (5 people) makes decisions not to the benefit of all of Qualicum Beach citizens; checks & balances are important
None
There is potential for urban development to a high density very adjacent to a rural area. eg. south side of Rupert Road; We do not want high density development adjacent to Milner Gardens; having high density development surrounded by ALR land does not make sense
Rural land becomes vulnerable; removes protection for rural land; potential for urban sprawl; not in agreement with Regional Growth Strategy; Encroachment on ALR land; Likely create leap frog development; undermines compact community; encourage development of rural property
No definition of areas of high density limits/low density area in outside growth containment boundary. Is Council waiting for developer input
Need checks and balances; Cost of growth; RDN is source of sober second opinion; Select, self-serving Council can do irreparable future damage; This is exclusively pro-growth
We must keep an eye on the successes of "village" life – why most of us moved here
Removes a level of "second thought" (RDN; Not fully discussed as part of a general OCP review; piecemeal change; puts too much power in the hands of a very small Council
Removes "sober second thought" from land use decisions
Increase in developed area; increased taxes for those coming into expanded area additional development costs?; obligation of Town to service these areas.
Potential footprint increase of developed area if areas are developed; increased property taxes? for those in

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

new area; potential decreased density of built area – less efficient services, not as environmentally sustainable; does nothing to prevent development by private developers outside the Town boundaries; additional cost of development & servicing of developed area (which will increase all taxes)
The present structure should not be changed. Our community’s decision will affect other communities living conditions. The RDN can give us a voice if we happen to have a Council of 3 or more who vote as a block on a consistent basis. There is no evidence that we can trust this Council to represent the taxpayers. They are obviously here to represent the developer
There would only be a small group of people (Town Council) who are making a decision regarding land that would affect other people. The RDN should be involved to give a more balanced opinion
Opens up areas to be developed willy-nilly by a Council that is hell bent to develop, develop, develop
The Council will have too much power to override the wishes of the majority of residents. It will be easier for Council to amend zoning bylaw and approve more controversial developments. There are too many unfinished developments in Town already
More expensive servicing; makes planning for types of development more difficult; takes Town planning out of hands of PLANNERS and puts it in hands of developers
Giving the Town autonomy over these areas would give a pro-development Council carte-blanche to advance their agenda with even fewer checks and balances.
Gives Council freedom to change UCB and land uses that are now outside GCB; Removes one level of protection for rural land; large area of ALR land becomes vulnerable to encroachment and conflict of adjacent non-ALR land
I fear things will be pushed through by Council without adequate time and consultation with residents and little or no regard for the OCP; Info gathered for OCP let the Town know what we want; We have been ignored repeatedly in the last 3 years.
Our Town is unique among Towns throughout the world. Why would anyone in their right mind want to change this uniqueness for mediocre, like other non-descript towns. Follow the \$\$\$.
Urban sprawl; water shortage
Lack of oversight by RDN; Urban sprawl potential; Town exceeding the purpose for which it was elected; Not sufficient control over development
Qualicum Beach will cease to be as we know and love
Detracts from spirit of collaboration between partnering municipalities and regional district. Undermines regional growth strategy. Create potential conflicts with neighbouring jurisdictions.

Expanding the GCB to match the Town boundary would:

Q2. Decrease the length of time and procedural requirements to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP with respect to land that is currently outside of the GCB.

Q2 – BENEFITS

No benefits to residents
None. It’s a negative too much control by 5 people. No “sober second thought?” No full participation of the community
None
As long as there is sufficient public info & consultation things should proceed as quick as possible
No benefits
Little!!!
Council only. Residents spent 2 years defining the last OCP and are now being put down after so much work
Streamlining the prospects of Council and the community to control development as they see fit
Cost savings; Time savings; Town takes responsibility for what happens inside its boundaries

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 PUBLIC INFORMATION MEETING FEEDBACK**

To potential developers
None
Yes by all means let's decrease the time for development processes. Hopefully that would encourage development (industrial, business) that would contribute to our future sustainability
Wait until a new Council is elected
Development can be fast tracked
Not sure
Faster permitting
Quicker permits
We are not given sufficient time. As usual things are being rammed through. How do the '3' justify ignoring the vast majority of taxpayers???
None
This means the Council, NOT the residents
Helps to provide some certainty to property owners if they have bright ideas
None
Speeds up and simplifies process for Council to change OCP; Benefits Council
None!
None
Allows more rapid development - reduces long process delays
Absolutely not!
Simplifies and speeds up process for OCP amendments and re-zoning applications. Perhaps less staff hours needed for processing amendments

Q2 - DRAWBACKS

Residents of this community are at the mercy of 3 ruthless Councillors who could not care less about the opinions of residents
OCP can be changed to hastily lose compact quality - walkability
OCP changes of this magnitude should be carefully considered with full participation of the community
Reducing timeframes risks the possibility of "knee jerk" changes and neglecting consideration of the big picture
OCP belongs to the people. Changes should be by the people with defined timelines. Why not include votes on this subject in the municipal election
This will empower Council (as current) that is very pro development to fast track OCP revisions in favour of new development in previously undeveloped areas.
[Decrease the length of time and procedural requirements to make a change to the OCP] Perfect example of why we don't want this to happen is Pheasant Glen (formerly in the ALR - now may become urban sprawl with major housing development not in urban centre) Cherry picking, changing OCP to satisfy certain individuals is wrong
None
Rush through does not permit the whole community to be involved
Process for major land use changes needs checks and balances. Process needs to allow community time to make well informed decisions about land use changes; Why does Council want to change land uses outside UCB? Major changes and decisions need more time for contemplation and analyzing the consequences.
What is the purpose of a <u>community</u> OCP if Council can change it at its discretion. This is not a minor change to the OCP. It is a major change!
There is a sense of fear by some residents that Council (now and future) would move too fast with the "flavour of the day" or influence by those with "deep pockets"
Too hurried to make a decision of this magnitude. Please wait
Possible too fast a change without full consideration of long range repercussions; Do we want a small number of people who would be the majority of Council to have so much power? NO

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
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Not sure
Could fewer reviews result in something undesirable being developed?
Fewer restrictions to undesirable development
3 members of Council vote as a <u>block</u> again and again; In my judgement and that of many others, the RDN will help us get a balanced and comprehensive study of the issues which is not forth coming of the present Council
What is the rush? This is a major decision that affects others. These decisions should be made with great care. The RDN would give more input
The Town if it wants an OCP change should then go through a <u>full</u> OCP review; Citizens involved in planning long range can help in setting up an OCP that everyone agrees with. Right now Council is off side from the citizens in their Town
The OCP should not be changed at all until decisions are made for the next OCP. If some important change is necessary, a referendum <u>should</u> be held whereby the citizens of the Town can participate in the decision-making. NOTE: A Council of 5 people should not be allowed to overturn the wishes of the majority of the residents who've spent much time and effort involved in the OCP process
Bad decisions are often made when insufficient time; Fundamentally don't approve decreasing the time! Long range planning solves all problem!! This was to be a public information meeting; We find it is to be OCP workshop
Would make it easier for Council to act in the interest of developers while ignoring the will of residents
Reduces opportunities for public feedback; Opportunity for Council to limit public consultation; changes to OCP and zoning may not be supported by public, but may be passed by Council if procedural requirements are decreased. This current process is one example.
Time and process is important to get things right - dangerous to community and disrespectful of the fact the OCP is based on community input
Nothing wrong with Qualicum Beach as it is!
The people gave their views and should be respected. No need to change just because some people see a chance for personal gain
Violation of OCP; Ignoring wishes of Town residents; Lack of full public input; Makes a farce of the OCP process
Nothing should be done quickly. Ask the people who live here. Let us have a vote
A single meeting involving such important development is definitely far from adequate and open to much criticism and negative effect on residents - an insult!!
Reduces opportunities for public input and public consultation. Potentially interfere with a process for careful consideration and analysis of significant amendments and rezoning applications.

Q3. What other benefits do you see to the proposed change?

None
Absolutely none
None
0
Zero
With the current social and economic climate the Town needs to be in control of its future. To adapt and adjust to maintain the quality of life in Qualicum Beach
Town able to be the only level of government as oversight
None
It plays into the interest of the P-Glen development which will reinforce and exacerbate the polarization that currently exists in the community
Only benefits developers
A positive step towards facilitation of development of employment creating sustainable economy of TQB
None

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None
More negatives than positives
None
None
There are no benefits. There are only benefits in the minds of Council.
None
More opportunity to develop a badly needed light industrial area for stronger tax base, and above all, more employment opportunities for young families
None
If GCB changed there is a potential for financial gains for Town from new tax revenues; financial gains for individual property owners; financial gains for construction workers; financial gains for developers, if land is re-zoned and developed

Q4. What other drawbacks do you see to the proposed change?

COSTS – Leave it alone
All developers requests seem to be rubber stamped. <u>NO</u> consideration for the residents.
Can only make things worse here; opens up too many areas for subdivision type development eg. waterfront estates. Sustainability? Environment? Mere words.
As it is there seems to be little oversight of building projects in Town, how will less or no involvement by RDN improve things?
It misses the point of the Regional Growth Strategy to protect the environment, save us from urban sprawl, protect the taxpayer. We have seen instances of very bad development in this Town, now we can spread them around. Urban sprawl.
It doesn't sound like it will have any negative impacts. The Town & Council have been doing a great job of looking out for the Town's interest
Proposed changes/revisions to the OCP constitute a minor amendment – do not agree – changes constitute a <u>major</u> amendment
Having to supply sewer etc for any future approved development; slippery slope: would likely pressure to expand UCB
Urban sprawl. Water problems – aquifers down this winter; Parking chaos within the Town – unless the school closure is designated for parking not hi-rises?
The streamlined process plays to the interests of those who want to develop their property expediently – if the proposed developments are perceived by the community as un-wanted or as negatives – then expedited protocols will be felt as negative
Urban sprawl; Ignoring OCPs – changing whenever Council wants to; too much power for Town of QB
There will be pressure to provide sewer and water services to these new land areas once development potential is there
Council is leading this change. 5 persons making the decision for whole community. Process is flawed – too rushed – actually a major amendment to the Regional Growth Strategy
Listed on other side. This is a major amendment not a minor amendment
I'm not fully clear on why we <u>really</u> need this change now
Not enough time for thought as to what long-range impacts could happen in all the areas that could be affected
It is a bad idea unless you stand to benefit financially from this.
With this Council it would involve opening the Town up to developers and not respecting the wishes of the citizens who pay the taxes that run this Town.
Assuming that UCB is next to go: Loss of rural land. Urban sprawl. Leap frog development. Infrastructure costs to supply services to new developments and existing properties (if those residents opt for services). Environmental degradation. Reduced quality of life for current residents. A different vision of Qualicum than envisioned by residents in 2011 OCP. Increase of GHG emissions. Undermines plan for compact

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urban/village centre.
With no checks and proposals being rushed through we will lose our "well planned" community with commercial clustered; strip malls and other inappropriate use of fringe areas will not improve Qualicum; this opens the door for development in the area of Milner Gardens, Eaglecrest, etc. which is undesirable.
This proposal is in the hands of a very few people who stand to "profit"! This is <u>not</u> what most Qualicum Beachers want. The residents of Qualicum Beach deserve input as to the decisions made by a very small group of individuals.
Don't want to become another Parksville
Rampant development in the new proposed boundary - Impact on water resources; Population exceeding Town size - becoming a City. Increased property taxes to support services and infrastructure
If GCB changed and land rezoned for development: This could change the quality of life in Qualicum by increased traffic, increased population, increased property tax, increased air pollution, reduction or elimination of Qualicum's greenbelt - is this something the community wants? Higher demand and stress on fresh water resources. Depending on market trends, undeveloped land that is now rural could be used for condos, subdivisions, commercial or residential estates. If GCB removed it could promote and create urban sprawl. Could create growth that is unsustainable.
My opinion and outlook are based on local newspaper reports and editorials. Given we have a dysfunctional Council, I suggest we do nothing until after the next election. My vision is for a working Council that acts with respect, wisdom and knowledge based on what the populace wants.

Q5. What other information would assist you in furthering your understanding of this topic?

None
The truth
Full OCP review at the proper time this proposal has too many implications to leave up to 1 meeting. Why do we agree to large subdivisions only to have them change their plans – don't need anymore
No other information required
A map or summary of what could potentially change if this change took place. How many new homes, businesses, condos, etc.
How full/empty is current UCB – do we still have room. If so, why push expansion?
Presentation by UCB experts. Presentation by RDN personnel only – with no QB Town or Council present. We need to understand this major change fully and completely
How is this a "minor amendment" to the Regional Growth Strategy, by definition
Present similar case examples please, including these that resulted in change and those where no changes were made. This might help us understand impacts to other communities
Lawyers' opinion on the legality of a minor amendment versus major amendment
None
More information on possible infrastructure costs when development occurs in other areas
The '3' has a moral responsibility to fully explain their reasons for this process.
This information and the drawings should have been in both local newspapers and not on the back pages
A full OCP review
What is Council's next step if GCB is changed? What do they want to do with the land that is no longer protected? How does the Town intend to apply for a minor amendment to RGS, knowing that a major amendment is required? It would be helpful to learn from Council their ideas and plans for any new designations for properties that would no longer be outside GCB if the RDN passes the amendment. There is no reason to change the GCB unless there are plans to urbanize and re-zone the affected properties
Public meetings where actual dialogue (not harassment) occurs between residents, Council and Town staff. There is great unhappiness in Town with the hidden agent of Councillors and their pushing approval through, dropping DCCs, changing property height rules etc. etc. contrary to; Staff did a poor job of explaining at public meeting - need better info at next meeting
The writing is on the wall in regards to our once lovely Town turning into humdrum! Qualicum used to be a

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place - a quaint place that folks & tourists talked about! It is not shaping up to be that "place" anymore!
Don't let this town be bullied into changes most residents don't want. Be out in the open and not devious
Much better information published by Town in local papers on the impacts of this change. An explanation of the controls - or lack thereof - on development
Why is the proper process being avoided? Is eliminating the GCB about growth?
Am uncomfortable with eliminating the Regional District's say in adjusting or changing our Official Community Plan. Feel that is the main thrust right now.

Q6. Do you have any other comments?

Oh how the Town would benefit from the resignation of the three Councillors who vote as a block on any issue. Why is this being rushed through? Could this issue be voted on at the municipal election in November.
OCPs are made by the people after a lot of hard work – like the RGS and should be respected – not ignored by 5 people on Council. Referendum if need to change?
The OCP has turned into a great comic joke. How about a referendum? One public meeting of less than 50 people is <u>not sufficient!</u>
Is this an end run for Pheasant Glen? What about affordable housing? Lots of people are not present here for this <u>only</u> public hearing on March 4 th . How about a referendum on this topic? This is taking up a lot of staff time, how about all the other business of the Town. This apparently came from the Council Strategic Plan, how was that developed?
Why should we participate in the next OCP? Does this matter, what happens if "Council" doesn't hear what they want to?
There is a lot of emotion, and misunderstanding around this meaning develop doesn't need to go through the process
Planning must follow an open, transparent process that cannot be changed or compromised on an individual whim.
OCP is like a swiss match, discussing UCB & GCB is only 1 piece. Worried about only discussing a narrow part of OCP. Needs to be a broader conversation.
We fully expect this to be pushed through with as much speed as the Clarion Development. Is this really the <u>only</u> info session available to residents. Why was the info. package only put on your website 24 hrs. prior?
This is <u>not</u> a sufficient process to call an OCP review process
A major change to OCP at this time would be redundant and costly
I am not happy with the communication process used to the community. I do not believe this is a minor amendment to the OCP
It appears that Council does not agree with Regional Growth Strategy and its purpose. If Council feels the GCB is a hindrance or unfair or an obstacle to their autonomy then are they not supporting the Regional Growth Strategy
It's time Council protected the interests of the taxpayer. Eg. desecration of land heritage development. Election! Election! Election!
Undo rush to have OCP amended. What's the hurry?!
Why go ahead with now or wait until the OCP in 2016? My general observation throughout comments made is that there was a deep feeling of distrust in the current Council and therefore wonder what the <u>real</u> agenda is
Although it seems presented as a "minor" change, <u>it is not</u> . Stick with the Official Community Plan timeline.
RDN has already allowed undesirable developments in areas just outside of municipal boundaries – how can we be involved in influencing these approvals?
We need to have more discussion with Counsellors when controversial items are dealt with. Will all Council members vote according to their own informed judgement?
An OCP review is an important decision. Where was a lot of publicity in the papers regarding our OCP a few years ago but there was very little publicity in the papers re this meeting and its importance

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Town Council should have full fledged OCP reviews. ie. listen to the citizens who pay the taxes.
This Town needs more affordable housing to attract younger families to move here; the seniors require younger people to provide services that seniors are unable or unwilling to do. Besides, younger people bring energy, enthusiasm, new ideas, etc. with them.
The minor amendment to RDN is incorrect process. The process is too rushed and most residents don't know it is happening nor do residents know how this change will affect Qualicum and our OCP. This amendment should be part of the next full OCP review. Council is not serving the interests of the community by using this process.
What they ran their campaign on and totally ignoring the OCP; Town staff seems to promote these development proposals and push forward. The College Inn situation demonstrates what happens when the Town promotes the wishes of the developer and ignores the implication for residents. This form collated, totalled, etc. means nothing and is not an accurate statistic. Anyone can send one or fifty in, regardless of whether or not they are a resident. Easy to stack the deck. Poorly planned strategy if you really want to know what people think.
Mary Brouillette, Dave Willie, Bill Luchtmeijer need to find a different place to live!
We know there is water shortage on this Island, let's be sensible and not cave in to the greed of others
Is a sensible, logical proposal.
This proposal is not in the interests of the Town and its taxpayers. The proposal is driven by the desire for profit by developers and builders and realtors.
Moving a GCB should be a community decision. More discussion is needed. Should be part of a full OCP review.

**Town of Qualicum Beach
MEMORANDUM**

TO: John Marsh, CMA, Acting CAO

FOR: Council Meeting, April 7, 2014

FROM: Luke Sales, MCIP, RPP, Director of Planning;

SUBJECT: 2014 OCP Review – Growth Containment Boundary

RECOMMENDATION

- THAT the bylaw entitled “Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014” be introduced and given first reading;
- AND FURTHER THAT Council holds a public hearing on Wednesday, April 23, 2014 at 7:00 pm at the Qualicum Beach Civic Centre, 747 Jones, Qualicum Beach in regard to “Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014”.

PURPOSE

To consider a bylaw that will amend the Town’s Official Community Plan.

BACKGROUND

The Town is currently reviewing its Official Community Plan (OCP) to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town, as is the current designation. This review addresses the governance aspect of regional growth planning and reviews the manner in which the Town of Qualicum Beach works with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town. It is also an opportunity to review how the location of the GCB may or may not support the Town’s long-term growth management policies.

Currently, the GCB and UCB include the same areas within the Town. However, the Town controls the UCB.

- Growth Containment Boundaries are established in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town. It is not currently being reviewed in the present OCP review.

Although the Town’s GCB currently follows the same alignment as the Town’s UCB, the two do not need to be the same. The Town could manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary does not imply that rural lands outside of the Town’s Urban Containment Boundary will ever be developed for urban use

The Regional District of Nanaimo includes the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach. The approaches to establishing a GCB vary between the four municipalities:

- The City of Nanaimo has a GCB at the municipal boundary. Their Urban Containment Boundary (UCB) excludes parts of the City that are not identified for development.
- The District of Lantzville does not have a GCB at the municipal boundary, but it does include some lands outside of their UCB. The UCB does not include parts of the District that are not identified for development.
- The City of Parksville does not have a GCB at the municipal boundary. Its UCB is the same as its GCB and excludes parts of the City that are not identified for development.
- The Town of Qualicum Beach does not currently have a GCB at the municipal boundary. Areas that are not identified for development are outside the UCB and the GCB.

DISCUSSION

On Tuesday, March 4, 2014 a Public Information Meeting was held at the Qualicum Beach Civic Centre on the topic of the 2014 Official Community Plan review of the Growth Containment Boundary (GCB). A report on the topic of the potential change to the GCB was distributed to an extensive email distribution list and uploaded to the Town's website on February 21, 2014.

(Attached) A presentation by Town staff began at 7pm, followed by group discussion, written feedback and open mic. Feedback forms are available for those people that were unable to attend the meeting or wanted take their form home to complete it. Staff have transcribed feedback forms received before March 28, 2014.

Discussion with RDN staff

Town staff met with Regional District of Nanaimo staff on February 28, 2014 to ensure that there is mutual understanding of the required process, should the Town proceed with the OCP review leading to an RGS amendment application. It was suggested that broadening the scope of the current OCP review to include issues related to long-term planning would strengthen the Town's application for a minor amendment of the RGS. A broadened scope could address topics such as how the proposed change to the GCB improves the Town's capacity to manage, accommodate, and direct future growth. A broadened OCP Review could also identify topics for future reviews. An OCP review on the topic of governance that does not address a wider scope of topics may not qualify for the conditions required for a "minor amendment". In any case, it will be up to the RDN Board to determine whether the Town's OCP review is an acceptable process to qualify for the minor amendment process.

One advantage of moving the GCB to the Town boundary is that it would provide more flexibility in the manner that the Town conducts future OCP reviews. Rather than continuing with major reviews every six years it may be more appropriate to conduct smaller, focused reviews on specific topics more frequently. Examples of smaller, topic-based public planning processes include the 2012 Village Neighbourhood Planning Project, the 2013 Secondary Suites Policy Review and the 2013-2015 Waterfront Master Plan, which is now in the first phase. In cases where the OCP review involves land outside of the current Urban Containment Boundary, the proposed change to the GCB would shorten the required process.

Written Feedback from March 4, 2014 Public Information Meeting

Attached to this memo is a complete transcription of the written feedback from the March 4, 2014 Public Information Meeting (PIM). Additional feedback forms received that were received after the March 4 PIM have been transcribed and added to the record (attached).

A number of the feedback forms express concerns over the potential development of areas that would be brought into the Growth Containment Boundary, should this application proceed. However, the OCP amendment bylaw currently under consideration does not permit or deny development. It changes the process for some types of development reviews. In the last month a significant BC Supreme Court decision involving Langley Township and Metro Vancouver ruled strongly in favour of municipal autonomy over land use decisions for long-range planning. The proposed change to the Growth Containment Boundary would reinforce that principle.

Recent Meetings & Council Consideration

- January 13, 2014: Council direction to proceed with an Official Community Plan review of the Growth Containment Boundary;
- February 20: Background report on OCP review topic. Circulated and posted to website;
- March 4, 2014: Public Information Meeting (round-table discussion format). Feedback form distributed;
- March 17 (Council Meeting): Report to Council with preliminary feedback from March 4. Consideration of OCP amendment bylaw referred to April 7;
- March 28: Additional feedback forms compiled and transcribed.

Next Steps


- April 7 (Council Meeting): OCP amendment bylaw introduced and read a first time;
- April 14 (Council Meeting): OCP amendment bylaw read a second time;
- April 23: Public Hearing;
- May 12 (Council Meeting): Consideration of third reading and adoption;
- May: Application to the RDN (see attached diagram. Timeline estimated at three months) Referrals will also be sent to the Agricultural Land Commission, School District 69, and local First Nations, although no formal approval is required for these organizations.
- If RDN board approves the application, Council may adopt the OCP amendment bylaw in an open Council meeting (possible timeframe: August 2014).

ALTERNATIVES

1. THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be introduced and given first reading;
AND FURTHER THAT Council holds a public hearing on Wednesday, April 23, 2014 at 7:00 pm at the Qualicum Beach Town Hall, 660 Primrose Street, Qualicum Beach in regard to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".
2. THAT Council directs staff to proceed with an Official Community Plan review on the topic of the Growth Containment Boundary in *[insert year or date]*;
3. THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be introduced and given first reading;
4. THAT Council provides alternative direction to staff.



Luke Sales, MCIP, RPP
Director of Planning
Report Writer



John Marsh, CMA
Acting CAO
Concurrence

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File: 3900-20-700.10

**TOWN OF QUALICUM BEACH
 BYLAW NO. 700.10**

**A BYLAW TO AMEND THE TOWN OF QUALICUM BEACH
 Official Community Plan Bylaw 700, 2011**

The Council of the Town of Qualicum Beach, in open meeting lawfully assembled, hereby enacts as follows:

1. "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011" is hereby amended as follows:

- a) Replace Map Schedule 2.1 "Land Use" with the attached Appendix 'A'.
- b) On "Policies" page 2-6, insert policy six (6): "The Town shall manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary does not imply that rural lands outside of the Town's Urban Containment Boundary will ever be developed for urban use."
- a) On Appendix 'B' Regional Context Statement, amend Goal 4 (1) by checking "No" under "Consistency between OCP and RGS" and inserting the following under "OCP Reference", "To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.", as shown below.

	Yes	No	
1) Does the OCP's Urban Containment Boundary match the RGS's Growth Containment Boundary?		√	Section 2.1.1 "Urban Containment Boundary" Schedule 2.1 "Land Use" To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.

2. This bylaw may be cited as "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".

READ A FIRST TIME this day of _____, 2014.

READ A SECOND TIME this day of _____, 2014.

Notice published pursuant to Section 892 of the *Local Government Act* on the _____ day of _____, 2014 and the day of _____, 2014.

PUBLIC HEARING held on the _____ day of _____, 2014.

READ A THIRD TIME this day of _____, 2014.

ADOPTED this day of _____, 2014.

 Teunis Westbroek, Mayor

 Heather Svensen, Corporate Administrator



TOWN OF QUALICUM BEACH

BACKGROUND REPORT: 2014 OCP Review – Growth Containment Boundary

Public Information Meeting

7:00 pm, March 4, 2014
Civic Centre, 747 Jones Street, Qualicum Beach

Guiding Question:

Should the Town's Growth Containment Boundary (GCB) be the same as the municipal boundary?

The GCB is identified in the Regional District of Nanaimo Regional Growth Strategy (RGS) and broadly defines the growth areas within the region. The Town is pursuing a change to the GCB to change the governance requirements within the Town. To affect this change, the Town must review and amend its Official Community Plan (OCP).

The Town is currently reviewing its OCP to determine whether the Growth Containment Boundary (GCB) in the RGS should include the entire Town or only a portion of the Town as is the current designation. This OCP review specifically addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town.

Growth Containment Boundary (GCB) vs. Urban Containment Boundary (UCB)

Currently, the GCB and UCB include the same areas within the Town. However, the Town only controls the UCB.

- Growth Containment Boundaries are in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town. It is not currently being reviewed in the present OCP review.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not need to be the same. Currently, the Town is considering a change that would result in a GCB that would no longer mirror the Urban Containment Boundary, and instead align with the municipal boundary.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

Why would the Town set the GCB at the municipal boundary?

Expanding the GCB to match the Town boundary would:

1. Simplify the governance structure

Currently, the Regional District of Nanaimo and member municipalities have a role in permitting or denying urban growth and servicing within some areas of the Town. Setting the GCB at the Town boundary would remove the need for partner municipalities and the Regional District to consent to changes to the amount or form of development to urban use or density in areas outside of those that are currently intended for urban development. Town of Qualicum Beach Council would have complete autonomy over land use decisions for land that is not located in the Agricultural Land Reserve. Within the bounds of a GCB, a municipality does not have to consult with the Regional District of Nanaimo or other member municipalities. The Town can, however, maintain a separate UCB that designates some areas for growth, while restricting development potential in other areas.

If the GCB is set at the Town boundary, the Regional District of Nanaimo would no longer have a role in permitting or denying urban growth and servicing within the Town.

2. Shorten the process for some land use changes

Currently the process for approving a development application for lands outside of the Growth Containment Boundary is long and cumbersome. Setting the GCB at the Town boundary would decrease the length of time required to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP, with respect to where urban development is supported. The approval process would be unchanged for areas that are currently within the Growth Containment Boundary.

Presently, developers intending to develop land outside of the Growth Containment Boundary can initiate a change to the Regional Growth Strategy by applying to the Town for an OCP amendment. This allows the Town to decide whether it wants to proceed with an RGS amendment. Effectively, the Town would become the sponsor of an application to the RDN for an RGS amendment.

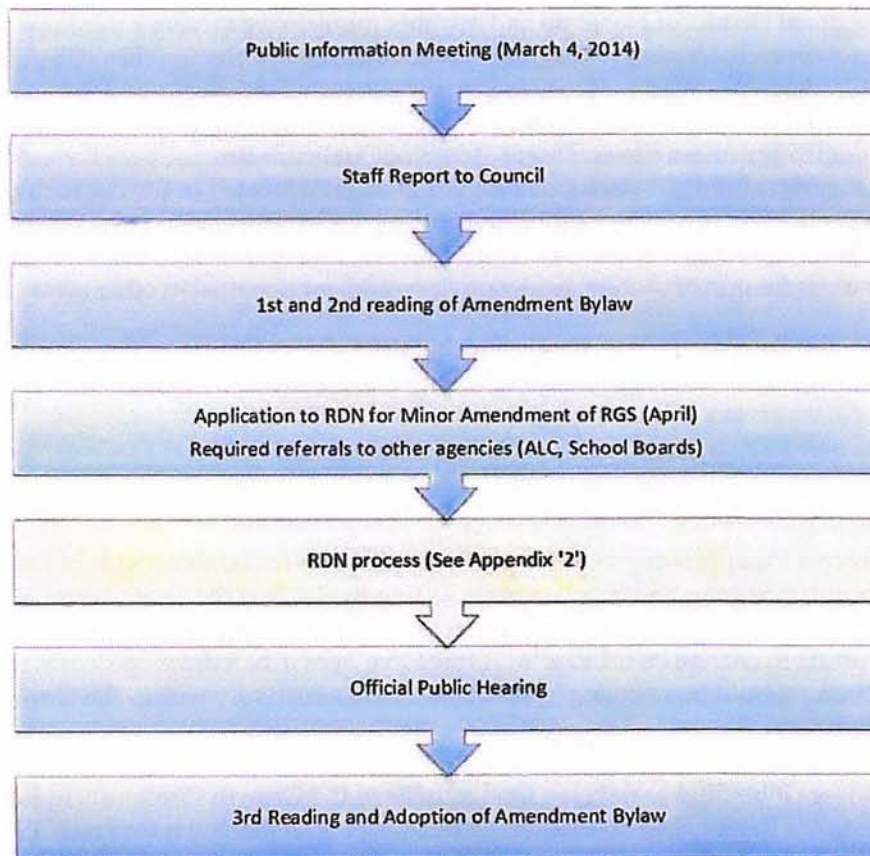
RGS amendment applications are currently analyzed on a project-by-project basis to ensure that they coincide with the goals set forth by the RGS. Based on the timelines for applications to the RDN in other areas, the process for a Regional Growth Strategy amendment application may take one to two years. The rigorous process for amending the RGS limits the speed with which local governments can permit urban development or provide servicing to areas outside of the GCB.

Expanding the GCB to include ALR land would have little effect on the Town's ability to permit development in these areas. Changing the GCB to the Town boundary would primarily affect non-ALR properties outside of the GCB. There are 909 hectares of land inside the GCB and 869 hectares of land outside the GCB. Of the land outside the GCB, 354 hectares is not in the ALR.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

What's the process?

Growth Containment Boundary OCP Review Process



2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

About the RGS and RDN

The Town of Qualicum Beach, along with partner municipalities, adopted the “Regional District of Nanaimo (RDN) Growth Management Plan” in 1997. This plan was the first iteration of what is now known as the Regional Growth Strategy (RGS). The RGS was implemented in response to residents’ concerns about the impacts of rapid population growth and unconstrained development in the late 1980s and early 1990s. One of the policies of the RGS is the establishment of Growth Containment Boundaries (GCBs), which delineate the areas where most development is permitted to occur. Within the RGS, GCBs include urban areas and “Rural Village Centres” and generally exclude the Agricultural Land Reserve (ALR), resource land and rural areas.

The Regional District of Nanaimo provides regional governance and services throughout Vancouver Island's central east coast. Communities within the RDN include the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach, as well as seven unincorporated Electoral Areas. Established in 1967, the RDN is British Columbia's third most populous Regional District.

The RDN is governed by a 17-member Regional Board, comprised of ten directors from locally-elected municipal councils, and seven directors elected by Electoral Area residents. Board members also sit on a variety of regional select and standing committees for key services, as well as the RDN Committee of the Whole.

Growth Containment Boundary

“Growth Containment Boundaries (GCBs) are geographically-based lines shown on RGS maps that define where growth is intended to be directed. The Growth Containment Boundary is intended to control urban sprawl and to encourage the development of compact, complete communities within municipalities or within a Rural Village Area in electoral areas. Land situated outside the GCBs is intended primarily for rural purposes that require limited infrastructure and services.”

– 2011 RGS, Glossary

2014 OCP Review – Growth Containment Boundary Background Report

February 20, 2014

What's the Next Step?

Following the Town's OCP review, if Council decides that the GCB should be the same as the municipal boundary, an application will be made to the Regional District for a minor amendment to the RGS. A referral to the Agricultural Land Commission and School District No. 69 Board would also be made at the same time to comply with the *Local Government Act*.

Contact

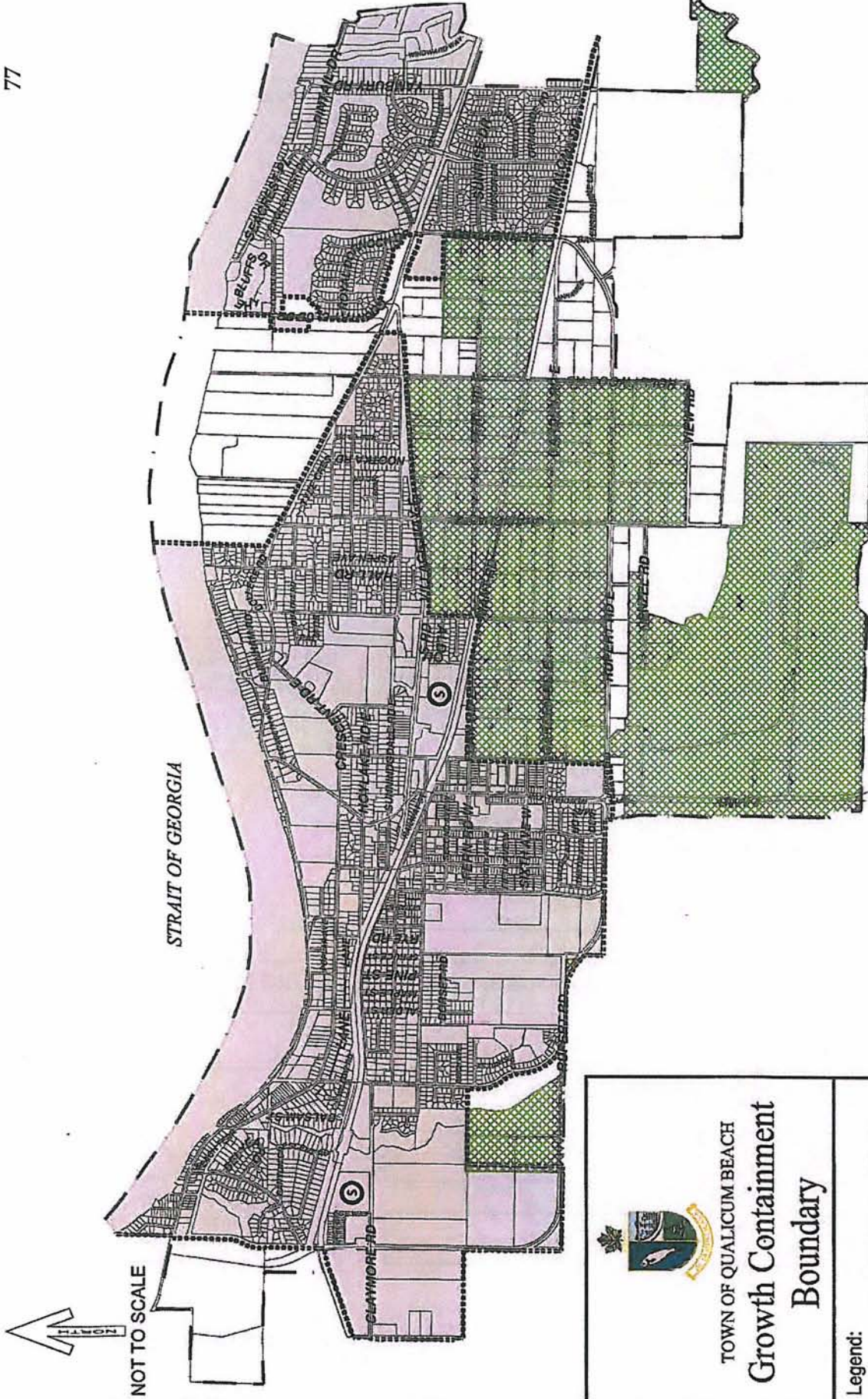
For questions or comments about this OCP review process, please contact me directly:



Luke Sales, MCIP, RPP
Director of Planning
Town of Qualicum Beach


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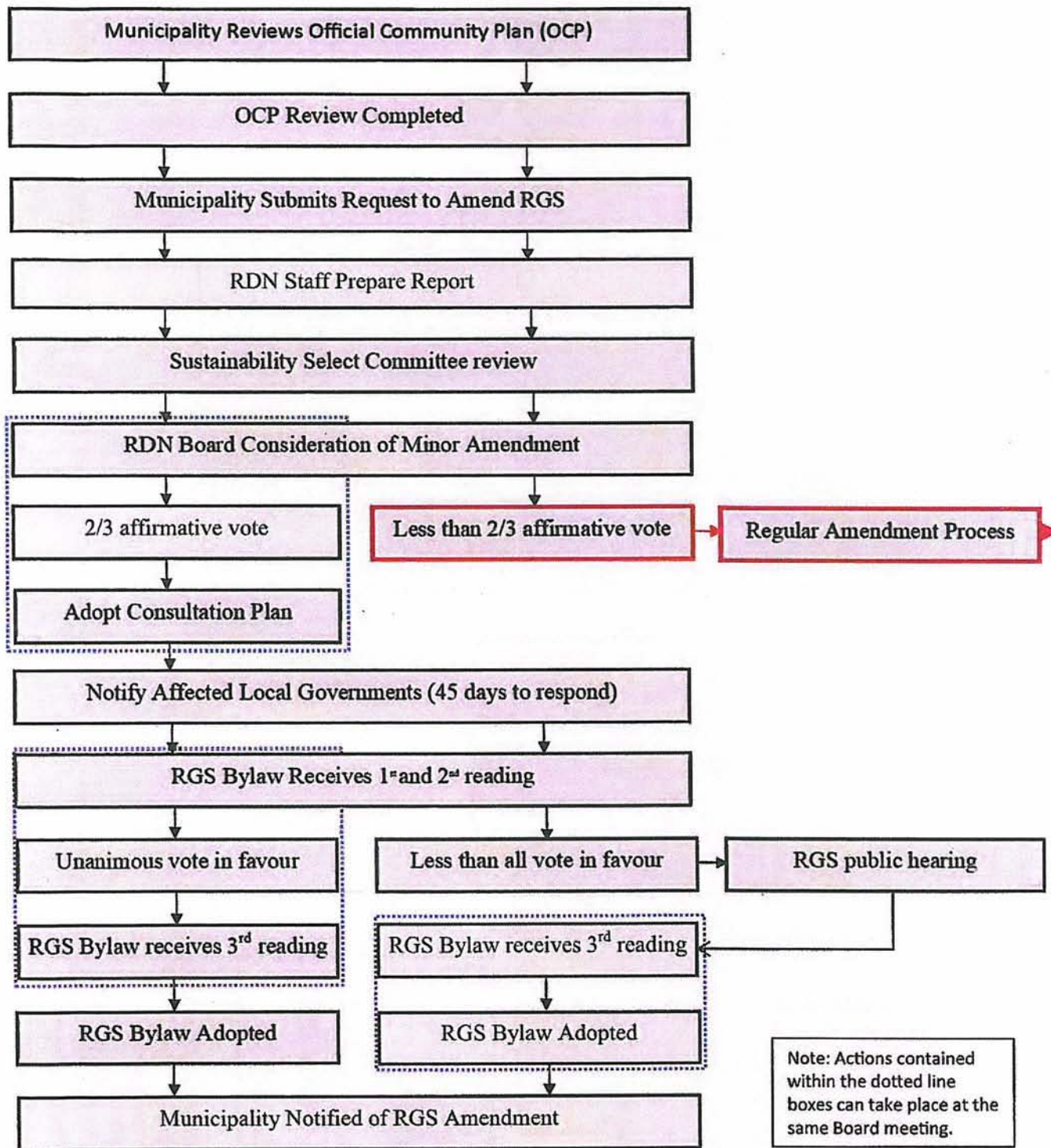


TOWN OF QUALICUM BEACH
Growth Containment Boundary

Legend:

-  Urban Containment Boundary
-  Inside Growth Containment Boundary
-  Outside Growth Containment Boundary
-  Agricultural Land Reserve
-  Municipal Boundary

RGS Minor Amendment Process Triggered by OCP Review in Municipality



Source: Regional District of Nanaimo

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

The Town of Qualicum Beach held a public information meeting on March 4, 2014 to discuss whether the Growth Containment Boundary (GCB) should match the municipal boundary. The following are written comments that were received as feedback from attendees through the forms that were distributed to them at the meeting.

Expanding the GCB to match the Town boundary would:

Q1. Remove the requirement that partnering municipalities and the Regional District consent to increase the amount urban development in areas outside of areas currently intended for urban development. The Town would have autonomy over land use decisions for land within the Town that is not in the Agricultural Land Reserve (ALR).

Q1 – BENEFITS

A GCB change may help speed up a project than can enhance a town
The only beneficiaries would be developers, Councillors, Pheasant Glen
Cannot see any benefit at this time and am opposed to any boundary change
None
Why wouldn't the Town decide for the Town. The Town knows the Town best, and should make the Town decisions; It would allow the Town to stimulate the economy in ways they see fit; React dynamically to world/local changes.
No Benefits
Few!! Don't see the benefits here.
Developers, Councillors
Administratively simple and enhances the Town's autonomy; Practically, we are not speaking of much new land being added as potentially developable
Town should take complete responsibility for land use within its boundaries; Reduce cost/bureaucracy
Potential to connect Eaglecrest community with North Qualicum
Why does Council want to increase urban development in Qualicum Beach. Should this not be a community decision?
More encouragement to Councils' favourite developers to benefit at taxpayers' expense
Other areas don't control TQB decisions on Growth; TQB has control over land use decisions within the Town's boundaries
NONE
Yes – lets simplify the process; Better coordination of services; No need for Regional consultations of land use within municipal boundaries
With the old method we have a beautiful village with no big debt; why change now?
Council could make changes based more on their own bias – therefore it would facilitate their fast decision and benefit a developer – not really a 'benefit' but a negative
Removes other levels of government from land use decisions in QB
Faster permits; more control over areas within boundaries; more say in developments?
Quicker permits; more control over areas within boundary, more say on how these areas are developed
Only the developer and not the tax payers! We have been ignored by 3 members of Council and 1 newspaper person. If they resigned now our community would obviously benefit from a balanced approach! There has to be a structure to impeach people who represent only 1 group i.e. developers
Will benefit developers
None at this time
May reduce coordination burden with neighbouring municipalities; may allow better reaction if market changes; Town should plan long ahead for its containment boundary
None

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

Gives Council the opportunity to change UCB and land uses and zoning that are now outside GCB; Benefits Council
None!
None
Simplify Planning
Leave as is. Keep Qualicum small - this is why we moved here!
I believe the GCB should match the municipal boundary. Any development requirement for change require extensive thorough detailed knowledge distributed and/or discussed openly and publicly.
Simplify process for development application. Simplify process for OCP amendments. Moving GCB may potentially provide opportunities for development on previously non-development land. Speed up and support growth.

Q1 – DRAWBACKS

Council only accountability is at the next elections
A layer of oversight is lost if the push is on for some major project or development
3 Councillors only make these crucial decisions, restricting input from residents
RDN no longer has a voice in this area; urban sprawl
Over development of beach from property. How would you control density and protect the environment and wildlife
This is a "profound" change in the words of Paul Thorkelson CAO of the RDN at a public meeting here last November. I think the fact that one Council with 5 members can overturn the wishes of the Town expressed in the OCP process is not a good way to proceed
Make sure the commercial heart/core isn't lost
Must consider consequences of growth (e.g. cost of infrastructure such as transportation, public services, etc.); Frightening that a small number of Town Councillors can make decisions outside OCP process
Political agenda; Economic inputs to Town
Decided by 3 or 4 Councillors; Little or no input to residents; Insufficient notification of information meetings
Removes the check on growth that the RDN criteria compels
I don't want the Town to have complete autonomy over all land use decisions. I believe having a 2nd level of government to apply to when/if local gov. (5 people) makes decisions not to the benefit of all of Qualicum Beach citizens; checks & balances are important
None
There is potential for urban development to a high density very adjacent to a rural area. eg. south side of Rupert Road; We do not want high density development adjacent to Milner Gardens; having high density development surrounded by ALR land does not make sense
Rural land becomes vulnerable; removes protection for rural land; potential for urban sprawl; not in agreement with Regional Growth Strategy; Encroachment on ALR land; Likely create leap frog development; undermines compact community; encourage development of rural property
No definition of areas of high density limits/low density area in outside growth containment boundary. Is Council waiting for developer input
Need checks and balances; Cost of growth; RDN is source of sober second opinion; Select, self-serving Council can do irreparable future damage; This is exclusively pro-growth
We must keep an eye on the successes of "village" life – why most of us moved here
Removes a level of "second thought" (RDN; Not fully discussed as part of a general OCP review; piecemeal change; puts too much power in the hands of a very small Council
Removes "sober second thought" from land use decisions
Increase in developed area; increased taxes for those coming into expanded area additional development costs?; obligation of Town to service these areas.
Potential footprint increase of developed area if areas are developed; increased property taxes? for those in

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

new area; potential decreased density of built area – less efficient services, not as environmentally sustainable; does nothing to prevent development by private developers outside the Town boundaries; additional cost of development & servicing of developed area (which will increase all taxes)
The present structure should not be changed. Our community’s decision will affect other communities living conditions. The RDN can give us a voice if we happen to have a Council or 3 or more who vote as a block on a consistent basis. There is no evidence that we can trust this Council to represent the taxpayers. They are obviously here to represent the developer
There would only be a small group of people (Town Council) who are making a decision regarding land that would affect other people. The RDN should be involved to give a more balanced opinion
Opens up areas to be developed willy-nilly by a Council that is hell bent to develop, develop, develop
The Council will have too much power to override the wishes of the majority of residents. It will be easier for Council to amend zoning bylaw and approve more controversial developments. There are too many unfinished developments in Town already
More expensive servicing; makes planning for types of development more difficult; takes Town planning out of hands of PLANNERS and puts it in hands of developers
Giving the Town autonomy over these areas would give a pro-development Council carte-blanche to advance their agenda with even fewer checks and balances.
Gives Council freedom to change UCB and land uses that are now outside GCB; Removes one level of protection for rural land; large area of ALR land becomes vulnerable to encroachment and conflict of adjacent non-ALR land
I fear things will be pushed through by Council without adequate time and consultation with residents and little or no regard for the OCP; Info gathered for OCP let the Town know what we want; We have been ignored repeatedly in the last 3 years.
Our Town is unique among Towns throughout the world. Why would anyone in their right mind want to change this uniqueness for mediocre, like other non-descript towns. Follow the \$\$\$.
Urban sprawl; water shortage
Lack of oversight by RDN; Urban sprawl potential; Town exceeding the purpose for which it was elected; Not sufficient control over development
Qualicum Beach will cease to be as we know and love
Detracts from spirit of collaboration between partnering municipalities and regional district. Undermines regional growth strategy. Create potential conflicts with neighbouring jurisdictions.

Expanding the GCB to match the Town boundary would:

Q2. Decrease the length of time and procedural requirements to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP with respect to land that is currently outside of the GCB.

Q2 – BENEFITS

No benefits to residents
None. It’s a negative to much control by 5 people. No “sober second thought?” No full participation of the community
None
As long as there is sufficient public info & consultation things should proceed as quick as possible
No benefits
Little!!!
Council only. Residents spent 2 years defining the last OCP and are now being put down after so much work
Streamlining the prospects of Council and the community to control development as they see fit
Cost savings; Time savings; Town takes responsibility for what happens inside its boundaries

**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

To potential developers
None
Yes by all means let's decrease the time for development processes. Hopefully that would encourage development (industrial, business) that would contribute to our future sustainability
Wait until a new Council is elected
Development can be fast tracked
Not sure
Faster permitting
Quicker permits
We are not given sufficient time. As usual things are being rammed through. How do the '3' justify ignoring the vast majority of taxpayers???
None
This means the Council, NOT the residents
Helps to provide some certainty to property owners if they have bright ideas
None
Speeds up and simplifies process for Council to change OCP; Benefits Council
None!
None
Allows more rapid development - reduces long process delays
Absolutely not!
Simplifies and speeds up process for OCP amendments and re-zoning applications. Perhaps less staff hours needed for processing amendments

Q2 – DRAWBACKS

Residents of this community are at the mercy of 3 ruthless Councillors who could not care less about the opinions of residents
OCP can be changed to hastily lose compact quality – walkability
OCP changes of this magnitude should be carefully considered with full participation of the community
Reducing timeframes risks the possibility of “knee jerk” changes and neglecting consideration of the big picture
OCP belongs to the people. Changes should be by the people with defined timelines. Why not include votes on this subject in the municipal election
This will empower Council (as current) that is very pro development to fast track OCP revisions in favour of new development in previously undeveloped areas.
[Decrease the length of time and procedural requirements to make a change to the OCP] Perfect example of why we don't want this to happen is Pheasant Glen (formerly in the ALR – now may become urban sprawl with major housing development not in urban centre) Cherry picking, changing OCP to satisfy certain individuals is wrong
None
Rush through does not permit the whole community to be involved
Process for major land use changes needs checks and balances. Process needs to allow community time to make well informed decisions about land use changes; Why does Council want to change land uses outside UCB? Major changes and decisions need more time for contemplation and analyzing the consequences.
What is the purpose of a <u>community</u> OCP if Council can change it at its discretion. This is not a minor change to the OCP. It is a major change!
There is a sense of fear by some residents that Council (now and future) would move to fast with the “flavor of the day” or influence by those with “deep pockets”
Too hurried to make a decision of this magnitude. Please wait
Possible too fast a change without full consideration of long range repercussions; Do we want a small number of people who would be the majority of Council to have so much power? NO

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

Not sure
Could fewer reviews result in something undesirable being developed?
Fewer restrictions to undesirable development
3 members of Council vote as a <u>block</u> again and again; In my judgement and that of many others, the RDN will help us get a balanced and comprehensive study of the issues which is not forth coming of the present Council
What is the rush? This is a major decision that affects others. These decisions should be made with great care. The RDN would give more input
The Town if it wants an OCP change should then go through a <u>full</u> OCP review; Citizens involved in planning long range can help in setting up an OCP that everyone agrees with. Right now Council is off side from the citizens in their Town
The OCP should not be changed at all until decisions are made for the next OCP. If some important change is necessary, a referendum <u>should</u> be held whereby the citizens of the Town can participate in the decision-making. NOTE: A Council of 5 people should not be allowed to overturn the wishes of the majority of the residents who've spent much time and effort involved in the OCP process
Bad decisions are often made when insufficient time; Fundamentally don't approve decreasing the time! Long range planning solves all problem!! This was to be a public information meeting: We find it is to be OCP workshop
Would make it easier for Council to act in the interest of developers while ignoring the will of residents
Reduces opportunities for public feedback; Opportunity for Council to limit public consultation; changes to OCP and zoning may not be supported by public, but may be passed by Council if procedural requirements are decreased. This current process is one example.
Time and process is important to get things right - dangerous to community and disrespectful of the fact the OCP is based on community input
Nothing wrong with Qualicum Beach as it is!
The people gave their views and should be respected. No need to change just because some people see a chance for personal gain
Violation of OCP; Ignoring wishes of Town residents; Lack of full public input; Makes a farce of the OCP process
Nothing should be done quickly. Ask the people who live here. Let us have a vote
A single meeting involving such important development is definitely far from adequate and open to much criticism and negative effect on residents - an insult!!
Reduces opportunities for public input and public consultation. Potentially interfere with a process for careful consideration and analysis of significant amendments and rezoning applications.

Q3. What other benefits do you see to the proposed change?

None
Absolutely none
None
0
Zero
With the current social and economic climate the Town needs to be in control of its future. To adapt and adjust to maintain the quality of life in Qualicum Beach
Town able to be the only level of government as oversight
None
It plays into the interest of the P-Glen development which will reinforce and exacerbate the polarization that currently exists in the community
Only benefits developers
A positive step towards facilitation of development of employment creating sustainable economy of TQB
None

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

None
More negatives than positives
None
None
There are no benefits. There are only benefits in the minds of Council.
None
More opportunity to develop a badly needed light industrial area for stronger tax base, and above all, more employment opportunities for young families
None
If GCB changed there is a potential for financial gains for Town from new tax revenues; financial gains for individual property owners; financial gains for construction workers; financial gains for developers, if land is re-zoned and developed

Q4. What other drawbacks do you see to the proposed change?

COSTS – Leave it alone
All developers requests seem to be rubber stamped. <u>NO</u> consideration for the residents.
Can only make things worse here; opens up too many areas for subdivision type development eg. waterfront estates. Sustainability? Environment? Mere words.
As it is there seems to be little oversight of building projects in Town, how will less or no involvement by RDN improve things?
It misses the point of the Regional Growth Strategy to protect the environment, save us from urban sprawl, protect the taxpayer. We have seen instances of very bad development in this Town, now we can spread them around. Urban sprawl.
It doesn't sound like it will have any negative impacts. The Town & Council have been doing a great job of looking out for the Town's interest
Proposed changes/revisions to the OCP constitute a minor amendment – do not agree – changes constitute a <u>major</u> amendment
Having to supply sewer etc for any future approved development; slippery slope: would likely pressure to expand UCB
Urban sprawl. Water problems – aquifers down this winter; Parking chaos within the Town – unless the school closure is designated for parking not hi-rises?
The streamlined process plays to the interests of those who want to develop their property expediently – if the proposed developments are perceived by the community as un-wanted or as negatives – then expedited protocols will be felt as negative
Urban sprawl; Ignoring OCPs – changing whenever Council wants to; too much power for Town of QB
There will be pressure to provide sewer and water services to these new land areas once development potential is there
Council is leading this change. 5 persons making the decision for whole community. Process is flawed – too rushed – actually a major amendment to the Regional Growth Strategy
Listed on other side. This is a major amendment not a minor amendment
I'm not fully clear on why we <u>really</u> need this change now
Not enough time for thought as to what long-range impacts could happen in all the areas that could be affected
It is a bad idea unless you stand to benefit financially from this.
With this Council it would involve opening the Town up to developers and not respecting the wishes of the citizens who pay the taxes that run this Town.
Assuming that UCB is next to go: Loss of rural land. Urban sprawl. Leap frog development. Infrastructure costs to supply services to new developments and existing properties (if those residents opt for services). Environmental degradation. Reduced quality of life for current residents. A different vision of Qualicum than envisioned by residents in 2011 OCP. Increase of GHG emissions. Undermines plan for compact

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

urban/village centre.
With no checks and proposals being rushed through we will lose our "well planned" community with commercial clustered; strip malls and other inappropriate use of fringe areas will not improve Qualicum; this opens the door for development in the area of Milner Gardens, Eaglecrest, etc. which is undesirable.
This proposal is in the hands of a very few people who stand to "profit"! This is <u>not</u> what most Qualicum Beachers want. The residents of Qualicum Beach deserve input as to the decisions made by a very small group of individuals.
Don't want to become another Parksville
Rampant development in the new proposed boundary - Impact on water resources; Population exceeding Town size - becoming a City. Increased property taxes to support services and infrastructure
If GCB changed and land rezoned for development: This could change the quality of life in Qualicum by increased traffic, increased population, increased property tax, increased air pollution, reduction or elimination of Qualicum's greenbelt - is this something the community wants? Higher demand and stress on fresh water resources. Depending on market trends, undeveloped land that is now rural could be used for condos, subdivisions, commercial or residential estates. If GCB removed it could promote and create urban sprawl. Could create growth that is unsustainable.
My opinion and outlook are based on local newspaper reports and editorials. Given we have a dysfunctional Council, I suggest we do nothing until after the next election. My vision is for a working Council that acts with respect, wisdom and knowledge based on what the populace wants.

Q5. What other information would assist you in furthering your understanding of this topic?

None
The truth
Full OCP review at the proper time this proposal has too many implications to leave up to 1 meeting. Why do we agree to large subdivisions only to have them change their plans – don't need anymore
No other information required
A map or summary of what could potentially change if this change took place. How many new homes, businesses, condos, etc.
How full/empty is current UCB – do we still have room. If so, why push expansion?
Presentation by UCB experts. Presentation by RDN personnel only – with no QB Town or Council present. We need to understand this major change fully and completely
How is this a "minor amendment" to the Regional Growth Strategy, by definition
Present similar case examples please, including these that resulted in change and those where no changes were made. This might help us understand impacts to other communities
Lawyers' opinion on the legality of a minor amendment versus major amendment
None
More information on possible infrastructure costs when development occurs in other areas
The '3' has a moral responsibility to fully explain their reasons for this process.
This information and the drawings should have been in both local newspapers and not on the back pages
A full OCP review
What is Council's next step if GCB is changed? What do they want to do with the land that is no longer protected? How does the Town intend to apply for a minor amendment to RGS, knowing that a major amendment is required? It would be helpful to learn from Council their ideas and plans for any new designations for properties that would no longer be outside GCB if the RDN passes the amendment. There is no reason to change the GCB unless there are plans to urbanize and re-zone the affected properties
Public meetings where actual dialogue (not harassment) occurs between residents, Council and Town staff. There is great unhappiness in Town with the hidden agent of Councillors and their pushing approval through, dropping DCCs, changing property height rules etc. etc. contrary to; Staff did a poor job of explaining at public meeting - need better info at next meeting
The writing is on the wall in regards to our once lovely Town turning into humdrum! Qualicum used to be a

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
 PUBLIC INFORMATION MEETING FEEDBACK**

place - a quaint place that folks & tourists talked about! It is not shaping up to be that "place" anymore!
Don't let this town be bullied into changes most residents don't want. Be out in the open and not devious
Much better information published by Town in local papers on the impacts of this change. An explanation of the controls - or lack thereof - on development
Why is the proper process being avoided? Is eliminating the GCB about growth?
Am uncomfortable with eliminating the Regional District's say in adjusting or changing our Official Community Plan. Feel that is the main thrust right now.

Q6. Do you have any other comments?

Oh how the Town would benefit from the resignation of the three Councillors who vote as a block on any issue. Why is this being rushed through? Could this issue be voted on at the municipal election in November.
OCPs are made by the people after a lot of hard work – like the RGS and should be respected – not ignored by 5 people on Council. Referendum if need to change?
The OCP has turned into a great comic joke. How about a referendum? One public meeting of less than 50 people is <u>not sufficient!</u>
Is this an end run for Pheasant Glen? What about affordable housing? Lots of people are not present here for this <u>only</u> public hearing on March 4 th . How about a referendum on this topic? This is taking up a lot of staff time, how about all the other business of the Town. This apparently came from the Council Strategic Plan, how was that developed?
Why should we participate in the next OCP? Does this matter, what happens if "Council" doesn't hear what they want to?
There is a lot of emotion, and misunderstanding around this meaning develop doesn't need to go through the process
Planning must follow an open, transparent process that cannot be changed or compromised on an individual whim.
OCP is like a swiss match, discussing UCB & GCB is only 1 piece. Worried about only discussing a narrow part of OCP. Needs to be a broader conversation.
We fully expect this to be pushed through with as much speed as the Clarion Development. Is this really the only info session available to residents. Why was the info. package only put on your website 24 hrs. prior?
This is <u>not</u> a sufficient process to call an OCP review process
A major change to OCP at this time would be redundant and costly
I am not happy with the communication process used to the community. I do not believe this is a minor amendment to the OCP
It appears that Council does not agree with Regional Growth Strategy and its purpose. If Council feels the GCB is a hindrance or unfair or an obstacle to their autonomy then are they not supporting the Regional Growth Strategy
It's time Council protected the interests of the taxpayer. Eg. desecration of land heritage development. Election! Election! Election!
Undo rush to have OCP amended. What's the hurry?!
Why go ahead with now or wait until the OCP in 2016? My general observation throughout comments made is that there was a deep feeling of distrust in the current Council and therefore wonder what the <u>real agenda</u> is
Although it seems presented as a "minor" change, <u>it is not</u> . Stick with the Official Community Plan timeline. RDN has already allowed undesirable developments in areas just outside of municipal boundaries – how can we be involved in influencing these approvals?
We need to have more discussion with Counsellors when controversial items are dealt with. Will all Council members vote according to their own informed judgement?
An OCP review is an important decision. Where was a lot of publicity in the papers regarding our OCP a few years ago but there was very little publicity in the papers re this meeting and its importance

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**2014 QUALICUM BEACH OFFICIAL COMMUNITY PLAN REVIEW
PUBLIC INFORMATION MEETING FEEDBACK**

Town Council should have full fledged OCP reviews. ie. listen to the citizens who pay the taxes.
This Town needs more affordable housing to attract younger families to move here; the seniors require younger people to provide services that seniors are unable or unwilling to do. Besides, younger people bring energy, enthusiasm, new ideas, etc. with them.
The minor amendment to RDN is incorrect process. The process is too rushed and most residents don't know it is happening nor do residents know how this change will affect Qualicum and our OCP. This amendment should be part of the next full OCP review. Council is not serving the interests of the community by using this process.
What they ran their campaign on and totally ignoring the OCP; Town staff seems to promote these development proposals and push forward. The College Inn situation demonstrates what happens when the Town promotes the wishes of the developer and ignores the implication for residents. This form collated, totalled, etc. means nothing and is not an accurate statistic. Anyone can send one or fifty in, regardless of whether or not they are a resident. Easy to stack the deck. Poorly planned strategy if you really want to know what people think.
Mary Brouillette, Dave Willie, Bill Luchtmeijer need to find a different place to live!
We know there is water shortage on this Island, let's be sensible and not cave in to the greed of others
Is a sensible, logical proposal.
This proposal is not in the interests of the Town and its taxpayers. The proposal is driven by the desire for profit by developers and builders and realtors.
Moving a GCB should be a community decision. More discussion is needed. Should be part of a full OCP review.

**Town of Qualicum Beach
MEMORANDUM**

TO: John Marsh, CMA, Acting CAO

FOR: Council Meeting, April 14, 2014

FROM: Luke Sales, MCIP, RPP, Director of Planning;

SUBJECT: 2014 OCP Review – Growth Containment Boundary

RECOMMENDATION

- THAT the bylaw entitled “Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014” be given second reading as amended;

PURPOSE

To consider a bylaw that will amend the Town’s Official Community Plan as a step in the process of amending the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS).

BACKGROUND

The Town is currently reviewing its Official Community Plan (OCP) to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town, as is the current designation. This review addresses the governance aspect of regional growth planning and reviews the manner in which the Town of Qualicum Beach works with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town. It is also an opportunity to review how the location of the GCB may or may not support the Town’s long-term growth management policies.

Currently, the GCB and UCB include the same areas within the Town. However, the Town controls the UCB.

- Growth Containment Boundaries are established in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town. It is not currently being reviewed in the present OCP review.

Although the Town’s GCB currently follows the same alignment as the Town’s UCB, the two do not need to be the same. The Town could manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary would not imply that rural lands outside of the Town’s Urban Containment Boundary can be developed for urban use

The Regional District of Nanaimo includes the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach. The approaches to establishing a GCB vary between the four municipalities:

- The City of Nanaimo has a GCB at the municipal boundary. Their Urban Containment Boundary (UCB) excludes parts of the City that are not identified for development.

- The District of Lantzville does not have a GCB at the municipal boundary, but it does include some lands outside of their UCB. The UCB does not include parts of the District that are not identified for development.
- The City of Parksville does not have a GCB at the municipal boundary. Its UCB is the same as its GCB and excludes parts of the City that are not identified for development.
- The Town of Qualicum Beach does not currently have a GCB at the municipal boundary. Areas that are not identified for development are outside the UCB and the GCB.

DISCUSSION

On Tuesday, March 4, 2014 a Public Information Meeting was held at the Qualicum Beach Civic Centre on the topic of the 2014 Official Community Plan review of the Growth Containment Boundary (GCB). A report on the topic of the potential change to the GCB was distributed to an extensive email distribution list and uploaded to the Town's website on February 21, 2014. (Attached). A presentation by Town staff began at 7pm, followed by group discussion, written feedback and open mic. Feedback forms were available for those people that were unable to attend the meeting. Staff transcribed all feedback forms received before March 28, 2014; these were included in the April 7 Council agenda and posted on the Town's website.

On April 7, 2014 Council adopted the following motions:

- THAT the bylaw entitled "Town of Qualicum Beach Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be introduced and given first reading.
- THAT Council holds a public hearing on April 22, 2014 at 7:00 pm at the Qualicum Beach Civic Centre, 747 Jones, Qualicum Beach in regard to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".

A minor formatting error was corrected after first reading, which is why the bylaw must be read "as amended".

Discussion with RDN staff

Town staff met with Regional District of Nanaimo staff on February 28, 2014 to ensure that there is mutual understanding of the required process, should the Town proceed with the OCP review leading to an RGS amendment application. It was suggested that broadening the scope of the current OCP review to include issues related to long-term planning would strengthen the Town's application for a minor amendment of the RGS. A broadened scope could address topics such as how the proposed change to the GCB improves the Town's capacity to manage, accommodate, and direct future growth. A broadened OCP Review could also identify topics for future reviews. An OCP review on the topic of governance that does not address a wider scope of topics may not qualify for the conditions required for a "minor amendment". In any case, it will be up to the RDN Board to determine whether the Town's OCP review is an acceptable process to qualify for the minor amendment process.

One advantage of moving the GCB to the Town boundary is that it would provide more flexibility in the manner that the Town conducts future OCP reviews. Rather than continuing with major reviews every six years it may be more appropriate to conduct smaller, focused reviews on specific

topics more frequently. Examples of smaller, topic-based public planning processes include the 2012 Village Neighbourhood Planning Project, the 2013 Secondary Suites Policy Review and the 2013-2015 Waterfront Master Plan, which is now in the first phase. In cases where the OCP review involves land outside of the current Urban Containment Boundary, the proposed change to the GCB would shorten the required process.

Recent Meetings & Council Consideration

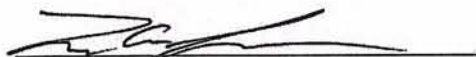
- January 13, 2014: Council direction to proceed with an Official Community Plan review of the Growth Containment Boundary;
- February 20, 2014: Background report on OCP review topic. Circulated and posted to website;
- March 4, 2014: Public Information Meeting (round-table discussion format). Feedback form distributed;
- March 17, 2014: (Council Meeting): Report to Council with preliminary feedback from March 4, 2014: Consideration of OCP amendment bylaw referred to April 7;
- March 28, 2014: Additional feedback forms transcribed and posted to website.

Next Steps

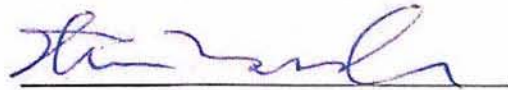
- April 7, 2014 (Council Meeting): OCP amendment bylaw introduced and read a first time;
- April 14, 2014 (Council Meeting): OCP amendment bylaw read a second time;
- April 22, 2014: Public Hearing;
- May 2014: (Council Meeting): Consideration of third reading and adoption;
- May 2014: Application to the RDN (see attached diagram. Timeline estimated at three months) Referrals will also be sent to the Agricultural Land Commission, School District 69, and local First Nations, although no formal approval is required for these organizations.
- If RDN board approves the application, Council may adopt the OCP amendment bylaw in an open Council meeting (possible timeframe: August 2014).

ALTERNATIVES

1. THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" not be given second reading;
2. THAT Council directs staff to proceed with an Official Community Plan review on the topic of the Growth Containment Boundary in *[insert year or date]*;
3. THAT Council provides alternative direction to staff.



Luke Sales, MCIP, RPP
Director of Planning
Report Writer



John Marsh, CMA
Acting CAO
Concurrence

**TOWN OF QUALICUM BEACH
 BYLAW NO. 700.10**

**A BYLAW TO AMEND THE TOWN OF QUALICUM BEACH
 Official Community Plan Bylaw 700, 2011**

The Council of the Town of Qualicum Beach, in open meeting lawfully assembled, hereby enacts as follows:

1. "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011" is hereby amended as follows:
 - a) Replace Map Schedule 2.1 "Land Use" with the attached Appendix 'A'.
 - b) On "Policies" page 2-6, insert policy six (6): "The Town shall manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary does not imply that rural lands outside of the Town's Urban Containment Boundary will ever be developed for urban use."
 - c) On Appendix 'B' Regional Context Statement, amend Goal 4 (1) by checking "No" under "Consistency between OCP and RGS" and inserting the following under "OCP Reference", "To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.", as shown below.

	Yes	No	
1) Does the OCP's Urban Containment Boundary match the RGS's Growth Containment Boundary?		√	Section 2.1.1 "Urban Containment Boundary" Schedule 2.1 "Land Use" To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.

2. This bylaw may be cited as "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".

READ A FIRST TIME this 7th day of April, 2014.

READ A SECOND TIME as amended this day of , 2014.

Notice published pursuant to Section 892 of the *Local Government Act* on the day of , 2014 and the day of , 2014.

PUBLIC HEARING held on the day of , 2014.

READ A THIRD TIME this day of , 2014.

ADOPTED this day of , 2014.

 Teunis Westbroek, Mayor

 Heather Svensen, Corporate Administrator



TOWN OF QUALICUM BEACH

2014 OCP Review – Growth Containment Boundary BACKGROUND REPORT

Prepared for the February 4, 2014 Public Information Meeting
Updated April 14, 2014

Key Question:

Should the Town's Growth Containment Boundary be the same as the municipal boundary?

Introduction

The Town is currently reviewing its Official Community Plan (OCP) to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town as is the current designation. This OCP review specifically addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town.

Growth Containment Boundary (GCB) vs. Urban Containment Boundary (UCB)

Currently, the GCB and UCB include the same areas within the Town. However, the Town only controls the UCB.

- Growth Containment Boundaries are in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not have to be the same. For example, during the RGS review leading up to the adoption of an updated RGS in 2011, the City of Nanaimo requested that the entire municipality be within the Growth Containment Boundary (GCB), as identified in the Regional Growth Strategy. The City of Nanaimo maintains an Urban Containment Boundary (UCB) within its Official Community Plan that is not at the municipal boundary, and excludes ALR land and other areas not intended for development. Currently, the Town is considering a similar change that would result in a Growth Containment Boundary that is different than the Urban Containment Boundary.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

Why would the Town set the GCB at the municipal boundary?

Expanding the GCB to match the Town boundary would:

1. *Simplify the governance structure*

Currently, the Regional District of Nanaimo and member municipalities have a role in permitting or denying urban growth and servicing within some areas of the Town. Setting the GCB at the Town boundary would remove the need for partner municipalities and the Regional District to consent to changes to the amount or form of development to urban use or density in areas outside of those that are currently intended for urban development. Town of Qualicum Beach Council would have complete autonomy over land use decisions for land that is not located in the Agricultural Land Reserve. Within the bounds of a GCB, a municipality does not have to consult with the Regional District of Nanaimo or other member municipalities. The Town can, however, maintain a separate UCB that designates some areas for growth, while restricting development potential in other areas.

If the GCB is set at the Town boundary, the Regional District of Nanaimo would no longer have a role in permitting or denying urban growth and servicing within the Town.

2. *Shorten the process for some land use changes*

Currently the process for approving a development application for lands outside of the Growth Containment Boundary is long and cumbersome. Setting the GCB at the Town boundary would decrease the length of time required to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP, with respect to where urban development is supported. The approval process would be unchanged for areas that are currently within the Growth Containment Boundary.

Presently, developers intending to develop land outside of the Growth Containment Boundary can initiate a change to the Regional Growth Strategy by applying to the Town for an OCP amendment. This allows the Town to decide whether it wants to proceed with an RGS amendment. Effectively, the Town would become the sponsor of an application to the RDN for an RGS amendment.

RGS amendment applications are currently analyzed on a project-by-project basis to ensure that they coincide with the goals set forth by the RGS. Based on the timelines for applications to the RDN in other areas, the process for a Regional Growth Strategy amendment application may take one to two years. The rigorous process for amending the RGS limits the speed with which local governments can permit urban development or provide servicing to areas outside of the GCB.

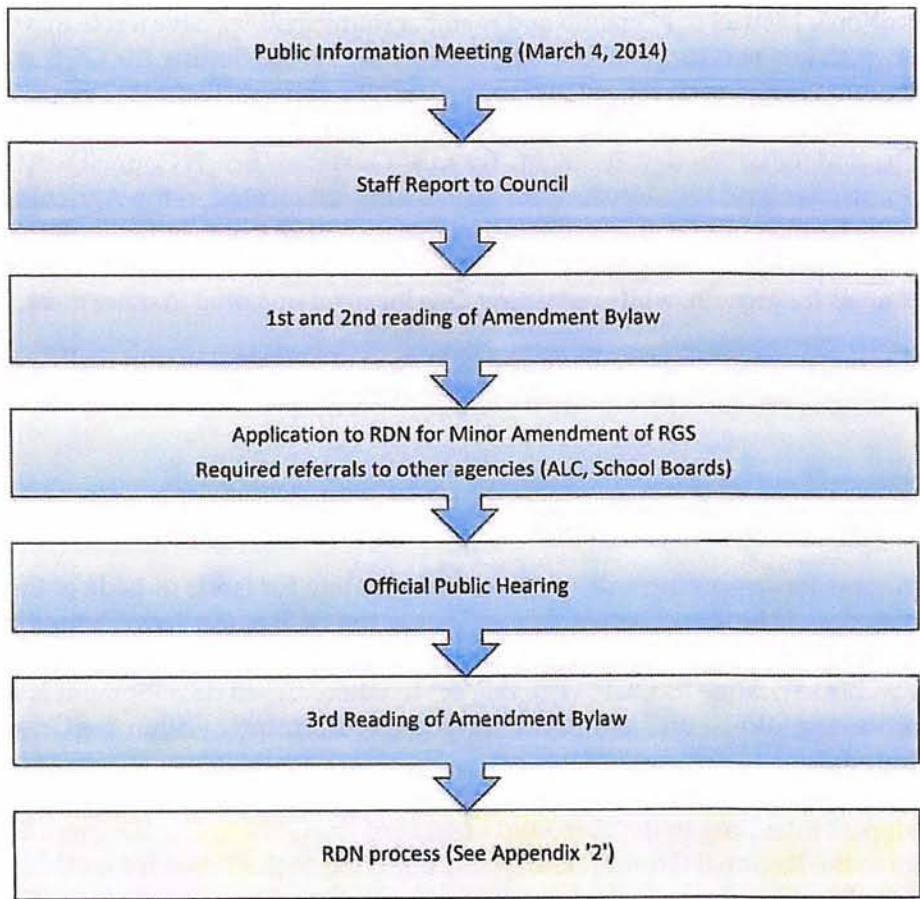
Expanding the GCB to include ALR land would have little effect on the Town's ability to permit development in these areas. Changing the GCB to the Town boundary would primarily affect non-ALR properties outside of the GCB. There are 909 hectares of land inside the GCB and 869 hectares of land outside the GCB. Of the land outside the GCB, 354 hectares is not in the ALR.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

Updated

What's the process?

Growth Containment Boundary OCP Review Process



2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

About the RGS and RDN

The Town of Qualicum Beach, along with partner municipalities, adopted the “Regional District of Nanaimo (RDN) Growth Management Plan” in 1997. This plan was the first iteration of what is now known as the Regional Growth Strategy (RGS). The RGS was implemented in response to residents’ concerns about the impacts of rapid population growth and unconstrained development in the late 1980s and early 1990s. One of the policies of the RGS is the establishment of Growth Containment Boundaries (GCBs), which delineate the areas where most development is permitted to occur. Within the RGS, GCBs include urban areas and “Rural Village Centres” and generally exclude the Agricultural Land Reserve (ALR), resource land and rural areas.

The Regional District of Nanaimo provides regional governance and services throughout Vancouver Island's central east coast. Communities within the RDN include the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach, as well as seven unincorporated Electoral Areas. Established in 1967, the RDN is British Columbia's third most populous Regional District.

The RDN is governed by a 17-member Regional Board, comprised of ten directors from locally-elected municipal councils, and seven directors elected by Electoral Area residents. Board members also sit on a variety of regional select and standing committees for key services, as well as the RDN Committee of the Whole.

Growth Containment Boundary

“Growth Containment Boundaries (GCBs) are geographically-based lines shown on RGS maps that define where growth is intended to be directed. The Growth Containment Boundary is intended to control urban sprawl and to encourage the development of compact, complete communities within municipalities or within a Rural Village Area in electoral areas. Land situated outside the GCBs is intended primarily for rural purposes that require limited infrastructure and services.”

– 2011 RGS, Glossary

2014 OCP Review - Growth Containment Boundary Background Report
February 20, 2014

What's the Next Step?

Following the Town's OCP review, if Council decides that the GCB should be the same as the municipal boundary, an application will be made to the Regional District for a minor amendment to the RGS. A referral to the Agricultural Land Commission and School District No. 69 Board would also be made at the same time to comply with the *Local Government Act*.

RGS Amendment Process

At the Committee of the Whole meeting on November 25, 2013, RDN staff clarified the distinction between two ways of amending the RGS: the regular amendment process and the minor amendment process. To qualify for the minor amendment process, a municipality must undertake a full "OCP review process". RDN staff emphasized that although an "OCP review" is different than a typical application review, the scope and work plan of the OCP review are primarily up to the discretion of the municipal Council. After third reading of the OCP amendment bylaw, the Town would apply to the RDN for a minor amendment to the RGS. This process is detailed on the attached Appendix "A".

Contact

For questions or comments about this OCP review process, please contact me directly:



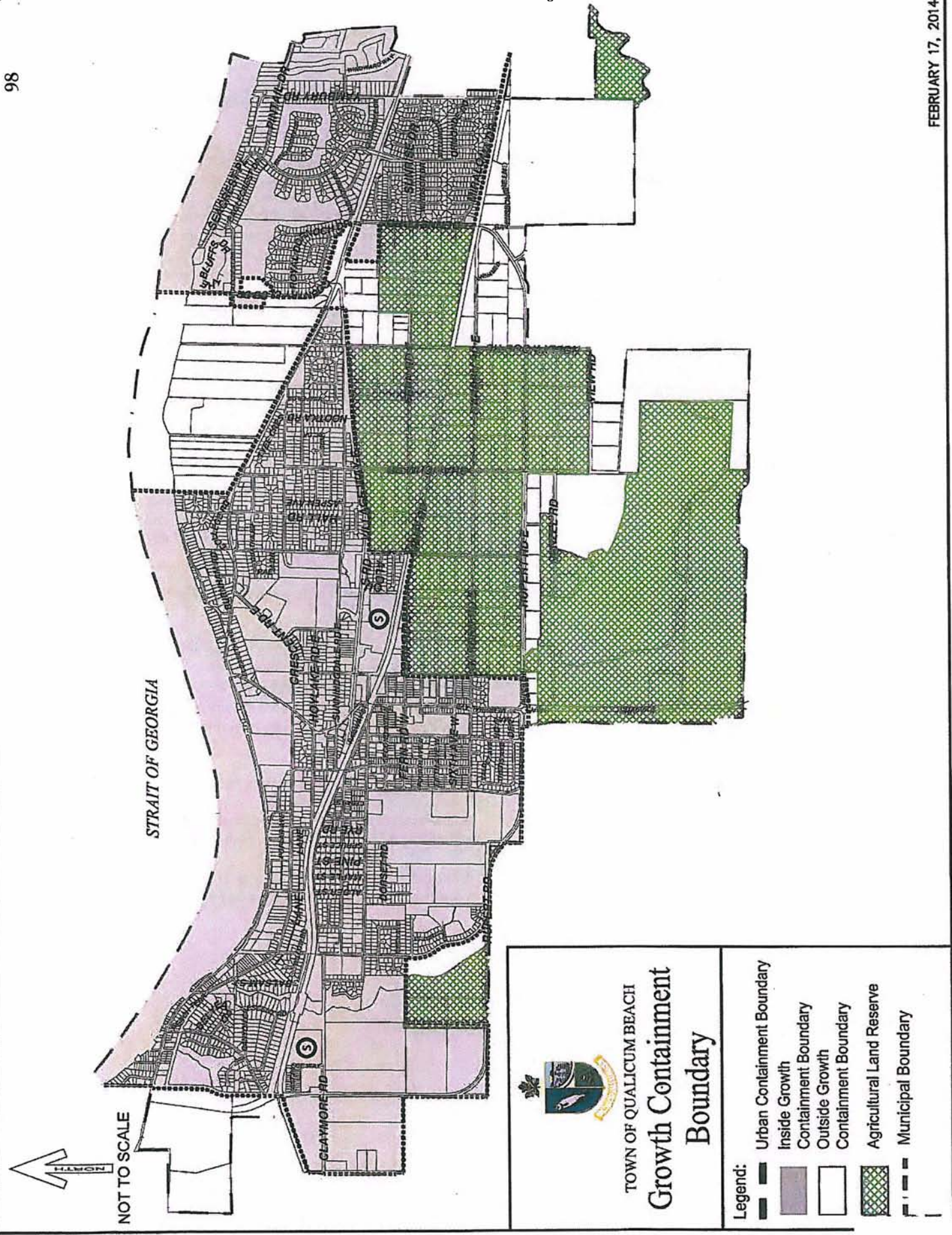
Luke Sales, MCIP, RPP
Director of Planning
Town of Qualicum Beach

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File: 3900-20-700.10

RGS Minor Amendment Process Triggered by OCP Review in Municipality

Process and steps to complete a Minor Amendment to the RGS as a result of changes to a municipal OCP	
1. OCP Review is Completed	Municipality completes a full review of its OCP which results in a need to amend the RGS
2. Municipality submits request for RGS Amendment to the RDN	Council forwards request to RDN Board to amend the RGS through the Minor Amendment Process
3. RDN Staff prepare report	A report providing information on the request and amendment process is prepared for the Sustainability Select Committee
4. Sustainability Select Committee	Committee reviews the request and makes a recommendation to the RDN Board
5. RDN Board Meeting	
a. Receive recommendation from SSC	Board receives recommendation from SSC.
b. Decide on whether the proposed RGS Amendment is Minor	A minimum of 2/3 of the Board must vote in favour to proceed as a Minor Amendment. If less than 2/3 Board vote in favour then amendment cannot proceed through Minor amendment Process.
c. Adopt consultation plan	If proceeding as a Minor Amendment, Board adopts a consultation plan.
6. Notify Affected Local Governments	Notice of the proposed RGS Minor Amendment is provided to the RDN's member municipalities and adjacent regional districts. They have up to 45 days to respond.
7. RDN Board Meeting	
a. Receive comments from affected local governments	Board receives and considers comments from affected local governments
b. Give 1 st reading to bylaw	Board gives 1 st reading to bylaw
c. Give 2 nd reading to bylaw and maybe	If unanimous vote for 2 nd reading then no public hearing required and can give Bylaw 3 rd reading
d. Give 3 rd reading to bylaw	Board gives 3 rd reading to bylaw
8. Public Hearing (only if required)	A public hearing is only required if there is <u>not</u> a unanimous Board vote in favour of giving the bylaw 2 nd reading
9. RDN Board Meeting	
a. Give final reading to bylaw Or	Final reading if 3 rd reading given at last meeting or
b. Receive report from public hearing	Board receives report from public hearing and proceeds with giving 3 rd and final readings to the bylaw
c. Give 3 rd reading to bylaw	
d. Give final reading to bylaw	
10. Notice to Municipality	A letter is sent to the municipality and other LGs informing them of the Board decision on the RGS bylaw



**Town of Qualicum Beach
MEMORANDUM**

TO: John Marsh, CMA, Acting CAO

FOR: Council Meeting, April 22, 2014

FROM: Luke Sales, MCIP, RPP, Director of Planning;

SUBJECT: 2014 OCP Review – Growth Containment Boundary

RECOMMENDATION

- THAT Council, after hearing comments at the April 22, 2014 Official Public Hearing, adopts the following motion: *[insert Alternative 1, 2 or 3]*

PURPOSE

To consider a bylaw that will amend the Town's Official Community Plan as a step in the process of amending the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS).

BACKGROUND

The Town is currently reviewing its Official Community Plan (OCP) to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town, as is the current designation. This review addresses the governance aspect of regional growth planning and reviews the manner in which the Town of Qualicum Beach works with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town. It is also an opportunity to review how the location of the GCB may or may not support the Town's long-term growth management policies.

Currently, the GCB and UCB include the same areas within the Town. However, the Town controls the UCB.

- Growth Containment Boundaries are established in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town. It is not currently being reviewed in the present OCP review.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not need to be the same. The Town could manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary would not imply that rural lands outside of the Town's Urban Containment Boundary can be developed for urban use.

The Regional District of Nanaimo includes the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach. The approaches to establishing a GCB vary between the four municipalities:

- The City of Nanaimo has a GCB at the municipal boundary. Their Urban Containment Boundary (UCB) excludes parts of the City that are not identified for development.

- The District of Lantzville does not have a GCB at the municipal boundary, but it does include some lands outside of their UCB. The UCB does not include parts of the District that are not identified for development.
- The City of Parksville does not have a GCB at the municipal boundary. Its UCB is the same as its GCB and excludes parts of the City that are not identified for development.
- The Town of Qualicum Beach does not currently have a GCB at the municipal boundary. Areas that are not identified for development are outside the UCB and the GCB.

DISCUSSION

On Tuesday, March 4, 2014, a Public Information Meeting was held at the Qualicum Beach Civic Centre on the topic of the 2014 Official Community Plan review of the Growth Containment Boundary (GCB). A report on the topic of the potential change to the GCB was distributed to an extensive email distribution list and uploaded to the Town's website on February 21, 2014. A presentation by Town staff began at 7pm, followed by group discussion, written feedback and open mic. Feedback forms were available for those people that were unable to attend the meeting. Staff transcribed all feedback forms received before March 28, 2014; these were included in the April 7 Council agenda and posted on the Town's website.

On April 7, 2014 Council adopted the following motions:

- THAT the bylaw entitled "Town of Qualicum Beach Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be introduced and given first reading.
- THAT Council holds a public hearing on April 22, 2014 at 7:00 pm at the Qualicum Beach Civic Centre, 747 Jones, Qualicum Beach in regard to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".

On April 7, 2014 Council adopted the following motion:

- THAT the bylaw entitled "Town of Qualicum Beach Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be given second reading.

One advantage of moving the GCB to the Town boundary is that it would provide more flexibility in the manner that the Town conducts future OCP reviews. Rather than continuing with major reviews every six years it may be more appropriate to conduct smaller, focused reviews on specific topics more frequently. Examples of smaller, topic-based public planning processes include the 2012 Village Neighbourhood Planning Project, the 2013 Secondary Suites Policy Review and the 2013-2015 Waterfront Master Plan, which is now in the first phase. In cases where the OCP review involves land outside of the current Urban Containment Boundary, the proposed change to the GCB would shorten the required process.

Recent Meetings & Council Consideration

- January 13, 2014: Council direction to proceed with an Official Community Plan review of the Growth Containment Boundary;
- February 20, 2014: Background report on OCP review topic. Circulated and posted to website;

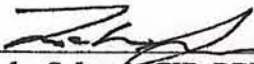
- March 4, 2014: Public Information Meeting (round-table discussion format). Feedback form distributed;
- March 17, 2014: (Council Meeting): Report to Council with preliminary feedback from March 4, 2014: Consideration of OCP amendment bylaw referred to April 7;
- March 28, 2014: Additional feedback forms transcribed and posted to website.
- April 7, 2014 (Council Meeting): OCP amendment bylaw introduced and read a first time;
- April 14, 2014 (Council Meeting): OCP amendment bylaw read a second time;

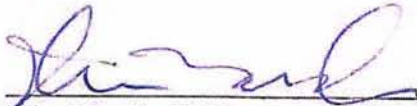
Next Steps

- April 22, 2014: Public Hearing,
- Consideration of third reading (April 22, May 5 or May 12);
- Application to the RDN (See attached diagram. Timeline estimated at three months) Referrals will also be sent to the Agricultural Land Commission, School District 69, and local First Nations, although no formal approval is required for these organizations.
- If RDN board approves the application, Council may adopt the OCP amendment bylaw in an open Council meeting (possible timeframe: August 2014).

ALTERNATIVES

1. THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" not be given third reading;
2. THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be given third reading;
AND FURTHER THAT Council directs staff to send notification to the Regional District of Nanaimo, along with relevant background reports, that the Town has given third reading to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014", which resulted from a "full Official Community Plan Review Process" in accordance with the procedural requirements of the *Local Government Act* and now requires an amendment to the Regional Growth Strategy;
AND FURTHER THAT the Town hereby requests that the Growth Containment Boundary, as identified in "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011", be amended to include the entirety of the Town of Qualicum Beach following the process identified on Section 1.5.1 "Process for Approving Minor Amendments";
3. THAT Council provides alternative direction to staff.


Luke Sales, MCIP, RPP
Director of Planning
Report Writer


John Marsh, CMA
Acting CAO
Concurrence

**TOWN OF QUALICUM BEACH
 BYLAW NO. 700.10**

**A BYLAW TO AMEND THE TOWN OF QUALICUM BEACH
 Official Community Plan Bylaw 700, 2011**

The Council of the Town of Qualicum Beach, in open meeting lawfully assembled, hereby enacts as follows:

1. "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011" is hereby amended as follows:
 - a) Replace Map Schedule 2.1 "Land Use" with the attached Appendix 'A'.
 - b) On "Policies" page 2-6, insert policy six (6): "The Town shall manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy. The alignment of the Growth Containment Boundary at the municipal boundary does not imply that rural lands outside of the Town's Urban Containment Boundary will ever be developed for urban use."
 - c) On Appendix 'B' Regional Context Statement, amend Goal 4 (1) by checking "No" under "Consistency between OCP and RGS" and inserting the following under "OCP Reference", "To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.", as shown below.

	Yes	No	
1) Does the OCP's Urban Containment Boundary match the RGS's Growth Containment Boundary?		√	Section 2.1.1 "Urban Containment Boundary" Schedule 2.1 "Land Use" To ensure that the Official Community Plan is responsive to future needs, the Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the RGS.

2. This bylaw may be cited as "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014".

READ A FIRST TIME this 7th day of April, 2014.

READ A SECOND TIME as amended this 14th day of April, 2014.

Notice published pursuant to Section 892 of the *Local Government Act* on the 10th day of April, 2014 and the 15th day of April, 2014.

PUBLIC HEARING held on the day of , 2014.

READ A THIRD TIME this day of , 2014.

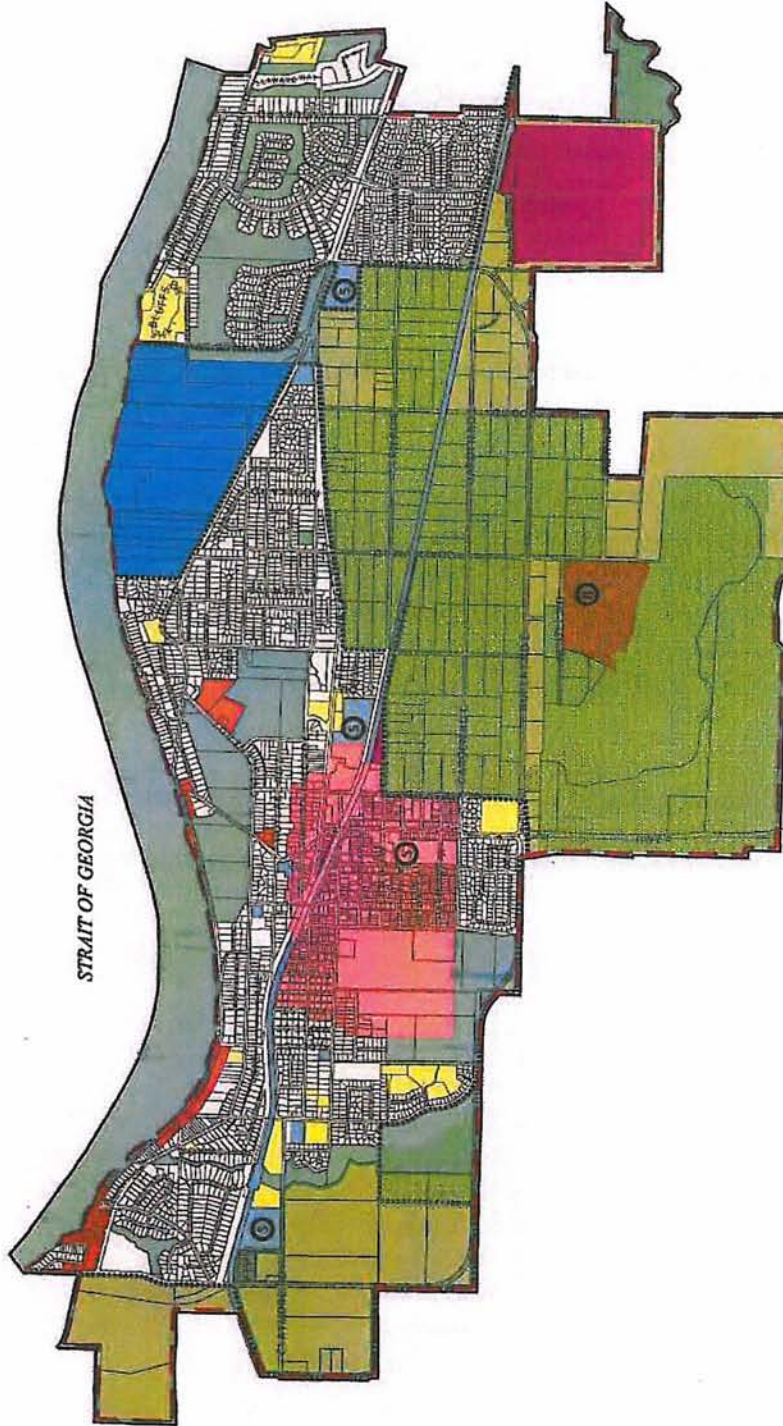
ADOPTED this day of , 2014.

 Teunis Westbroek, Mayor

 Heather Svensen, Corporate Administrator

Bylaw No. 700.10, 2014
Schedule 'A'

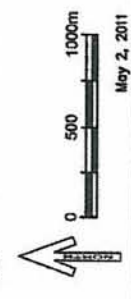
TOWN OF QUALICUM BEACH
Official Community Plan
 Bylaw 700
 Schedule 2.1
LAND USE



Mayor _____ Corporate Administrator _____

Legend:

- Urban Containment Boundary
- Village Neighbourhood see Schedule 2.2
- Rural
- Agricultural Land Reserve
- Single-family Residential
- Multi-family Residential
- Estate Residential
- Commercial
- Light Industrial
- Parks and Recreation
- Institutional
- West Qualicum Beach Open Spaces Development Area
- Municipal Boundary
- Growth Containment Boundary
- School Sites (Approximate Locations)
- Possible Destination Resort





TOWN OF QUALICUM BEACH

2014 OCP Review – Growth Containment Boundary BACKGROUND REPORT

Prepared for the February 4, 2014 Public Information Meeting
Updated April 15, 2014

Key Question:

Should the Town's Growth Containment Boundary be the same as the municipal boundary?

Introduction

The Town is currently reviewing its Official Community Plan (OCP) to determine whether the Growth Containment Boundary (GCB) in the Regional Growth Strategy (RGS) should include the entire Town or only a portion of the Town as is the current designation. This OCP review specifically addresses the governance aspect of regional growth planning and raises the question of whether the Town of Qualicum Beach should be required to consult with the Regional District of Nanaimo and partner municipalities on land use decisions within the Town.

Growth Containment Boundary (GCB) vs. Urban Containment Boundary (UCB)

Currently, the GCB and UCB include the same areas within the Town. However, the Town only controls the UCB.

- Growth Containment Boundaries are in the RGS and are under the jurisdiction of the Regional District of Nanaimo.
- The Urban Containment Boundary (UCB) is defined by the Town of Qualicum Beach Official Community Plan (OCP) and is under the jurisdiction of the Town.

Although the Town's GCB currently follows the same alignment as the Town's UCB, the two do not have to be the same. For example, during the RGS review leading up to the adoption of an updated RGS in 2011, the City of Nanaimo requested that the entire municipality be within the Growth Containment Boundary (GCB), as identified in the Regional Growth Strategy. The City of Nanaimo maintains an Urban Containment Boundary (UCB) within its Official Community Plan that is not at the municipal boundary, and excludes ALR land and other areas not intended for development. Currently, the Town is considering a similar change that would result in a Growth Containment Boundary that is different than from the Urban Containment Boundary.

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

Why would the Town set the GCB at the municipal boundary?

Expanding the GCB to match the Town boundary would:

1. *Simplify the governance structure*

Currently, the Regional District of Nanaimo and member municipalities have a role in permitting or denying urban growth and servicing within some areas of the Town. Setting the GCB at the Town boundary would remove the need for partner municipalities and the Regional District to consent to changes to the amount or form of development to urban use or density in areas outside of those that are currently intended for urban development. Town of Qualicum Beach Council would have complete autonomy over land use decisions for land that is not located in the Agricultural Land Reserve. Within the bounds of a GCB, a municipality does not have to consult with the Regional District of Nanaimo or other member municipalities. The Town can, however, maintain a separate UCB that designates some areas for growth, while restricting development potential in other areas.

If the GCB is set at the Town boundary, the Regional District of Nanaimo would no longer have a role in permitting or denying urban growth and servicing within the Town.

2. *Shorten the process for some land use changes*

Currently the process for approving a development application for lands outside of the Growth Containment Boundary is long and cumbersome. Setting the GCB at the Town boundary would decrease the length of time required to make a change to the OCP and zoning bylaws should the Town decide it wants to change its OCP, with respect to where urban development is supported. The approval process would be unchanged for areas that are currently within the Growth Containment Boundary.

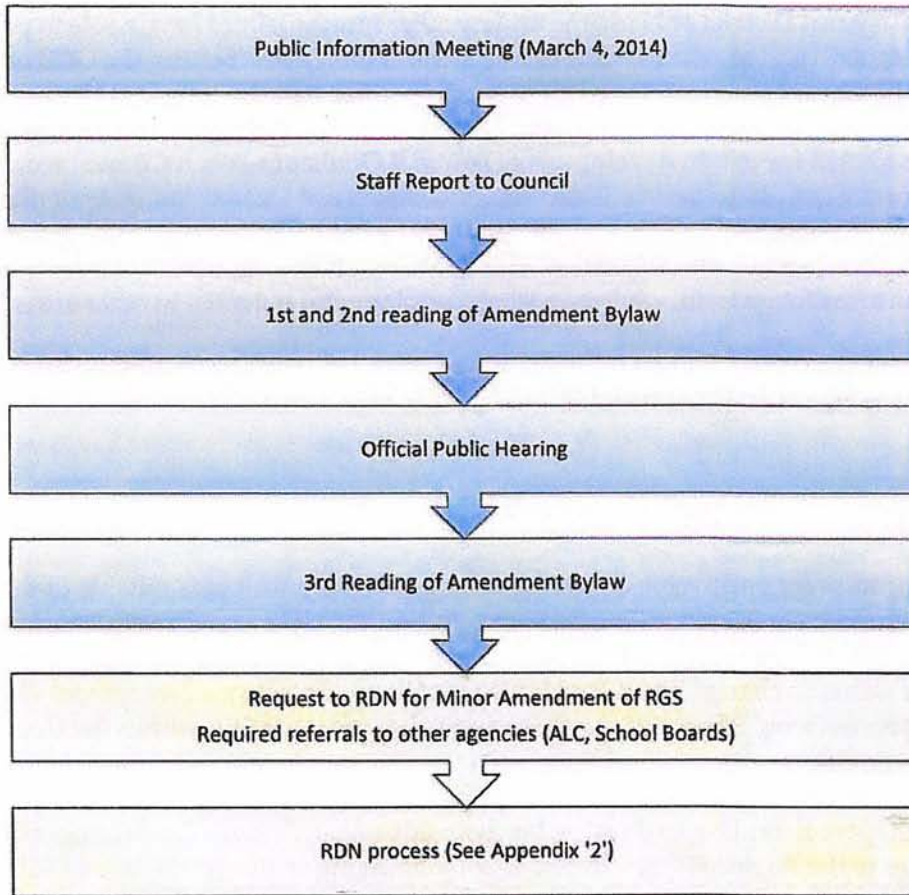
Presently, developers intending to develop land outside of the Growth Containment Boundary can initiate a change to the Regional Growth Strategy by applying to the Town for an OCP amendment. This allows the Town to decide whether it wants to proceed with an RGS amendment. Effectively, the Town would become the sponsor of an application to the RDN for an RGS amendment.

RGS amendment applications are currently analyzed on a project-by-project basis to ensure that they coincide with the goals set forth by the RGS. Based on the timelines for applications to the RDN in other areas, the process for a Regional Growth Strategy amendment application may take one to two years. The rigorous process for amending the RGS limits the speed with which local governments can permit urban development or provide servicing to areas outside of the GCB.

Expanding the GCB to include ALR land would have little effect on the Town's ability to permit development in these areas. Changing the GCB to the Town boundary would primarily affect non-ALR properties outside of the GCB. There are 909 hectares of land inside the GCB and 869 hectares of land outside the GCB. Of the land outside the GCB, 354 hectares are not in the ALR.

What's the process?

Growth Containment Boundary OCP Review Process



2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

About the RGS and RDN

The Town of Qualicum Beach, along with partner municipalities, adopted the “Regional District of Nanaimo (RDN) Growth Management Plan” in 1997. This plan was the first iteration of what is now known as the Regional Growth Strategy (RGS). The RGS was implemented in response to residents’ concerns about the impacts of rapid population growth and unconstrained development in the late 1980s and early 1990s. One of the policies of the RGS is the establishment of Growth Containment Boundaries (GCBs), which delineate the areas where most development is permitted to occur. Within the RGS, GCBs include urban areas and “Rural Village Centres” and generally exclude the Agricultural Land Reserve (ALR), resource land and rural areas.

The Regional District of Nanaimo provides regional governance and services throughout Vancouver Island's central east coast. Communities within the RDN include the municipalities of Nanaimo, Lantzville, Parksville, and Qualicum Beach, as well as seven unincorporated Electoral Areas. Established in 1967, the RDN is British Columbia's third most populous Regional District.

The RDN is governed by a 17-member Regional Board, comprised of ten directors from locally-elected municipal councils, and seven directors elected by Electoral Area residents. Board members also sit on a variety of regional select and standing committees for key services, as well as the RDN Committee of the Whole.

Growth Containment Boundary

“Growth Containment Boundaries (GCBs) are geographically-based lines shown on RGS maps that define where growth is intended to be directed. The Growth Containment Boundary is intended to control urban sprawl and to encourage the development of compact, complete communities within municipalities or within a Rural Village Area in electoral areas. Land situated outside the GCBs is intended primarily for rural purposes that require limited infrastructure and services.”

- 2011 RGS, Glossary

2014 OCP Review – Growth Containment Boundary Background Report
February 20, 2014

What's the Next Step?

Following the Town's OCP review, if Council decides that the GCB should be the same as the municipal boundary, an application will be made to the Regional District for a minor amendment to the RGS. A referral to the Agricultural Land Commission and School District No. 69 Board would also be made at the same time to comply with the *Local Government Act*.

RGS Amendment Process

At the Committee of the Whole meeting on November 25, 2013, RDN staff clarified the distinction between two ways of amending the RGS: the regular amendment process and the minor amendment process. To qualify for the minor amendment process, a municipality must undertake a full "OCP review process". RDN staff emphasized that although an "OCP review" is different from a typical application review, the scope and work plan of the OCP review are primarily up to the discretion of the municipal Council. After third reading of the OCP amendment bylaw, the Town would apply to the RDN for a minor amendment to the RGS. This process is detailed on the attached Appendix "A".

Contact

For questions or comments about this OCP review process, please contact me directly:



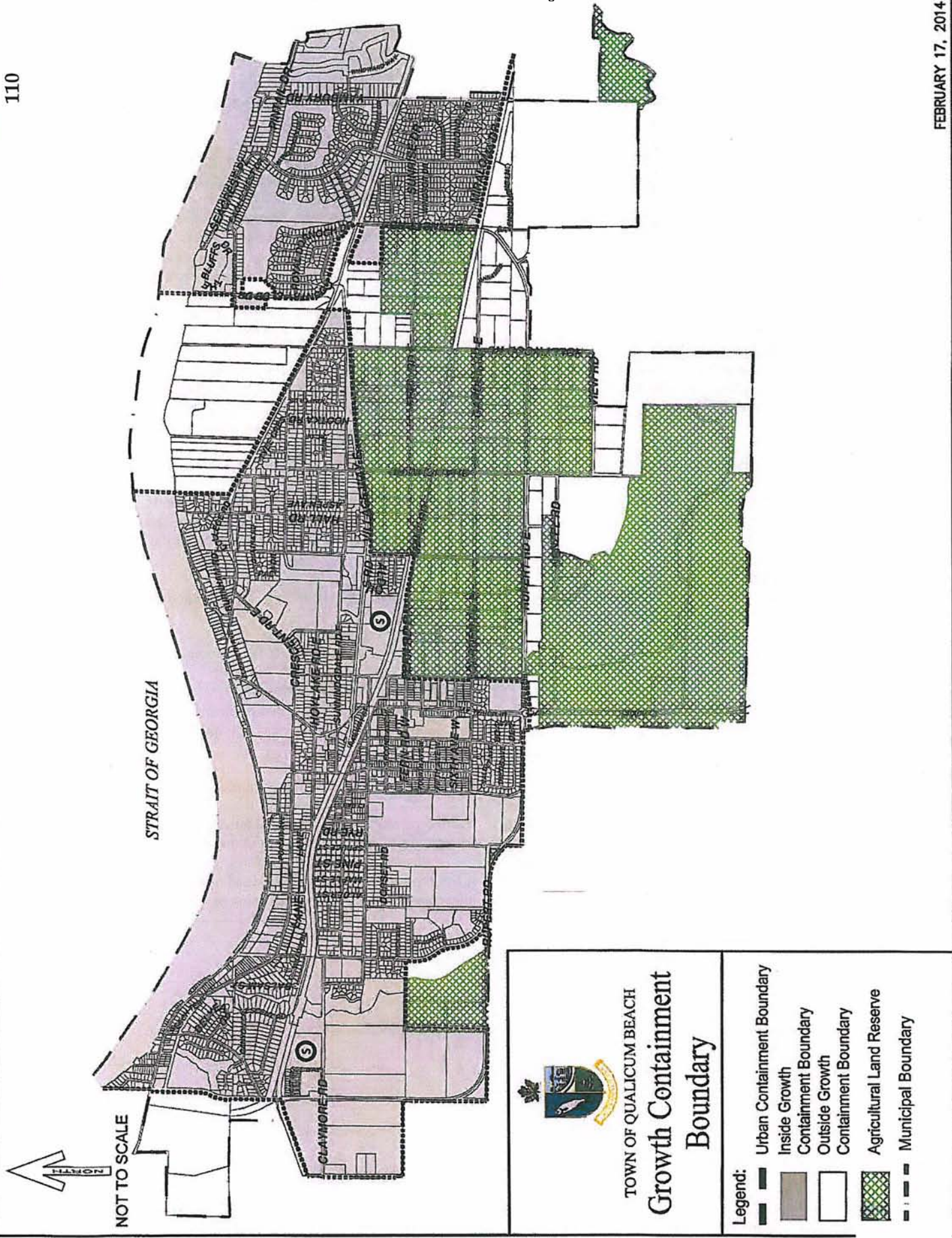
Luke Sales, MCIP, RPP
Director of Planning
Town of Qualicum Beach

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File: 3900-20-700.10

RGS Minor Amendment Process Triggered by OCP Review in Municipality

Process and steps to complete a Minor Amendment to the RGS as a result of changes to a municipal OCP	
1. OCP Review is Completed	Municipality completes a full review of its OCP which results in a need to amend the RGS
2. Municipality submits request for RGS Amendment to the RDN	Council forwards request to RDN Board to amend the RGS through the Minor Amendment Process
3. RDN Staff prepare report	A report providing information on the request and amendment process is prepared for the Sustainability Select Committee
4. Sustainability Select Committee	Committee reviews the request and makes a recommendation to the RDN Board
5. RDN Board Meeting	
a. Receive recommendation from SSC	Board receives recommendation from SSC.
b. Decide on whether the proposed RGS Amendment is Minor	A minimum of 2/3 of the Board must vote in favour to proceed as a Minor Amendment. If less than 2/3 Board vote in favour then amendment cannot proceed through Minor amendment Process.
c. Adopt consultation plan	If proceeding as a Minor Amendment, Board adopts a consultation plan.
6. Notify Affected Local Governments	Notice of the proposed RGS Minor Amendment is provided to the RDN's member municipalities and adjacent regional districts. They have up to 45 days to respond.
7. RDN Board Meeting	
a. Receive comments from affected local governments	Board receives and considers comments from affected local governments
b. Give 1 st reading to bylaw	Board gives 1 st reading to bylaw
c. Give 2 nd reading to bylaw and maybe	If unanimous vote for 2 nd reading then no public hearing required and can give Bylaw 3 rd reading
d. Give 3 rd reading to bylaw	Board gives 3 rd reading to bylaw
8. Public Hearing (only if required)	A public hearing is only required if there is <u>not</u> a unanimous Board vote in favour of giving the bylaw 2 nd reading
9. RDN Board Meeting	
a. Give final reading to bylaw Or	Final reading if 3 rd reading given at last meeting or
b. Receive report from public hearing	Board receives report from public hearing and proceeds with giving 3 rd and final readings to the bylaw
c. Give 3 rd reading to bylaw	
d. Give final reading to bylaw	
10. Notice to Municipality	A letter is sent to the municipality and other LGs informing them of the Board decision on the RGS bylaw





REPLY TO: VANCOUVER OFFICE

VIA EMAIL: lsales@qualicumbeach.com

April 22, 2014

Luke Sales
Director of Planning
Town of Qualicum Beach
Box 130
201 - 660 Primrose Street
Qualicum Beach, BC V9K 1S7

Dear Mr. Sales:

Re: **Pheasant Glen OCP Amendment**
Our File No. 00071-0249

You have requested a follow-up to our November 22, 2013 opinion on the Pheasant Glen development proposal, taking into account the B.C. Supreme Court's March 12, 2014 decisions in the two Metro Vancouver cases to which we referred on the third page of our opinion letter, in which Metro's challenges to certain Langley Township OCP amendments were dismissed. In addition a Council member has requested our comments on several aspects of Metro Vancouver's subsequent appeal of those decisions. We expect the appeal to be heard in the fall of this year.

The GVRD Decisions

The two cases decided on March 12 were *Greater Vancouver (Regional District) v. The Corporation of the Township of Langley and Peter Wall* and *Greater Vancouver (Regional District) v. The Corporation of the Township of Langley and Alan Hendricks*. For simplicity we'll refer to these as the *Wall* and *Hendricks* cases, respectively. The B.C. Supreme Court set out most of its conclusions regarding the proper interpretation of Part 25 of the *Local Government Act* in the *Wall* decision, which then applies those conclusions to the OCP amendment bylaw that the Township adopted in response to Wall's application. The *Hendricks* decision deals briefly with the application of those conclusions to the OCP amendment bylaw that was adopted in response to Hendricks' application. The *Wall* amendment dealt with land in the "Green Zone" established in the GVRD's 1996 Livable Regional Strategic Plan, creating a "University District" and authorizing the development of a residential subdivision comprising some 67 lots as well as university-related commercial facilities, all of which had been approved

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1616 - 808 Nelson Street, Box 12147 Nelson Square, Vancouver, BC V6Z 2H2 | tel: 604.689.7400 | fax: 604.689.3444 | toll free: 1.800.665.3540
201 - 1456 St. Paul Street, Kelowna, BC V1Y 2E6 | tel: 250.712.1130 | fax: 250.712.1180

by the Agricultural Land Commission as a non-farm use of ALR land. The Hendricks amendment dealt with a 21-lot residential subdivision within the "Green Zone", also approved by the ALC.

We note at the outset that the Supreme Court did not directly determine, in the *Wall* and *Hendricks* cases, "the degree to which [a municipality] has autonomy over land use and development decisions". It made rulings with respect to specific OCP amendment bylaws that Langley Township had adopted. However, in the *Wall* decision, it made some general observations on the land use planning system in B.C., including that a regional district's jurisdiction under Part 25 of the *Local Government Act* with respect to regional matters "does not justify micro-management of member municipalities' decisions on individual developments", and that regional matters "can only be those that require coordination or that affect more than one municipality". Elsewhere in the *Wall* decision the Court notes in relation to the scale of the development that Metro Vancouver was attempting to prevent within the Township that "while I cannot rule out the possibility that a large scale development could be seen to radically alter the character of the Green Zone, notwithstanding its location wholly within one municipality, these are not the facts before me".

This is a relatively narrow view of the purpose and effect of Part 25 and of regional growth strategies generally, which was a response to Metro Vancouver's argument that, if Langley Township's OCP amendments did not contravene the consistency rule in s. 866(3), then they amounted to amendments of the RCS that required approval by the Metro Vancouver board – an argument that the Court treated as a regional board veto on local development, and rejected. The Court's decision to adopt a "reasonableness" standard of judicial review with respect to whether particular OCP amendments are consistent with an adopted Regional Context Statement has the effect of strengthening the hands of municipalities with respect to the content of their own OCPs and weakening the hand of regional districts that might wish to challenge OCP amendments as being inconsistent with a duly accepted and adopted RCS.

Standard of Judicial Review of Municipal Council OCP Amendment Decisions

In our November 22, 2013 letter we expressed the opinion that the standard of judicial review of municipal decisions to amend an OCP without a companion amendment of the municipality's Regional Context Statement, implying a municipal council determination that the amendment is consistent with the RCS (as required by s. 866(3) of the *Local Government Act*) and that an RCS amendment is therefore unnecessary, is a "correctness" standard: the municipal council must be legally correct in its determination that the amended OCP is consistent with the RCS. We based that opinion, in part, on the proposition that two local government bodies, the municipal council and the regional district board, have a stake in these matters, that the lower standard of "reasonableness" is applied in situations where the reviewing court wishes to defer to the judgment of a decision-making body with particular expertise and legitimacy in regard to the matter at hand, and that there is no particular reason for a reviewing court to defer to the judgment of one such body over another in a case involving s. 866(3). However the Supreme

Court decided, in *Wall*, that the applicable standard of review in these matters is reasonableness: the municipal council's determination need not be correct in the sense that the Supreme Court, on judicial review of the decision, agrees with the council's conclusion. It must merely be within a range of possible, acceptable outcomes of a consistency analysis that are defensible in respect of the facts and the law. (In reaching that conclusion, the Court noted that the OCP is created and adopted by the municipal council, giving the council greater expertise than the regional district board in interpreting the OCP. The Court also noted that the regional district board members are not chosen directly by the electors, and are therefore not entitled to the same degree of judicial deference as the municipal council in a matter involving the interpretation of the municipality's OCP.)

Consistency of Qualicum Beach OCP with Regional Context Statement

We assume for the purposes of this opinion that the Council would accommodate the Pheasant Glen development proposal by amending Policy 2.2.6.11 in the OCP in order to permit the Council to amend the CD5 zoning of the Pheasant Glen site (which is outside the Urban Containment Boundary identified in the OCP) to permit residential uses. Policy 2.2.6.11, in the "Rural" portion of the OCP, currently indicates that a destination resort at the Pheasant Glen site should not include permanent residential uses. The question is whether such an amendment of the OCP would result in an inconsistency between the Town's Regional Context Statement and the rest of the OCP, contrary to s. 866(3) of the *Local Government Act*.

In our November 22, 2013 opinion letter we focused on two aspects of the RCS: the Town's affirmative answers to the questions of whether the OCP "only support[s] the approval of ... new residential development of a density greater than 1 unit per hectare ... on land designated by the Regional Growth Strategy as Urban Areas inside Urban Containment Boundaries" under Goal 1: Strong Urban Containment, and under Goal 3: Rural Integrity, whether the OCP promotes and encourages the retention of large rural holdings on land designated as Resource Lands and Open Space, which includes the Pheasant Glen lands, by allowing minimum parcel sizes for lands in these designations that are the same as, or larger than, those established in the applicable OCP by June 10, 2003. Policy 2.2.6.11 is specifically referenced in relation to the affirmative answer to the latter.

Goal 1: Strong Urban Containment

If Policy 2.2.6.11(i) referring to permanent residential use is deleted from the OCP, the Policy will indicate that the Town supports the development of a "destination resort" at Pheasant Glen provided that it "does not threaten the urban containment policies of this Plan" and comprises a maximum density of 11.4 resort accommodation units per hectare (presumably over the entire 21.4 ha site). In our previous opinion letter we expressed the view that the Council would likely not have given an unqualified "yes" answer to the "strong urban containment" question in the RCS if it was planning to accommodate residential development at about 16 units per net hectare outside the Urban Containment Boundary. In our view, given

the Supreme Court's decision in the *Wall* and *Hendricks* cases, an OCP that lacks Policy 2.2.6.11(i) would not be found to be contrary to s. 866(3) of the *Local Government Act* because a reviewing Court would defer to the judgment of the municipal council as to whether policies supporting a "destination resort" that "does not threaten the urban containment policies" of the OCP are inconsistent with the RCS. Implicit in that would be the Court's acceptance of the core notion that a destination resort at such a location might conceivably not threaten urban containment policies. In the absence of subsection (i), this Policy could be read as distinguishing "destination resort" development from the "residential development" that's addressed in the "strong urban containment" goal, whether or not resort units are occupied as residences, and as complementing economic development policies stated in the RCS and the rest of the OCP.

That interpretation of the OCP is, in our view, "within a range of possible, acceptable outcomes of a consistency analysis that are defensible in respect of the facts and the law", such that a Supreme Court judge would not find it unreasonable if it were to be challenged by the Regional District of Nanaimo or another interested party as contravening s. 866(3) of the *Local Government Act*. While a 160-unit development outside the Town's Urban Containment Boundary is proportionately larger in scale (by a factor of more than 30) than a 67-lot development in Langley Township (population over 110,000), we don't think that the Justice of the Supreme Court who decided the *Wall* and *Hendricks* cases would find the proposed Pheasant Glen development to be a "large scale development" that would "radically alter" the Rural Residential lands designated in the RGS, such that the development is a "regional matter".

Goal 3: Rural Integrity

To reiterate, this part of the RCS states that Policy 2.2.6.11 evidences support for the RGS "by allowing minimum parcel sizes for lands in [the Rural Residential designation in the RGS] that are the same as, or larger than the minimum parcel size established for these lands in the applicable OCP by June 10, 2003". This is stated in Policy 2.2.6.9 to be 2.0 ha. Currently the CD-5 zoning does not permit subdivision of the Pheasant Glen lands. In our previous opinion we discussed a 2-ha subdivision scenario that would, technically, comply with this policy, such that the Council could amend its bylaws to permit subdivision down to a 2-ha parcel area without having to amend the OCP. Because this minimum parcel area for the Pheasant Glen lands is specifically mentioned in the RCS, it seems to us unlikely that the Council could provide for smaller minimum parcel areas for these lands elsewhere in the OCP without creating an internal OCP consistency problem under s. 866(3), even under a "reasonableness" standard. However, as we noted in our previous opinion, the owner could further subdivide resort buildings constructed on 2.0 ha lots under the *Strata Property Act*, without municipal approval.

Summary of Opinion re: Pheasant Glen

In summary, it's our opinion that the Council could remove Policy 2.2.6.11(i) from the OCP without amending the Town's Regional Context Statement or otherwise obtaining approval of the board of the Regional District of Nanaimo, under the B.C. Supreme Court's decision in *Wall*.

This seems to us the only OCP amendment that would be necessary to authorize the Pheasant Glen resort proposal and that would potentially raise a question of consistency with the RCS. (We understand that other amendments to the development permit provisions might also be undertaken.)

Procedurally, we suggest that the most straightforward course of action is to amend the OCP to remove s. 2.2.6.11(i) without changing the Regional Context Statement, in effect providing for the establishment outside the Urban Containment Boundary of a destination resort with no restriction on residential uses of resort units, and placing the onus on the Regional District to seek to have the OCP amendment set aside for inconsistency with the RCS if it considers that such an attempt would succeed. The Regional District board may decide that such an OCP amendment raises no issues from its perspective, or it may consider that the OCP amendment is invalid but choose to hold off on any legal action against the Town pending a positive result for Metro Vancouver in the appeals of the *Wall* and *Hendricks* decisions. If the appeals are successful, the Regional District may still decide not to take legal action against the Town even though it considers that the Town's OCP amendment was invalid, if by that time zoning amendments have been enacted and pre-sales of residential units are underway at Pheasant Glen or units are actually under construction. Alternatively, in such circumstances the Regional District could seek to set aside the OCP amendment, associated zoning amendments would also be invalidated if the Regional District succeeds, and the Town could face enforcement issues as regards residential use of units in the development if such uses have by then been established. In such circumstances, the residential uses would not be lawfully non-conforming because the zoning regulations under which they had been approved would have been invalid, as being inconsistent with the Town's OCP as it stood prior to the amendment.

General Questions Relating to the GVRD Appeal

Metro Vancouver has filed notices of appeal in the *Wall* and *Hendricks* matters. Our review of the Supreme Court's decisions leads us to expect that the appeals will be based on, among other grounds, alleged failures on the part of the Supreme Court to apply the proper standard of judicial review, to properly interpret the bylaws in question, and to properly interpret the role of the regional district in land use planning matters under Part 25 of the *Local Government Act*, including the preparation and acceptance of regional context statements. The results of the appeal will, inevitably, turn on the details of the OCP amendments, regional context statement and regional growth strategy actually in issue, though in addressing these matters the Court of Appeal, like the Supreme Court, may indicate how it sees the legislation balancing the interests of regional districts and municipalities as regards local land use management decisions. The appeal will likely be heard during the fall of 2014. We are not aware of any intention on the part of Metro Vancouver to apply for an injunction preventing Langley Township from continuing to issue authorizations for the developments in question, pending the Court of Appeal's decisions on the appeals, and think that any such application would have little chance of success.

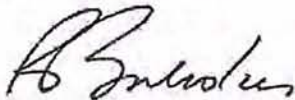
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We are aware of one other local government that has in the recent past been prevented by regional district opposition from amending its OCP to permit a development that allegedly contravenes a regional growth strategy, and that has decided not to proceed with its amendment notwithstanding that under the *Wall* decision such an amendment might not require regional district approval or involvement. We note that should such steps be taken and the *Wall* decision then reversed on appeal, the municipal bylaw will be vulnerable to challenge by the relevant regional district notwithstanding that it was lawful under the Supreme Court's *Wall* decision at the time it was adopted. We're not aware of any plans by the Province to change the enabling legislation for regional growth strategies in response to the *Wall* decision, and doubt that any such changes would be discussed until the Court of Appeal has given its decision in these appeals.

In our view, the Supreme Court's decision in *Wall* fails to give effect to the legislative Intent behind Part 25 of the *Local Government Act*, and there's a good chance it will be reversed on appeal. It seems to us that Part 25 was meant to attach consequences to the adoption of regional growth strategies and regional context statements, even in relation to relatively "small scale" developments entirely within a particular municipality; there is no other plausible explanation for the laborious "acceptance" and dispute resolution processes associated with the adoption of regional growth strategies and regional context statements, or for the internal consistency rule in s. 866(2). However, the party presently forming the provincial government was in Opposition when the regional growth strategies legislation was put in place, and one should not assume that the present government sees any problem with the Supreme Court's decisions in the *Wall* and *Hendricks* matters, or would be inclined to strengthen the regional growth strategies legislation should these decisions be upheld on appeal.

Sincerely,

YOUNG ANDERSON



Bill Buholzer

buholzer@younganderson.ca

BB/mw

Minutes of the 7:00 pm Tuesday, April 22, 2014, Town of Qualicum Beach Special Council Meeting held at the Civic Centre, 747 Jones Street, Qualicum Beach, BC

PRESENT: Council Mayor Teunis Westbroek
Councillor Mary Brouillette
Councillor Bill Luchtmeijer
Councillor Scott Tanner
Councillor Dave Willie

ALSO PRESENT: Staff: John Marsh, CMA, Deputy CAO
Heather Svensen, Corporate Administrator
Luke Sales, Director of Planning
Patricia Huntsman, Town's Consultant, Cultural Development and Communications
Karla Duarte, Office Assistant

The Mayor called the meeting to order at 7:00 pm

ADOPTION OF THE AGENDA

Council adopted, by unanimous consent, the April 22, 2014 special Council meeting agenda.

PUBLIC AND STATUTORY HEARINGS

(1) **Bylaw No. 580.74**

Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (274 Mill Road) Bylaw No. 580.74, 2014.

Mayor Westbroek declared the public hearing open at 7:00 pm, convened pursuant to section 890 of the *Local Government Act*, to allow the public to make representations to Council respecting matters contained in the proposed Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (274 Mill Road) Bylaw No. 580.74, 2014.

The Mayor reviewed the purpose of public hearings and procedures to follow during the hearing, and announced that an information binder with background information was available on the table at the entrance to the meeting room.

The Director of Planning introduced Bylaw No. 580.74, noting that the zoning amendment would make the following changes:

A. Zoning Classification

- Change the zoning classification from 'Residential 14' (R14) to 'Residential Small Lot 1' (RSL1). This will adjust the setbacks so they are more conducive to a small-lot configuration with a narrower frontage.

B. Subdivision District

- Change the subdivision district from 'D' (minimum lot size of 700 m²) to 'J' (minimum lot size 500 m²).

The Mayor called for any persons who deemed themselves affected by Bylaw No. 580.74, who wished to be heard or present written submissions to come forward, and noted Council members are not permitted to hear or receive information after the hearing closes.

The Mayor called a second time for any persons who deemed themselves affected by Bylaw No. 580.74, who wished to be heard or present written submissions to come forward. The Mayor called for a third and final time, and seeing no further speakers, the Mayor declared the public hearing closed.

(2) **Bylaw No. 700.10**

Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014.

Mayor Westbroek convened pursuant to section 890 of the *Local Government Act*, to allow the public to make representations to Council respecting matters contained in the proposed Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014.

The Mayor reviewed the purpose of public hearings and procedures to follow during the hearing, and announced that an information binder with background information was available on the table at the entrance to the meeting room.

The Director of Planning introduced Bylaw No. 700.10, describing that the proposed amendment would change the Growth Containment Boundary to match the Town Boundary. He noted that the Growth Containment Boundary and the Urban Containment Boundary are the same within the Town of Qualicum Beach and that currently the Town Boundary excludes the Agricultural Land Reserve (ALR), the DL 10 (Town owned property), and the estate properties.

The Mayor called for any persons who deemed themselves affected by Bylaw No. 700.10, who wished to be heard or present written submissions to come forward, and noted Council members are not permitted to hear or receive information after the hearing closes.

Art Skipsey, 383 Crescent Road West, commented that full consultation has not been properly carried out and that any input may be ignored regarding the proposed boundary realignment.

Joanne Mosher, 563 St. Andrews Road, spoke against bylaw 700.10 and the changes to the Growth Containment Boundary and is requesting that Council slows down their decision regarding this matter. She noted that this matter should withstand a full OCP review and should be a front and centre issue for each candidate at the November election.

Christina Brown, 318 Fern Road East, commented that she stands in opposition to the proposed amendment, as it is a paradigm shift and not just a minor amendment. The change would expose ALR and rural land to potential development noting that we have a social responsibility to protect ALR land for future generations.

Michael Jessen, representing Arrowsmith Parks and Land-Use Council, 1266 Jukes

Place, noted that the issue has been made into a battle between jurisdictions and suggested that the boundary expansion is a major planning issue that requires good land use planning. He questioned whether projections for population were considered and what the potential for businesses were as a change in the Town boundary would affect all residents, especially where property taxes are concerned.

Rusty Joerin, 482 Trio Lane, spoke in favour of the amendment noting that it is unnecessary to consult with another jurisdiction as it may increase costs due to duplication of services. He noted that the Town can manage decisions and any changes to the Urban Containment Boundary must be a decision solely made by Qualicum Beach Council and that it is not acceptable to use jurisdictional overlap when considering development proposals. He cautioned that if we continue to tell investors to go away, we would suffer the results of the misguided.

Kevin Monahan, 586 Alder Street, suggested that the proposal should be subject to community dialogue if the issue is indeed about governance. He noted that there has been little public input and that neither the public nor Council fully understands the issue. He further noted that the media continues to incorrectly report the information. He further added that there has been no two way dialogue with Council. He noted that there can be no justification that the process is indeed, a full OCP review. It is unclear to him how the Town intends to respond to the recent Supreme Court decision with regards to Langley.

Bill Adkins, 827 Primrose Street, proposed that the Bylaw is a major change to the OCP and that there has been insufficient public information given. He added that enough information be given before a decision is made.

Iris Page, 226 Crescent Road East, noted that since arriving in Qualicum Beach in 1980, she has been consulted by the Town with regards to major decisions and has noticed a strong sense of civic duty by citizens who take ownership with regards to the OCP. She expressed her opposition to the amendment noting the lack of consultation and emphasizing that the decision should not be rushed.

Suzanne Adkins, 827 Primrose Street, maintained that the amendment is a proposal to a major change to the OCP and should warrant more public discussion. She suggested that Pheasant Glen should stand the test of public input through the OCP.

Lance Nater, 996 Royal Dornoch Drive, requested that Council slow down the decision making process in light of the Langley court case decision and the legal opinion received by the Town.

Charna Macfie, 578 Maple Street, stated that the current process regarding the amendment is not a full OCP review and that the process is off track. She further noted that Council should consider what impact their decision will have and should not ignore the concerns raised by residents. She noted that the process is being fast tracked and that Council is not following the general objectives in the OCP.

Cameron Eaton, 591 Tamarack Drive, suggested to slow down the process as the project will have long term impacts and may face legal dilemma. The amendment comes with a proposed development that may interfere with the Town's water supply.

Fox McKinley, 346 Nenzel Road, opposed the amendment suggesting to slow down the decision as it may be open to a lawsuit and to allow the people to vote at the next election. He urged a democratic process and expressed that he moved to Qualicum originally because of its nature and that we should all have the interest of the community at heart.

Gord Davidson, 14-639 Arbutus Street, mentioned that the people who spoke before him most eloquently expressed his own views.

Gary Bentham - 799 Sanderson Road, Parksville, supported the alignment of the boundaries as Council would then be in a position to proceed with decisions without having to consult the Regional District of Nanaimo (RDN). He urged Council to become united in the decision and that these matters take knowledge, courage, and vision for creating an attractive community. He mentioned that he had expertise and extensive participation in past Council meetings of different communities on the island.

Brian de Biasco, 292 Crescent Road East, credited Council for taking on the process for the benefit of the entire community and urged Council to make the decision and move forward as there will always be people who applaud or disapprove of the decision but that we will all get past whatever decision is made.

Heather Walterson, 847 Woodridge Place, declared that he is in favour and that the Bylaw be given a third reading.

Tim Pritchard, 663 Windward Way, questioned whether the members of Council who serve as RDN representative on a rotating basis assess whether to accept or reject proposals that occur in other communities represented by the RDN.

Lois Eaton, 591 Tamarack Drive, insisted that there has not been a full OCP review and that the amendment contains ramifications that no one understands. She urged Council to consider the larger context and to allow for a more democratic process.

Neil Horner, 2300 Fowler Road, strongly suggested that the public lobby the Regional District of Nanaimo as this is a major decision and requires a full OCP review. He noted that the legal opinion submitted by the Town's solicitor states that the Langley court decision could be reversed on appeal.

Helen Sims, 223 Fern Road West, noted that any applications that involve ALR land will have to go through the same process as they can only be made by the ALR. The Town will get to decide on land inside the boundary and the designations in the OCP will stay the same.

Peter Quily, 566 Willow Road, strongly recommended that Council slow down the decision noting there is nothing to lose by going slowly and carefully if the plan is properly constituted and well thought out.

Zweite Dewitt, 760 Berwick Road South, encouraged Council to move forward and to think of those that are not at the hearing.

Howard Halpenny, 630 Garden Road East, stated that he is in favour of having his interests taken care of without the need of involving a third party.

Graham Riches, 171 First Avenue West, reminded Council that they are elected to make decisions, to consider due process, and consult with the public to ensure the population has been fully consulted prior to deliberating.

The Mayor called a second time for any persons who deemed themselves affected by Bylaw No. 700.10, 2014 who wished to be heard or present written submissions to come forward.

Michael Jessen, representing Arrowsmith Parks and Land-Use Council, 1266 Jukes Place, returned to suggest there was an error to the letter to the editor and that to suggest that a mistake was made in 2011 for the OCP would be an insult as changing the boundary is not a minor amendment.

Kevin Monahan, 586 Alder Street, added that an amendment to the OCP requires a full review and that no public discussion was engaged with Council for this current amendment process. He suggested that there is a great deal of misconception of the purpose of the RDN and the Growth Containment Boundary.

Wendy Maurer, 215 Elizabeth Avenue, spoke in favour of the boundary change and commented that there is no reason to delay the decision as increased public consultation has been shown. She encouraged Council to continue to improve the level of communication and proceed with this critical issue as it is affecting the community.

Charna Macfie, 578 Maple Street, commented that what happens in one jurisdiction could affect others. She noted she is content with leaving the boundary where it is during the OCP review. She added that it is disturbing to tell the public that nothing will change when the boundary changes.

Nancy Andrew, 211 Fifth Avenue West, commented that the rule of law is critical to democracy, that citizens need to understand the rule of law, and that the proposed amendment does not meet the definition for a minor change.

The Mayor called for a third and final time, and seeing no further speakers, the Mayor declared the public hearing closed at 8:26 pm.

MOTION TO RECESS:

Councillor Brouillette MOVED and Councillor Luchtmeijer SECONDED, THAT Council take a ten minute recess.

CARRIED

MEETING RECESSED: 8:27pm

MEETING RESUMED: 8:37 pm

Councillor Brouillette MOVED and Councillor Luchtmeijer SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (274 Mill Rd) Bylaw No. 580.74, 2014" be read a third time.

CARRIED

Councillor Luchtmeijer MOVED and Councillor Brouillette SECONDED, THAT Council, after hearing comments at the April 22, 2014 Official Public Hearing, adopts the following motion: THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be given third reading; AND FURTHER THAT Council directs staff to send notification to the Regional District of Nanaimo, along with relevant background reports, that the Town has given third reading to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014", which resulted from a "full Official Community Plan Review Process" in accordance with the procedural requirements of the *Local Government Act* and now requires an amendment to the Regional Growth Strategy; AND FURTHER THAT the Town hereby requests that the Growth Containment Boundary, as identified in "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011", be amended to include the entirety of the Town of Qualicum Beach following the process identified on Section 1.5.1 "Process for Approving Minor Amendments".

RECORDED VOTE REQUESTED:

IN FAVOUR: Councillors Brouillette, Luchtmeijer and Willie

OPPOSED: Mayor Westbroek and Councillor Tanner

CARRIED

ADJOURNMENT

Councillor Luchtmeijer MOVED and Councillor Brouillette SECONDED, THAT Council adjourns the meeting.

MEETING ADJOURNED: 9:01 pm

Certified Correct:

Heather Svensen
Corporate Administrator

Teunis Westbroek
Mayor



TOWN OF QUALICUM BEACH

INCORPORATED 1942

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RESOLUTION

Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014

THAT Council, after hearing comments at the April 22, 2014 Official Public Hearing, adopts the following motion: THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014" be given third reading; AND FURTHER THAT Council directs staff to send notification to the Regional District of Nanaimo, along with relevant background reports, that the Town has given third reading to "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (Growth Containment Boundary) Bylaw No. 700.10, 2014", which resulted from a "full Official Community Plan Review Process" in accordance with the procedural requirements of the *Local Government Act* and now requires an amendment to the Regional Growth Strategy; AND FURTHER THAT the Town hereby requests that the Growth Containment Boundary, as identified in "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011", be amended to include the entirety of the Town of Qualicum Beach following the process identified on Section 1.5.1 "Process for Approving Minor Amendments".

Certified to be a true and correct copy of the resolution passed by the Council of the Town of Qualicum Beach, in open meeting assembled, at the special Council meeting, held at the Civic Centre, 747 Jones Street, Qualicum Beach, BC, on Tuesday, April 22, 2014.

Heather Svensen, Corporate Administrator

Dated this 24th day of
April, 2014 at
Qualicum Beach,
British Columbia.