

To: Electoral Area Services Committee  
 From: Johannes Bendle, Planner I  
 Katelyn Hipwell, Planner I

Date: 2017-01-11  
 File No: 6480-30-049

**Subject: Hemlock Resort – OCP Consultation Strategy**

**RECOMMENDATION**

**THAT** pursuant to section 475 of the *Local Government Act* the Regional Board approve the memorandum, including attachments dated January 11, 2017 as the consultation strategy for the Hemlock Valley, Electoral Area “C” Official Community Plan Review and Update;

**AND THAT** the Regional District undertake early and ongoing consultation with:

1. Electoral Area “C” and specifically residents and land owners by means of newsletters, meetings, events, open house, and a public hearing;
2. Sts’ailes First Nation, Sto:lo Nation, Sto:lo Tribal Council, Soowahlie First Nation, Seabird Island Band, Shxw’ow’hamel First Nation, Skawahlook First Nation, Kwantlen First Nation, Skwah First Nation, Coldwater, Cook’s Ferry, Siska First Nation, and Douglas First Nation (Xa’xtsa First Nation) by means of written notification of plan development, request for input, identification of preferred consultation approach, and referral of draft plan;
3. School District 78 Fraser-Cascade by means of written notification and request for input, staff level meeting and referral of a draft plan;
4. Mountain Resorts Branch (Ministry of Forests, Lands, Natural Resources) by means of notification of plan development , request for input , staff level meetings as desired, and referral of draft plan; and,
5. Local, provincial, and federal government agencies and other stakeholders by means of notification of plan development, request for input, staff level meetings as desired, and referral of draft plan.

**STRATEGIC AREA(S) OF FOCUS**

Support Environmental Stewardship  
 Foster a Strong & Diverse Economy  
 Support Healthy & Sustainable Community  
 Provide Responsive & Effective Public Services

**PRIORITIES**

Priority #5 Outdoor Recreation  
 Priority #4 Tourism  
 Priority #2 Air & Water Quality

**BACKGROUND**

Hemlock Resort (Berezan Group) received approval from the Province of British Columbia in March 2016 for an All-Seasons Resort Master Plan. The approval allows for significant expansion of

the existing resort base through a five phase resort development on Crown Lands. As part of this approval, the Province and Hemlock Resort entered into a Master Development Agreement (MDA) which outlines the development Commitments that must be achieved by the developer. The Commitments were developed through consultation with the Fraser Valley Regional District (FVRD), First Nations, and various other stakeholders. Prior to Hemlock Resort proceeding with the development outlined in the Master Plan, the FVRD requires an Official Community Plan (OCP) review and amendment to reflect the approved Master Plan development. As such, the FVRD has initiated the OCP review process. At the November 22, 2016 FVRD Board meeting, the Board received a staff report on the project scope and work plan for the Hemlock Valley OCP review and update. This memo outlines the OCP consultation strategy which is designed to support the OCP development and implementation.

## **DISCUSSION**

In the interest of pursuing a consultation approach which meets the legislative requirements of the *Local Government Act* as well as the needs of the public and stakeholders, the Regional District must consider how to undertake consultation for the Electoral Area "C" – Hemlock Valley. The proposed consultation strategy will focus consultation efforts on three main groups: First Nations, Public, and Stakeholders.

### **Statutory Requirement for Consultation**

Local governments are compelled by section 475 of the *Local Government Act* to provide one or more opportunities for consultation with persons, organizations and authorities that will be affected by the development of the Plan.

The local government must consider whether the opportunities should be early and ongoing, and specifically whether consultation is required with the following:

- i. Adjacent municipalities and Regional Districts;
- ii. First Nations;
- iii. School districts and improvement districts; and
- iv. Provincial and federal governments and their agencies.

The local government must provide, at a minimum, one opportunity for public consultation in addition to the public hearing required per section 477 of the *Local Government Act*.

In consideration of whether the consultation opportunities should be early and ongoing, the local government may use discretion to determine the method of consultation. While the terms early and ongoing are not defined in the *Local Government Act* 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.

## Scope of Consultation

Between Fall 2010 and Spring 2013, significant consultation between the FVRD and the various affected parties occurred as part of the Master Plan approval process. This process occurred simultaneously to a much broader consultation process undertaken by the Province which is still ongoing. These processes included referrals, public information meetings and information sharing between various levels of government, including with the developer. The OCP consultation process, while separate and distinct, will build upon previous consultation undertaken by the FVRD and the Province for the Master Plan.

The consultation strategy is appropriate to the scale and nature of the OCP review and update, as land use changes are consistent with the previously approved Master Plan. The Electoral Area "C" – Hemlock Valley plan will utilize public open houses as well as group meetings targeted to specific interest groups (residents, visitors and tourists, business and development community) in lieu of forming an ongoing Advisory Planning Commission. All feedback will be collected, summarized and accessible for the Regional Board and community members.

## Target Consultation Audiences

To meet the statutory obligation set out in the *Local Government Act* and ensure a broad range of interests are represented in the OCP review and update, the following primary audiences should be consulted:

1. General Public
  - a. Residents
  - b. Ratepayers / Landowners
2. Specific Audiences
  - a. Business / Development Community
  - b. Tourists / Visitors / Recreation Users
3. First Nations
4. School District
5. Other local, provincial and federal government agencies
  - a. FVRD Internal Departments
  - b. Ministry of Transportation and Infrastructure
  - c. Ministry of Forests, Lands, Natural Resources

Typically, the timing and extent of consultation with each individual group depends on their interest and the seriousness of impact of the plan update. Some groups may identify a specific area of focus requiring consultation or a wide ranging interest over a number of broad topics. The consultation approach used for each audience may also vary from organized meetings or direct contact to informal open houses, public information booths, newsletter mailouts, and website updates. Expanded details of the consultation strategy are presented in Table 1 below.

AUDIENCE	CONSULTATION ACTION
<b>Residents and Landowners</b>	<ul style="list-style-type: none"> <li>• Newsletter Mailout</li> <li>• Website Updates</li> <li>• Social Media Updates</li> <li>• Media Release</li> <li>• Open House/Information Booth</li> <li>• Utility Billing OCP Reminder Note</li> <li>• Additional/Follow-up meetings as requested or required</li> <li>• Public Hearing at 1<sup>st</sup> Reading of Bylaw</li> </ul>
<b>Tourists and Visitors</b>	<ul style="list-style-type: none"> <li>• Website Updates</li> <li>• Social Media Updates</li> <li>• Media Release</li> <li>• Open House/Information Booth</li> </ul>
<b>Business and Development Groups</b>	<ul style="list-style-type: none"> <li>• In-person meetings</li> <li>• Working groups</li> </ul>
<b>First Nations</b> <ul style="list-style-type: none"> <li>• Sts’ailes First Nation</li> <li>• Sto:lo Nation</li> <li>• Sto:lo Tribal Council</li> <li>• Soowahlie First Nation</li> <li>• Seabird Island Band</li> <li>• Shxw’ow’hamel First Nation</li> <li>• Skawahlook First Nation</li> <li>• Kwantlen First Nation</li> <li>• Skwah First Nation</li> <li>• Coldwater</li> <li>• Cook’s Ferry</li> <li>• Siska First Nation</li> <li>• Douglas First Nation (Xa’xtsa First Nation)</li> </ul>	<ul style="list-style-type: none"> <li>• Early Referral Letter <ul style="list-style-type: none"> <li>○ Notification of OCP Review/Update</li> <li>○ Request for feedback and pertinent information</li> <li>○ Opportunity to identify issues</li> <li>○ Determine preferred consultation approach</li> </ul> </li> <li>• Follow-up contact (phone, email, meeting)</li> <li>• Referral copy of draft plan / bylaw referral</li> </ul>
<b>School District / Government Agencies</b>	

Table 1: Consultation actions by Audience for Electoral Area "C" – Hemlock Valley OCP Review and Update

The First Nations included in Table 1 were identified using the Province’s Consultative Areas Database, a mapping tool designed to help local governments identify First Nations who have treaty rights or asserted or proven rights or title on a particular land base. This list is consistent with the First Nations consulted by the Province throughout the development of the Master Plan for Hemlock Resort. The FVRD has also included Douglas First Nation (Xa’xtsa First Nation) due to their proximity to the OCP Area at the head of Harrison Lake.

In keeping with previous 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 received 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 review and update process; and,
- Opportunities for consultation should not be denied to any party that expresses a desire for input.

As the Plan review and update process progresses, staff will continue to provide updates to EASC and the Regional Board, including: original written submissions and public meeting notes as received; and compiled referral responses from First Nations and government, along with staff prepared summary and analysis prior to giving reading or adoption to the OCP bylaw.

## **COST**

The Electoral Area “C” – Hemlock Valley OCP review and update is a scheduled 2017 Electoral Areas Planning Section work plan priority. Anticipated costs will be covered under existing Planning and Development budget resources. Additionally, the Resort Owner, Berezan Group, has made an application for an OCP amendment and paid the applicable application fee.

## **CONCLUSION**

Hemlock resort (Berezan Group) received approval from the Province of British Columbia for an All-Seasons Resort Master Plan, which allows for significant expansion of the existing resort base through a five phase resort development. As such, the FVRD has initiated an OCP review and update to align the community’s OCP with the approved Master Plan. The FVRD has an interest in pursuing a consultation strategy for the OCP review and update that both meets the statutory requirements for consultation and the needs of stakeholders and the public. The consultation strategy, for the Regional Board’s consideration, is appropriate to the scale and nature of the OCP review and update.

### **COMMENT BY:**

**Graham Daneluz, Deputy Director of Planning & Development:** Not available for comment.

### **COMMENT BY:**

**Margaret Thornton, Director of Planning & Development:** Reviewed and supported.

### **COMMENT BY:**

**Mike Veenbaas, Director of Financial Services:** Reviewed and supported.

### **COMMENT BY:**

**Paul Gipps, Chief Administrative Officer:** Reviewed and supported