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April 28, 2023

File: 3720-80

RECEIVED MAY - 4 2023

Mayor Tim McGonigle and Council  
Joseph A. Fernandez, Chief Administrative Officer  
Town of Lake Cowichan  
38 King George St. PO Box 860  
**LAKE COWICHAN BC V0R 2G0**

Dear Mayor Tim McGonigle and Council:

**Re: CVRD Regional Planning**

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

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

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

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

We look forward to engaging in this important discussion.

Sincerely,

  
Aaron Stone  
Chair

AS/CB/lkp

Attachment





# STAFF REPORT TO COMMITTEE

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

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## PURPOSE/INTRODUCTION

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

## RECOMMENDED RESOLUTION

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

## BACKGROUND

### History of Regional Planning in the CVRD

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Cowichan 2050**

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

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

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

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

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

### **Regional Housing**

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

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

### **Bioregional Growth Strategy**

In 2021, the Board resolved that staff engage with Regional District of Nanaimo (RDN) staff on the merits of a bioregional<sup>1</sup> growth strategy (BRD 21-235). Subsequent to consideration of a letter from the CVRD Board, the RDN Board advised in December 2022 that while the proposal has merit, their preference was to utilize development permit authority (DPA) and alternatively resolved to support aquifer development permit areas in the respective regional districts and to coordinate on DPA development where possible. This does not preclude the CVRD independently pursuing a bioregional growth strategy.

### **See Attachment B – RDN Response to CVRD**

### **Regional Planning Authority**

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

### **Funding**

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

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

### **ANALYSIS**

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

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

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

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

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

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

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

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

### **Regional Planning Service Benefits Summary**

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

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

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

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

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

### Recommendation

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

### FINANCIAL CONSIDERATIONS

N/A

### COMMUNICATION CONSIDERATIONS

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

### STRATEGIC/BUSINESS PLAN CONSIDERATIONS

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

### GENERAL MANAGER COMMENTS

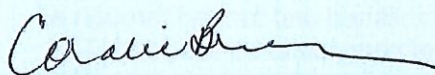
Not Applicable

Referred to (upon completion):

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

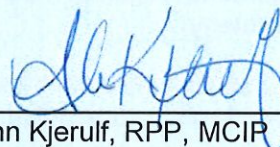
Prepared by:

Reviewed by:



Coralie Breen, PhD, RPP, MCIP  
Manager

Not Applicable  
Not Applicable



Ann Kjerulf, RPP, MCIP  
General Manager

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

Resolution:

Corporate Officer

Financial Considerations:

Chief Financial Officer

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

Attachment B – RDN Response to CVRD

