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REPORT TO PLANNING AND PROTECTIVE SERVICES COMMITTEE MEETING OF WEDNESDAY, MARCH 17, 2021

SUBJECT Adoption of Regional Growth Strategy Amendment Bylaw No. 4328

ISSUE SUMMARY

To adopt Bylaw No. 4328 "Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016, Amendment Bylaw No. 1, 2019".

BACKGROUND

The *Local Government Act* (the *Act*) sets out requirements for the preparation, adoption, implementation and monitoring of Regional Growth Strategies (RGS). Section 436 of the *Act* requires that all municipalities accept a RGS before it can be adopted as a bylaw.

On March 11, 2020, the Capital Regional District (CRD) Board gave first and second reading to a revised RGS Bylaw (Appendix A), updated to reflect revised population, housing and employment projections. On March 13, 2020, the CRD referred the revised RGS Bylaw to municipalities for acceptance as per section 439 of the *Act*. The referral period ended on May 12, 2020. Minor housekeeping edits to the title and citation have been made to the amending bylaw subsequent to the referral.

Ten municipalities and the Cowichan Valley Regional District resolved to accept the revised RGS and two municipalities did not provide a response. Per section 436(6) of the *Act*, a non-response means the municipality is deemed to have accepted the amendment. Input from the Juan de Fuca Electoral Area was provided at informal referral and at second reading. One municipality resolved to not accept the revised RGS.

At the regular meeting of Esquimalt Council held April 6, 2020, Council passed a resolution pursuant to Section 436(4)(b)(ii) of the *Act* not accepting the RGS citing discrepancies with the population projection model and Esquimalt's current and expected development patterns. CRD and Esquimalt staff collaborated on solutions and avoided formal dispute resolution processes. At the regular meeting of Council held June 22, 2020, Council passed a resolution to consider conditional acceptance of RGS Amendment Bylaw 4328 with terms. New priorities arising from the COVID-19 pandemic impacted the timing for completion of this process.

CRD and Esquimalt staff agreed to make arrangements to address the concerns raised by Esquimalt. On March 1, 2021 Esquimalt Council discharged the conditions of its previous motion and resolved to accept the RGS. All municipalities have now accepted the RGS. The full record of municipal acceptance letters is provided in Appendix B.

ALTERNATIVES

Alternative 1

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

- 1) That Bylaw No. 4328 be amended to correct the bylaw title and citation;
- 2) That Bylaw No. 4328, “Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016, Amendment Bylaw No. 1, 2019”, be read a third time as amended; and
- 3) That Bylaw No. 4328 be adopted.

Alternative 2

That the Adoption of Regional Growth Strategy Amendment Bylaw No. 4328 report be referred back to staff for additional information based on Planning and Protective Services Committee direction.

IMPLICATIONS

Regional Growth Strategy Implications

A RGS must include population, housing and employment projections. Based on input from the Development Planning Advisory Committee (DPAC), the updated RGS projections are provided at the sub-regional level. DPAC supports this approach as it allows flexibility to reconcile projections developed for a municipality’s Official Community Plan (OCP) with the RGS. DPAC was provided with the municipal level projections that make up the sub-regional totals for transparency and practical applications. Municipal level projections should not be used for regional or cross-jurisdictional projects unless the municipality consents to their use.

Intergovernmental Implications

The 2018 RGS was adopted subject to revised population projections being created when new Census data was available. Municipalities should review their context statements to ensure that the relationship between the OCP and the RGS is still valid. If not valid, a new context statement should be submitted as per the legislative requirements of section 448 of the *Act*. Should revisions be needed, municipalities have two years from the date of the amended bylaw adoption to submit a Regional Context Statement to the CRD Board for acceptance. Practically speaking, this means that any revised context statements should be submitted to the Board by April 2023.

Financial Implications

RGS activities and reporting are an ongoing operational activity. Staff time and funds to undertake this work have been allocated accordingly. No additional funding is required.

Service Delivery Implications

Section 445 of the *Act* requires that all regional district bylaws and services adopted following RGS adoption be consistent with the RGS. Should RGS Bylaw No. 4328 be adopted, all new CRD bylaws and services must be consistent with the RGS.

Alignment with Board & Corporate Priorities

Within the CRD’s 2019-2022 Corporate Plan, Corporate Priority 11a is to update the RGS with new population projections. Adoption of this bylaw completes that priority.

CONCLUSION

All municipalities have resolved to accept the RGS. Staff recommend that the bylaw receives third reading and adoption.

RECOMMENDATION

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

- 1) That Bylaw No. 4328 be amended to correct the bylaw title and citation;
- 2) That Bylaw No. 4328, “Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016, Amendment Bylaw No. 1, 2019”, be read a third time as amended; and
- 3) That Bylaw No. 4328 be adopted.

Submitted by:	Emily Sinclair, MCIP, RPP, Senior Manager, Regional & Strategic Planning
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENTS

- Appendix A: Bylaw No. 4328 “Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016, Amendment Bylaw No. 1, 2019”.
- Appendix B: Record of Resolutions to Accept the RGS