

**DATE:** August 8, 2018

**FILE:** 6410-20/RGS 1C 17

**TO:** Chair and Directors  
Comox Valley Regional District Board

Supported by Russell Dyson  
Chief Administrative Officer

**FROM:** Russell Dyson  
Chief Administrative Officer

*R. Dyson*

**RE: Consultation Plan – RGS Standard Amendment (3L Developments Inc.)**

---

### **Purpose**

This report provides the board with options for the development of a required consultation plan to consider the Regional Growth Strategy (RGS) standard amendment that was initiated by board resolution to consider 3L Developments Inc.'s proposed new settlement node.

### **Recommendation from the Chief Administrative Officer:**

THAT the board adopt the consultation plan appended to this report as Appendix A, dated August 8, 2018, which includes a public hearing, to consider the RGS standard amendment proposal to create a new settlement node for 3L Development Inc.'s proposed "Riverwood" project.

### **Executive Summary**

- On July 24, 2018, the board initiated a standard amendment to consider 3L Developments Inc.'s proposal to create a new settlement node;
- The *Local Government Act (RSBC, 2015, c.1)* (LGA) requires that as soon as is practicable after initiating an amendment, the board must adopt a consultation plan;
- The LGA establishes that at a minimum the board must provide opportunities for early and ongoing consultation with its citizens, affected local governments, First Nations, boards of education, greater boards and improvements districts and the Provincial and Federal governments and their agencies;
- Staff recommends a consultation plan that includes opportunities to inform, consult and involve the stakeholders named above;
- Staff recommends consulting with K'omoks First Nation through regular staff meetings;
- The LGA specifically requires the board to consider whether the consultation plan should include the holding of a public hearing. Staff recommends including a public hearing in the consultation plan;
- Key differences between staff's two options relate to depth and breadth of consultation, costs and timing.

Prepared by:

***A. Mullaly***

---

Alana Mullaly, MCIP RPP  
Manager of Planning Services

**Stakeholder Distribution (Upon Agenda Publication)**

|   |   |
|---|---|
| 3L Developments Inc. (c/o Mr. Kabel Atwall) | ✓ |
|---|---|

**Background/Current Situation**

On July 24, 2018, the board initiated a standard amendment process to review 3L Developments Inc.’s RGS amendment proposal to create a new settlement node. The *Local Government Act (RSBC, 2015, c.1)* (LGA) requires that, as soon as is practicable after initiating an amendment, the board adopt a consultation plan.

Staff has prepared two options for consultation for the board’s review, described below. Both options include a public hearing.

**Policy Analysis**

Section 434 of the LGA establishes the consultation framework for the development of an RGS (including a standard amendment). Two key principles are articulated as the basis for consultation plan development:

1. provide opportunity for consultation with those that the board considers will be affected;
2. make “reasonable efforts” to reach agreement with affected local government.

As such, staff has identified stakeholders (i.e. those that may be affected) and built in opportunities for dialogue with affected local government, specifically the member municipalities prior to the required referral for acceptance. Staff has also included opportunities for direct consultation with K’omoks First Nation (i.e. meetings between the Comox Valley Regional District’s (CVRD) CAO and K’omoks First Nation’s administrator). Staff has also considered the relative value of holding a public hearing as part of the consultation.

**Options**

Staff has prepared two possible consultation plans for the board’s consideration (Appendices A and B). The plans differ in the following ways:

1. Depth of consultation (i.e. inform/consult/involve versus inform/consult);
2. Breadth of consultation (i.e. tools and opportunities);
3. Timing and cost.

*Depth of consultation: LAP2 spectrum*

Both plans are designed to *inform* and *consult* with stakeholders. On the International Association of Public Participation’s (IAP2) spectrum of consultation, to which the CVRD subscribes, the public participation goal of “inform” is “to provide the public with balanced and objective information to assist them in understanding the problems/alternatives and/or solutions”. The public participation goal of “consult” is “to obtain public feedback on analysis, alternatives and/or decisions”. Both plans recommend using the CVRD website as the key mechanism through which to “inform” and include a public hearing as the primary mechanism to “consult”.

Staff’s recommended consultation plan (Appendix A) includes opportunities to “involve” the public. The IAP2 spectrum defines the public participation goal of public involvement as “to work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered”. Staff’s recommended plan includes the following measures intended to involve stakeholders:

- Technical advisory committee and steering committee meeting with 3L Developments Inc. as an opportunity for proponent to present information about proposed settlement node;
- Joint public open house: CVRD hosted open house with presentations by 3L Developments Inc., technical advisory committee and public question and response period;

- Technical advisory committee and steering committee meetings throughout process to ascertain and clarify interests of electoral areas and member municipalities;
- Information open house if proposal progresses beyond first reading of an amendment bylaw; and
- Public hearing.

*Breadth of consultation*

Integral to both plans is a recommendation to engage K’omoks First Nation as a regional planning partner (i.e. scheduled meetings between K’omoks First Nation’s administrator and the CVRD’s Chief Administrative Officer). Through these meetings K’omoks First Nation should have a meaningful opportunity to determine whether or not the Nation’s interests are affected by the proposed amendment and provide comment to the CVRD accordingly.

Staff’s recommended consultation plan (Appendix A) includes the following consultation tools:

- CVRD website updates;
- Opportunity for 3L Developments Inc. to meet with Technical Advisory Committee and Steering Committee to present proposal;
- Referral of information package and invitation to provide feedback to stakeholders identified in s. 434 of the Local Government Act;
- Public open houses (minimum two);
- Infographic development (e.g. graphics to help explain the RGS, the amendment process, and the consultation and decision-making steps related to the applicant’s proposal); and
- Public hearing.

The alternative consultation plan (Appendix B) does not include the above (except use of the website), and rather relies solely on the CVRD website information updates and a public hearing.

*Timing*

It is very important to note that the timing that staff has suggested is entirely subject to a smooth process; no buffers have been built in. If acceptance by affected local governments is not garnered as presented in the consultation plans, the timing within each option will need to be adjusted (i.e. appointment of provincial facilitator and possible binding resolution process).

Staff’s recommended option (Appendix A) includes potential bylaw amendment adoption in May 2019. The second option (Appendix B) includes potential bylaw adoption in December 2018.

Staff recommends that the board adopt the consultation plan included in Appendix A to this report. It provides opportunities to involve stakeholders in the decision-making process; additional information resources to stakeholders; and greater opportunity to obtain agreement prior to referring an amendment bylaw to affected local governments for acceptance.

**Financial Factors**

The RGS service is minimally resourced; cost estimates are included in the consultation plans. Staff’s recommended option includes an estimate of \$4900 (not including GST). The majority of that estimate is newspaper advertising for the open house(s) and public hearing. No application fees have been levied as 3L Development Inc.’s application was made prior to the adoption of the RGS procedures and fees bylaw.

### **Legal Factors**

The recommendation contained within this report has been prepared in accordance with the LGA, section 434. Board adoption of a consultation plan is a requirement of the provincial legislation.

### **Regional Growth Strategy Implications**

Adoption of a consultation plan is the next step in the legislative process of considering an amendment to the RGS. Further next steps include reporting back to the Board with an assessment of the applicant’s proposal to create a new settlement node. Staff will provide a fulsome analysis of the RGS implications of creating a new settlement node as proposed by the applicant.

### **Intergovernmental Factors**

The RGS legislation is intended to provide a framework for collaborative regional planning that reflects both local and provincial policy interests. As such, the LGA requires intergovernmental involvement in the RGS amendment process, specifically through a requirement to provide notice of initiation of an amendment and to garner acceptance of an RGS amendment from affected local governments. The CVRD has established the TAC and SC to support collaborative regional planning and to provide advice to the regional board in its deliberation of regionally significant amendments, such as the proposal by 3L Developments Inc. to establish a new settlement node. Staff’s recommended consultation plan includes involvement of the TAC and SC, which should assist with ensuring a collaborative review process.

### **Interdepartmental Involvement**

Planning staff, in consultation with Communications and Legislative Services staff, has prepared this report.

### **Citizen/Public Relations**

This report offers the board a recommended consultation plan (as well as an alternative plan), intended to inform, consult, and involve stakeholders. To date, there has been significant public interest in this matter and that is expected to continue.

Attachments: Appendix A – “Recommended Consultation Plan”  
Appendix B – “Alternative Consultation Plan”

**Subject: RECOMMENDED Regional Growth Strategy  
Standard Amendment Consultation Plan – 3L**

**File: 18-000068**

**Purpose**

To outline methods/strategies regarding consultation for a Regional Growth Strategy Standard Amendment – 3L Developments Inc.

**Target audience(s):**

- **Comox Valley Regional District Board**
- **Residents of the region**
- **Stakeholders:**
  - Village of Cumberland
  - Town of Comox
  - City of Courtenay
  - K’omoks First Nation
  - We Wai Kai Nation/Laich-Kwil-Tach Treaty Society
  - Wei Wai Kum First Nation/Kwiakah First Nation
  - Homalco Indian Band
  - 3L Developments Inc.
  - Regional District of Nanaimo
  - Strathcona Regional District
  - Qa-thet Regional District (formerly Powell River Regional District)
  - Alberni-Clayoquot Regional District
  - School District No. 71 (Comox Valley)
  - Comox Valley Waste Management Board
  - Comox Valley Hospital Board
  - Ministry of Municipal Affairs and Housing
  - Ministry of Indigenous Relations and Reconciliation
  - Crown Indigenous Relations and Northern Affairs

**Project background:**

- 3L Developments Inc. requested that the board initiate an amendment to the Regional Growth Strategy (RGS) in order to consider its “Riverwood” proposal as a new settlement node and requested that the application be considered as a minor amendment (versus standard amendment).
- Decision was made by the Comox Valley Regional District (CVRD) board on July 24<sup>th</sup> to proceed with a standard amendment process.

**Spokesperson:** Alana Mullaly, Acting General Manager of Planning and Development Services

**Key speaking points:**

- The CVRD board has initiated a standard amendment process for 3L Developments Inc.’s application to create a new settlement node.
- As part of this process the public is encouraged to have their say at the public hearing and to attend the open house to learn more about the process and application.

- For details regarding the process and to learn more about 3L Developments Inc.’s application please visit [www.comoxvalleyrd.ca/rgs](http://www.comoxvalleyrd.ca/rgs).

**Guiding principles:**

- Communications included in all project team meetings and in key project-related discussions.
- Project to have budget sufficient to cover communications strategies.
- All materials and communication will follow the CVRD style guide.

**Budget: \$4,900 excluding GST**

**Communication Objectives: 3-5 objectives**

1. To educate stakeholders regarding the RGS, the amendment process and 3L Development Inc.’s application.
2. To gather feedback from the public regarding the 3L Development Inc. application.
3. To ensure the amendment process is transparent to all stakeholders.

**Communication/Engagement Strategies:**

| Component | Description   | Responsibility   | IAP2 Spectrum | Budget     | Due Date              |
|-----------|---|--|---------------|------------|-----------------------|
| 1.        | Update CVRD website   | Update the CVRD website and ensure information current throughout entire process.<br>Content: Alana/Jennifer<br>Updating: Communications<br>Approvals: Alana                   | Inform        | Staff time | Ongoing               |
| 2.        | Notice of Initiation to affected local governments  | Letter to affected local governments<br>Planning   | Consult       | Staff time | July 25, 2018         |
| 3.        | Board-adopted consultation plan   | Statutory consultation plan to provide opportunities for early and ongoing consultation<br>Content: Planning<br>Approval: Board  | Consult       | Staff time | Board August 14, 2018 |
| 4.        | Notice of initiation and application information to stakeholders, including First Nations and Ministry of Indigenous Relations and Reconciliation | Website updates and information package to stakeholders, including K’omoks First Nation and Ministry of Indigenous Relations and Reconciliation; Letter to other First Nations | Consult       | Staff time | August 15, 2018       |

|     |   |  |  |         |   |                            |
|-----|---|--|--|---------|---|----------------------------|
| 5.  | Technical Advisory Committee and Steering Committee joint meeting with 3L Developments Inc. | Opportunity for 3L Developments Inc. to present proposal to TAC and SC and discuss process                                       | Alana  | Inform  | Staff time  | August 15, 2018            |
| 6.  | Infographic development   | Develop infographic of process   | Infographic: Colleen Lucas Design  |         | Info-graphic: \$600   | August 31, 2018            |
| 7.  | Open House (CVRD hosted with 3L presentation)   | Information meeting on RGS, amendment process, and 3L Development Inc.'s application   | All TAC and SC to attend   | Inform  | Venue booking : \$350<br><br>Staff time                     | September 6, 2018          |
| 8.  | Technical Advisory Committee meeting  | Review options and provide recommendation to steering committee  | Content: Technical advisory committee  |         | Staff time  | Week of September 10, 2018 |
| 9.  | Steering Committee meeting  | Review options and provide recommendation to CVRD board  | Content: Planning Approval: Steering committee   |         | Staff time  | Week of September 17, 2018 |
| 10. | CVRD board – First reading  | First reading of amendment at CVRD board   | Planning   | Consult | Staff time  | Board October 2, 2018      |
| 11. | Proposed bylaw to be sent to stakeholders identified in LGA s. 434                          | Send bylaw to stakeholders for comment   | Planning   | Consult | Staff time  | October 9, 2018            |
| 12. | Meet with stakeholder upon request  | To discuss bylaw and obtain feedback   | Planning   | Consult | Staff time  | Ongoing                    |
| 13. | Public open house   | Public open house in the CVRD Boardroom. (CVRD staff can work with the TAC members if municipality wishes to host their own open | Event Planning: Planning<br><br>Display Boards:<br>-Content: Planning<br>-Design: Communications<br><br>Advertising: | Consult | Total: \$2,800<br><br>Ads: \$2,400 (print ads and Face-book | October/ November 2018     |

|     |  |  |  |         |  |   |
|-----|--|--|--|---------|--|---|
|     |  | house in own jurisdiction).  | -Design: Communications<br>-Book: Communications<br><br>Pamphlet:<br>-Content: Planning<br>-Design: Communications |         | boosted posts)<br>Display Board: \$58/<br>Board (\$300--400) |   |
| 14. | RGS orientation to new board on 3L process and application | Orientation to new board prior to 3L public hearing to provide information on process and 3L application   | Planning   | Inform  | Staff time   | November 27 <sup>th</sup>                           |
| 15. | Public hearing advertisements                              | Two ads in support of a public hearing in the Comox Valley Record  | Content: Planning<br><br>Design/Distribute: Beverly  | Inform  | Legal ad costs   | November 15 & 22, 2018                              |
| 16. | Public hearing   | Public hearing for citizens to provide feedback.<br><br>Display boards from open house present along with mechanisms for feedback (e.g. comment forms) | Planning   | Consult | Staff time   | November 29, 2018                                   |
| 17. | Technical Advisory Committee meeting                       | Incorporate feedback from open house and public hearing into recommendations for steering committee  | TAC/CVRD planning staff  | Consult | Staff time   | Week of December 4, 2018 (following public hearing) |
| 18. | Steering Committee meeting                                 | Prepare recommendations to board on bylaw and next steps   | SC/CVRD planning staff   | Consult | Staff time   | Week of December 10 <sup>th</sup>                   |
| 19. | Engagement roll up report                                  | Roll up feedback provided by public and provide to board   | Full Report: Planning  | Inform  | Staff time   | December 18 Board                                   |



|     |  |  |          |         |            |                   |
|-----|--|--|----------|---------|------------|-------------------|
|     |  | to assist with decision making   |          |         |            |                   |
| 20. | CVRD board – Second reading  | Second reading of amendment at CVRD board  | Planning | Consult | Staff time | December 18 Board |
| 21. | Refer to affected local government and minister for acceptance                 | Following second reading provide materials to affected local governments and minister for acceptance | Planning | Consult | Staff time | January 2019      |
| 22. | CVRD board – Third reading (upon acceptance by all affected local governments) | Third reading of amendment at CVRD board-accepted by all local governments                           | Planning | Consult | Staff time | April 2019        |
| 23. | CVRD board – Final adoption  | Final adoption of amendment at CVRD board – if accepted by all local governments                     | Planning | Consult | Staff time | May 2019          |

**Next Steps:**

- **Approval of consultation plan**
- **Implement plan**

**Approval History**

|   |               |
|---|---------------|
| Created by:<br>Jennifer Steel/<br>Alana Mullaly | July 31, 2018 |
| Amended:  |               |

|  |                        |
|--|------------------------|
| <b>Subject: Regional Growth Strategy Standard<br/>Amendment Consultation Plan – 3L</b> | <b>File: 18-000068</b> |
|--|------------------------|

**Purpose**

To outline methods/strategies regarding consultation for a Regional Growth Strategy Standard Amendment – 3L Developments Inc.

**Target audience(s):**

- **Comox Valley Regional District Board**
- **Residents of the region**
- **Stakeholders:**
  - Village of Cumberland
  - Town of Comox
  - City of Courtenay
  - K’omoks First Nation
  - We Wai Kai Nation/Laich-Kwil-Tach Treaty Society
  - Wei Wai Kum First Nation/Kwiakah First Nation
  - Homalco Indian Band
  - Strathcona Regional District
  - Qa-thet Regional District (formerly Powell River Regional District)
  - Regional District of Nanaimo
  - Alberni-Clayoquot Regional District
  - School District No. 71 (Comox Valley)
  - Comox Valley Waste Management Board
  - Comox Valley Hospital Board
  - Ministry of Municipal Affairs and Housing
  - Ministry of Indigenous Relations and Reconciliation
  - Crown Indigenous Relations and Northern Affairs
  - 3L Developments Inc.

**Project background:**

- 3L Developments Inc. has requested that the board initiate an amendment to the Regional Growth Strategy (RGS) in order to consider its “Riverwood” proposal as a new Settlement Node.
- Decision was made by the Comox Valley Regional District (CVRD) board on July 24<sup>th</sup> to initiate a standard amendment in order to consider 3L Development Inc.’s application for a new Settlement Node.

**Spokesperson:** Alana Mullaly, Acting General Manager of Planning and Development Services

**Key speaking points:**

- The CVRD board has initiated a standard amendment process to consider 3L Developments Inc.’s application to create a new settlement node.
- As part of this process the Board must adopt a consultation plan.
- The public is encouraged to attend the public hearing or send feedback to [planningdevelopmentservices@comoxvalleyrd.ca](mailto:planningdevelopmentservices@comoxvalleyrd.ca) to ensure their thoughts are heard.

- For details regarding the process and to learn more about 3L Developments Inc.’s application please visit [www.comoxvalleyrd.ca/rgs](http://www.comoxvalleyrd.ca/rgs).

**Guiding principles:**

- Communications included in all project team meetings and in key project-related discussions.
- Project to have budget sufficient to cover communications strategies.
- All materials and communication will follow the CVRD style guide.

**Budget: \$2000 (excluding GST)**

**Communication Objectives: 3-5 objectives**

1. To educate stakeholders regarding the RGS amendment process and 3L Development Inc.’s application.
2. To gather feedback from the public regarding 3L Development Inc.’s application.
3. To ensure the amendment process is transparent to all stakeholders.

**Communication/Engagement Strategies:**

| Tactic  | Description  | Responsibility   | IAP2 Spectrum | Budget     | Due Date                    |
|---|--|--|---------------|------------|-----------------------------|
| Update CVRD website   | Update the CVRD website and ensure information current throughout process.   | Content:<br>Alana/Jennifer<br><br>Updating:<br>Communications<br><br>Approvals:<br>Alana | Inform        | Staff time | Ongoing                     |
| Notice of Initiation to affected local governments  | Letter to member municipalities, adjacent regional districts and the Ministry of Municipal Affairs and Housing regarding proposed amendment. | Planning   | Inform        | Staff time | July 25, 2018               |
| Consultation Plan   | Board to adopt a consultation plan per the requirements of the <i>Local Government Act</i>   | Content:<br>Alana/Jennifer<br><br>Approvals:<br>Board                                    |               | Staff time | To board on August 14, 2018 |
| Notice of Initiation and application information to stakeholders, including First Nations and | Information package to Stakeholders, including K’omoks First Nation and Ministry of  |  | Consult       | Staff time | August 15, 2018             |

|  |  |  |         |  |                                |
|--|--|--|---------|--|--------------------------------|
| Ministry of Indigenous Relations and Reconciliation                | Indigenous Relations and Reconciliation; letter to other First Nations                                 |  |         |  |                                |
| TAC and steering committee joint meeting with 3L Developments Inc. | Opportunity for 3L Developments Inc. to present proposal to TAC and SC and discuss process             | Alana  | Inform  | Staff time   | August 15, 2018                |
| Proposed recommendation  | Alana to send to TAC & steering committees as FYI  | Alana  | Inform  | Staff time   | August 30, 2018                |
| CVRD board – First reading   | First reading of bylaw at CVRD Board   | Planning<br>Content:<br>Technical advisory committee and steering committee<br>Approval: Board | Consult | Staff time   | To board on September 18, 2018 |
| Proposed bylaw to be sent to stakeholders identified in LGA s. 434 | Send bylaw to stakeholders for comment   | Planning   | Consult | Staff time   | September 19, 2018             |
| Meet with stakeholder upon request                                 | To obtain feedback on proposed bylaw   | Russell<br>Alana   | Consult | Staff time   | Ongoing                        |
| Public hearing advertisement                                       | Two ads in support of a public hearing in the Comox Valley Record                                      | Content:<br>Planning<br><br>Design/<br>Distribute:<br>Beverly                                  | Inform  | Ad costs   | September 6, 2018              |
| Statutory public hearing   | Public hearing in the boardroom for the public to provide input on the application and proposed bylaw. | Planning   | Consult | Staff time<br><br>Display boards:<br>\$58/<br>board<br>(3-5<br>boards<br>\$174-<br>290 | September 27, 2018             |

|  |  |          |         |            |                    |
|--|--|----------|---------|------------|--------------------|
| CVRD board – Second reading  | Receive public hearing minutes and second reading of bylaw at CVRD board | Planning | Consult | Staff time | October 2, 2018    |
| Refer to affected local governments for acceptance                             | Bylaw forwarded to affected local governments for acceptance.            | Planning | Consult | Staff time | October 15, 2018   |
| CVRD board – Third reading (upon acceptance by all affected local governments) | Third reading of amendment at CVRD board                                 | Planning | Consult | Staff time | December 18, 2018  |
| CVRD board – Final adoption  | Final adoption of amendment at CVRD board                                | Planning | Consult | Staff time | December 18, 2018* |

**\*requires 2/3 affirmative board vote to do third reading and adoption at same meeting**

**Next Steps:**

- **Approval of consultation plan**
- **Implement plan**

**Approval History**

|   |               |
|---|---------------|
| Created by:<br>Jennifer Steel/<br>Alana Mullaly | July 31, 2018 |
| Amended:  |               |