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**TO:** Paul Thompson  
Manager of Long Range Planning

**DATE:** July 9, 2008

**FROM:** Greg Keller  
Senior Planner

**FILE:** 6480-01 EAAR

**SUBJECT:** Electoral Area 'A' Official Community Plan Review - Terms of Reference

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### PURPOSE

To consider the Terms of Reference for the Electoral Area 'A' Official Community Plan (OCP) Review and initiate the Plan review process.

### BACKGROUND

The 2008 Planning Department Work Program includes plans to initiate a review of the Official Community Plan in Electoral Area 'A' in 2008. The current OCP in Electoral Area 'A' is the Electoral Area 'A' Official Community Plan (Bylaw No. 1240) which was adopted in 2001. The existing OCP encompasses all of Electoral Area 'A', which currently has a land area of approximately 5,566 hectares.

Since the drafting of the existing OCP, substantial changes both within and outside of the Plan Area (including increased residential growth and alterations to provincial legislation) would indicate that there is merit in proceeding with a review of the Official Community Plan.

The Electoral Area 'A' Official Community Plan (OCP) review began on May 10, 2008 with a Community Forum. The purpose of the Community Forum was to obtain input on what the community would like to see included in the Official Community Plan review, how the community would like to be involved in the process, and how the RDN should communicate with the community on issues related to the Official Community Plan review. The Community Forum also provided an opportunity for community members to present their views on sustainability. The input from the Community Forum formed the basis for the Terms of Reference.

Electoral Area 'A' has experienced a modest rate of growth since the late 1980's compared to other electoral areas and municipalities within the Regional District of Nanaimo. The population of Electoral Area 'A' grew from 4,661 persons in 1981 to 6,751 persons in 2006.<sup>1</sup> This was an overall growth rate of approximately 45 percent during that time period with an average yearly increase of approximately 8 percent (during that same time the Regional District of Nanaimo's average yearly population increase was approximately 13%).

Although the rate of growth of Electoral Area 'A' is for the most part slower than other areas in the Regional District of Nanaimo, the increase in population is considered significant compared to other areas of the province. If this growth trend continues, as many as 8,700 people could be residing in Area 'A' by 2026.<sup>2</sup>

With respect to new construction, there has been a significant amount of development over the past few years as 553 building permits were issued between 2001 and 2006. The vast majority of those building

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<sup>1</sup> RDN Electoral Area Statistics, Statistics Canada.

<sup>2</sup> Population estimate is derived from the existing 1981-2006 Census Data using the 'Forecast' function in Microsoft Excel.

permits were for single-family dwellings and accessory buildings and a limited amount of commercial/Industrial/Public buildings. There were no permits issued for duplexes or multi-family.

In general terms, the existing OCP is consistent with the goals and policies in the Regional Growth Strategy. The principle objective of this review is to rewrite the existing OCP to better meet the RGS goals. In addition, based on input from the Community Forum, the review is proposed to be conducted with a strong commitment towards sustainability, which will be refined in the OCP review process. It is also proposed that the OCP review process be guided by a set of sustainability principles that will be defined at the onset of the review process and will form the basis for the remainder of the review.

To guide the process for the preparation of a new OCP for Electoral Area 'A', staff has prepared a Terms of Reference for the project (*see Schedule No. 1*).

## ALTERNATIVES

1. To receive the staff report and approve the Terms of Reference for the Electoral Area 'A' Official Community Plan Review and initiate the Area 'A' OCP Review.
2. To amend the Terms of Reference; then direct staff to proceed with the Area 'A' OCP Review.
3. To not proceed with the Electoral Area 'A' Official Community Plan Review at this time.

## OFFICIAL COMMUNITY PLAN IMPLICATIONS

An OCP is the guiding land use document for a community, drafted on behalf of the community as a whole, based on significant public consultation. The OCP will be developed to reflect the needs and vision of the communities that make up Electoral Area 'A' **and** meet all the Provincial Legislative requirements. As noted in the Terms of Reference, the *Local Government Act* requires that an OCP include policy statements and land use map designations that address a number of issues including:

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

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

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

From a legislative and policy perspective, the Area 'A' OCP will need to consider the Regional Growth Strategy and other RDN plans as well as any changes to Federal and Provincial Legislation including Bill 27. The OCP review will consider updated information on environmental features and will examine existing policies for urban containment areas and village nodes relating to infill and redevelopment and

provide further consideration of governance for the area. The public, through the consultation process on the OCP, will likely also identify other issues to be addressed.

It is expected that the Electoral Area 'A' Official Community Plan review process will conclude in early 2010. Staff are concerned that during the course of the review, applications to amend the OCP may be received. Amendment applications received during the review have potential to undermine the review process by proposing developments contrary to the direction of the new OCP. Therefore, staff recommends that the Board adopt a policy to not accept applications to amend the OCP while the OCP is under review.

## **SUSTAINABILITY IMPLICATIONS**

In addition to the above, the OCP review process is proposed to be guided by a set of sustainability principles developed in consultation with the community early in the process. Once the principles are established, all decisions with respect to goals, objectives, and policies in the draft Official Community Plan must be consistent with one or more of the sustainability principles.

## **PUBLIC CONSULTATION IMPLICATIONS**

The Electoral Area 'A' OCP Review Terms of Reference has been drafted in accordance with both the RDN Board Public Consultation Policy and the *Local Government Act* requirements. In addition, the proposed public consultation strategy has been developed in recognition of the input received at the Community Forum, where participants clearly identified the desire to incorporate a high level of community involvement through various methods throughout the process.

Following the process outlined in the Terms of Reference, the Electoral Area 'A' OCP Review will be conducted with wide ranging opportunities for public input which far exceed the minimum requirements of the *Local Government Act* including the formation of a Citizens Committee. In addition, as required by the *Local Government Act*, the OCP review process will also provide opportunities to solicit and incorporate input from other stakeholders, local governments, and government and non-government agencies.

In addition to the above, the following agencies have been identified as potential technical advisors to the Citizens Committee and the OCP process in general.

- a. Ministry of Environment
- b. Fisheries and Oceans Canada
- c. Vancouver Island Health Authority
- d. Ministry of Community Development
- e. Ministry of Transportation and Infrastructure
- f. City of Nanaimo
- g. Agricultural Land Commission
- h. Ministry of Agriculture
- i. Archaeological Branch of the Ministry of Tourism Sport and Art
- j. Regional District of Nanaimo Staff

## **FINANCIAL IMPLICATIONS**

All costs related to the preparation of the Electoral Area 'A' OCP have been accounted for in the RDN 2008 Budget and will be included in the 2009 and 2010 budgets. As there are no Community Planning Grant monies available from the Ministry of Community Services, no funds beyond those budgeted for in the Terms of Reference have been allocated for the preparation of the OCP. Currently, one full-time staff equivalency has been slated for this project with additional temporary staff support as needed. It is

estimated that external costs, primarily related to public consultation, will be in the order of \$10,000 to \$15,000.

### **LEGAL IMPLICATIONS**

The process to draft and adopt a new OCP must be consistent with the requirements outlined in the *Local Government Act*. By adopting the attached Terms of Reference, the Board of the Regional District is acknowledging that the Board has considered public consultation issues related to a proposed new Official Community Plan for Electoral Area 'A' and adopted a Terms of Reference that satisfies the requirements contained in section 879 of the *Local Government Act*.

### **VOTING**

Electoral Area Directors – one vote, except Electoral Area 'B'.

### **SUMMARY/CONCLUSIONS**

The Electoral Area 'A' Official Community Plan review is scheduled to be officially initiated this year with the public consultation process to begin in the fall of 2008. The planning process will be guided by a set of sustainability principles defined at the onset of the review process. In addition to a strong commitment towards sustainability, the OCP will also be prepared in consideration of the Regional Growth Strategy and other RDN plans and policies as well as Federal and Provincial Legislation. As outlined in the attached Terms of Reference, the planning process is designed to provide a diverse range of opportunities for various forms of meaningful public consultation, including participation by both a Citizens Committee and the community at large.

### **RECOMMENDATIONS**

1. That the staff report on the Electoral Area 'A' Official Community Plan Review Terms of Reference be received.
2. That the Electoral Area 'A' Official Community Plan Review Terms of Reference (*Schedule No. 1*) be endorsed by the Board.
3. That the Board adopt a resolution that no applications to amend the Electoral Area 'A' Official Community Plan be accepted while the Official Community Plan is under review.

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Report Writer

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General Manager Concurrence

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Manager Concurrence

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CAO Concurrence

COMMENTS:

Schedule No. 1

# ELECTORAL AREA 'A'

## Official Community Plan Review



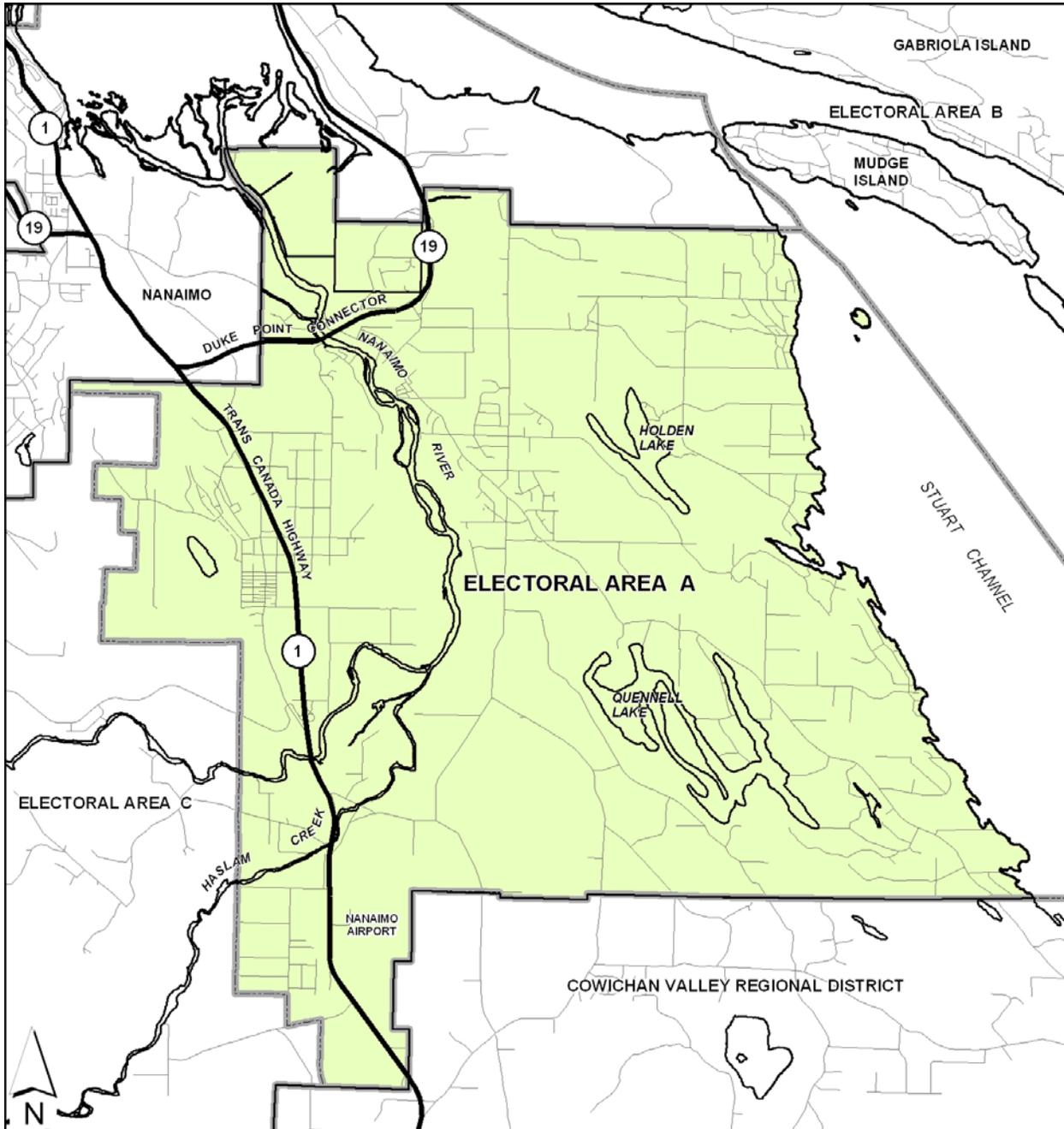
### TERMS OF REFERENCE



REGIONAL DISTRICT OF NANAIMO  
JULY 2008

**BACKGROUND**

Electoral Area 'A' currently has one Official Community Plan (OCP), "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1240, 2001". Since its adoption in 2001, it has not been subject to a detailed review other than to address changes in Provincial Legislation (The *Riparian Areas Regulation*). In addition, continuing development pressures and growing awareness about sustainability has created a need to review the Official Community Plan to ensure that it meets the needs of the community.



The Electoral Area 'A' Official Community Plan (OCP) Review began on May 10, 2008 with a Community Forum. The purpose of the Community Forum was to obtain input on what the community would like to see included in the Official Community Plan review, how the community would like to be

involved in the process, and how the Regional District of Nanaimo should communicate with the community on issues related to the Official Community Plan review. The Community Forum also provided an opportunity for community members to present their views on sustainability. A summary of the input received at the Community Forum is posted on the RDN website and is available upon request.

This document provides the Terms of Reference for the OCP Review and details the project's public consultation strategy and proposed background research strategy. The Terms of Reference provides the work program and serves as a 'checklist' to ensure the project successfully achieves its goals. In addition, this document outlines an approach for involving Electoral Area 'A' citizens in the review and drafting of a new official community plan (including information on the estimated sequencing of events as well as the roles and responsibilities of participants).

However, as the project progresses, the review process or time frames will likely require amendments to recognize new issues or allow for more in-depth discussion on certain issues. This flexibility is important to ensure that the planning process remains responsive to evolving circumstances, thereby meeting the needs of all participants.

## SCOPE

Based on feedback from the Community Forum held May 10, 2008, the Electoral Area 'A' Official Community Plan review involves a complete rewrite and rethinking of the Electoral Area 'A' Official Community Plan to ensure that the new Plan is based on sustainability principles.

## CONTENT

Pursuant to the *Local Government Act*, an OCP is a statement of objectives and policies to guide decisions on planning and land use management. That is, the intent of an OCP is to set out the community vision and 'course of action' for the Plan Area through a document that outlines the areas goals and the policies needed to achieve those goals. In addition, as the Regional District of Nanaimo has an adopted Regional Growth Strategy, the *Local Government Act* requires that the OCP be consistent with the Strategy.

The *Local Government Act* requires that an OCP include policy statements and land use map designations that address a number of issues including:

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

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

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

From a legislative and Regional District policy perspective, the new Electoral Area 'A' OCP will also need to consider the following:

- policies contained in the Regional Growth Strategy and other plans and policies for the Regional District of Nanaimo;
- updated information to improve the Inventory of Environmental Features;
- updated information from the Regional Parks and Trails Plan (March 2005);
- changes to Federal and Provincial Legislation; and,
- targets for the reduction of greenhouse gas emissions, and policies and actions with respect to achieving those targets.

The ***Local Government Act*** also sets out specific procedural requirements that must be met in the process of adopting an OCP. Specifically, the ***Local Government Act*** establishes referral and notification requirements, sets out standards for advertising and the holding of a public hearing, and specifies the types and applicability of Development Permit areas. The work plan proposed in this Terms of Reference fully achieves and, with reference to the proposed public consultation strategies, far exceeds the requirements of the ***Local Government Act***.

In addition to the above, the Regional District of Nanaimo is a signatory to the British Columbia Climate Action Charter. Therefore, the Regional District of Nanaimo has agreed to develop strategies and take actions to achieve the following goals:

- i. being carbon neutral in respect of their operations by 2012, recognizing that solid waste facilities regulated under *the Environmental Management Act* are not included in operations for the purposes of this Charter;
- ii. measuring and reporting on their community's GHG emissions profile; and,
- iii. creating complete, compact, more energy efficient rural and urban communities (e.g. foster a built environment that supports a reduction in car dependency and energy use, establish policies and processes that support fast tracking of green development projects, adopt zoning practices that encourage land use patterns that increase density and reduce sprawl).

Therefore, the OCP review must also consider the Regional District of Nanaimo's commitment to the British Columbia Climate Action Charter.

## **PUBLIC CONSULTATION STRATEGY**

The Regional District of Nanaimo's Public Consultation policy is based on the premise that those who are affected by a decision or plan have a right to be involved in the decision-making process. While the ***Local Government Act*** sets out minimum requirements (as outlined below), it is the intent of this Terms of Reference to propose a Public Consultation Strategy that goes well beyond the requirements of the ***Local Government Act***. The success of the public process component of the Electoral Area 'A' Official Community Plan Review will be achieved through the implementation of the following guiding principles:

- Anyone likely to be affected by a decision shall have opportunities for input into that decision;
- The consultation process shall allow for a meaningful level of involvement;
- All positions and input received will be considered; not all input can and will be accommodated;
- The process shall recognize and take into account the different characteristics and abilities of the community;
- The process shall recognize interdepartmental issues and concerns, and shall involve and coordinate internal staff resources as necessary or appropriate;
- The integrity of broad public involvement must be paramount to the process and must not be superseded by any individual or interest group;
- The RDN shall provide feedback, in a timely manner, about how public input has been utilized in Board decisions, and how the public will be affected;
- An evaluation component shall be built in to the process to allow those involved to learn from past experiences and to ensure the proper use of resources; and,
- The intent of the public participation component is to far exceed all required consultation requirements in the ***Local Government Act***.

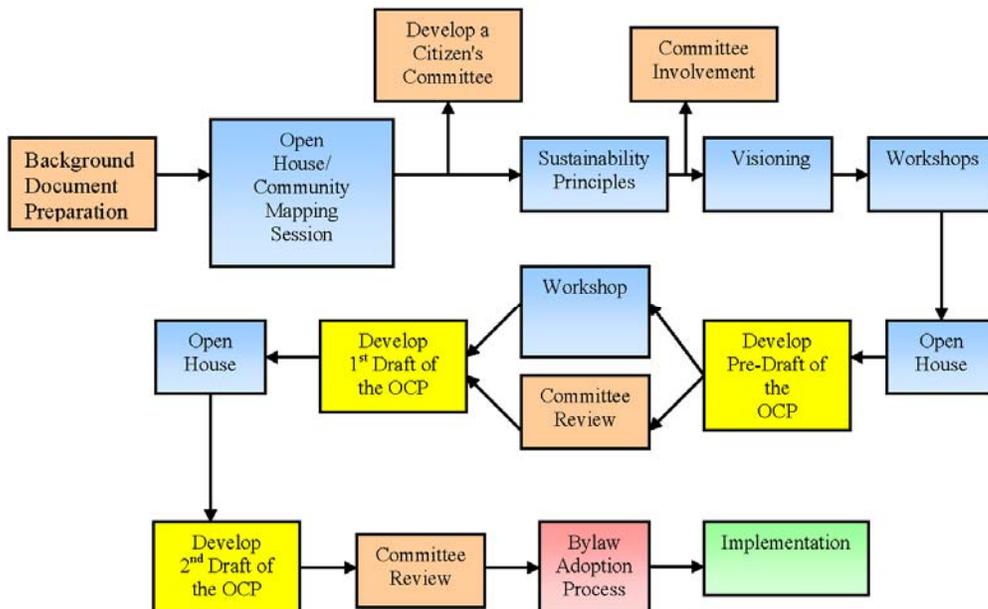
Pursuant to the ***Local Government Act***, the Board of the Regional District must specifically consider whether consultation is required with the Board of any regional district that is adjacent to the area covered by the plan, the council of any municipality that is adjacent to the area covered by the plan, First Nations, school district boards, greater boards and improvement district boards, and the Provincial and Federal governments and their agencies. The Board of the Regional District makes this determination with their approval of the Terms of Reference for the preparation of the Official Community Plan.

In addition, as outlined in section 879 of the ***Local Government Act***, during the development of an OCP, or the repeal or amendment of an Official Community Plan, the Regional District must, at a minimum, provide one or more opportunities it considers appropriate for consultation with persons, organizations, and authorities it considers will be affected.

**OCP REVIEW PROCESS**

The following diagram is a simplified version of the proposed OCP review process. It should be noted that on the fly amendments may be required to accommodate specific issues and community needs.

The proposed schedule and detailed description of each step in the process is shown below.



## ***BACKGROUND RESEARCH***

As part of the Electoral Area 'A' OCP review process, a number of background reports are proposed to be completed to inform the new OCP. The following summarizes the proposed reports:

### *Community Wildfire Vulnerability Assessment*

In conjunction with the Regional District of Nanaimo's Emergency Coordinator, a community wildfire vulnerability assessment will be completed. This information will be reviewed to consider options for managing the risk associated with wildfire in the new OCP.

### *Groundwater Assessment*

In cooperation with the Ministry of Environment, a Terms of Reference will be developed for the hiring of a consultant to do a detailed groundwater assessment which would provide a clearer picture of the hydrogeology of the Plan Area. The resulting information will be used to inform the community and to develop a strategy for groundwater/aquifer protection in the new OCP.

### *Servicing Strategy*

In consultation with the Environmental Services Department, a Terms of Reference will be developed for the hiring of a consultant to conduct a feasibility study that identifies and evaluates options for providing sewer servicing to properties within the existing Urban Containment Boundaries and water servicing for Cassidy. The results of the report would assist the community and RDN by providing some guidance on potential servicing strategies and policies for the new OCP.

### *Active Transportation Plan*

A consultant will be hired to conduct an Active Transportation Plan for the Plan Area. The purpose of the study is to inventory existing active transportation infrastructure, identify opportunities for active transportation, and recommend actions, policies, and an implementation strategy for inclusion in to the new Area 'A' OCP.

### *Technical Background Report – A snapshot of the Plan Area Today*

Staff is proposing to conduct an in-depth analysis of the current OCP policies and zoning regulations to create a Plan Area build out and provide the community with baseline information to assist with developing a new OCP. The technical background report will also provide background information on population, housing, land use, environmentally sensitive areas, fish habitat, etc. that can be used in consideration of the new OCP.

## **REQUEST FOR INPUT AND REFERRALS**

While referrals are required to specified groups pursuant to The *Local Government Act*, it should be noted that the groups and agencies listed below exceeds the requirements of the *Local Government Act*. In addition, the ongoing involvement of these groups and agencies from the plan initiation to plan completion is well beyond the normal requirements and is intended to result in a co-operative plan process and a more comprehensive and accurate OCP.

The following agencies and organizations will receive formal referrals from the Regional District of Nanaimo with respect to the Electoral Area 'A' OCP review.

<p><b><i>Local Government</i></b></p> <ul style="list-style-type: none"> <li>▪ City of Nanaimo</li> <li>▪ Cowichan Valley Regional District</li> </ul>	<p><b><i>Provincial Agencies</i></b></p> <ul style="list-style-type: none"> <li>▪ Ministry of Community Development</li> <li>▪ Ministry of Transportation and Infrastructure</li> <li>▪ Ministry of Environment</li> <li>▪ British Columbia Parks</li> <li>▪ Ministry of Forests and Range</li> <li>▪ Ministry of Agriculture and Lands</li> <li>▪ Ministry of Energy, Mines, and Petroleum Resources</li> <li>▪ Integrated Land Management Bureau</li> <li>▪ Agricultural Land Commission</li> </ul>
<p><b><i>Federal Agencies</i></b></p> <ul style="list-style-type: none"> <li>• Fisheries and Oceans Canada</li> <li>• Canadian Wildlife Service</li> <li>• Transport Canada</li> </ul>	<p><b><i>First Nations</i></b></p> <ul style="list-style-type: none"> <li>▪ Snuneymuxw First Nation</li> <li>▪ Chemainus First Nation</li> </ul>
<p><b><i>Other Government Agencies</i></b></p> <ul style="list-style-type: none"> <li>▪ School District No. 68</li> <li>▪ Vancouver Island Health Authority</li> <li>▪ North Cedar Improvement District</li> <li>▪ Cranberry Fire Protection District</li> <li>▪ Nanaimo Regional Airport</li> <li>▪ British Columbia Hydro</li> <li>▪ Terasen Gas</li> </ul>	

In addition to the above-noted agencies, other groups and service providers will be consulted as part of the broader consultation process.

Technical Advisors from the following agencies will be identified:

- a. Ministry of Environment
- b. Vancouver Island Health Authority
- c. Ministry of Transportation and Infrastructure
- d. City of Nanaimo
- e. Agricultural Land Commission
- f. Ministry of Agriculture
- g. Archaeological Branch of the Ministry of Tourism Sport and Art
- h. Regional District of Nanaimo Staff

**SCHEDULE and Description of the Proposed Process**

The following outlines the schedule of events and publications and sets out the key elements of each step in the Electoral Area 'A' OCP process.

<b>Estimated Start Date</b>	<b>Process Description</b>
June/July 2008	<b>Terms of Reference:</b> Draft Terms of Reference for the OCP review.
July/August 2008	<b>Technical Background Report:</b> Staff will conduct an in-depth review of the existing OCP policies and zoning and produce background information, build out tables, and a report.
July/August 2008	<p><b>Terms of Reference:</b> Terms of Reference for the following projects will be drafted and put out for Request for Proposal:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Groundwater Assessment;</li> <li><input type="checkbox"/> Sewer Servicing Strategy;</li> <li><input type="checkbox"/> Water servicing strategy for Cassidy and,</li> <li><input type="checkbox"/> Active Transportation Plan</li> </ul>
August/September 2008	<p><b>Develop Citizens Committee:</b> Following the previous stages of the OCP review process and the guidelines in the Citizens Committee Terms of Reference, staff will proceed with establishing the Committee and initiating dialogue on the OCP Review process. It should be noted that amendments to the proposed OCP review process may be required to accommodate recommendations from the Committee.</p> <p>A report will be sent to the EAPC providing details about the Citizens Committee membership candidates with recommendations for appointment. As per the Citizens Committee Terms of Reference, Committee members shall be recommended by the EAPC.</p>
August 2008	<b>Preliminary Referrals:</b> Referrals introducing the OCP review will be sent to the above-listed agencies and organizations.
August 2008	<b>Newsletter 1:</b> The first newsletter will be sent out containing an overview of the OCP review process and an invitation to participate.
September 2008	<b>Open House/Community Meeting:</b> Three Open Houses will be held (Cedar, South Wellington, and Cassidy) to present the Terms of Reference and Technical Background report. The OCP review process as well as a review of sustainability principles will also be presented.
October 2008	<p><b>Community Mapping Sessions:</b> Three Community Mapping Sessions will be held (Cedar, South Wellington, and Cassidy). Illustrative maps will be prepared showing various elements of the community. Participants will be asked to identify important community features and explain their relevance and linkages to the community. The maps will be updated to produce a comprehensive inventory of the significant features in the community which will provide baseline information for use later in the OCP review process.</p> <p>An update report will be prepared and presented to the Board.</p>
November 2008	<b>Sustainability Principles:</b> A set of preliminary principles will be developed based on community input at the May 10 Community Forum. A facilitated

<b>Estimated Start Date</b>	<b>Process Description</b>
	<p>session will be held to refine the principles and create a more descriptive set of principles to guide the OCP process.</p> <p>The principles will be reviewed with the goal of consolidating them into fewer than 10.</p> <p>Community Feedback will be solicited using a number of techniques which may include surveys, interviews, online forums, press releases, and attendance at public events to test and gain support for the principles.</p>
December 2008	<p><b>Visioning:</b> Based on the principles developed during the sustainability principles workshop, a full day workshop will be held where the community would be asked "What would you like your community to look like in 25 years?"</p> <p>A report will then be produced evaluating the input and its contribution towards the previously identified principles.</p>
January 2009	<p><b>Workshop:</b> A workshop(s) will be held where participants will be led through an exercise to identify goals, objectives, and policies that work towards achieving the previously identified vision.</p> <p>Examples of some of the topics to be considered include: Environmental Protection, Transportation, Servicing, Urban Containment, Food Security, Greenhouse Gas Reduction, Protecting Rural Integrity and Functioning Rural Landscapes.</p> <p>A report will be drafted describing and analysing the desired goals, objectives, and policies. The report will also explain the implications of each desired objective and goal and generally what will be required with respect to implementation.</p> <p>Staff will circulate the report to the Citizens Committee for comments and then use a number of techniques to test and gain support for the proposed objectives, goals, and policies which may include surveys, web forums, a press release, and attendance at public events. The report, along with a summary of the comments received, will be forwarded to the Board for information.</p>
January 2009	<p><b>Newsletter 2:</b> A newsletter will be produced providing an update on the OCP review process and the next steps in the process.</p>
March 2009	<p><b>Develop pre-draft of the OCP:</b> The OCP will be drafted and released to the Citizens Committee one section at a time. Once the Committee has reviewed a section and staff have made any necessary amendments, that section will be released to the general public for review.</p>
March/April 2009	<p><b>Newsletter 3:</b> A newsletter containing an update of the OCP review process and next steps will be sent out.</p>
April 2009	<p><b>Open House:</b> Once the draft is complete in its entirety, an Open House will be held to present the draft OCP.</p> <p>The RDN will consider a design charrette for those interested in talking about desirable design characteristics within the Village Centres.</p> <p>RDN staff will also attend community events and meetings, and set up information booths about the OCP process.</p>

<b>Estimated Start Date</b>	<b>Process Description</b>
	An update report will be provided to the Board summarizing the results of the Workshop.
May-August 2009	<b>Develop 1st Draft of the OCP:</b> After considering the comments and suggestions from the Citizens Committee and the Open House, amendments will be made to the pre-draft to produce the first draft of the OCP.
September 2009	<b>Open House:</b> Once the 1 <sup>st</sup> draft is reviewed by the Citizens Committee, three Open Houses will be held (Cedar, South Wellington, and Cassidy) to present and obtain input on the draft.
October 2009	<b>Develop 2nd Draft of the OCP:</b> In response to comments received at the Open House, a second draft will be produced and referred to the Citizens Committee for comments.
October 2009	<b>Newsletter 4:</b> The final newsletter containing an update on the OCP review process and next steps will be sent out.
November 2009	<b>Initiate Bylaw Adoption Process:</b> A report and corresponding OCP bylaw will be prepared and forwarded to the Board for consideration of 1 <sup>st</sup> and 2 <sup>nd</sup> Reading.
November 2009	<b>Formal Referrals:</b> Formal referrals will be sent to the above listed agencies and organizations.
December 2009	<b>Public Hearing:</b> A Public Hearing will be held in accordance with Section 890 of the <i>Local Government Act</i> .
January 2010	<b>Consideration of 3rd Reading:</b> The OCP bylaw and a staff report will be forwarded to the Board for consideration of 3 <sup>rd</sup> reading.
March 2010	<b>Ministry of Community Development Referral:</b> The OCP Bylaw will be forwarded to the Ministry of Community Services for the Minister's approval.
April 2010	<b>OCP Adoption:</b> The OCP bylaw and a staff report will be forwarded to the Board for consideration of adoption.
May 2010	<b>OCP Implementation:</b> A report and a bylaw containing the implementation actions identified in the OCP will be prepared and presented to the Board for consideration of 1 <sup>st</sup> and 2 <sup>nd</sup> reading.
Ongoing	<b>OCP Implementation Process:</b> The OCP implementation process may continue and is envisioned to include an extensive public participation component.

As outlined above, the process is designed to engage the general public while at the same time allowing interested residents and stakeholders the ability to participate at many different levels through various methods of public participation.

#### **TIMEFRAME**

It is proposed that a draft OCP will be finalized by the fall of 2009 and adopted by early 2010.

## **ROLES AND RESPONSIBILITIES**

The Role of the **Citizens Committee** is defined in the Terms of Reference attached as *Attachment No. 1*. In general the Citizen Committee's role is to share information about the OCP review with the community, to identify issues and questions from the community and bring them to the RDN, to respond to ideas and proposals from the RDN prior to presenting them to the community, and make non-binding recommendations to the RDN on various components of the draft OCP throughout the review process.

The Role of the **General Public** is to provide general guidance and input on how the community sees itself growing and changing over time and what it is willing to do to get there. Ultimately, the general public's role is to participate in the OCP process and provide various forms of feedback throughout the process.

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

The Role of the **Electoral Area Planning Committee** is to review the Plan from a regional and sub-regional perspective and make recommendations to the RDN Board on the Plan as it proceeds through the bylaw adoption process.

The Role of **RDN Planning Staff** is to organize and provide technical support for the project. This includes gathering and collating data, consulting with the public, producing and designing documents/consultation materials, and drafting the Official Community Plan.

In accordance with the *Local Government Act* and the "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" the **Intergovernmental Advisory Committee** must review the Regional Context Statement that is to be included in the Plan.

## **RESOURCES AND BUDGET**

All of the work to gather and collate data, consult with the public, produce and design documents/consultation materials, and draft the Official Community Plan will be completed by RDN staff as outlined in the 2008, 2009 and 2010 RDN annual budgets.

The cost of hiring consultants to conduct the proposed Groundwater Assessment and Sewer Servicing Strategy is allocated in the 2008 RDN budget. The proposed Active Transportation Plan is funded through grant funding from UBCM.

One full-time staff equivalent and mapping resources will be assigned to the project through completion. The Community Planning Budget for 2008 includes funds to cover costs associated with the public consultation process, including mapping services, public processes, mailings, advertising, and rentals.

## **FINAL PRODUCT AND MONITORING**

The final product will be an adopted OCP that applies to all of Electoral Area 'A'. The OCP will reflect the vision and goals of the people who live in the area and the policies and/or regulations of the region and senior levels of government.

The process will be evaluated pursuant to the successful completion of the consultation requirements specified in the ***Local Government Act***, public consultation policies adopted by the RDN, and the process outlined in this Terms of Reference.

Attachment No. 1



## Terms of Reference

### Electoral Area 'A' Official Community Plan Review Official Community Plan Citizens Committee

#### **Background**

The Regional District of Nanaimo has initiated a review of the Electoral Area 'A' Official Community Plan (OCP), which was adopted in 2001. The purpose of the review is to produce a new OCP to guide decisions on planning and land use management. The Plan review will be conducted in accordance with the *Local Government Act* which specifies the purpose, required content, and adoption procedures of OCPs.

One of the desired outcomes of this Plan review is the adoption of an Official Community Plan that is accepted by the community and will have a positive social, economic, and environmental impact on how the Plan Area grows and changes over time.

#### **Role of Committee**

The role of the Electoral Area 'A' Official Community Plan (OCP) review Citizens Committee is to represent the community's interest in creating and guiding the Electoral Area 'A' OCPs goals, objectives, policies and implementation strategies. Specifically, the Citizens Committee will review and provide recommendations on various topics related to the Official Community Plan, in collaboration with Regional District of Nanaimo staff that will facilitate, not replace, broad public participation in the process.

#### **Purpose**

The purpose of the Citizens Committee is to participate directly and actively in the OCP review process. In addition, the Citizens Committee will:

1. identify key issues relating to the community, future development, and growth management;
2. share information about the OCP review with the community;
3. review and provide comments on the Technical Background Report to ensure that the information in the report is correct and complete and to identify additional issues and information that should be considered in the Plan review;
4. identify issues and questions from the community and bring them to the Regional District of Nanaimo;
5. respond to ideas and proposals from the RDN prior to presenting them to the community;

6. make non-binding recommendations to the RDN on various components of the draft OCP throughout the review process;
7. assist in the public consultation program, advertising, and scheduled events;
8. review and provide comments and recommendations on each version of the draft Official Community Plan;
9. review and provide comments on any other issues of relevance to the Plan referred from the Regional District of Nanaimo;
10. assist Regional District of Nanaimo planning staff in identifying and evaluating potential alternatives to key issues relating to the community, future development, and growth management; and,
11. provide information about the OCP review process to the community and encourage community involvement.

### **Membership**

1. The OCP Citizens Committee will be comprised of a maximum of 12 members of the community.
2. Committee member selection will strive to maintain a balance between social/cultural, economic, and environmental interests and expertise, and between citizens at large.
3. Committee members shall reside, be employed, and/or own or have interest in property within the Plan Area.
4. The Electoral Area Director or his Alternate shall serve on the OCP Citizens Committee as a non-voting Ex Officio member and shall not be included towards the maximum number of Committee Members.

### **Recruitment**

The Electoral Area Director, with the assistance of Regional District of Nanaimo staff, will recruit 12 members to serve on the OCP Citizens Committee by:

1. Advertisement in the Take 5 and the Nanaimo Daily News and/or Nanaimo News Bulletin newspapers;
2. Inviting the following stakeholders to select an appropriate representative to participate on the Committee:

### **Committee Members**

- a. Community Associations
- b. Business Community
- c. Snuneymuxw First Nation
- d. School District 68
- e. North Cedar Improvement District
- f. Airport Representative
- g. Chemainus First Nation
- h. Farming Community
- i. Development/Construction Industry

In addition to the above, the RDN will divide the Plan Area into a number of geographic units and will endeavour to obtain representation from each geographic unit.

In the event that the above methods are unsuccessful in recruiting a balance between geographic, social/cultural, economic, and environmental interests and expertise, and between citizens at large, the Electoral Area Director will then use other methods of recruitment such as word of mouth and letters to other various groups, organizations, and individuals.

## **Meetings**

### *Conduct*

1. All Committee meetings will be conducted in an orderly and business-like manner and will be advertised and open to the public.
2. The order of business will be indicated in the agenda which will be prepared by the Chairperson and the staff liaison. Any additions or changes in the prepared agenda may be requested by a Committee member and must be approved by a majority vote of the Committee members at the meeting.
3. All Committee meetings shall commence at the stated time. The conduct of meetings shall enable members of the Committee to consider information presented, weigh evidence related thereto, and make informed decisions.
4. Committee members will respect the following rules of meeting conduct:
  - Group discussion is important; and everyone should get a chance to speak;
  - Provide honest, open opinions;
  - Agree to disagree; consensus may not always be achieved; and
  - Promise to stay on track and on topic.

### *Meeting Frequency*

Dates, times and places of the meetings will be established at the first Committee meeting. Once established, notice of these meetings will be posted in a visible location in the Regional District of Nanaimo Administration Building and a schedule will be given to each member of the Committee.

### *Procedure*

1. The OCP Citizens Committee will elect a chairperson during its first order of business during its inaugural meeting.
2. The OCP Citizens Committee will operate on a consensus basis, with extensive community consultation. Consensus means there is substantial agreement where all group members can accept a decision.
3. If consensus cannot be achieved, all positions will be forwarded to the Electoral Area Director.
4. Attendance by at least half of the OCP Citizens Committee members will be considered a quorum.
5. The OCP Citizens Committee is appointed by the Regional District Board, and reports to the Electoral Area Director who reserves the right to recommend to the Electoral Area Planning Committee amendments to the OCP Citizens Committee structure as required, the appointment of new members to the OCP Citizens Committee, or the termination of the OCP Citizens Committee. The reasons for any decision in these matters will be publicly stated.
6. The Official Community Plan Citizens Committee may request technical expertise and advice from the various ministries and agencies who are involved as technical advisors to the Committee.

7. The OCP Citizens Committee shall endeavour to forward meeting minutes to the technical advisors.
8. The OCP Citizens Committee may hear delegations on issues being considered or on proposed content in the Plan.
9. Members of the OCP Citizens Committee must declare their property interests at the on-set of the Plan process, and must excuse themselves from recommendations related to their particular property interests.
10. Regional District Planning staff or consultants contracted to undertake the parts of the project will be available, as required, to explain the legislative and technical context which affects the review, and the implications of proposals or recommendations made by the OCP Citizens Committee.
11. Staff or consultants will also be responsible for drafting amendments to the current Official Community Plan or for drafting a new Plan.
12. The amended or new Plan will be presented to the public to allow comment on the Official Community Plan as part of a public consultation program using methods to be determined by staff with input from the OCP Citizens Committee and approved by the Regional District Board.
13. As an Ex Officio member of the OCP Citizens Committee, the Electoral Area Director or Alternate Director will provide background information, advice and direction. The Electoral Area Director or Alternate Director cannot vote or present motions to the OCP Review Committee.
14. A secretary will be provided by the RDN to prepare agendas in consultation with the Electoral Area Director, record minutes, and distribute those minutes to each member after the meetings.
15. The OCP Citizens Committee has no authority to call public meetings, commit funds, enter into contracts, or represent the RDN.
16. The recommendations of the Official Community Plan Citizens Committee shall be considered by the Electoral Area Director, but shall not be binding.
17. The OCP Citizens Committee may consider establishing neighbourhood planning teams to address neighbourhood-specific issues that arise throughout the process. These teams must be comprised of residents' local the particular neighbourhood in question, who may or may not include members of the OCP Citizens Committee. The Official Community Plan Citizens Committee shall give weight to the opinions and recommendations from a neighbourhood planning team. A neighbourhood planning team shall be bound by the same terms and conditions as the OCP Citizens Committee set out in this document.

### *Minutes*

The Regional District of Nanaimo will prepare the minutes of all committee meetings. The minutes shall be signed by the committee chair and made available to the public, committee members, and the Board.

### *Delivery of Meeting Minutes*

Prior to a committee meeting a copy of the agenda will be mailed, delivered by email, or available for pick up from the Regional District of Nanaimo Planning Department. Copies of communications and other documents and exhibits, which are available and pertinent to the meeting, will also be available.

Committee members shall become familiar with the agenda and supporting materials prior to the meeting, and shall obtain any additional information that may be necessary to make well-informed recommendations.

### *Committee Recommendations and Reports*

Concerns or advice from the OCP Citizens Committee shall be in the form of written recommendations to the Electoral Area Director.

### *Attendance at Meetings*

Attendance at meetings will be encouraged for all committee members. In situations where a particular member cannot attend, the Regional District of Nanaimo will forward a copy of the minutes of the meeting to that committee member. Each committee member is responsible for informing staff if they will be absent at the next meeting. Frequent non-attendance by a committee member will be reviewed by the Electoral Area Director and may warrant a replacement being sought.

### *Meeting Facilitator*

The Chair shall preside at all meetings of the committee, maintain order, and ensure the rules of the committee are followed. An alternate chair will be selected by the members of the committee in the event of an absence.

### **Remuneration**

1. Members of the OCP Citizens Committee will serve without remuneration but the RDN will pay appropriate preapproved and necessary expenses that arise directly out of the performance of their duties as members of the Official Community Plan Citizens Committee in accordance with the *Financial Administration Act and Regulations*.
2. The RDN will cover necessary meeting expenses (room rental, meals, etc.) if applicable.
3. Secretarial Services will be provided by the RDN.
4. Meeting locations will be decided by the OCP Citizens Committee and coordinated by the Regional District of Nanaimo.



## Electoral Area 'A' OCP Citizens Committee Membership Application

Name of Applicant: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_ email: \_\_\_\_\_  
Province: \_\_\_\_\_  
Postal Code: \_\_\_\_\_

Please tell us where you live, work, or own property in Electoral Area 'A'.

Are you a member of a community group, organization, association, or society that is registered or just established by volunteer membership. If so please provide the details below.

Please tell us why you are interested in participating in the Official Community Plan Citizens Committee (or attach letter).

Do you have a particular interest or expertise in any of the following aspects of the community: economic, social/cultural, or environmental? If yes, please specify.

We anticipate that the OCP review process will take almost 2 years to complete. Would you be available to attend meetings/workshop sessions during this time?

If not selected for the OCP Citizens Committee, would you like to be informed of involvement opportunities as the process unfolds?

Yes

No

If yes, you authorize us to add your email address to the RDN email alert system. You will receive a confirmation email and must follow the included instructions to finalize your acceptance. You will then receive periodic updates on the OCP process and can unsubscribe at any time.

The Terms of Reference for the OCP Citizens Committee is available at the RDN Planning Department. Please review the Terms of Reference prior to submitting your application. **Please note Committee Members must reside, be employed, and/or own or have interest in property within the Plan Area.** Selection criteria seek to maintain a balance of interests within this group, which for practical purposes will be limited to 12 people for effective participation. However, other avenues are being developed as we are seeking as wide an involvement of the citizens as possible, so please submit your application and you will be contacted.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Regional District of Nanaimo  
6300 Hammond Bay Road, Nanaimo, BC, V9T 6N2  
Phone: (250) 390-6510 Fax: (250) 390-7511  
Web: [www.rdn.bc.ca](http://www.rdn.bc.ca)