

## ADMINISTRATIVE REPORT



**TO:** Advisory Planning Commission

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** March 8, 2021

**RE:** Electoral Area "A" Official Community Plan (OCP) Bylaw Review Summary Report

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### **Purpose:**

The purpose of this report is to provide the Electoral Area "A" Advisory Planning Commission (APC) with a summary of the Official Community Plan (OCP) Bylaw Review project.

### **Background:**

In accordance with the Regional District Board's "OCP Review Schedule", the review of the Electoral Area "A" OCP Bylaw was commended in November of 2019.

The consultations undertaken in support of this review have included the following:

- the completion of two (2) on-line community surveys;
- the distribution of four (4) Community Newsletters in November of 2019, June & November of 2020 and January of 2021;
- the distribution of postcards notifying the OCP Review project to the community;
- an on-line presentation to the Anarchist Mountain Community Association on July 15, 2020;
- the convening of an in-person open house at the Sonora Centre on September 21, 2020;
- an on-line public meeting on February 24, 2021;
- engagement with external agencies, such as the Okanagan Basin Water Board, Interior Health, Ministry of Transportation and Infrastructure (MoTI), the Agricultural Land Commission, and the Town of Osoyoos; and
- on-going discussions with staff at the Osoyoos Indian Band (OIB).

There has also been an on-going dialogue with members of the Electoral Area "A" Advisory Planning Commission (APC) through meetings and electronic correspondence.

A draft of the Electoral Area "A" OCP Bylaw No. 2905 and accompanying schedules were posted to the Regional District's web-site in July of 2020 (as well as subsequent updates), and notified to the community through CivicReady as well as the Regional District's social media accounts.

A formal referral of the Draft OCP Bylaw was sent to external agencies on October 20, 2020, with a 45-day period for comments to be submitted (i.e. to December 4, 2020).

Under the contract entered into by the Regional District and Ecoplan International Inc, Phase 4 (Review & Adoption) of the project is to occur between November of 2020 and March of 2021, with adoption of the bylaw tentatively to be complete by March 31, 2021.

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At its meeting of February 18, 2021, the Planning and Development (P&D) Committee of the Regional District Board reviewed a draft copy of OCP Bylaw No. 2905 in accordance with its “Land Use Bylaw Transition Policy” (2016), the purpose of which is to provide the Board with a summary of:

- “significant policy changes” contained within the draft OCP Bylaw; and
- “current subdivision proposals which may be affected by proposed changes to the regulations ... comprised within the Bylaw.”

Consideration of 1<sup>st</sup> reading of the Electoral Area “E” OCP Bylaw No. 2905 is *tentatively* being scheduled for the Board meeting of March 18, 2021.

### **Analysis:**

As the APC has previously been advised, many of the existing objectives and policies contained within the consolidated version of the current OCP Bylaw No. 2450, 2008, are seen to still be valid and are being carried forward into the new Electoral Area “A” OCP Bylaw No. 2905.

In January of 2021, and in support of the public meeting scheduled for February 24, 2021, tables comparing the proposed sections in Bylaw No. 2905 with comparable sections in Bylaw No. 2450, 2008, were posted to the project web-page for the OCP Review.

As can be seen in these tables (accessible via the link provided below), the objectives and policies for certain types of land uses remain relevant and are being carried forward virtually unchanged (i.e. Rural Holdings, Residential, Parks, Recreation and Trails, Natural Environment and Open Space and Temporary Use Permits).

Where more notable changes are occurring, these are generally in relation to the following:

- Community Profile: updated population projections based on recent Census data.
- Vision and Broad Goals: a “Vision” statement is being introduced, while the Board Goals are being refined from the current 19 to 8.
- Growth Management:
  - revised population projections are being applied (e.g. 205 new dwellings required by 2031), which can generally be accommodated through existing zoning;
  - establishing “Rural Growth Area” boundaries at Willow Beach and Anarchist Mountain as required under the Regional Growth Strategy (RGS) Bylaw; and
  - removing policies that speak to “cluster” forms of development due to the challenges associated with this concept (e.g. need for rezoning, consistency with RGS, tendency for developers to seek density bonuses when undertaking a “cluster”).
- Local Area Policies: introduction of new sections containing policies specific to North West Osoyoos Lake, Osoyoos Lake South, Anarchist Mountain and Kilpoola.
- Resource Area (RA) designation: introduction of a new policy related to the protection of community watersheds through zoning.
- Agriculture (AG) designation: revision of Agricultural Protection Area (APA) policies by moving them to Local Area Policies and deletion of APA map.

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- Commercial (C) designation: introduce criteria to be considered for bylaw amendment applications seeking to introduce a new commercial zoning (similar to criteria used for tourist commercial uses).
  - Hazard Lands: expanded policies related to flood, slope and wildfire hazards, including new mapping related to each type of hazard.
  - Climate Change Mitigation: updated policies to reflect the new requirements found in the *Climate Change Accountability Act* (2019), specifically, reducing GHG emissions by 40% below 2007 levels by 2030, 60% by 2040 and 80% by 2050.

As the APC is aware, the Regional District is currently reviewing possible amendments to the Environmentally Sensitive Development Permit Area (ESDP) Area designations through a separate project that applies to all of the Electoral Areas with an OCP Bylaw.

Similarly, the investigation of a Wildfire Development Permit Area designation is also being pursued as a separate project and *may* result in amendments to the Electoral Area OCP Bylaws in future.

In summary, Draft OCP Bylaw No. 2905 is seen as meeting the statutory requirements set out under Section 473 of the *Local Government Act* (i.e. 5 year supply of land for residential housing needs; policies that speak to affordable, rental and special needs housing; greenhouse gas emissions reduction targets, etc.), and as aligning with the community's goals and objectives as well as those that have previously been adopted by Regional District Board (e.g. Regional Growth Strategy).

As the project nears completion, Administration notes that the project is on schedule and has been conducted within the allotted budget.

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**Administrative Recommendation:**

For information

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**Respectfully submitted:**



C. Garrish, Planning Manager

Attachments: <https://www.rdos.bc.ca/development-services/planning/strategic-projects/electoral-area-a-ocp-bylaw-review/>

[this hyperlink is being provided so that APC members may access the current version of Draft OCP Bylaw No. 2905 and related map Schedules as well as the Comparison Tables of proposed vs. current OCP Bylaws]