

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

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

**DATE:** May 18, 2023

**RE:** Watercourse Development Permits (WDP) Updated Timelines (X2023.004-ZONE)

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### Administrative Recommendation:

**THAT the requirements for a Watercourse Development Permit contained in Bylaw No. 3008, 2023, be deemed to provide a level of protection that is comparable to or exceeds that established by the *Riparian Areas Protection Regulation*; and,**

**THAT the Electoral Area Official Community Plan Amendment Bylaw No. 3008, 2023, be read a third time and adopted, and**

**THAT Development Procedures Amendment Bylaw No. 2500.32, 2023, be read a third time and adopted.**

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### Purpose:

Amendment Bylaws No. 3008 and 2500.32, 2023, are seeking to allow for consideration of the issuance of a Watercourse Development Permit (WDP) without an “Assessment Report” having been reviewed by the province whenever provincial processing times exceed six (6) months.

### Background:

**November 1, 2019** - a new Provincial *Riparian Area Protection Regulation* (RAPR) came into effect. One of the more consequential changes was a requirement that a local government not issue a WDP until such time as the relevant Minister has forwarded a copy of a QEP’s assessment report.

**February 20, 2020** - Amendment Bylaw No. 2876, 2020, which updated the various Electoral Area OCP Bylaws to reflect the introduction of RAPR was adopted. This included a requirement that the Regional District receive an “Assessment Report”, prepared in accordance with RAPR, from the responsible provincial minister prior to the issuance of a permit.

**March 16, 2023** - Options regarding Watercourse Development Permit timeline updates were presented and it was determined that the Watercourse Development Permit (WDP) Area Guidelines in the Electoral Area Official Community Plan (OCP) should be amended.

**May 4, 2023** - First and second reading of the amendment bylaws were approved and a public hearing was scheduled ahead of the May 18, 2023 meeting.

### Analysis:

The proposed amendment bylaws address the current delay and backlog in the provincial review of “Assessment Reports”, which is creating undue hardship for property owners within Electoral Areas that are attempting to undertake development in designated WDP areas.

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The proposed amendments would allow for more timely consideration of WDP applications by allowing for the consideration of the issuance of a WDP without an “Assessment Report” having first been reviewed by the province, whenever provincial processing times exceed six (6) months.

The allowance is intended to be a temporary provision with the normal procedure being one in which the province reviews reports in a timely manner.

The Regional District would not be able to provide the same level of review as provincial staff holding a QEP designation but we can ensure that the minimum threshold for the Riparian Areas Protection Regulation are met.

**Alternatives:**

1. THAT first and second readings of the Electoral Area Official Community Plan Amendment Bylaw No. 3008, 2023, and the Development Procedures Amendment Bylaw No. 2500.32, 2023, be rescinded and the bylaws abandoned.

**Respectfully submitted:**

*Fiona Titley*

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Fiona Titley, Planner II

**Endorsed By:**

*CG*

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C. Garrish, Planning Manager