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## **REPORT TO PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE MEETING OF WEDNESDAY, FEBRUARY 19, 2020**

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**SUBJECT** Bylaw No. 4328: Capital Regional District Regional Growth Strategy  
Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2019 - Comments Received and Referral

### **ISSUE**

To consider feedback on the proposed Regional Growth Strategy (RGS) amendment bylaw and to provide direction on next steps in the RGS amendment process.

### **BACKGROUND**

On March 14, 2018, the Capital Regional District (CRD) Board adopted the RGS (Bylaw No. 4017) following a non-binding dispute resolution process. As an outcome of dispute resolution, participants agreed to update population, dwelling unit and employment projections once 2016 census data became available. Proposed Bylaw No. 4328 "Capital Regional District Regional Growth Strategy Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2019" (Appendix A) updates the projections, amending Table 1 of the RGS.

On June 12, 2019, the CRD Board initiated the RGS amendment and approved a consultation plan for the amendment process, including the waiving of a public hearing. Input was provided as follows:

1. Through the spring and fall of 2019, the Development Planning Advisory Committee (DPAC), comprised of municipal planning directors or their delegates, reviewed and commented on the projections.
2. On October 9, 2019, the CRD Board received comments on the updated projections from municipalities and affected agencies and directed staff to informally refer proposed Bylaw No. 4328 to municipalities and affected agencies for comment.
3. On December 23, 2019, the informal referral period on proposed Bylaw No. 4328 ended and six municipal councils (Colwood, Esquimalt, North Saanich, Sidney, Sooke and View Royal), the Juan de Fuca Land Use Committee, Fisheries and Oceans Canada, BC Transit, the Ministry of Transportation and Infrastructure and the Ministry of Municipal Affairs and Housing provided responses (Appendix B).

The next steps in the RGS amendment are to give first and second reading to Bylaw No. 4328 and to formally refer the bylaw to municipal councils for acceptance in accordance with the legislative requirements.

### **ALTERNATIVES**

#### *Alternative 1:*

The Planning, Transportation and Protective Services Committee recommends to the Capital Regional District Board:

- a) That the consultation results on the proposed Regional Growth Strategy amendment be received;
- b) That Bylaw No. 4328, "Capital Regional District Regional Growth Strategy Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2019" be given first and second reading; and

- c) That staff be directed to refer Bylaw No. 4328 on March 13, 2020 to municipal councils for acceptance as per section 436 of the *Local Government Act*.

*Alternative 2:*

That Bylaw No. 4328: Capital Regional District Regional Growth Strategy Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2019 - Comments Received and Referral report be referred back to staff for further review based on Committee direction.

**IMPLICATIONS**

*Intergovernmental Implications*

The outcome of the informal referral suggests that 12 of 13 municipal councils and the Juan de Fuca Electoral Area are prepared to accept the proposed RGS amendment (no response received was interpreted as support). Esquimalt Council identifies concerns with the proposed amendment because of limited applicability and possible RGS alignment challenges arising from projections being provided at the sub-regional level. In addition, the external agencies also indicated no concerns with the amendment.

The *Local Government Act* requires an RGS to provide population and employment projections. Based on municipal council input and Board direction, the updated RGS projections are provided at the sub-regional level. Through DPAC, municipal planners support this approach as it allows flexibility to reconcile projections developed for a municipality's Official Community Plan (OCP) with the RGS. Municipal planners were provided with the municipal level projections that make up the sub-regional totals for transparency and practical applications.

The *Local Government Act* does not require a municipality to align with RGS projections. Rather, municipalities must identify the relationship between their OCP and the RGS through a Regional Context Statement (RCS). Should differences in projected growth arise, municipalities can use the RCS to identify the differences and explain any variations.

On September 18, 2019, the Planning and Protective Services Committee requested information about how utilities support future growth. Staff contacted Fortis BC and BC Hydro to determine how future growth is supported. The utilities determine long term load growth using a sophisticated forecasting methodology based on service region and sector. Population and housing are the main factors in the household load calculation, while employment trends and economic growth is used to determine long term commercial and industrial load. BC Hydro is bound by the *Hydro Power and Authority Act*, and is obliged to serve the existing residential, commercial and industrial customers and any future customers in its service area.

*Regional Growth Strategy Implications*

All municipalities must accept the RGS amendment before the amending bylaw can be adopted. See Appendix C for the relevant legislation.

Municipalities must accept or reject the RGS amendment in accordance with Section 436 of the *Local Government Act*. Municipalities have 60 days to accept or reject the RGS by resolution of council. Municipalities who reject the RGS must specify which provision(s) they reject and the reason(s) for the rejection. The 60-day acceptance period would end on May 12, 2020. The CRD Board could give third reading and adopt the amending bylaw in June 2020 should all municipalities accept.

Should any municipality reject the RGS, the Minister of Municipal Affairs and Housing must direct a process to reach acceptance. Sections 439 to 442 of the *Local Government Act* set out a number of dispute resolution processes. The administrative costs associated with dispute resolution are shared proportionately between the Board and the affected local governments that participate in the process. Municipal rejection of the amending bylaw would delay adoption.

### **CONCLUSION**

The proposed RGS amendment will update the population, dwelling unit and employment projections with 2016 census data. Municipal councils and provincial agencies provided input to the proposed amendment. The recommendation is to receive the most recent feedback, give first and second reading to Bylaw No. 4328 and direct staff to refer Bylaw No. 4328 to municipal councils for acceptance.

### **RECOMMENDATION**

The Planning, Transportation and Protective Services Committee recommends to the Capital Regional District Board:

- a) That the consultation results on the proposed Regional Growth Strategy amendment be received;
- b) That Bylaw No. 4328, “Capital Regional District Regional Growth Strategy Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2019” be given first and second reading; and
- c) That staff be directed to refer Bylaw No. 4328 on March 13, 2020 to municipal councils for acceptance as per section 436 of the *Local Government Act*.

Submitted by:	Emily Sinclair, MCIP, RPP, Senior Manager, Regional & Strategic Planning
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### **Attachments:**

- Appendix A – RGS Amending Bylaw No. 4328, “Capital Regional District Regional Growth Strategy Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2019
- Appendix B – Summary of Comments – Proposed Bylaw No. 4328
- Appendix C – Legislative Provisions for Acceptance and Settlement of a RGS