



**REPORT TO JUAN DE FUCA LAND USE COMMITTEE
MEETING OF TUESDAY, MAY 17, 2016**

SUBJECT 2016 Regional Growth Strategy

ISSUE

To provide comments on the draft 2016 Regional Growth Strategy (RGS) document.

BACKGROUND

On March 9, 2016 the Capital Regional District (CRD) Board resolved to invite Municipal Councils and the Juan de Fuca (JdF) Land Use Committee (LUC) to provide comment on the draft 2016 RGS.

The 2016 RGS document identifies specific changes as directed by the CRD Board. The LUC has an opportunity to provide comments on new and existing RGS provisions, as the RGS policies have a significant impact on the preparation and administration of the JdF Official Community Plans (OCPs) and land use regulations, as all JdF OCPs must be consistent with the RGS.

With respect to the JdF Electoral Area, the RGS must be considered in relation to seven adopted OCPs. Further, while the LUC can provide comments on the RGS as to its impacts, the Electoral Area does not vote on the acceptance of a RGS. Section 436 of the *Local Government Act (LGA)* states acceptance by an affected local government is required and the CRD Board acts as the local government for the Electoral Area. In addition, Section 446 of the *LGA* requires that municipalities must include a regional context statement in their OCP that is accepted by the regional district board. The regional context statement must identify the relationship between the OCP and the required content of the RGS and if applicable, how the OCP is to be made consistent with the RGS over time. However, Section 445 of the *LGA* states that all bylaws adopted by a regional district board and all services undertaken by a regional district, after the board has adopted a regional growth strategy, must be consistent with the regional growth strategy. JdF OCPs are bylaws adopted by the CRD, and therefore, must be consistent with the RGS. Consistency with the RGS is determined by the full CRD Board.

ALTERNATIVES

1. a) That the comments on the 2016 Regional Growth Strategy (RGS) as outlined in the staff report, be received by the Land Use Committee for information; and
b) That the Land Use Committee forward the minutes of its discussion regarding the 2016 RGS to staff for incorporation into the report going to the Committee of the Whole.
2. a) That the comments on 2016 Regional Growth Strategy as outlined in the staff report, be received by the Land Use Committee for information; and
b) That the Land Use Committee withhold comment.

JDF REFERRAL COMMENTS

For clarification purposes, there are four references to the statement “at the date of adoption of the RGS bylaw”. Since Bylaw No. 2952 is to be rescinded, this statement is taken to reference the date of adoption of the 2016 RGS bylaw.

With the focus on growth management and the Regional Urban Containment and Servicing Policy Area (RUCSPA), which relates to the Core area and the suburban parts of the Saanich Peninsula and the West Shore, the RGS has an urban focus. Several polices are being suggested to address some rural issues.

Specific comments on the RGS are provided in Appendix A. In general they relate to the need to:

- Establish a cost of servicing policy for the extension of regional services;
- Amend policy area designations and Maps 3 and 4 to recognize the land use designations and provisions in the adopted Port Renfrew Comprehensive Community Plan;
- Recognize small-scale recreational and tourism development in the Renewable Resource Lands as a means to diversify the JdF economy;
- Provide for buffering and land use transition between urban areas and Capital Green Lands, Renewable Resource Lands and Rural/Rural Residential Lands;
- Protect the availability and quality of groundwater to service existing and proposed development;
- Update the Regional Green/Blue Spaces Strategy if it is to be more than a historic reference document for the RGS.

Staff have prepared Appendix A to provide a basis for the LUC discussion on the RGS.

CONCLUSION

In response to the request for comments on the 2016 RGS from the CRD Board Chair, staff has provided comments for consideration by the LUC.

RECOMMENDATIONS

- a) That the comments on 2016 Regional Growth Strategy (RGS) as outlined in the staff report, be received by the Land Use Committee for information; and
- b) That the Land Use Committee forward the minutes of its discussion regarding the 2016 RGS to staff for incorporation into the report going to the Committee of the Whole.

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Appendix A: Specific Comments on 2016 RGS

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(Note all page numbers relate to the clean version of the Draft (v.1.4) February 2016)

Objective 1: Managing and Balancing Growth - Land Use Policy Designations

Capital Green Lands Policy Area – page 8

The RGS notes that the Capital Green Lands Policy Area was identified in the Regional Green/Blue Spaces Strategy. However, Maps 3 and 4 include current Ecological Reserves, CRD Water Lands and Major Parks mapping data which supersedes the Regional Green/Blue Spaces Strategy. Therefore the reference to the Regional Green/Blue Spaces Strategy should be removed. The Regional Green/Blue Spaces Strategy needs to be updated and this should be acknowledged in the document.

Renewable Resource Lands Policy Area – page 8

The RGS notes that the Renewable Resource Lands Policy Area was identified in the Regional Green/Blue Spaces Strategy. However, Maps 3 and 4 include current Agricultural Land Reserve (ALR), Crown and Private Managed Forest Lands (PMFL) mapping data which supersedes the Regional Green/Blue Spaces Strategy.

It should be noted that the Renewable Resource Lands Policy Area, besides including agricultural and forest harvesting uses on Crown Forest and PMFL, can also include forestry related industrial uses, mining and gravel extraction, all of which are provincially regulated. Further, the Rural Resource Lands OCP accommodates resource extraction, tourism, residential (one dwelling unit) and recreational uses in appropriate locations. Therefore, it is suggested that the definition be amended to read:

“Renewable Resource Lands Policy Area: Includes lands within the Agricultural Land Reserve (ALR), the Privately Managed Forest Land and Crown Forest Lands. The Regional Growth Strategy sets out in policy 1.2(2) the continued long-term use of these lands as renewable resource working landscapes, and small-scale recreation and eco-tourism uses. These working landscapes also contribute to the regional green space system.”

Unprotected Green Space Policy Area – page 9

The RGS notes that Unprotected Green Space Policy Area includes lands, shown on Maps 3 and 4, identified in the Regional Green/Blue Spaces Strategy as unprotected core green space (i.e., areas with green space value which are not in existing parks or protected areas). The Regional Green/Blue Spaces Strategy mapping has not been updated to reflect the lands that have been provided protection through a variety of means including designation as a development permit area for the protection of ecological values or protection by a conservation covenant. The Unprotected Green Space Policy Area shown on Maps 3 and 4 should be updated by incorporating more recent data from OCPs prior to adoption of the 2016 RGS.

Rural/Rural Residential Policy Area – page 9

Within JdF, this designation may also include PMFL.

Objective 1: Managing and Balancing Growth - Map 3: Growth Management Concept Plan – page 11

Map 3 Growth Management Concept Plan reflects the underlying OCPs designations and zoning in JdF with the exception of Port Renfrew.

Although the Port Renfrew Comprehensive Community Plan was adopted prior to the RGS, Map 3 in the 2003 RGS designated Port Renfrew as renewable resource lands, while the Community Plan designated most of the area as Tourism Commercial and Residential. In addition, part of

the community is serviced by CRD water, using a local ground water source, and by a small CRD sewer service. Map 3 in the 2016 RGS, which designates Port Renfrew as Rural/Residential does not reflect the current zoning and servicing, which provides for urban-scale lots and commercial tourism uses and CRD water and sewer in a portion of the community. It is suggested that Port Renfrew be designated as a “Regional Urban Containment and Servicing Policy Area” (RUCSPA). This designation would be congruent with the OCP and current levels of servicing.

Objective 1: Managing and Balancing Growth - Policy 4 – page 13

It is noted that the 2016 RGS eliminates the restriction to extend urban water services outside the RUCSPA as a growth management tool. Instead the RGS proposes to manage growth through land use tools. There is support in JdF for the elimination of the restriction to extend urban water services outside the RUCSPA as a growth management tool. Growth is managed in the JdF through OCPs which establish land use designations and related density limits. As noted above, all JdF OCPs and all OCP amendments must be consistent with the RGS and it is the full CRD Board that determines consistency.

As outlined in the draft East Sooke and the Shirley/Jordan River OCPs, there is support for the concept of user-pay for participants in extensions of CRD regional services. The service establishment bylaws developed for an extension, identify the costs charged to participants for providing the service. Therefore, to facilitate this approach, it is suggested that a cost of servicing policy be embedded in the RGS or that it be noted that a policy should be prepared as per the following:

- “5. Prepare and adopt a cost of servicing policy for extensions of regional services and facilities that includes capital, operational, maintenance, sunk and replacement costs and incorporates the principal of user-pay.”

Further, as this policy relates to sewer service delete the words “...to provide fire suppression”.

Objective 1.2 Protect the Integrity of Rural Communities – policy 2 and 4 – page 14

As Maps 3 and 4 include updated mapping data for the Capital Green Lands and Renewable Resource Lands, sentence two of the introductory paragraph should be amended by deleting reference to the Regional Green/Blue Spaces Strategy.

As noted above, the Renewable Resource Lands Policy Area, besides including agricultural and forest harvesting uses on Crown Forest and PMFL, can also include forestry related industrial uses, mining and gravel extraction, all of which are provincially regulated. Further, the Rural Resource Lands OCP provides for tourism and uses within these lands. Therefore, it is suggested that policy (2) be amended to read:

- “2. Ensure the long-term protection of Renewable Resource Lands depicted on Maps 3 and 4. This would include policies aimed at buffering Renewable Resource Lands from activities in adjacent urban areas, and policies that support farming within the Agricultural Land Reserve, and forestry, silviculture, forestry related industrial uses, mining and gravel extraction, and small scale recreation and eco-tourism uses within the Crown forest and the Privately Managed Forest Land.”

As the District of Sooke RUCSPA is adjacent to portions of JdF, policy 4 should be amended to also include Rural/Rural Residential Lands. Therefore, it is suggested that policy (4) be amended to read:

- “4. Identify in a Regional Context Statement or urban area OCP, where appropriate, policy guidelines for buffering and land use transition between urban areas and Capital Green Lands, Renewable Resource Lands and Rural/Rural Residential Lands, and how the guidelines would be applied through regulation.”

Objective 2: Environment and Resources - Section 2.1 Protect Regional Green and Blue Space – page 15

Paragraph one refers to Map 4: Regional Green/Blue Spaces System. As Map 4 includes Crown Forest, ALR and PMFL, and updates of mapping data not included in the Regional Green/Blue Spaces Strategy, it is suggested that sentence five be deleted and sentence six amended to read:

“Map 4 identifies the regional green/blue space system that the Regional Growth Strategy intends to achieve, including the protection of a sea to sea green/blue belt running from Saanich Inlet south to Juan de Fuca Strait, and the development of an integrated system of parks and trails linking urban areas to rural green space areas within the Capital Green lands, the ALR, Crown forest lands and PMFL.”

It is also recommended that the first sentence of the second paragraph delete reference to the Regional Green/Blue Spaces Strategy.

Local governments can provide polices in their OCPs and zones within land use bylaws regarding the protection and permitted use of the surface of marine water and the foreshore environment. Therefore, it is suggested that the last paragraph be amended to read:

“The Capital Region’s rich marine water and foreshore environments are an equally important part of the proposed green/blue space system. The Regional Green/Blue Spaces Strategy identifies many of these waters and tidal zones as having ecological value of regional and indeed national significance. These marine areas fall primarily under the jurisdiction of the federal and provincial government, however local government can provide land use regulation over the surface of marine waters. The RGS proposes that the CRD, member municipalities, the JdF Electoral Area and the provincial and federal governments work together to protect the ecological integrity of the marine areas identified as Blue Space Core Policy Area on Map 4.”

Objective 2: Environment and Resources - Section 2.2 Manage Natural Resources and the Environment Sustainably – page 16

There is support in the JdF Electoral Area (EA) for the management of surface water, drainage and groundwater and there is significant concern for the protection of the quality and quantity of potable water available to private wells for domestic use. It is suggested that confirmation be sought that Policy 2.2.2 protects the long and short term availability and quality of groundwater.

While the resource base (forestry and mining) is governed by the Province and operates outside local government jurisdiction, the RGS should advocate for the Province to include the CRD, member municipalities and JdF EA communities in their decision-making process to ensure that local community impacts are considered. It is suggested that paragraph 2 in Section 2.2 include a statement that the CRD in responding to resource development referrals reflect the noted principles and local community impacts.

Objective 3: Housing and Community – page 17

In Section 3.1 policy 1 should clearly indicate that complete communities applies to lands within the RUCSPA.

While this objective focuses on the RUCSPA consideration should be given to how all parts of the region can contribute to improving housing affordability. For instance, in the JdF EA improving housing affordability is addressed through the multiple dwelling provisions of the Rural A zone, recognition of mobile homes as a dwelling unit and by the provision of secondary suites and detached accessory suites. This can be done by acknowledging these forms of housing in the introductory paragraph of Section 3.2.

Objective 5: Economic Development – Section 5.1 Strengthen the Regional Economy – page 20

The RGS in 2003 recognized that the resource-based economy of Sooke and JdF was changing. While there is active forest harvesting occurring in JdF there are few jobs created as most value added production occurs off shore. Also there is a small agricultural sector in the JdF EA however it focuses primarily on market gardens and farm-gate sales. Therefore, one of the significant regional growth and quality of life issues that need to be addressed continues to be finding ways to expand and diversify the economy of formerly resource-dependent communities in Sooke, the JdF EA, and the region as a whole. The Rural Resource Lands OCP makes provision for consideration of small-scale recreational and tourism developments. Therefore, a new policy is suggested:

“3. Allow for small-scale recreational and tourism developments within the Renewable Resource Lands Policy Area, in order to support the expansion and diversification of the JdF EA economy.”

Implementation Measures – page 23

Item I-3(b)

There is only one electoral area subject to the RGS; therefore, amend this item by replacing the words “electoral areas” with the words “JdF Electoral Area”.

Item I-4

As the Juan de Fuca OCPs must be consistent with the RGS, it is suggested that this item be amended to read:

“I-4. Work to reach agreement with local municipalities on Regional Context Statements within two years of the adoption of the Regional Growth Strategy. Regional Context Statements, adopted within the applicable OCP, set out how each municipality will address RGS policies. OCPs in the Juan de Fuca Electoral Area will identify how the plan correlates with the objectives and policies in the RGS.”

Item I-6

As the Regional Green/Blue Spaces Strategy was a foundation document for the RGS, it is suggested that this measure be amended to read:

“I-6 Coordinate the review and update of regional planning documents, including the Green/Blue Space Strategy, to inform future updates of the Regional Growth Strategy.”

TABLE 2: TARGETS BY PRIORITY AREA AND OBJECTIVE – page 25

Priority Area 1 – Managing and Balancing Growth, Objective 1.2 Protect the Integrity of Rural Communities

It is suggested that a new bullet be added which states:

- Report on the municipal OCPs that include inter-municipal policy guidelines for buffering and land use transitions between urban areas and Capital Green Lands, Renewable Resource Lands and Rural/Rural Residential Lands.

Priority Area 2) Environment and Resources, Objective 2.1 Protect Regional Green and Blue Spaces

It is suggested that the second bullet be amended by deleting the words “a minimum of” and adding at the end of the bullet the words “as identified in the Regional Trails Management Plan”.

It is suggested that a new bullet be added which states:

- Identify long-term opportunities for protection of environmentally sensitive lands and areas of interest within the Renewable Resource Lands.

APPENDIX C Glossary

Further clarification could be provided with the inclusion of definitions for “rural”, “buffering and land use transition”, “urban areas”, “urban development”, “renewable resource working landscapes”, “subdivision and density limits”, “urban-standard sanitary sewerage services” and “liquid waste service”.

Updated Community Profile

The CRD Board Chair has requested consideration of how the LUC might want the JdF EA profile updated in the draft 2016 RGS. The 2003 RGS recognized the Langford and Sooke EA rather than the JdF EA. The LUC recommends that consideration be given to the following:

“The Juan de Fuca Electoral Area comprises approximately 151,189 hectares or about 61% of the CRD land area. It contains significant provincial, regional and locally controlled parks and trail systems, ecological reserves and the CRD Water Supply area. The Rural Resource Lands comprise approximately 132,000 ha or 83% of land in the Juan de Fuca Electoral Area and is primarily Crown Forest or Private Managed Forest Land. These lands are preserved for renewable resource working landscapes, and provide for natural green space and outdoor recreational and eco-tourism opportunities for residents and visitors to the Capital Region. Port Renfrew, a tourism and forestry based community provides for small-lot tourism-oriented urban development. Five small community areas, East Sooke, Otter Point, Malahat, Shirley/Jordan River and Willis Point maintain the rural character while providing rural residential choices.