



MEMORANDUM

To: Chair and members of the Electoral Area Services Committee
Chair and members of the Regional Board

From: Dawn Smith, Planner 1

Date: April 28, 2010

Subject: Electoral Area “E” Official Community Plan Update
Consultation Strategy and Advisory Planning Commission

File No.: 6480-20-580

Attachments: Advisory Planning Commission Bylaw No. 1033, 2010
Table – Consultation Strategy for Electoral Area “E” OCP Update

RECOMMENDATION:

THAT pursuant to Section 898 of the Local Government Act, the Regional Board give three readings and adoption of Bylaw No. 1033, 2010 to establish two Advisory Planning Commission’s in Electoral Area “E” for the purpose of preparing an update to the Official Community Plan.

AND THAT, pursuant to section 879 of the Local Government Act, the Regional Board adopt the memorandum including attachments dated April 28, 2010 as the consultation strategy for the Electoral Area “E” Official Community Plan Update.

FURTHER THAT the Regional District undertake early and ongoing consultation with:

- a) Electoral Area “E” and specifically residents and landowners by means of newsletters, open house and discussion events, two Advisory Planning Commissions and a public hearing;
- b) Sto:lo Nation Society, Sto:lo Tribal Council, Ch-ihl-kway-uhk Tribal Society, Popkum Band, Peters Band, Sumas First Nation, Cheam First Nation, and Soowahlie First Nation by means of written notification of plan development, request for input, identification of preferred consultation approach, and referral of a draft Plan;
- c) School District 33 (Chilliwack) by means of written notification and request for input, staff level meetings, and referral of a draft Plan; and,
- d) local, provincial and federal agencies by means of notification of plan development, request for input, staff level meetings, and referral of a draft Plan.

ISSUE:

In the interest of providing a consultation approach which meets the legislative requirements of the Local Government Act and the needs of the public and stakeholders, the Regional District must consider who and how to undertake consultation for the EA “E” OCP update. The strategy includes the establishment of two Advisory Planning Commissions (APC’s) in order to provide a strong

community role in the Plan development. This memo will outline the consultation strategy and information on the Advisory Planning Commission role for the Regional Board’s consideration.

BACKGROUND:

There are both legal and practical reasons why consultation is necessary in the development of an Official Community Plan. Legally local governments are compelled by Section 879 of the Local Government Act to provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected.

This local government must consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and on-going, and specifically whether consultation is required with;

- i. other municipalities;
- ii. first nations;
- iii. school boards and improvement district boards; and
- iv. Provincial and federal governments and their agencies.

At a minimum the Regional Board must provide one opportunity, this is in addition to the statutory public hearing under Section 882(3) (d) of the LGA. The Regional Board is not limited to those groups identified in the Local Government Act, and may also wish to extend consultation opportunities to others who may have an interest.

Section 879 LGA also requires the Regional Board to consider whether consultation should early and ongoing. This provides the Board with discretion to consider different methods of consultation for different groups, meaning that a one size fits all consultation approach is not required. While the terms *early and ongoing* consultation are not defined by the LGA it may involve;

- early - opportunities for interested parties to identify issues or concerns before a Plan is substantially developed or at first reading in the bylaw adoption process;
- ongoing - regular and frequent opportunities for consultation throughout the Plan process such as a local working group or Advisory Planning Commission.

In addition to our legal obligations, the Regional District has an interest to ensure that residents and stakeholders participate in the preparation in the OCP update and that Plan policies reflect community values and issues. Therefore engaging the community in the Plan update is essential. An Advisory Planning Commission provides a formal structure to receive community input and provides an opportunity to have key role in shaping the Plan development.

DISCUSSION:

Consultation Strategy

In order to meet our statutory obligations and ensure a broad range of interests are represented in the OCP update, the following five primary audiences should be consulted; (1) general public, including residents and landowners; (2) specific groups and organizations – such as conservation or community interest groups; (3) first nations; (4) school district, and; (5) other local, provincial and federal government organizations.

In practice, the timing and extent of consultation with each group depends on their interest in the Plan update. Some groups may have a specific area of focus or topic, whereas others may have wide ranging interest across the landscape. Also the structure of each audience influences the consultation approach. Formal/organized groups can be contacted directly, whereas input from informal audiences

such as the general public are require a variety of participation methods ranging from surveys, public open houses, newsletters by mail, along with website access to Plan information and feedback options.

Expanded details of the proposed Consultation Strategy are presented in the attached Table 1.0 – Consultation Strategy for the Electoral Area "E" OCP Update. In keeping with past OCP update projects, the following general principles will guide consultation efforts:

- consultation should guide a Plan which represents values and aspirations of the community, and therefore receives broad public support;
- public communications should be easily understandable and presented in plain language;
- a tone of openness, accessibility and respect should be maintained throughout the Plan Update process;
- opportunities for consultation should not be denied to any party that expresses a desire for input.

As we move forward with the Plan update process the consultation input will be shared with the EASC and Regional Board, including: original written submissions and public meeting notes as received; and compiled submissions (including first nations and government responses) along with staff prepared summary/analysis prior to giving reading or adoption of the OCP bylaw.

Advisory Planning Commission

The proposed Bylaw No. 1033, 2010 to establish the Electoral Area "E" APC's has a similar in structure, composition and procedure as previous APC's, including Electoral Area "F" and "G". The proposed APC bylaw details are as follows:

- the Regional Board will appoint members to the APC – a newsletter mailout to solicit member interest is underway and will be promoted at upcoming Open House events;
- appointed members are volunteers and will serve without remuneration;
- the APC is anticipated to meet approximately two to three times to complete the LAP process;
- the APC duties are exclusively related to OCP process, following its completion the Commission will no longer continue unless the Board wishes to amend the bylaw and do otherwise;
- membership will include not more than seven members, and pursuant to section 898 (3) (c) of the LGA at least 2/3 of the APC members must be residents of Electoral Area "E";
- FVRD staff will provide secretarial and administrative support to assemble agendas, provide meeting notice and prepare meeting minutes.

COST:

The Electoral Area "E" OCP update is a scheduled 2010 Planning Department work priority. A cost presentation has been included in the accompanying Scoping and Limitations staff memo on the May 2010 EASC agenda.

COMMENT BY DEPARTMENT HEAD:

Reviewed and supported by the Deputy Planner.

COMMENT BY DIRECTOR OF FINANCE:

Reviewed and supported.

COMMENT BY CHIEF ADMINISTRATIVE OFFICER:

Reviewed and supported.

FRASER VALLEY REGIONAL DISTRICT**Bylaw No. 1033, 2010****A Bylaw to Establish an Advisory Planning Commission
for Electoral Area "E"**

WHEREAS the Regional Board of the Fraser Valley Regional District has deemed it advisable to establish an Advisory Planning Commission for Electoral Area "E" pursuant to Section 898 of the Local Government Act;

THEREFORE the Board of Directors of the Fraser Valley Regional District in open meeting assembled enacts as follows:

A. ESTABLISHMENT AND APPOINTMENT OF THE COMMISSION

1. The Regional Board hereby establishes two Advisory Planning Commission's for Electoral Area "E" in order to represent the following communities;
 - i. Chilliwack River Valley
 - ii. Cultus Lake, Lindell Beach and Columbia Valley
2. The Board shall forthwith appoint members of the each of the Advisory Planning Commission's to make recommendations and advise the Board on matters respecting the preparation of an Official Community Plan for Electoral Area "E".
3. Each Advisory Planning Commission shall consist of not more than seven (7) members, and at least 2/3 of the members must be residents of Electoral Area "E".
4. Each Commission shall elect one of its members as Chairperson and another as Vice-Chairperson to act in the absence of the Chairperson.
5. In the event of the resignation of a member of a Commission, the Regional Board may appoint a successor to serve the balance of the term of appointment.
6. A member of the Regional District staff shall act as Secretary to the Commission.

B. REFERRALS TO THE COMMISSION

7. The Regional Board, the Electoral Area Services Committee or the Director for the Board for Electoral Area "E" may refer matters respecting the preparation of an Official Community Plan enacted under Part 26 of the Local Government Act, or other related matters pursuant to part 26 of the Local Government Act associated to the Official Community Plan, to the Advisory Planning Commission in order that it may advise the Board on those matters.

C. COMMISSION PROCEDURES

8. A quorum is a majority of the members of the Commission.

- 9. A decision of the Commission shall be made by consensus. In the event that consensus can not be reached, a decision may be made by a majority of the members present at a meeting.
- 10. The Chairman or any two members may call a meeting of the Commission upon giving at least four days' notice to each member.
- 11. Where any member of the Advisory Planning Commission or his family or his employer or his business associates has any conflict of interest with any matter being considered by the Commission, that member shall declare the conflict and shall not participate in the consideration of that matter.
- 12. Members of the Advisory Planning Commission serve as volunteers without remuneration.
- 13. The Secretary of the Advisory Planning Commission shall keep necessary records of meetings and of expenses, and perform such other secretarial duties as may be from time to time required by the Commission.
- 14. A copy of the minutes and of all reports of the Advisory Planning Commission shall be sent to the Electoral Area Services Committee of the Regional Board.
- 15. This bylaw may be cited for all purposes as the "Advisory Planning Commission for Electoral Area "E" Bylaw No. 1033, 2010.

D. READINGS

READ A FIRST TIME THIS XXth DAY OF XXXX, 2010

READ A SECOND TIME THIS XXth DAY OF XXXX, 2010

READ A THIRD TIME THIS XXth DAY OF XXXX, 2010

ADOPTED BY THE BOARD THIS XXth DAY OF XXXX, 2010

Chair/Vice-Chair

Chief Administrative Officer/Deputy

E. CERTIFICATION

I hereby certify that this is a true and correct copy of Bylaw No. 1033, 2010 as adopted by the Board of the Fraser Valley Regional District on the XXth day of XXXX, 2010. Dated at Chilliwack, B.C. this XXth day of XXXX, 2010.

Table 1.0 - Consultation Strategy for the Electoral Area "E" OCP Update

	Audience	List of specific groups*	Comments	Action	
Organizations required by Local Government Act (s. 879)	Provincial Agencies	Ministry of Transportation and Infrastructure Ministry of Environment Ministry of Forests and Range Fraser Health Authority Ministry of Agriculture and Lands Ministry of Public Safety and Solicitor General Integrated Land Management Bureau (crown lands) Agricultural Land Commission	Provincial agency interest in EA "E" are varied, ranging from; corrections facility site, forestry & resource extraction to subdivision and road management. Opportunities for consultation will be early and ongoing throughout the Plan development. Direct meetings will be important with the key agencies of MoE, MoTI, and MoFR.	i. Early notification by letter and request for input, including invitation to attend public meetings if needed; <ul style="list-style-type: none"> - notify that an OCP is under development; - request pertinent information that is useful in development the OCP; - provide an opportunity to identify issues of concern early on; - offer to meet and discuss issues of concern; - receive feedback from agency/group on preferred consultation approach; and - inform that a draft Plan will be referred after it has first reading. ii. Meetings - Regional District staff will meet agency/organization representatives to follow up on letter request input and/feedback received, if desired;	
	Federal Agencies	Department of Fisheries and Oceans Department of National Defence	Fisheries and Oceans Canada will likely have an interest in the OCP given the importance of the Cultus Lake Sockeye and Chilliwack River Valley watershed, along with the two DFO sites within the EA. Also the Department of National Defence is a significant landholder and utilizes portions of EA for their operations.		
	First Nations	Sto:lo Nation Society Sto:lo Tribal Council Ch-ihl-kway-uhk Tribal Society Popkum Band Peters Band Sumas First Nation Cheam First Nation Soowahlie First Nation	There are varied first nations interests within the EA with eight separate groups identified. Consultation options will be extended to all but likely some groups will desire a greater participation than others. Direct meetings will be important (if desired by first nation) to identify issues and options within the framework of the OCP to address concerns. First nation values within EA "E" are high. Therefore in addition to direct meetings and in order to ensure these values and issues are recognized; the Regional District could offer a first nations working group as a opportunity to contribute and inform the Plan, if desired.		
	School District	School District No. 33 (Chilliwack)	While there are no operating school sites within the OCP study area (Cultus Lake Elementary is within the Parks Board area), the School District will likely have an interest in development of the Electoral Area including; expected densities, demographics and population for school planning, safety issues, transportation such roads for bus route planning and more.		iii. Referral of draft plan.
	Local Government	Cultus Lake Park Board City of Chilliwack Chilliwack River Valley Fire Department Columbia Valley Fire Department Cultus Lake Fire Department FVRD Internal Departments - Engineering, Finance, Administration	Co-ordination with neighbouring jurisdictions including the Cultus Lake Parks Board and City of Chilliwack will be very important in development of the Plan. Direct meetings with representatives will be important to ensure Plan policies integrate with neighbouring/fringe areas and address issues to the extent possible. Local fire department services are volunteer based and consultation with these important service providers will be important in aligning future planning with fire protection services of the community. Internal FVRD departments will have a broad interest in the Plan given the Local Service Area functions provided in EA "E", including water service areas, dyke administration, sewer services, etc.		
Residents and landowners	Ratepayer Groups	Lindell Beach Residents Association Chilliwack River Valley Ratepayers Association Cultus Lake Community Association Post Creek Ratepayers Association Columbia Valley Ratepayers Association	Residents and landowners are central to the consultation strategy, given they are generally most affected by new Plan policies. The consultation strategy incorporates options for residents/landowners to participate informally through meetings, surveys and direct contact with staff & officials, and formally through the establishment of two Advisory Planning Commissions.	i. Invitation to Open House events - May 10 and 11, 2010; ii. Establish OCP update website to post information and announce events; iii. Newsletter and survey; iv. Liase with ratepayers groups, as desired; iv. Establish two Advisory Planning Commissions; one for Chilliwack River Valley, and a second for the Cultus Lake/Lindell Beach/Columbia Valley area to guide the Plan; v. Follow up Open House events and Newsletter to introduce draft Plan and receive input.	
	Residents, businesses and landowners		In addition, local ratepayers groups will be contacted to assist in sharing information and gathering input to their membership and the community at large. This will include direct contact by letters and emails, and the possibility of FVRD representatives attending ratepayers' meetings on request.		
Other community groups	Environmental, Recreation, Conservation and community interest groups	Fraser Valley Regional Watersheds Coalition Chilliwack River Action Committee Chilliwack River Valley Fish and Protective Association Chilliwack-Vedder Clean up Coalition Columbia Valley Stewardship Committee Recreation groups; identify with MoTSA staff Chilliwack Field Naturalists Fraser Valley Salmon Society	There are an extensive number of community interest groups in the EA, ranging from conservation focused groups to recreationalists. Where groups are identified and/or have expressed an interest in providing feedback; the Regional District will contact these groups by letter and provide opportunity to review the draft Plan. It is challenging to identify all groups at this early stage of the OCP, therefore we expect some groups will self identify or come to the FVRD's attention as the Plan progresses. Nonetheless, as members of the public all groups are welcome to participate in public events.	i. Notification by letter and request early input; ii. Referral of draft Plan.	

* List of specific groups and agencies is preliminary and will likely be expanded as the OCP Update progresses and other interested groups are identified