



**Committee of the Whole Report
For the Meeting of June 9, 2022**

To: Committee of the Whole **Date:** May 17, 2022
From: Kerri Moore, Head of Business & Community Relations
Subject: Proposed Neighbourhood Boundaries Adjustments

RECOMMENDATION

That Council:

1. Direct staff to prepare map and text amendments to the Official Community Plan, 2012 to address boundary adjustments affecting Downtown, Harris Green, Fairfield, Oaklands and Jubilee neighbourhoods.
2. Consider consultation under Section 475(2)(b) of the *Local Government Act* and direct that no referrals of the Official Community Plan Amendment Bylaw are necessary to the Capital Regional District Board, Island Health, Songhees Nation, Esquimalt Nation, provincial or federal governments, Township of Esquimalt, District of Saanich and the District of Oak Bay.
3. Consider consultation under Sections 475(1) and 475(2) of the *Local Government Act* and direct consultation on the proposed Official Community Plan amendments in the form of a project update on the City's *Have Your Say* webpage.

EXECUTIVE SUMMARY

In 2019, Council introduced an action to 'resolve anomalies in neighbourhood boundaries' in the Strong, Liveable Neighbourhoods section of the City's Strategic Plan. On February 11, 2021 Council held a workshop regarding the current neighbourhood boundaries and made several observations that supported the proposed changes including:

- Geographic anomalies that may fit better in adjacent neighbourhood
- There may be opportunities to better match boundaries with the neighbourhoods in which residents perceive themselves to be living (sense of place)
- Neighbourhood populations vary substantially and may present challenges for neighbourhood associations, e.g. too big for effective representation or too small to recruit volunteer support
- Some village centres are divided between neighbourhoods

With the above considerations, boundaries in Fernwood, Oaklands, Jubilee, North Park, Fairfield, Downtown and Burnside Gorge were discussed as possible areas for change. Residents were also asked to provide feedback on other proposed changes such as neighbourhood land use review

committee structures for Rockland, Fairfield and Gonzales, merging for Downtown and Harris Green neighbourhoods and merging the CALUCS of the North and South Jubilee neighbourhood associations.

Opportunities for public participation via individual correspondence and the Have Your Say engagement survey were directly promoted through the City's engagement platform, flyer mailout to specific areas that would be directly impacted by the proposed changes, the City's website and e-News edition, emails to all the neighbourhood associations which included survey information, and updates to process and timing, monthly neighbourhood updates, neighbourhood association meetings and social media posts including a media release.

On September 23, 2021, staff presented the Have Your Say survey results, correspondence from residents and feedback from neighbourhood associations. Subsequently, Council weighed the results and drafted a series of motions to resolve the proposed adjustments where support was present and requested a non-statutory public hearing to be held to receive further feedback from residents and neighbourhood associations.

The non-statutory public hearing was held on January 27, 2022, where Council directed staff to undertake an impartial mediation process and the encouragement of dialogue between neighbourhood associations.

PURPOSE

The purpose of this report is to offer information pertaining to results of the non-statutory public hearing held on January 27, 2022, as well as the official stance of each neighbourhood association involved in dialogue and/or the mediation process regarding the proposed neighbourhood boundaries adjustments.

BACKGROUND

At the September 23, 2021 Committee of the Whole meeting staff presented a report (Appendix A) that included the Have Your Say survey results, correspondence from residents and feedback from neighbourhood associations. Subsequently, Council weighed the results and drafted a series of motions to resolve the proposed adjustments where support was present.

1. *That Council refer the following resolution for public comment at a non-statutory public hearing, to take place prior to November 30, 2021:*

"That the City recognize the 2700-block to 3000-block of the east side of Shelbourne Street as part of the Oaklands neighbourhood, with the Oaklands Community Association acting as the Community Association Land Use Committee (CALUC) for land use matters in the area."

2. *That Council refer the following resolution for public comment at a non-statutory public hearing, to take place prior to November 30, 2021:*

"That the City recognize the 800-block between Fort Street and Academy Close, and Blanshard Street and Quadra Street, as part of the Downtown neighbourhood, with the Downtown Residents Association (DRA) acting as the Community Association Land Use Committee (CALUC) for land use matters in the area."

3. *That Council encourages the Gonzales Neighbourhood Association (GNA) and Fairfield Gonzales Community Association (FGCA) to consider entering into a mediation process, for the purpose of:*

- a) *Building good will and reducing acrimony within the Gonzales neighbourhood;*
 - b) *Exploring opportunities for recognizing the Gonzales Neighbourhood Association in municipal and / or FGCA processes; and*
 - c) *Honouring the FGCA's long-standing role in the Fairfield and Gonzales neighbourhoods.*
 - i. *And that staff provide funding to the Fairfield Gonzales Community Association and Gonzales Neighbourhood Association to undertake a mediation process that is suitable to the FGCA and the GNA.*
 - ii. *And that staff provide an update to Council by the end of Q1 2022 with any information arising from this mediation process and appending this original staff report and public engagement results.*
4. *That the Downtown Residents Association and Burnside Gorge Community Association be requested to meet and then provide their views on a suitable boundary between the downtown and Burnside Gorge.*
5. *That the City recognizes the area currently described as "Harris Green" as part of the Downtown neighbourhood, with the Downtown Residents Association continuing to act as the Community Association Land Use Committee (CALUC) for land use matters in the area. And that the City recognizes Harris Green as a district within the Downtown neighbourhood, similar to Chinatown and Old Town.*
6. *That Council refer the following resolution for public comment at a non-statutory public hearing, to take place prior to November 30, 2021:*
- "That the City recognizes a unified Jubilee neighbourhood for land use matters and invites the North Jubilee Neighbourhood Association and South Jubilee Neighbourhood Association to work with the city on developing terms of reference for a unified Jubilee Community Association Land Use Committee."*

ISSUES AND ANALYSIS

The non-statutory public hearing resulted in further engagement with residents and neighbourhood associations, following are the results.

1. Should 2700 block to 3000 block of the east side of Shelbourne Street (currently in Jubilee) be joined to Oaklands?

Based on positive results from both the Have Your Say survey, resident correspondence and neighbourhood association feedback, Council referred the following resolution for public comment at a non-statutory public hearing, that took place on January 27, 2022:

"That the City recognize the 2700-block to 3000-block of the east side of Shelbourne Street as part of the Oaklands neighbourhood, with the Oaklands Community Association acting as the Community Association Land Use Committee (CALUC) for land use matters in the area."

No public comment nor objections were heard, therefore Council directed staff to prepare an amendment to the Official Community Plan and other relevant city documents to formally recognize this boundary adjustment.

These amendments are anticipated to be in the form of map and text amendments to the Official Community Plan (OCP), the Oaklands Neighbourhood Plan and the Jubilee Neighbourhood Plan.

2. Should the 800 block between Fort Street and Academy Close, and Blanshard Street and Quadra Street (currently part of Fairfield) be joined to Downtown?

Council referred the following resolution for public comment at a non-statutory public hearing that took place on January 27, 2022:

“That the City recognize the 800-block between Fort Street and Academy Close, and Blanshard Street and Quadra Street, as part of the Downtown neighbourhood, with the Downtown Residents Association acting as the Community Association Land Use Committee (CALUC) for land use matters in the area.”

After hearing feedback from the Downtown Residents Association (DRA) to amend the motion to adhere to the Downtown Core Area Plan boundaries, Council directed staff to prepare an amendment to the Official Community Plan and other relevant city documents to recognize the Downtown Core Area Plan boundaries as the boundary between Downtown and Fairfield with the DRA acting as the Community Association Land Use Committee (CALUC) for land use matters in the area.

These amendments are anticipated to be in the form of map and text amendments to the OCP, Downtown Core Area Plan (DCAP) and the Fairfield Neighbourhood Plan.

3. Regarding land use decisions in Fairfield, Gonzales and Rockland, should Council a) recognize the Gonzales Neighbourhood Association and its land use committee as representative of the Gonzales Neighbourhood, b) have Rockland represent Gonzales on land use issues under a unified Gonzales-Rockland neighbourhood association or c) remain as is, and have the Fairfield Gonzales Community Association continue to represent Gonzales for land issues?

At the September 23, 2021, Committee of the Whole meeting, Council directed staff to offer monetary resources for an impartial mediation process to take place between representatives from both the Fairfield Gonzales Community Association and the Gonzales Neighbourhood Association. Two mediation sessions took place with members from the FGCA and GNA present on both March 18 and 22, 2022, respectively. No agreement was reached on the key issue of formal representation, but the two groups did agree to continue to work together both collaboratively and informally for the residents of their respective neighbourhoods. A report supplied by the mediator is attached (Appendix C). Subsequent to this report, the FGCA has submitted a letter to Council indicating their desire to retain the CALUC moving forward (Appendix E). The Gonzales Neighbourhood Association also submitted a letter to Council (Appendix D) indicating their desire to continue the discussion.

4. Should Bay Street be the new border between Burnside Gorge and Downtown?

Based upon the Have Your Say survey results and correspondence from residents and feedback from the neighbourhood associations, there is a lack of agreement for this adjustment at this time.

Council requested the Burnside Gorge Community Association and the DRA meet to review and discuss this proposed adjustment. In its submission on August 3, 2021, the DRA indicated that it supported the relocation of the boundary based on the proposed types of land use in the affected area and its proximity to the downtown. It was also noted that the proposed relocation would be consistent with the Downtown Core Area Plan boundaries. (Note: this would also be consistent

with the changes underway with the boundaries of the Downtown Business Improvement Area). While in support of the relocation, they indicated that this would place additional demands on their CALUC that would warrant additional administrative resources. The DRA reiterated its position in a letter to Mayor and Council on January 6, 2022 (Appendix B).

On October 27, 2021, members from both the Downtown Residents Association (DRA) and Burnside Gorge Community Centre met to discuss the proposed boundary adjustment.

It was agreed that the current boundary will remain for the present time. It was also agreed that the issue of boundary adjustments may be revisited later for discussion between the DRA and the BGCA if circumstances so indicate.

Residents from Burnside Gorge raised concern about the potential addition of more supportive housing being added within the proposed new boundary.

The neighbourhood associations remain of different opinions on the boundary change and do not feel it warrants further discussion unless there is an urgency to provide this input to Council.

5. Should Downtown and Harris Green be recognized as one neighbourhood?

Based on positive results from the Have Your Say survey, resident correspondence and neighbourhood association feedback, Council passed a motion that the City recognize the area currently described as “Harris Green” as part of the Downtown neighbourhood, with the DRA continuing to act as the Community Association Land Use Committee (CALUC) for land use matters in the area, and that the City recognizes Harris Green as a distinct area within the Downtown neighbourhood, similar to China Town and Old Town.

This amendment is anticipated to require map and text amendments to the OCP and DCAP.

6. Should the North and South Jubilee Neighbourhood Associations merge to form one association?

Council referred the following resolution for public comment at a non-statutory public hearing:

“That the City recognizes a unified Jubilee neighbourhood for land use matters and invites the North Jubilee Neighbourhood Association and South Jubilee Neighbourhood Association to work with the City on developing terms of reference for a unified Jubilee Community Association Land Use Committee.”

Council received correspondence from North and South Jubilee neighbourhood associations stating that neither association supports a merger of their independent CALUCs. Following a Council Member Motion on January 6, 2022, Council approved that a non-statutory hearing would not be required.

7. Consultation on Official Community Plan Amendments

During a process to amend an official community plan, the *Local Government Act* requires the City to provide one or more opportunities for consultation with persons, organizations and authorities it considers will be affected (in addition to the required public hearing). The amendments proposed in this report align with Council’s direction on the boundary adjustments which was the result of

engagement through the City's *Have Your Say* platform and through a non-statutory public hearing that was held on January 27, 2022.

It is recommended that the project webpage on *Have Your Say* be updated to inform interested members of the public about the resulting OCP amendments in response to the earlier feedback.

OPTIONS & IMPACTS

Accessibility Impact Statement

2019 – 2022 Strategic Plan

This initiative completes a Strategic Plan action to *resolve anomalies in neighbourhood boundaries*, under Objective 8 – Strong, Livable Neighbourhoods.

Impacts to Financial Plan

This initiative will result in implementation work to update and amend the OCP and affected neighbourhood plans, including preparation of bylaws. Staff will undertake this work when there is operational capacity, anticipated for 2023. There will also be public notification costs associated with a public hearing that will need to be held and it is anticipated that this can be absorbed in existing budgets.

Official Community Plan Consistency Statement

The boundary adjustments described in this report are consistent with the broad objectives outlined in OCP Section 22, Adaptive Management which permits updates and adjustments to the OCP in response to ongoing learning and change. Amendments to the OCP will be required for consideration at a public hearing.

CONCLUSION

The feedback received provides essential insight into the opinions of neighbourhood associations and residents. All feedback received was considered in preparing the staff report for Council on the proposed neighbourhood boundary adjustments.

Respectfully submitted,

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Report accepted and recommended by the City Manager.

- Appendix A: COTW Report – September 23, 2021
- Appendix B: Downtown Residents Association Letter
- Appendix C: Mediation Report – March 31, 2022
- Appendix D: Gonzales Neighbourhood Association letter – May 12, 2022
- Appendix E: Fairfield Gonzales Community Association letter – June 8, 2021