

**SPECIAL COMMITTEE OF THE WHOLE
AGENDA**

Tuesday, October 27, 2020

5:30 P.M.

This meeting will be held electronically as per Ministerial Order No. M192
Pages

1. CALL TO ORDER

Please follow this link to view the meeting: <https://www.youtube.com/channel/UCH3qHAExLiW8YrSuJk5R3uA/featured>

2. AGENDA APPROVALRecommendation

That the agenda for this October 27, 2020 Special Committee of the Whole meeting be approved.

3. REPORTS**3.1. Official Community Plan Development**

3

Recommendation

That the Committee:

1. Endorse either one of the following options for the overall scope of the OCP review process:

a) a comprehensive visioning and development process for a new OCP with a project budget of \$300,000, excluding legal and incidentals, and an estimated timeline of 24-36 months;

OR

b) a comprehensive review of the existing OCP using previously completed plans, growth projections and background materials as a foundation with a project budget of \$200,000, excluding legal and incidentals, and an estimated timeline of 18-21 months;

2. Review and provide feedback on the Official Community Plan Steering Committee Terms of Reference attached as Appendix A to the report from the Director of Development Services;

3. Review and provide feedback on the Project Charter attached as

Appendix B to the report from the Director of Development Services;

4. Direct staff to bring the proposed Project Charter and Steering Committee Terms of Reference to:

a) the November 3, 2020 Council meeting for Council consideration, if the Committee wishes to recommend no further amendments to the Steering Committee Terms of Reference and Project Charter;

OR

b) the November 17, 2020 Council meeting for Council consideration, if the Committee wishes to recommend amendments to the Steering Committee Terms of Reference and Project Charter;

5. Discuss and provide feedback to staff related to the project budget and timeline;

6. Provide any additional comments on the Official Community Plan review process; and,

7. Recommend that Council adopt the resolutions related to the Official Community Plan Development report presented at the Special Committee of the Whole Meeting held October 27, 2020.

4. ADJOURNMENT

STAFF REPORT TO THE COMMITTEE OF THE WHOLE

Report Prepared By: Jake Belobaba
Date: October 27, 2020
Meeting Date: October 27, 2020
File No: 6480-20
RE: Official Community Plan Development

RECOMMENDATION:

That the Committee:

1. Endorse either one of the following options for the overall scope of the OCP review process:
 - a) a comprehensive visioning and development process for a new OCP with a project budget of \$300,000, excluding legal and incidentals, and an estimated timeline of 24-36 months;OR
 - b) a comprehensive review of the existing OCP using previously completed plans, growth projections and background materials as a foundation with a project budget of \$200,000, excluding legal and incidentals, and an estimated timeline of 18-21 months;
2. Review and provide feedback on the Official Community Plan Steering Committee Terms of Reference attached as Appendix A to the report from the Director of Development Services;
3. Review and provide feedback on the Project Charter attached as Appendix B to the report from the Director of Development Services;
4. Direct staff to bring the proposed Project Charter and Steering Committee Terms of Reference to:
 - a) the November 3, 2020 Council meeting for Council consideration, if the Committee wishes to recommend no further amendments to the Steering Committee Terms of Reference and Project Charter;OR
 - b) the November 17, 2020 Council meeting for Council consideration, if the Committee wishes to recommend amendments to the Steering Committee

Terms of Reference and Project Charter;

5. Discuss and provide feedback to staff related to the project budget and timeline;
6. Provide any additional comments on the Official Community Plan review process; and,
7. Recommend that Council adopt the resolutions related to the Official Community Plan Development report presented at the Special Committee of the Whole Meeting held October 27, 2020.

EXECUTIVE SUMMARY:

This report seeks direction from the Committee to refine the scope of the Official Community Plan (OCP) review and provides for the Committee’s review and comment on a proposed “Project Charter” and Steering Committee “Terms of Reference” for the OCP review process.

PREVIOUS COUNCIL DIRECTION:

Resolution Date	Resolution Number	Resolution
09/15/2020	CS 2020-271	That Council: <ol style="list-style-type: none"> 1. Confirm the kickoff date of February 2021 to commence community engagement for the new Official Community Plan; 2. Approve that the scope for the Official Community Plan review will be comprehensive/new; and 3. Direct staff to schedule a Special Committee of the Whole Meeting for October 2020, dedicated to discussing the Official Community Plan review process.
09/08/2020	CW 2020-037	That the Committee recommend that Council: <ol style="list-style-type: none"> 1. Confirm the kick-off date of February 2021 to commence community engagement for the new Official Community Plan; 2. Approve that the scope for the Official Community Plan review will be comprehensive/new; and 3. Direct staff to schedule a Special Committee of the Whole Meeting for October 2020 dedicated to discussing the Official Community Plan review process.

BACKGROUND:

On September 15, 2020, Council endorsed the recommendation from the September 8 Committee of the Whole meeting to undertake a comprehensive review of the OCP with

a February 2021 kick-off date. Since then, staff have continued preparation work and have developed for further consideration:

1. Two variants of a comprehensive OCP review process from which the Committee is asked to endorse one for consideration by Council.
2. A draft "Project Charter".
3. A draft Steering Committee "Terms of Reference".

These items, once approved, allow staff to start two critical steps in the OCP review process: 1) Steering Committee recruitment; and 2) Consultant selection and process design by way of a Request for Proposals (RFP) process.

OPTIONS FOR THE SCOPE OF THE OCP REVIEW

Design and scope process options for a comprehensive review are virtually limitless. Nonetheless, budget and other resource constraints tend to dictate project timelines, costs and overall scope. Based on research of other OCP review processes and internal resources (e.g. previous plans and studies, in-house services etc.) staff have developed two options for the overall scope of the OCP review process for the Committee's consideration.

Option A: New OCP and Comprehensive Review Process

This option represents not only a complete rewrite of the OCP, but an extensive public engagement and analysis process that explores a number of themes and policy options. The longer timeframe and larger project budget leave room to explore a greater number of new ideas and policy alternatives. This option includes building on the existing OCP and previously completed plans and studies but allows more room to examine previously unexplored themes or revisit areas covered in previous planning work. The cost of this option would be approximately \$300,000 (excluding legal and incidentals) and the timeframe (from start to adoption) would be approximately 30-36 months.

Advantages of Option A include a more extensive engagement process with greater opportunity to explore new and more innovative policy areas. The main disadvantages are the increased cost and extended project timeline. Additionally, although this option does not preclude building on previous planning work, some efficiencies are lost as work is redone and policy areas are revisited.

Option B: Comprehensive Review of Existing OCP

This option is also a complete rewrite of the OCP, but the process is framed by previous planning work (e.g. growth projections, previous studies and plans, the existing OCP). The shorter timeframe and smaller project budget are achievable because the existing

OCP and other documents form the basis for a new OCP. This option leaves less room to examine themes outside existing policy areas. Previously unexplored subject matter can be explored, but these areas should be more clearly defined and special project costs may need to be allocated. The cost of this option would be approximately \$200,000 (excluding legal and incidentals) and the timeframe (from start to adoption) would be 18-21 months.

Advantages of Option B are speed, efficiency, cost savings and a clearly defined process. Staff note that the Town has completed an extensive amount of planning work in many different areas over the years and an ample amount of material is available to evolve into new OCP content. The main disadvantage of this option is a narrower scope due to greater budget and time constraints leaving, less room to examine new ideas that may emerge during the process.

PROPOSED TERMS OF REFERENCE AND PROJECT CHARTER

Steering Committee Terms of Reference (Appendix A)

The paramount principle of public engagement is that stakeholders are empowered to influence not just the outcomes of the planning process, but the planning process itself. A stakeholder steering committee is a common tool used to support sustained, effective and meaningful public engagement throughout the process. Under the proposed Terms of Reference, the Steering Committee's role will be to provide guidance to staff, consultants and Council during the OCP development process. The committee would not replace public engagement processes, nor render decisions reserved for Council, but would have some autonomy in providing strategic direction and oversight to staff and consultants.

To be effective and fair, the committee membership must be diverse enough to include diverse stakeholder segments and balanced enough to ensure stakeholder groups are not over or under represented (the committee renders decision by voting). The Committee of the Whole is encouraged to consider this aspect of the Terms of Reference carefully and provide suggested changes that staff can make prior to Council's formal consideration. Once Council has endorsed the Steering Committee Terms of Reference, staff will carry out the necessary outreach and nomination process and bring back a list of nominees from which Council can appoint members to the Committee¹. Staff expect the nomination process to take at least a month.

Project Charter (Appendix B)

¹ In the case of the Stz'uminus First Nation representatives, the Stz'uminus First Nation appoints the committee members.

Staff reviewed other OCP review projects to find examples of project outlines. Typically, the OCP review process is outlined in staff reports, “engagement strategies” or similar documents. Staff are proposing a somewhat novel approach based on the “project charter” model used in project management fields. The proposed charter, attached as Appendix B, is a simple, one-page document outlining “in scope” and “out of scope” areas, project risks, an engagement framework, budget, key roles and other crucial project information. It is intended to be continually revised at key project milestones (e.g., after a consultant is selected). Staff felt this approach would not only bring much needed flexibility to the OCP review process but also define the terms of the project in a clear format for stakeholders.

The Project Charter represents staff recommendations for process delivery and scope. Staff have based these recommendations on OCP review processes completed or under way in other communities. These include:

- A 18-36 month project timeline and \$200,000-\$300,000 consulting budget These ranges can be refined with direction from the Committee and Council (i.e. selection of Options A or B). The budgets and timelines reflect internal capacity, comparable processes and pandemic constraints.
- The use of a single “full-service” consultant for the duration of the project that can provide anticipated (e.g., mapping and GIS) and unanticipated (e.g., specialized analysis requested by stakeholders) services, recognizing that the Town is a small organization with limited resources.
- An RFP process where proponents will provide a detailed project proposal and engagement strategy and the Project Charter will be updated to reflect the successful proponent’s project roadmap.
- Objectives and in-scope and out-of-scope areas based on the requirements of the *Local Government Act*. Additional room has been left to incorporate themes suggested by the Committee of the Whole and Council (see below).
- Reliance on the [IAP2 public consultation model](#), (International Association for Public Participation), to the “Collaborate”/“Empower” level of public influence. The successful consulting firm will be expected to develop an engagement strategy and project roadmap that is consistent with IAP2 principles. Note that the achievable level of public influence will be slightly higher under Option A and slightly lower if under Option B due to the amount of influence stakeholders will have over the process and outcomes.
- An adaptable, self-modifying project roadmap that allows the process to be modified at any point, making the process fully responsive to stakeholder feedback or external factors such as the COVID-19 pandemic (as with the level of public influence noted above, adaptability increases slightly under Option A and decreases slightly with Option B)

Assuming the general approach outlined above is acceptable, the Committee of the Whole is encouraged to focus input on the 'in-scope' section of the Project Charter. At this point in the project, only general input on scope is desirable, as this provides more opportunity for stakeholders to influence OCP content (see IAP2 guidelines re: Policy alternatives) and Council will have many opportunities to refine the scope of the project as it proceeds (and ultimately renders the final decision on the OCP). Additionally, the *Local Government Act* provides an extensive list of mandatory and optional content that has been included in the proposed draft Project Charter. The table below provides examples of general input versus specific input. If the Committee is amenable to Option B, staff recommend that the Committee clarify "new" themes Council may wish to explore and indicate any previous studies and plans that Council may expect to be included in the OCP review process.

Addition to 'In-Scope' Section	Comments
Development Permit guidelines to anticipate a 1.5 metre sea level rise by 2100.	Too specific: This is essentially a policy. Regardless of how good the policy may be, stakeholders have not had a chance to develop it, or understand how or why it was developed. This level of detail comes much later in the process.
Strategies for sea level rise.	Better: This leaves room for stakeholders to develop and evaluate policy alternatives but is still quite specific. What about other issues?
Climate Change Adaptation.	Best: This identifies a theme that affects all stakeholders. It is general enough to allow stakeholders to influence how it is explored and what policy alternatives will be considered. Also, climate change adaptation is not mandatory content, specifically listed as optional content under the <i>Local Government Act</i> and may be somewhat absent from existing plans.

NEXT STEPS

A rough timeline is provided below for the next phase of the project:

Task	Completion Date
1. Council endorsement of Project Charter and Steering Committee Terms of Reference	November 3, 2020. If no significant changes desired (Council deadline for November 3 rd is tomorrow) November 17, 2020. If significant changes desired.
2. Steering Committee member	December 1, 2020

nominations and appointment process	
3. RFP and consultant selection	November 3, 2020-January 5, 2021
4. Revise Project Charter (based on winning proposal) and commence OCP review process	Late January-February 2021
5. OCP review process	16 to 32 months from start date
6. Adopt the OCP	18 to 36 months from start date

DISCUSSION:

Staff have reviewed several comparable OCP review processes in relation to the Town’s resources. Based on this review, staff see the options presented and general terms outlined in the Project Charter and the proposed Steering Committee Terms of Reference as necessary and appropriate to achieve a comprehensive, stakeholder-supported OCP review process. Staff recommend endorsing either Option A or Option B and early comment and endorsement of the Project Charter and Steering Committee Terms of Reference to allow for an appropriate timeframe for selecting consultants and members of the committee for a February 2021 kick-off date.

I approve the report and recommendation(s).

Allison McCarrick, Chief Administrative Officer

ATTACHMENT(S):

- Appendix A: Steering Committee Terms of Reference
- Appendix B: Project Charter

OFFICIAL COMMUNITY PLAN STEERING COMMITTEE

Type

Council Committee

Task Force

Mandate

The Official Community Plan (OCP) Steering Committee is a Select Committee of Council pursuant to section 142 of the *Community Charter*.

The mandate of the Committee is to:

- Provide strategic project guidance to staff and consultants as part of the OCP development process including:
 - Request for Proposals (RFP) review and consultant selection.
 - Process design and stakeholder and public engagement strategies.
 - Providing commentary on proposed OCP content.
 - Contributing to policy development and analysis.
 - Reviewing and commenting on studies, analyses and background materials.
- Provide recommendations to Council on matters related to OCP development.
- Review drafts of the OCP and provide recommendations and comments for Council consideration.

Membership

The Committee will be comprised of the following members:

Voting Members (14)

- Two representatives appointed by the Stz'uminus First Nation.
- One member representing the Ladysmith and District Historical Society, appointed by Council.
- One member representing the housing and homelessness sector, appointed by Council.
- One member representing the Ladysmith Maritime Society, appointed by Council.
- One member representing the environmental stewardship sector, appointed by Council.
- One member representing the development sector, appointed by Council.
- One member representing the Ladysmith Downtown Business Association (LDBA), appointed by Council.
- One member representing the Ladysmith Chamber of Commerce, appointed by Council.
- One member from the Community Planning Advisory Committee (CPAC) appointed by Council.
- One member from the Parks, Recreation and Culture Advisory Committee (PRCAC), appointed by Council.
- One youth representative, appointed by Council, who is between the ages of 15-19 and is currently enrolled in secondary school or recently graduated from secondary school.
- Two members at large, appointed by Council.

Voting membership shall be diverse; with representation that reflects gender, age and racial diversity.

Non-Voting Members (7)

- One member of Council
- Director of Development Services
- Director of Infrastructure Services
- Director of Parks, Recreation and Culture
- Director of Finance (as needed)
- Recording Secretary
- Communications Specialist

Nominations

The Director of Development Services shall issue a call for nominations for a period of at least one month from the date of adoption of these Terms of Reference.

With the exception of the Stz'uminus First Nation representatives, for the member positions representing a committee or organization specified in these terms of reference (e.g. CPAC, PRCAC, LDBA, etc.) two nominees shall be submitted by each committee or organization, from which Council will select one nominee to sit on the OCP Steering Committee.

For the Stz'uminus First Nation representatives, the Stz'uminus First Nation shall appoint two members of its choosing.

For all other member positions, a written letter from the nominee or from an organization to which the nominee belongs shall suffice for a nomination.

Term

The term of each member shall be from the date of appointment to the date of the adoption of a new OCP.

Membership Requirements and Expectations

The Advisory Group will operate under the following principles:

- **Respect and Integrity:** Members shall treat stakeholders, fellow committee members, Council, consultants, members of the public and staff with courtesy and respect at all times. Codes of conduct that apply to staff and members of Council also apply to members of the committee.
- **Accountability:** Members shall strive to attend meetings, read meeting materials in advance and participate in stakeholder engagement activities where necessary.
- **Collaboration:** Members shall at all times strive to support the successful adoption of an OCP and shall work together to carry out this objective. Members shall to be open to alternatives and work to reconcile differing views in a professional and constructive manner.

These expectations apply to Committee members while attending committee meetings, representing the Town or the committee, and participating in OCP events and forums. Where a member breaks any of the principles, Council may revoke the membership of the Committee

member.

Reporting

Committee minutes will be provided to Council on a regular basis.

Meetings

Chair and Vice Chair

- The Chair and Vice Chair will be elected at the first meeting of the Committee and as needed, should the Chair or Vice Chair be unable to fulfill their respective duties.
- If the Chair is unable to attend a meeting, the Vice Chair shall chair the meeting.
- A non-voting member may not serve as Chair or Vice Chair of the Committee.

Meetings Schedule and Procedures

- Meetings will be on an as-needed basis, but shall not be more than twice per month.
- Meetings may take place in any suitable venue or electronically.
- The Council Procedure Bylaw of the Town applies to meetings of the Committee.
- A quorum is required.
- Meetings of the Committee will be open meetings pursuant to section 89 of the *Community Charter*.
- The Committee may meet in-camera pursuant to section 90(1)(i) of the *Community Charter* to receive legal advice related to the development of the OCP.

Agendas and Minutes

- The Director of Development Services will prepare meeting agendas.
- The Recording Secretary will distribute the meeting agenda to the members of the Committee at least one week prior to the meeting date.
- The Recording Secretary will record minutes. The Director of Development Services may direct that audio and video recordings of a Committee meeting be made, provided that the Committee is advised that the meeting will be recorded prior to the start of the meeting.
- Draft minutes of the previous meeting will be distributed with the meeting agenda package.
- Minutes of the Committee meetings will be posted on the Town of Ladysmith website and included in Council agenda packages.

BACKGROUND

[Strategic Plan](#) adopted November 2019:

"Update the Official Community Plan (adopted in 2003) to set the vision and a road map to build the community we want over the next quarter century"

Council direction September 15, 2020:

- Kickoff date of February 2021;
- Overall scope for the OCP review: comprehensive/new.

IN-SCOPE

Top Priority: Mandatory Content s. [473 of the Local Government Act](#):

- Location, amount, type and density of residential development;
- Location, amount and type of commercial, industrial, institutional, agricultural, recreational and public utility/facility land uses;
- Location and area of suitable sand and gravel deposits;
- Land use restrictions on hazardous and environmentally sensitive lands;
- Approximate location and phasing of major road, sewer and water systems;
- Housing policies respecting affordable housing, rental housing and special needs housing (must consider the most recent housing needs report); and,
- GHG reduction targets and policies.

High Priority: Optional Content s. [474 of the Local Government Act](#):

- Policies relating to social needs, social well-being and social development;
- Agricultural policies;
- Protection and restoration of the natural environment; and,
- Development Permit Area Designations and Guidelines.

Corollaries:

- Consequential bylaw amendments (e.g. zoning amendments to align with OCP); and,
- Alignment of recently completed plans (e.g. Waterfront Area Plan) with new OCP.

OBJECTIVES

- Meaningful, inclusive and comprehensive stakeholder engagement
- Indigenous participation and engagement with focus on reconciliation and partnership
- Meet legislative requirements for OCP content and adoption
- Adaptable process: Update this charter as new information and ideas emerge

OUT OF SCOPE

- Regional Context Statement/Compliance with Regional Growth Strategy (The CVRD does not have regional growth strategy); and,
- Preparation of a Housing Needs Report (Under way, estimated completion date January 2021.)

KEY STAKEHOLDERS & ROLES

Stakeholders

- [Steering Committee](#) will represent major stakeholder groups. (Selection to occur late 2020.)
- General public
- Government (Regional municipalities, Provincial/Federal, First Nations)

Roles

- Council (Decision maker)
- Dir. of Development Services (Staff Lead)
- In-house content experts
 - Dir. of Finance
 - Dir. of Parks, Recreation & Culture
 - Dir. of Infrastructure Services
- Consultant(s)
 - Process delivery and engagement
 - Drafting
 - Specialized research & Analysis
 - Mapping and GIS
- Town's solicitor
 - Legal review of OCP
 - Legislative compliance during OCP development

Engagement

Desired level of engagement

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

Consultants and staff will develop an engagement strategy consistent with IAP2 framework

KEY RISKS & Mitigation Strategies

- COVID-19: Barriers to effective public participation. Innovative engagement techniques required.

BUDGET

Total project budget: \$200,000 to \$300,000 (max) excluding legal, staff time and incidentals.

KEY DELIVERABLES

- RFP for Consultant: December 2020
- Report to Council RFP Award: January 2021
- New OCP: Date TBD
- Interim deliverables TBD based on winning consultant proposal

TIMELINE

