

DATE: March 3, 2021

FILE: 4020-01

TO: Chair and Directors
Electoral Areas Services Committee

FROM: Russell Dyson
Chief Administrative Officer

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

RE: Restructuring of Regulatory Services - Update

Purpose

To introduce the draft communication plan, and amendment bylaws that support the required legislative process for the proposed restructuring of several existing regulatory services to streamline service delivery and achieve efficiencies respecting governance, administration, and public communication.

Recommendation from the Chief Administrative Officer:

THAT the Comox Valley Regional District Board direct staff to proceed with the Restructuring of Regulatory Services Project as outlined in the staff report dated March 3, 2021;

AND FURTHER THAT the Comox Valley Regional District Board support the use of \$36,000 from the future expenditure reserve for Function No. 295 (Animal Control) and \$36,548 from the future expenditure reserve for Function No. 298 (Unsightly Premises) towards the purchase of a new bylaw enforcement vehicle in 2021 in Function No. 291 (Animal Control), with these transactions to be reflected in the 2021 – 2025 recommended financial plan.

AND FINALLY THAT the associated amendments to the service establishment bylaws be introduced and given first and second readings.

Executive Summary

- The Comox Valley Regional District's (CVRD's) COVID-19 Response and Renewal report for the Electoral Areas Services Committee identified restructuring of the existing regulatory services within the Electoral Areas, which include Noise Control (function No. 295), Animal Control (function No. 291), Unsightly Premises (function No. 298) and Fireworks (function No. 299).
- This proposal follows a similar initiative conducted in 2018 respecting local water services and is targeted at achieving similar outcomes, including streamlined service delivery and efficiencies and flexibility respecting governance, administration, and public communication.
- The proposed administrative restructuring would result in a Denman Island and Hornby Island Bylaw Enforcement Service, and an Electoral Area A (Baynes Sound), Electoral Area B (Lazo North and Electoral Area C (Puntledge – Black Creek) Bylaw Enforcement Service, and would not present any financial impact to residents.

Prepared by:

A. Yasinski

Amanda Yasinski
Manager of Bylaw Compliance

Concurrence:

A. Mullaly

Alana Mullaly, RPP, MCIP
General Manager of Planning and
Development Services

Background/Current situation

The COVID-19 Response and Renewal report that was presented on August 10, 2020 to the Electoral Areas Services Committee, considered the various tasks for the Electoral Areas and identified certain changes that could be implemented. One of the proposed actions from this assessment was to pursue the merger of bylaw compliance services under two services to streamline the delivery and administration of these services.

There are currently five existing regulatory services that are separate functions from one another, and vary in service area. For Electoral Areas A, B and C the CVRD provides services for land use enforcement, unsightly premises, noise control, animal control (Vancouver Island portion only) and fireworks. There are no CVRD services for land use enforcement or animal control on Denman Island or Hornby Island.

Staff are proposing to pursue the following two services:

- Restructuring of existing bylaw services to form an Electoral Area A (Baynes Sound portion) B, and C bylaw enforcement service:
 - Expand the purpose of the existing animal control service to include noise control, unsightly and fireworks;
 - Land use administration and zoning service to stay with planning.
- Restructuring of existing bylaw services to form a Denman Island and Hornby Island bylaw enforcement service:
 - Expand the purpose of the fireworks service to include noise control and unsightly premises;
 - Amend the boundary to encompass only Denman Island and Hornby Island.

For the merger of the services and repeal of the redundant service establishment bylaws director consent is required from 2/3rds of the participating jurisdictions (Electoral Areas A, B and C) as well as approval by the Ministry of Municipal Affairs.

Despite this change presenting no notable financial impacts to residents, a communication plan, attached as Appendix A to this report, has been developed to ensure the public is informed of the proposed changes. The plan includes a website project page to support this initiative, as well as the use of social media and print advertising. These details are further described within the citizen/public relations section of this report.

The expected timeline to accomplish the restructuring of existing bylaw services, is identified as follows:

- Q1 2021: Staff to bring draft bylaws for introduction and a communication plan to inform the community of the proposed changes.
- Q1 and Q2 2021: Public communication in the spring of 2021.

- Q3 2021: Report to the Electoral Areas Services Committee respecting the results of the community engagement. Consideration of third reading of required bylaws followed by director consent and submission to the Inspector of Municipalities for approval.
- Q4 2021 Consideration of final adoption of bylaws.

Options

Option 1: Approve the recommendation in this report, to approve the communications plan and provide first and second reading to the draft bylaws.

Option 2: Alternatively, the committee can direct staff to review alternative approaches to the service merger concept or not proceed with the merger at this time.

This report supports option 1.

Financial Factors

The financial benefits from combining existing bylaw services, will include ease of administration of the bylaw service from a budget perspective, as well as accessibility to additional funds when required during legal action files.

The Reserve funds for Animal Control Function No. 291 can remain, and form the reserve fund balance for the newly established Electoral Area A (Baynes Sound portion) B, and C bylaw enforcement service. However, the reserve funds within the existing bylaw services for Noise Control and Unsightly Premises will have to be individually expended before that service can be repealed and encompassed into a new service.

The current reserve fund balances for each existing bylaw service are shown in the table below.

Reserve Fund Balances as of December 31, 2020		
Function No. 291	Animal Control	\$131,198
Function No. 295	Noise Control	\$36,000
Function No. 298	Unsightly Premises	\$36,548
Function No. 299	Fireworks	No reserve established

Staff have reviewed options to expend the outstanding reserve balances for both Noise Control and Unsightly Premises. The best option to equally expand these funds across the existing service areas has been identified in the purchase of a replacement vehicle for bylaw services. The use of these funds towards a bylaw vehicle would be mutually beneficial to both newly formed services. The existing bylaw vehicle is scheduled to be replaced in 2021 with the funds currently budgeted out of function No. 500 (Electoral Areas Planning Service). Should the board authorize staff to proceed with the Restructuring of Regulatory Services Project as outlined in this staff report, and further authorize staff to utilize funds from the Noise Control and Unsightly Premises reserve funds totalling \$72,548 to purchase a new bylaw vehicle, the 2021 – 2025 recommended financial plan will reflect the following:

- Function No. 295 – Noise Control
 - A transfer from reserves to operating revenues in 2021 in the amount of \$36,000 with a corresponding transfer to other functions of the same amount to function No. 291 – Animal Control;
- Function No. 298 – Unsightly Premises
 - A transfer from reserves to operating revenues in 2021 in the amount of \$36,548 with a corresponding transfer to other functions of the same amount to function No. 291 – Animal Control;

- Function No. 291 – Animal Control
 - A recovery from other functions in 2021 in the amount of \$72,548 to be contributed to the future expenditure reserve for the service also in 2021;
 - Capital expenditures in 2021 for the purchase of a new bylaw vehicle in the amount of \$72,548 to be funded by reserves;
- Function No. 500 – Planning Service
 - A reduction in capital expenditures in 2021 by \$30,000 for the replacement of the 2014 Nissan Rogue with a corresponding reduction in transfers from the capital works reserve (No. 850) for that service.

Following this vehicle purchase, the next vehicle replacement would be scheduled for 2027 and would be accommodated from Function No. 500 at that time.

Legal Factors

No specific factors at this time.

Intergovernmental Factors

As the changes present no tax impacts to local area residents and property owners it is proposed that participating area approval be achieved through director consent, not an Alternate Approval Process (AAP) or assent vote (referendum). Inspector approval will be required to accomplish the two new independent bylaw services.

Citizen/Public Relations

The proposed services restructure will be communicated to the public, including the requisition rates for each proposed service. The draft communication plan has been structured to ensure the residents are aware of the bylaw structure taking place, that there is zero tax impact for this change, and to increase knowledge regarding bylaw enforcement overall, within the region. The communication plan includes a website project page to support this initiative, as well as the use of social media and print advertising.

Attachments: Appendix A – Draft Communication Plan

Project Name: Bylaw Combining Services	File: 21-000013
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Purpose

- To create a communication plan to educate residents on the bylaw restructuring.

Target audience(s):

- Residents in Electoral Area A, B and C
- CVRD Board of Directors
- CVRD staff

Project background:

As part of the CVRD's COVID-19 Response and Renewal report for the Electoral Areas Services that was presented on August 10, 2020 to the Electoral Areas Services Committee, core services were assessed for changes based on five key principals, being:

- Maintaining core services at an affordable cost
- Sustaining stable services in support of the local economy
- Adapting to changing community priorities
- Realigning resources to support community renewal initiatives
- Communicating clearly about actions.

One of the proposed actions from this assessment was to pursue the merger of bylaw compliance services under two services to streamline the delivery and administration of these services.

There are currently five existing regulatory services that are separate functions from one another, and vary in service area. For Electoral Areas A, B and C the CVRD provides services for land use enforcement, unsightly premises, noise control, animal control (Vancouver Island portion only) and fireworks. There are no CVRD services for land use enforcement or animal control on Denman Island or Hornby Island.

Staff are proposing to pursue the following two services:

- Restructuring of existing bylaw services to form an Electoral Area A (Baynes Sound portion) B, and C bylaw enforcement service;
- Expand the purpose of the existing animal control service to include noise control, unsightly and fireworks;
- Land use administration and zoning service to stay with planning.

- Restructuring of existing bylaw services to form a Denman Island and Hornby Island bylaw enforcement service:
- Expand the purpose of the fireworks service to include noise control and unsightly premises;
- Amend the boundary to encompass only Denman Island and Hornby Island.

Inspector approval from the Ministry of Municipal Affairs and Housing will be required for the merger of the services and repeal of the redundant service establishment bylaws. As the changes present no tax impacts to local area residents and property owners it is proposed that participating area approval being achieved through director consent, not an Alternate Approval Process (AAP) or assent vote (referendum).

The expected timeline to accomplish the restructuring of existing bylaw services, would be as follows:

- Q1 2021: Staff to bring draft bylaws for introduction and a communication plan to inform the community of the proposed changes.
- Q1 and Q2 2021: Public communication in the spring of 2021.
- Q3 2021: Report to the Electoral Areas Services Committee respecting the results of the community engagement. Consideration of third reading of required bylaws and submission to the Inspector of Municipalities for approval.
- Q4 2021 Consideration of final adoption of bylaws.

Spokesperson: Amanda Yasinski, Manager of Bylaw Compliance

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

Communication Objectives: 3-5 objectives

- To ensure residents are aware of the bylaw restructure.
- To ensure residents aware there is zero tax impact for this change.
- To increase knowledge regarding bylaw enforcement within region.

Key Messages: (3-5 key messages for media or target audience)

- Hornby and Denman expanding the Fireworks Service to include noise and unsightly premise and new service will be named: Denman and Hornby Bylaw Enforcement Service. Currently no animal control service on Hornby and Denman Islands.

- Electoral A, B and C (without Hornby and Denman) expanding animal control service to include unsightly premise, noise and fireworks. New service will be called Bylaw Enforcement Service.
- Restructuring the bylaw enforcement service into a single stream has zero tax impact to residents and will assist in streamlining efficiencies administratively.
- For more information on the restructuring visit: www.comoxvalleyrd.ca/bylawenforcement

Timeline:

- Public education would occur in spring 2021.

Tool/Task	Description	Responsible Party	Budget	Date
CVRD website	Create a website project page in support of this initiative	Content: Amanda Create Project: Jennifer/Beverly	NA	Content: May 15, 2021 Publishing: May 30, 2021
EA Engagement Newsletter	Include an article on the bylaw service restructuring within the June newsletter.	Content: Zinc Review/ approval: Jennifer/Amanda	NA	Content: May 2021 Distribution: June 2021
News Release	Develop news release regarding this change – Inform residents	Content: Amanda/Jennifer Distribute: Jennifer	NA	Draft: May 2021 Distribute: June 2021 (in time with newsletter)
Print Advertisement	Develop print ad driving to website project page for more information regarding change	Content: Amanda/Jennifer Design: Beverly	\$1,000 (two print ads)	Draft: May 2021 Distribute: June 2021 (in time with newsletter)
Social Media Posts	Develop one social media post in support driving for more information to the CVRD website	Content: Beverly Review: Amanda	NA	Draft: May 2021

Tool/Task	Description	Responsible Party	Budget	Date
		Distribute: Beverly		Distribute: June 2021 (in time with newsletter)

Budget

- \$1,000 for print advertisements regarding service adjustment

Evaluation

- The number of website clicks, comments and feedback received will be reviewed/collected.

Approval History

Created by:	Jennifer Steel Amanda Yasinski February 8, 2021
Amended:	

