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FILE: 6120-01

TO: Chair and Directors
Regional District Board

FROM: Russell Dyson
Chief Administrative Officer

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

RE: Regional Parks Service

Purpose

The purpose of this report is to provide information on the regional parks service and to explore how the Comox Valley Regional District (CVRD) Board could activate the service.

Recommendation from the Chief Administrative Officer:

THAT staff be directed to undertake a regional parks background study to explore current best management practices, to review service delivery models for operations and funding, to assess the application of the regional park service and the steps required to activate it, and to review local park and greenway plans to identify possible alignment with a regional parks service by committing \$25,000 from the Regional Feasibility Study Service (Function 150);

AND FURTHER THAT staff work with the municipal park managers and the Chief Administrative Officers in the preparation of the background study to identify a general direction for a regional parks service for the board to consider.

Executive Summary

- Based on recent board discussions, there is a renewed interest in a regional parks service to create greenway links between the core municipalities and to acquire large strategic land parcels of regional interest.
- A regional parks service function was established through letters patent issued in 1971. It has been dormant. It includes all the CVRD except the Village of Cumberland and was established under the umbrella of the Comox Strathcona Regional District.
- A three step process to activate the regional parks service includes:
 - A background study
 - Conversion of the dormant service through bylaw
 - Development of a strategic plan.

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Government Partners and Stakeholder Distribution (Upon Agenda Publication)

City of Courtenay	✓
Town of Comox	✓
Village of Cumberland	✓
K'ómoks First Nation	✓
Denman Island Ratepayers Association	✓
Hornby Island Residents and Ratepayers Association	✓

Background/Current Situation

The CVRD currently operates a community parks service for the Electoral Areas (Baynes Sound and Electoral Areas B and C), as well as a community parks service for Hornby Island and Denman Island.

Community Parks versus Regional Parks

It is important to clearly understand the distinction between the community parks service currently managed and operated by the CVRD community parks function and the dormant regional parks service.

- The 'community' parks service within the CVRD is primarily for the benefit of the local rural areas with funding provided exclusively by the electoral areas for the acquisition, development and operation of these parks.
- The 'regional' parks service is for the benefit of the region as-a-whole (residents of electoral areas and local municipalities) and would have all local governments contributing to the acquisition, development and operation of these specific and significant parks and trails.
- These are separate and distinct functions and are to be administered and funded separately.

Challenges under the current model

Many of the larger community regional parks which are acting to meet 'regional' park needs are at or exceeding carrying capacity as demand for public parks space increases. This pressure on park systems is a regional issue and has become noticeably evident during the COVID 19 pandemic. As a region the local governments must endeavour to determine a way they can regionally meet the demand for public open space in a collaborative and proactive manner that benefits all the residents and tourists in the Comox Valley.

Of particular concern with the current model (municipal and community parks) is the inability to act to preserve large tracts of land as many of these lands are held privately. Furthermore, challenges with greenway connections continue in the region. Finally, opportunities exist within existing public land holdings (such as large tracts of land for watershed protection) to explore a variety of management models that could be used for effective management.

Regional parks overview

Regional Districts have been managing 'regional' parks services in British Columbia since the 1960's. Parks and trails under a regional service tend to focus on land for environmental protection or nature-based outdoor recreation. To achieve this, a variety of models exist for managing regional parks including having regional parks within electoral areas only or within municipal boundaries as well. That being said, it is up to each regional district's service participants to define what they want their service to accomplish.

Comox Valley regional parks service history

In the Comox Valley, the CVRD was given authority for two service functions for parks (regional parks service and community parks service) by Supplemental Letters Patent (SLP). The regional parks service function was established by SLP in 1971. Under the statutory authority of this Letters Patent, the Board of the regional district can acquire, develop, operate, and maintain regional parks with all electoral areas and municipalities.

When the SLP were issued the participants included the broader Comox Strathcona Regional District (CSRD) participants, including: District of Campbell River, Town of Comox, City of Courtenay, District of Gold River, Village of Sayward, Village of Tahsis, and the Corporation of the Village of Zeballos and Electoral Areas A, B, C, D, E, F, G, H, I and J. At the time, Denman and Hornby Islands were part of Electoral Area A and thus were participants in the service. The Village of Cumberland was not named as a participant in the service but is noted that their inclusion may be considered by the Minister on such terms and conditions as may be acceptable to the Regional Board.

Participants contributed funds to the regional parks service function in 1972 and 1975. Funds from the service were expended on the acquisition costs for many different parks including Seal Bay and a Crown grant for Mount Geoffrey. The service prepared three parks plans (Comox Valley East and West Coast Strathcona). Operation and maintenance has always been funded by the community parks function.

A 1992 CSRD report titled ‘Establishing a Vision for Parks’ identifies Mount Geoffrey Nature Park, Seal Bay Nature Park and Puntledge Shoreline Protection Park (now known as Nymph Falls Nature Park) as regional parks. Other parks were identified in the report as regional but they lie within the present boundaries of the Strathcona Regional District.

The report also identifies support for the development of a regional trail that would connect Royston to Point Holmes along the foreshore. It also speaks to regional trails connecting regional parks with other recreation areas and population centres. The report also identifies a motion of action to commit regional participation in the parks system, however, the parks system remained funded entirely by community parks funds.

In 1998 remaining funds in the regional parks service were distributed back to the participants after several failed attempts at board meetings to agree upon which parks would be funded under the service.

Precedents

The following regional districts have been contacted and have provided basic information related to their regional parks service:

- Capital Regional District
- Cowichan Valley Regional District
- Regional District of Nanaimo
- Metro Vancouver

Appendix A provides an overview of each of these districts approach to the provision of a regional parks service including funding and governance structure.

Proposed process for a regional parks service

Staff are recommending a three part process which includes:

- Background study
- Conversion of the dormant service through bylaw
- Strategic Plan

The first step in the process would be to work with the regional municipalities to conduct a background study which would seek to identify the following:

- Best management practices from other regions offering the service including a service model review of operations and funding
- Regulatory requirements including the means to activate the regional parks function
- Review of local park and greenways plans to identify values consistent with a regional service and possible projects or currently existing parks and greenways that may be considered regionally significant
- Potential partnerships for acquisition and management
- Summary of findings and cost analysis considerations

If the board wishes to pursue a regional parks service and a general direction for the service is determined then the next step would be to formally activate the regional parks service through a bylaw conversion. This step would take approximately three to four months and would involve the following process:

- Introduction of a bylaw to convert the dormant continued service to one exercised under the authority of an establishing bylaw (elector approval is not required for adoption of the conversion bylaw).
- Two-thirds of the participants in the service provide consent (written consent from municipal councils and the electoral area directors representing the current participating jurisdictions).
- Provincial review and statutory approval by the Inspector of Municipalities.
- Board considers adoption of the bylaw.

It is proposed that the regional service seek to include the regions original participants as well as the Village of Cumberland with their Council's consent being sought and considered as part of the two-thirds requirement noted in the list above.

Upon activation of the service, the final step would be to work with participating jurisdictions on the development of a strategic plan. This plan would work out the details of the service including:

- The role and vision for the service
- Defining the direction, policies, priorities and actions for the service
- Partnership opportunities
- Funding model
- Management model

Policy Analysis

Currently the CVRD operates the community Electoral Areas A, B, and C Parks and Greenways Service (Function 621) that enables the CVRD to raise money to acquire and operate parkland within the electoral areas only. The following policy guidance and references in relation to a regional parks service are noted:

- Part of the implementation strategy of the Rural Comox Valley Parks and Greenways Strategic Plan (2011) includes the pursuit of ‘opportunities to jointly acquire land to meet park needs in municipal and electoral area’. Mechanisms suggested to accomplish this include a regional acquisition fund and a regional parks service.
- Goal 5.4.1 of the Sustainability Strategy calls for consideration of “opportunities to jointly acquire land to meet park needs in municipal and electoral areas”.

On September 29, 2020 the CVRD Board adopted a [Property Acquisition Policy](#) to ensure that a consistent and equitable framework is followed in acquiring property in support of CVRD approved projects, programs and policies. While this policy provides corporate guidelines for staff and elected officials respecting the acquisition process, it does not provide specific parameters or strategic considerations respecting a regional parks service or any other CVRD service.

Following the proposed background study and subject to the regional parks service being activated, it is envisioned that a strategic planning process would be undertaken in consultation with the public to establish and guide the objectives, priorities and targeted outcomes for the service, including policy to define the CVRD’s role, the role of partnerships and the community, and to guide acquisition, design, development, operations, renewal, use and programming.

Options

The following options are available to the board:

1. Direct staff to engage regional partners (municipalities and K’ómoks First Nation) and perform a background study to explore current best management practices employed in other regions offering a regional parks service including a model review, regulatory review and funding and operations review. This study would also include a review of local parks and greenways plans to identify values and possible projects and existing parks and greenways that may be aligned with a regional service. This would be funded by committing \$25,000 from the Regional Feasibility Study Service (Function 150).
2. Direct staff to immediately bring forward a bylaw to convert the dormant continued service to one exercised under the authority of an establishing bylaw. Once converted, direct staff to engage regional partners and begin a strategic planning process to explore funding, acquisition, governance and land options for the service with funding from the regional parks service.
3. Do not seek to activate the service or explore the feasibility of a regional parks service at this time.

Staff recommend option 1 at this time. This would include working with the municipal park managers and the Chief Administrative Officers in the preparation of the background study to identify a general direction for a regional parks service for the board to consider.

Board Strategic Drivers

Undertaking a regional parks service is in alignment with the following board strategic drivers:

- Community partnerships
- Climate crisis and environmental stewardship and protection

Financial Factors

No tax requisition has been collected for the regional parks service since 1975. The maximum requisition set as part of the historical function is \$0.039/\$1,000 of assessed value which was based on the 17 participating jurisdictions under the Comox Strathcona Regional District. If transitioned into the new reactivated service with the smaller participating jurisdictions, this would equate to approximately \$650,000 per year for the service.

Given the approximate timeline respecting the delivery of a background study and then the potential activation of the service, the creation and adoption of a financial plan for the service through the 2021-2025 financial planning process is not feasible. As such, the Board may consider use of funds from the Regional Feasibility Study Service (Function 150) to support desired background study work in 2021.

If the board supports the regional parks function, staff could work towards a financial plan for the service during the 2022-2026 financial planning process.

Legal Factors

In 1996 under the Local Government Act, regional districts were able to convert SLP's to the authority of bylaw. This conversion did not occur for the CVRD regional parks service. Therefore, reactivating the service would require participation by local governments as well as the adoption of a conversion bylaw. The adoption process requires approval by 2/3 of the participants. Elector approval is not required for adoption of the conversion bylaw.

The SLP notes the Village of Cumberland may be authorized to participate and share in the costs of this function on such terms and conditions as may be acceptable to the board. If desired, the Village of Cumberland may be included in the service through the bylaw conversion process.

Regional Growth Strategy Implications

The Regional Growth Strategy does not specifically mention the regional parks service although one of the growth principles in the document is to 'protect key natural and ecological features throughout the Comox Valley'.

Goal 2 of Regional Growth Strategy identifies the protection, stewardship and enhancement of the natural environment. It indicates a strong need for a 'regional and coordinated approach to environmental protection and enhancement that emphasizes protection, enhancement and connectivity'.

Intergovernmental Factors

Activating and managing a regional parks service will require the collaborative efforts of all participating local governments. Each participating local government would need to commit resources to managing and funding the service.

K'ómoks First Nation has unceded rights to the lands within the CVRD. Understanding and respecting the cultural and economic goals of the K'ómoks First Nation will be critical to the success of a regional parks service.

Interdepartmental Involvement

Activating the regional parks service would require dedicated staff resources from financial services, legislative services, communications and the parks service.

Citizen/Public Relations

The public will need to be notified of the regional parks service and the potential financial impacts this may have. A communications plan for the project would need to be developed.

Attachments: Appendix A – "Regional parks precedent overview"

Regional Parks Services - Precedent Analysis

Regional District	Established	Current number of 'regional' parks and Trails	Participants	Funding Model	Decision Making Model	Committee structure	Notes
Capital Regional District (CRD)	1966 (SLP), 1987 (Bylaw)	33 parks, 3 trails	13 municipalities, 3 electoral areas	Acquisition - Property tax requisition (Land acquisition fund). Operations - property tax requisition	Staff make recommendations to a parks committee which considers and brings forward supported recommendations to the board for approval.	Parks committee made up of 12 representatives from the munis and electoral areas.	Electoral areas also have a community parks service run by commissions.
Cowichan Valley Regional District	1972 (SLP), 1999 (Bylaw)	8 parks, 1 trail	4 municipalities, 9 electoral areas	Acquisition - property tax requisition (regional parkland acquisition fund). Operations - Level of funds determined annually by the board through tax requisition (property tax).	Staff make recommendations to a regional services committee which considers and brings forward supported recommendations to the board for approval.	Regional services committee made of 15 members that mirrors board structure.	Electoral areas each have a separate community parks function and they are each taxed separately for community parks service development. Community parks staff recommendations brought forward to a community services committee. Community electoral area parks and regional parks share regional staff resources.
Regional District of Nanaimo (RDN)	1989 (SLP), 2001 (Bylaw)	12 parks, 8 trails	4 municipalities, 7 electoral areas	Acquisition - parcel tax. Operations - annual tax requisition based on proportion of each munis population to the total RD population.	Staff make recommendations to a regional parks and trails select committee which considers and brings forward supported recommendations to the board for approval. Service agreement with munis and RD to consult on planning and coordination of future park acquisition and development.	Regional parks and trail select committee made up of 14 of the 19 board members.	Parcel tax not recommended as not considered socially equitable. RDN staff are trying to move away from this type of tax and have recommended 50/50 converted assessment and population. Also have recommended introduction of DCCs. These recommendations have not been approved by the board.
<i>Metro Vancouver</i>	1967 (SLP), 1972 to GVRD (SLP), 2005 (Bylaw)	23 parks, 4 reserves, 2 conservancy areas, 5 trails	23 municipalities, 1 treaty First Nation, 1 electoral area	Acquisition - property tax requisition (land acquisition and development fund). Operations - property tax requisition (infrastructure reserve fund)	Staff make recommendation to a regional parks committee which act as an advisory committee, decisions brought forward to the board for approval.	Regional parks committee made up of 14 members. These members are decided by the board chair and do not necessarily need to be board members.	No electoral area community parks service. Exploring possible DCC program in the future to supplement funding and have regional development bear some of the costs.