

DATE: May 17, 2022**FILE:** 5810-01**TO:** Chair and Directors
Comox Valley Regional District BoardSupported by Russell Dyson
Chief Administrative Officer**FROM:** Russell Dyson
Chief Administrative Officer**R. Dyson****RE: Regional Parks and Trails Service – Service Establishment**

Purpose

To seek support to establish a regional parks and trails service.

Recommendations from the Chief Administrative Officer:

1. THAT staff be directed to bring forward a service establishment bylaw for the creation of a regional parks and trails service;

AND FURTHER THAT participating area approval for the regional parks and trails service establishment bylaw be authorized to be given by director and municipal council consent pursuant to sections 346 and 347 of the *Local Government Act*;

AND FINALLY THAT the Regional Park Land Acquisitions Principles, provided in Appendix A to the staff report dated May 17, 2022, be supported.

2. THAT subject to the adoption of the regional parks and trails service establishment bylaw, a contribution of \$275,000 be considered in the 2023 – 2027 financial planning process for the function to support the establishment of the service and replenishment of the Regional Feasibility Study Service, function 150, funds.

Executive Summary

In December of 2020, the board directed staff to conduct a regional parks background study and develop a general direction, or service framework, to help inform decision-making in regards to the possible establishment of a regional parks and trails service.

- The development of the background study and service framework involved the collaborative efforts of staff from each of the local governments and the regional district.
- The background study provided a fulsome understanding of the role and characteristics of regional parks, regional parks services as they exist in other regional districts, the rationale for a regional parks service in the Comox Valley Regional District (CVRD), existing local park services in the CVRD, potential service model options and steps to consider in establishing a new regional parks and trails service.
- The proposed service structure would follow the recommended framework consisting of the following five key elements:
 - Service Definition: To protect regionally significant natural areas and provide a network of regional greenways (trails). Includes opportunities for people to access and connect with nature.
 - Service Participation: Full participation, including the islands.

- Service Governance: Delegated authority for the administration and operation of the service would be provided to a regional parks and trails service committee consisting of nine members. A two-thirds supermajority voting structure at the committee level would be embedded to ensure broad decision-making support amongst service participants.
- Service Funding: Initial year funding of \$275,000 collected through property taxes based on converted assessment.
- Service Delivery: Delivered through the CVRD Parks Department.
- The background study and service framework were presented to the Electoral Areas Services Committee (EASC) and each local municipal council for review and comment. [Report \(February 2022\) \(comoxvalleyrd.ca\)](https://comoxvalleyrd.ca)
- All local governments support the establishment of the service in principle, however, the Town of Comox included a requirement that a land acquisition strategy is developed and agreed upon prior to supporting service establishment.
- In response to the Town of Comox's requirement and to support the collaborative process to achieve full participation in the service, Regional Park Land Acquisition Principles are presented (Appendix A) to guide the land acquisition and support decision making.
- The development of the land acquisition strategy, including regional trail identification and regional park priority setting, can be initiated with funding secured through the adoption of the service's financial plan in 2023.

Prepared by:

Concurrence:

M. Harrison***D. DeMarzo***

 Mark Harrison
 Manager of Parks

 Doug DeMarzo
 General Manager of Community Services
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 SituationBackground

In December 2020, the board directed staff to undertake a regional parks background study. This was the first step in a proposed three-step process that could lead to the establishment of a regional parks service in the CVRD.

Specifically, staff were asked to conduct the following:

- 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;

- Work with the municipal Park Managers and the Chief Administrative Officers (CAOs) in the preparation of the background study and to identify a general direction for a regional parks service for the board to consider.

In April of 2021, staff engaged Neilson Strategies to produce a background study report and help identify a general direction for the service.

Regional Parks History

A regional parks service was established for the Comox Strathcona Regional District (CSRD) through Supplemental Letters Patent in 1971. The CSRD regional park participants consisted of the District of Campbell River, Town of Comox, City of Courtenay, District of Gold River, Village of Sayward, Village of Tahsis, the Corporation of the Village of Zeballos and Electoral Areas A, B, C, D, E, F, G, H, I and J. Denman and Hornby Islands were part of Electoral Area A and thus were part of the service. This was a large geographical area.

In 2008, the CSRD split into the CVRD and the Strathcona Regional District. Upon this split, the CVRD became the smallest regional district in British Columbia in terms of landmass. This is important to note, as any regional parks and trails established within the CVRD would be relatively accessible by all local residents.

The original regional parks service was de-funded in 1998 and has remained dormant since this time.

Background Study

The purpose of the background study was to empower the municipal councils and the EASC to make an informed decision on the merits of a potential regional parks service. It is also intended to provide recommendations on a service model and implementation steps to follow in the event that the CVRD and member municipalities wish to establish a regional parks service. It is not intended to provide a recommendation on whether or not to establish a new service.

The background study examined and provided information on:

- The nature and attributes of typical regional parks services in British Columbia;
- Six existing regional parks services to better understand current service design and best management practices for service delivery;
- Current local government parks services being offered in the Comox Valley;
- Service delivery options if the establishment of a regional parks service were supported; and
- Key steps that would need to be considered if a service were to be implemented.

Work on the background study involved a collaborative process whereby a working group made up of Park Managers from the City of Courtenay, the Town of Comox, the Village of Cumberland and the Comox Valley Regional District met, along with the consultant, at key intervals in the process to help guide and inform the study. The CAOs and other key local government staff also contributed to the study by providing critical feedback.

The background study and the service framework can be found online at [Report \(February 2022\) \(comoxvalleyrd.ca\)](https://comoxvalleyrd.ca/Report%20February%202022).

Regional Land Acquisition Principles

To further guide the land acquisition process, a proposed set of guiding principles were developed (see Appendix A) to address service establishment concerns raised by the Town of Comox. These principles will form the basis of future land acquisition discussions and help with future decision-making at the committee level. It must be clear that this would be a strategic, foundational document

only and does not represent a final land acquisition plan. The guiding principles document will be shared with K'ómoks Chief and Council. A land acquisition plan would need to be informed by the K'ómoks First Nation, through a public planning process and through sound scientific, environmental planning methodology.

Policy

The following local government policy guidance is 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 areas.' Mechanisms suggested for accomplishing this includes a regional acquisition fund and a regional parks service.
- Goal 2D-1 of the Comox Valley Regional Growth Strategy (2010) indicates that 'all jurisdictions should work together to coordinate local and greenway network connections.'
- The City of Courtenay Official Community Plan (2016) presents goals and policies related to parks and open spaces in section 4.6. It highlights the recreational and environmental importance of the natural and open space systems and the importance of protecting environmentally-sensitive areas. Also, the draft Official Community Plan (2022) references partnerships to achieve park objectives, and the council's strategic priority includes support for partnerships on regional issues.
- The Town of Comox Official Community Plan (2011) notes a desire to acquire large natural forested parcels, environmentally sensitive areas, and strategic greenway corridors. The desire to improve greenway connectivity with the CVRD and Courtenay is noted. Also, the Comox Parks and Greenways Assessment (2010) references greenway connectivity and regional open space collaboration.
- The Village of Cumberland Official Community Plan (2014) transportation section references coordinating and connecting recreation greenways in the region, and the natural environment section indicates the desire for environmental preservation in the village and the region, including through support of local and regional conservation strategies and cross-jurisdictional partnerships. Also, Cumberland's Parks and Greenways Master Plan (2014) includes several references to regional parks and the benefits of supporting regional park initiatives.

Next Steps

If a regional parks and trails service is supported by the board, staff would then bring forward the establishing bylaw for consideration of initial readings. Subsequently, formal correspondence to each of the proposed participants would be sent seeking their consent to adopt the bylaw. Provided such support from each of the participants is received, staff would then forward the bylaw to the provincial Inspector of Municipalities for approval prior to formal adoption by the board.

If the service is ultimately adopted, the service would be funded as part of the 2023 – 2027 financial planning process. This initial funding would support a public planning process and the development of land acquisition and priority regional trail identification, which would guide future delivery and funding for the service.

The planning process would seek to develop the details of the service, including defining the vision for the service, as well as the direction, policies, priorities and actions for the service. Once a public-led vision has been adopted, the land acquisition plan would be developed, based on sound scientific, environmental planning principles and methodologies.

Previous regional conservation work, including the Comox Valley conservation strategy document Nature Without Borders (2013) and further work done by the Comox Valley Land Trust to

prioritize regional conservation objectives, could help guide the land acquisition strategy process, as could foundational documents such as the Regional Growth Strategy, Regional Active Transportation Network Plan and each of the local government parks and greenways strategic plans.

Options

The following options are available to the board:

1. Support the establishment of a regional parks and trails service, through the preparation of a service establishment bylaw following the service structure as outlined in the proposed service framework. If the service is formally adopted, fund the service through the 2023 – 2027 financial planning process.
2. Do not support the establishment of a regional parks service at this time, but direct staff to report back on further public engagement options.
3. Do not support the establishment of a regional parks and trails service at this time.

Staff are recommending option 1.

The Regional Parks Working Group, along with the CAOs, are of the opinion that a regional parks and trails service is important for the betterment of the region as a whole and thus full participation in the service establishment is highly desirable. The service would enable the region to collectively acquire large regional parklands that could help with environmental protection, conservation and climate resiliency objectives and also help acquire and construct key recreational greenway linkages between the region's core communities.

Finding a way to ensure all participants are satisfied entering the service is important, especially since participants cannot withdraw from the service once committed. Without full participation, equity concerns will likely be raised, as parks and trails established under the service would be relatively accessible to all the region's residents, given the small geographical landmass of the CVRD.

Option 2 would push the process of potential service establishment further into the future. This could have negative impacts in terms of the ability to acquire lands as real estate prices in the region continue to rise and sensitive lands continue to become developed.

The public consultation process is proposed once a service is established, as part of the future service delivery.

Financial Factors

Under the proposed service framework, the establishment of the service would require an initial regional tax requisition of \$275,000 in order to fund the strategic planning process, reimburse the regional feasibility study service function and pay for projected start-up costs. A breakdown has been provided in Table 1.

Table 1: Service Start-Up Cost Breakdown

Funding Needs	Approximate Cost (Initial Year)
Regional Parks Plan	\$75,000
Regional Park Acquisition	\$60,000
Reimbursement of Portion of Feasibility Function Dollars Spent. (Full cost projected to be approximately \$70,000.)	\$40,000
Projected Staff Start-Up Costs	\$75,000
Support Services Allocation and Other Costs	\$25,000
Total	\$275,000

With an initial requisition of \$275,000 and full participation in the service, including Denman and Hornby Islands, the tax impact for the initial year for a residential home valued at \$600,000 would be approximately \$5.95 based on an estimated residential tax rate of \$0.00992 per \$1000 of assessed value.

Annual costs for the service would increase incrementally each year to meet the needs of the expanding service. The exact amount of the increase would be based on the recommendations derived through the public planning and land acquisition process.

Under the proposed service framework, the costs for the service would be recovered based on the converted assessment. A full breakdown of participant costs is provided in Table 2. These costs have been calculated using 2022 completed assessment values for general purposes (municipalities) and hospital services (local service areas). This requisition is proposed to come into effect during the 2023 – 2027 financial planning cycle.

Table 2: Cost Breakdown Per Participant for Service Establishment

Participant	Next Taxable Assessment	Converted Value	Levy
Electoral Areas			
Area A (full)	\$4,034,442,043	\$429,310,168	\$42,582
Area B	\$3,083,533,623	\$321,081,957	\$31,847
Area C	\$3,440,021,898	\$383,358,337	\$38,024
Municipalities			
Comox	\$4,641,769,774	\$490,764,641	\$48,677
Courtenay	\$8,615,123,467	\$1,002,175,348	\$99,402
Cumberland	\$1,299,368,440	\$145,868,330	\$14,468
Total	\$25,114,259,245	\$2,772,558,781	\$275,000

Once the service is adopted, the Regional Parks Service Committee, if desired, could explore debt servicing for land purchases in order to speed up the process of acquiring lands. Long-term debt servicing would require some form of electoral consent.

Strategic Considerations: Strategic Drivers and Regional Growth Strategy

CVRD Board Strategic Drivers:							
Fiscal Responsibility	✓	Climate Crisis and Environmental Stewardship and Protection	✓	Community Partnerships	✓	Indigenous Relations	✓

Establishing a regional service meets each of the board's strategic drivers.

- Fiscal responsibility is inherent with regional services that capture full local government participation;
- A principle benefit of a regional parks service could be the ability to help address climate resiliency through the acquisition and protection of significant environmental lands;
- Community collaboration is critical to a successful, regional parks service that benefits the region as a whole;
- Indigenous relations could be enhanced through the acquisition and protection of culturally significant lands. The governance framework is intentionally designed, to include participation by First Nations in the future if they are invited and choose to participate.

CVRD Regional Growth Strategy Goals:							
Housing		Ecosystems, Natural Areas and Parks	✓	Local economic development	✓	Transportation	✓
Infrastructure	✓	Food Systems		Public Health & Safety	✓	Climate Change	✓

The establishment of a regional parks service could help meet:

- Ecosystem, natural areas and parks goals through the protection of ecologically significant lands;
- Local economic development by providing tourism opportunities through the protection of the region's natural beauty and the potential to enhance outdoor recreation opportunities;
- Transportation by supporting the establishment of key, recreational greenway connections between our core communities;
- Infrastructure through natural asset management such as watershed protection and stormwater management;
- Public health and safety by providing additional outdoor recreation opportunities and supporting the health benefits of active transportation;
- Climate resiliency through the acquisition of lands provides significant ecosystem services such as flood control.

Intergovernmental Factors

The establishment of a regional parks service is identified as a key initiative in the 2021 Comox Valley Regional District Corporate Plan.

Although a dormant regional parks service exists within the CVRD, the province has advised that the activation of a historic service would not be supported, due to the timing of the dormancy. The province has indicated, however, that section 339(2)(g) of the *Local Government Act* does provide special provisions concerning the establishment of regional parks services that allow the same legislative process to be followed as was contemplated with the historic service. This means council and director resolutions supporting the establishment are all that is required, aside from approval by the provincial Inspector of Municipalities.

Under the *Local Government Act* Regional District Service Withdrawal Regulation (BC Reg 398/2000), participants in a regional parks service cannot withdraw from the service once it is established. If a participant has a concern with the service structure, the participant could seek resolution through a non-statutory service review, or a statutory service review pursuant to Section 357 of the *Local Government Act*.

The following represents the carried motions from the EASC and each of the region's municipal councils from the initial review of the background study and the proposed service framework:

City of Courtenay

- Background study and service framework presented to City Council on March 28, 2022.
- Motion (Fritsch/McCollum) carried unanimously:
 - THAT based on the March 28, 2022 staff report “Proposed Regional Parks and Greenways Service,” council provide correspondence to the CVRD indicating support for the creation of a Regional Parks & Greenways Service in accordance with the Regional Parks Proposed Service Background Study – February 2022 and Regional Parks Proposed Service Framework – March 2022.
- Formal comments are included in a letter from the City of Courtenay (see Appendix B).

Town of Comox

- Background study and service framework presented to Town Council as a delegation on April 6, 2022.
- Town staff brought forward a report on the proposed regional parks service to Town Council on April 20, 2022. The following motion was carried:
 - THAT the Town of Comox provide correspondence to the Comox Valley Regional District indicating support for the creation of a Regional Parks service while highlighting outstanding concerns regarding requisition maximums and risk of inter-member service conflict in the creation of a land acquisition strategy, and including the requirement that a land acquisition strategy, that includes connectivity through greenways, be developed and agreed upon prior to the establishment of the service.
- Formal comments are included in a letter from the Town of Comox (see Appendix C).

Village of Cumberland

- Background study and service framework presented to Village Council on March 14, 2022.
- Motion 22-305 (Brown/Sullivan) carried unanimously:
 - THAT council supports the general direction of the proposed service framework for a Comox Valley Regional District proposed regional parks service as presented on March 14, 2022.
- Formal comments are included in a letter from the Village of Cumberland (see Appendix D).

Electoral Area Services Committee

- Background study and service framework presented to the EASC on March 14, 2022.
- Motion (Arbour/Grieve) carried unanimously:
 - THAT the Electoral Areas Services Committee supports the background study and service framework for the establishment of a regional parks and greenways service.
- No formal comments were provided.

Citizen/Public Relations

Public engagement would be an integral part of the strategic planning process if the service is ultimately adopted.

Attachments: Appendix A – Regional Park Land Acquisition Principles
Appendix B – Letter – City of Courtenay
Appendix C – Letter – Town of Comox
Appendix D – Letter – Village of Cumberland

Comox Valley Regional Parks Service

Regional Land Acquisition Principles

The primary function of a regional parks service would be to acquire and manage **regionally-significant** natural areas and trails for protection and the ongoing use and enjoyment of residents and visitors. Land acquisition for the service would be directed by a land acquisition strategy, developed for the service through a public strategic planning process. A set of guiding principles and acquisition criteria would form the core of this strategy and support decision-making.

Guiding Principles

Following are an initial set of guiding principles, which are to be reviewed and revised through the strategic planning process to provide direction on land acquisition priorities for the service:

- **Reconciliation** – Promote and embrace reconciliation through engagement and collaboration with the K’ómoks First Nation to identify lands with a shared interest.
- **Future Focused** - Focus on acquiring new parks and trails and building upon the local parks systems we already have in place.
- **Environmental Protection** – Seek to protect regionally significant natural areas.
- **Connectivity** – Seek trail connections to the region’s core communities, significant parklands and other significant points of interest. They strive to be physically separated from road traffic.
- **Fiscal Responsibility** – Acquire and protect land by using a variety of methods other than simply direct acquisition where feasible, such as a conservation covenant, lease, transfer of land from other levels of government and non-government organizations, gifts and bequests, or dedication through the subdivision process.
- **Partnerships** – Seek partners to help share the costs of acquisition and park management.
- **Proximity** – Provide opportunities for all residents and visitors to the valley to have access to regional parks and trails.

Land Acquisition Criteria

Following is an initial set of land acquisition criteria, which are to be reviewed and revised through the strategic planning process to support the evaluation of land acquisition opportunities as they arise:

1. All land acquisition activities must identify and consider the interests of the K’ómoks First Nation and seek to collaborate where possible.
2. Parklands are acquired for their regional significance as measured by their uniqueness, cultural and/or historical significance, ecological sensitivity, connectivity and recreational value.
3. Parklands are acquired from willing sellers without coercion.
4. Acquisitions are supported by the Regional Parks Strategic Plan or other established policies or plans with consideration of the operating and program needs of the service and the service’s financial position.
5. Parkland acquisition will be opportunistic, influenced by factors such as market availability, imminent development pressure, funding opportunities and strategic partnerships, and the plans and priorities of partners and other levels of government.
6. The land acquisition strategy should seek and include a diversity of land acquisition opportunities.

7. Trail connections will strive to utilize existing network plans or be considered with major parcel land acquisitions.

THE CORPORATION OF THE CITY OF COURTENAY

Legislative Services Department
830 Cliffe Avenue
Courtenay, B.C.
V9N 2J7



Phone 250-334-4441
Fax 250-334-4241
email: info@courtenay.ca

April 20, 2022

File No. 0470-20

Comox Valley Regional District
770 Harmston Ave, Courtenay BC

Sent via email only: mharrison@comoxvalleyrd.ca

To the Comox Valley Regional District:

Re: Courtenay Council Resolution – Proposed Regional Parks and Greenways Service – Letter of Support

Courtenay Council is providing their support for the Comox Valley Regional District's creation of a Regional Parks & Greenways Service in accordance with the Regional Parks Proposed Service.

At its regular meeting on March 28, 2022, Courtenay City Council passed the following resolution:

"THAT based on the March 28, 2022 staff report "Proposed Regional Parks and Greenways Service", Council provide correspondence to the CVRD indicating support for the creation of a Regional Parks & Greenways Service in accordance with the Regional Parks Proposed Service Background Study – February, 2022 and Regional Parks Proposed Service Framework – March, 2022."

Yours sincerely,

CITY OF COURTENAY

Adriana Proton
Deputy Corporate Officer



TOWN OF COMOX

OFFICE OF THE MAYOR

File 5810-01
Director Site
JWarren
DDemarzo
MHarrison

April 26, 2022

File No. 0114-01 / Log: 22-082

Comox Valley Regional District
770 Harmston Avenue
Courtenay, BC V9N 0G8

By email: twarnes@comoxvalleyrd.ca

Dear Chair Ketler and the Comox Valley Regional District Board:

Re: Regional Parks Service – Background Study

Thank you for your March 9, 2022 letter requesting feedback on the Regional Parks Background Study and proposed service framework.

Please be advised that at their Regular meeting held April 20, 2022, Council reviewed the Background Study and Proposed Service Framework, and passed the following motion:

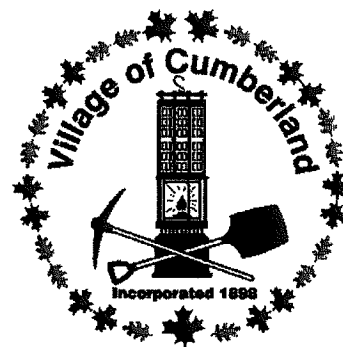
THAT the Town of Comox provide correspondence to the Comox Valley Regional District indicating support for the creation of a Regional Parks service while highlighting outstanding concerns regarding requisition maximums and risk of inter-member service conflict in the creation of a land acquisition strategy, and including the requirement that a land acquisition strategy, that includes connectivity through greenways, be developed and agreed upon prior to the establishment of the service.

If you require anything further, please do not hesitate to contact me at 250.339.2202.

Yours truly,

Russ Arnott
Mayor

OFFICE OF THE MAYOR



March 23, 2022

File No. 0400-61

Jesse Ketler, Chair
Comox Valley Regional District
twarnes@comoxvalleyrd.ca

Dear Chair Ketler,

Thank you for your letter of March 9, 2022 regarding the background study and proposed service framework for a regional parks service. Cumberland Council received the background study report along with a presentation from Mr. Neilson at its meeting of March 14, 2022. Council resolved to support the general direction of the proposed service framework for a regional parks service as presented.

At the meeting Council members also had extensive discussion on the proposed framework and details of the background study. Members discussed support for involving K'ómoks First Nation; support for the committee governance structure of a super-majority vote for recommendations; full participation of all jurisdictions and areas of the region; and the inclusion of greenways in the service purpose.

Council members also discussed an interest in ensuring that outdoor recreation facilities were also captured in the purpose of the proposed service; the pros and cons of a combined versus separate requisition for operations and land acquisition; and the pros and cons of the combined converted assessment/population requisition model versus the singular converted assessment requisition model. Should the Board move to establish the service, these topics will be analyzed and presented by Village staff to Cumberland Council for consideration at the time of the Village's decision whether to participate in the service.

Additionally, Council members discussed several matters that would be best considered in a regional parks strategic planning process, should it be established. These topics include equity between jurisdictions; community engagement; and the pursuit of partnerships in support of land acquisitions.

Village of Cumberland
March 23, 2022

I trust that this feedback and support for the general direction of the proposed service will enable the Board to consider whether to initiate the legislative process to establish a regional parks service. Please let me know if you require any further comment or feedback from Council.

Yours sincerely,



Leslie Baird
Mayor

- c. C. Posting, Chief Administrative Officer
- K. McPhedran, Manager of Parks and Recreation
- R. Dyson, Chief Administrative Officer, CVRD
- D. DeMarzo, General Manager of Community Services, CVRD
- M. Harrison, Manager of Parks, CVRD