



Standing Committee Report Electoral Area Services Committee

To: Electoral Area Services Committee
From: Director of Development and Engineering Services
Date: June 13, 2024

Subject: Official Community Plan Updates

Objective: To provide an overview of options for Official Community Plan Updates.

Discussion:

Background

Further to the overview of Official Community Plans (OCPs) presentation provided by Development Services staff on September 28, 2023, an OCP is a primary policy document which establishes a long-term vision and outlines objectives and policies to guide decisions on planning and land use management. Once an OCP is adopted, works undertaken and bylaws enacted should be consistent with the OCP. This includes decisions about zoning, subdivision, density, services and capital spending. Long-range planning can therefore have a critical role in influencing economic development, housing, parks and recreation opportunities, infrastructure, and contribute to overall community health, well-being and a sense of belonging.

OCPs require periodic updates to remain relevant and responsive to evolving community needs and emerging trends. OCP updates also provide an opportunity for alignment with other plans throughout the region. The Regional Board's Strategic Priorities for 2023-2026 identified pursuing funding opportunities to update OCPs as an action under the Electoral Area priority for Growth and Development.

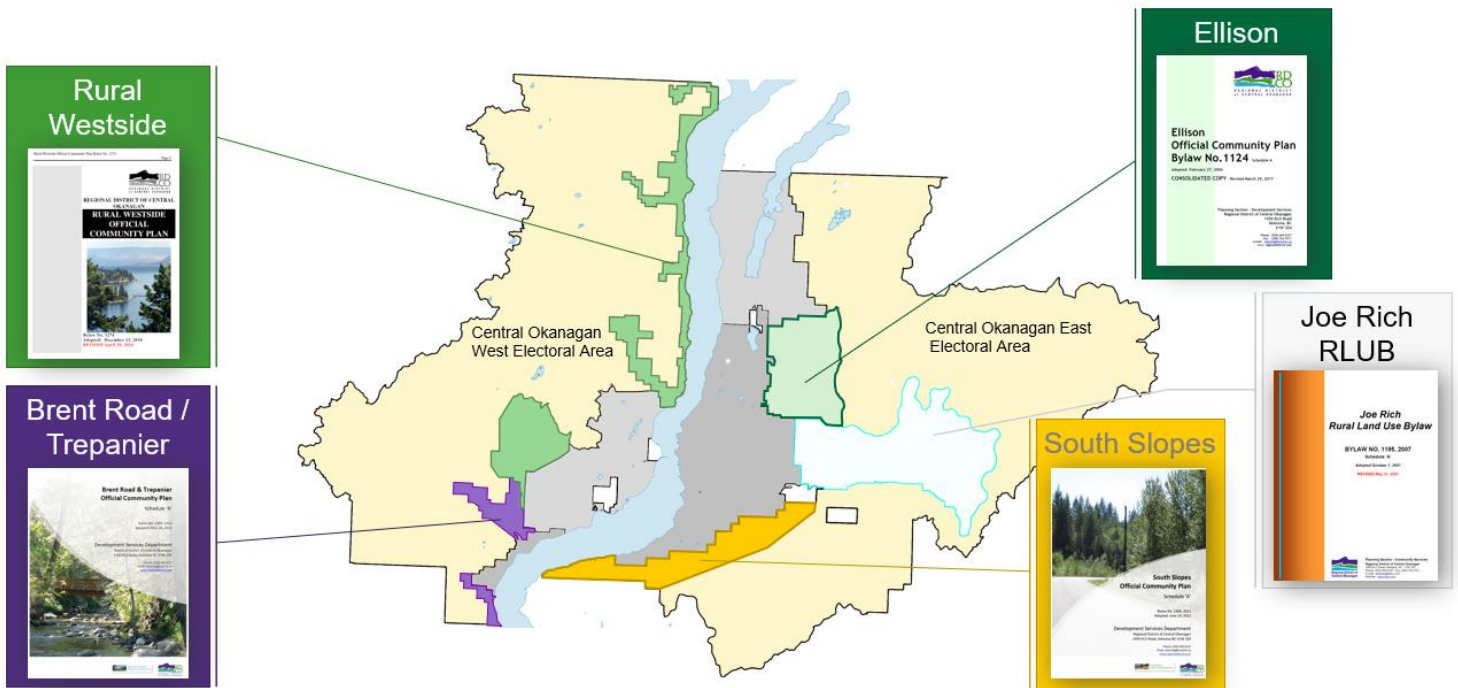
The resources and timeline required to complete an OCP update depend on the scope of the project and breadth of community consultation and engagement. A substantial update process typically takes 24-36 months to complete and requires significant resources including staff time and consulting budget.

Electoral Area Planning

The Central Okanagan is one of the fastest growing regions in the Province and there have been significant changes that have occurred in recent years. While growth can offer many opportunities, it does not come without its challenges. Given the proximity of communities within the region and their integration through the transportation network, RDCO's electoral areas are unique given the urban context that surround them.

Within the RDCO, there are four OCPs that have been adopted to guide how the electoral areas will evolve and develop in the future. Each OCP features objectives to guide land use, growth and sustainability in the areas they represent. While the future land use designations of an OCP establish a general land use vision, it is the zoning bylaw that regulates the specific uses and density that are permitted to occur on the land. Zoning Bylaw No. 871 applies to properties within the Central Okanagan West Electoral Area and parts of the East Electoral Area outside of Joe Rich.

Uniquely, land use within the Joe Rich rural area is regulated by the Joe Rich Rural Land Use Bylaw (RLUB) which contains regulations and long range planning policies (essentially containing some of the elements of a zoning bylaw and an Official Community Plan). Each land use designation has a set of regulations and permitted uses.



	OCPs/Joe Rich RLUB	Adoption Date
Central Okanagan West Electoral Area	Brent Road/Trepanier OCP	May 28, 2012
	Rural Westside OCP	December 13, 2010
Central Okanagan East Electoral Area	South Slopes OCP	June 14, 2012
	Ellison OCP	February 27, 2006
	Joe Rich Rural Land Use Bylaw	October 1, 2007

The two most recent OCPs within each of the electoral areas were adopted over 10 years ago. While there have been a number of bylaw amendments over the years, there has been no comprehensive review of OCPs or the Joe Rich RLUB. Since the adoption of these bylaws, the Regional Growth Strategy (RGS) has been updated, provincial legislation changes, neighboring municipal OCP updates, in addition to various topic-specific plans and strategies that have been approved by the Regional Board.

Until recently it has been best practice to update OCPs every five to ten years, or when a plan update can be substantially justified by new statutory requirements or circumstances such as unforeseen population increases or housing demand, or large-scale development proposals inconsistent with the established vision of the Plan. Despite the rural nature of the electoral areas, the relatively low population density and minimal community servicing, the regional context has changed with unprecedented growth,

more frequent severe weather events, and an ever-changing regulatory environment. With the rate of growth occurring throughout the region, putting substantial pressure on local governments to finance and build new infrastructure to support this growth, there is a need to focus on servicing and financing plans to accompany long range policy documents. Lastly, wildfires, flooding, and drought have already overwhelmed local infrastructure, caused economic losses, and posed health risks to communities.

The RDCO is committed to climate action and environmental sustainability. The Electoral Area Services Committee (EASC) identified responsible land use planning as a priority to safeguard the environment and climate. An action identified to support this priority was to pursue funding opportunities to update the OCPs.

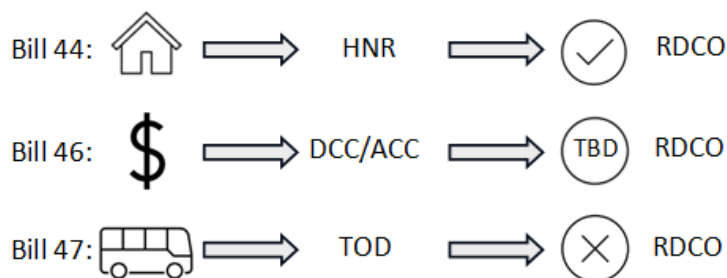
Statutory Requirements

The *Local Government Act* (LGA) enables local governments to prepare and adopt OCPs. An OCP will have to consider the legislative requirements of Part 14 of the *LGA* that governs the preparation, consultation and adoption requirement for Official Community Plans.

The legislation stipulates that an OCP must include statements and map designations respecting matters such as residential development, commercial, institutional, and agricultural land uses, along with restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive. Other content required in an OCP includes housing policies respecting affordable housing and rental housing as well as setting targets for the reduction of greenhouse gas emissions along with policies and actions to achieve those targets. An OCP update also must be completed with a corresponding public engagement plan, as there are mandated external agencies that must be consulted as part of the Plan preparation.

Legislative Changes

In November 2023, the Province of British Columbia instituted a suite of legislative changes intended to fulfill the *Homes for People Plan* and increase the affordable housing supply in the Province which included Bill 44: Housing Statutes (Residential Development) Amendment Act, 2023; Bill 46: Housing Statutes (Development Financing) Amendment Act, 2023; and Bill 47: Housing Statutes (Transit-Oriented Areas) Amendment Act, 2023. Below is a high-level graphic that overviews which legislation directly applies to RDCO processes.



Housing Needs Report (HNR)
 Development Cost Charges (DCC) / Amenity Cost Charges (ACC)
 Transit Oriented Development (TOD)

Under Bill 44 municipalities must now update their OCPs every 5 years to ensure they provide for the 20-year total number of housing units and must align Zoning Bylaws with Housing Needs Reports (HNR) and OCP by accommodating the 20-year total number of housing units. Although there is no requirement for regional districts to update their OCPs every 5 years, the expectation is that regional districts will ensure alignment with the new changes at the next practical opportunity.

Rural Land Use Bylaws in the Context of Bill 44

Bill 44 introduces amendments to the LGA which directly impact the regulation of land use in electoral areas. One notable aspect of Bill 44 is the exemption granted to Rural Land Use Bylaws (RLUBs) under section 457 of the LGA. This exemption acknowledges the unique characteristics and historical development patterns of rural areas, allowing them to maintain distinct land use regulations tailored to their specific needs.

Despite the exemption of the Joe Rich RLUB under Bill 44, the legislation introduces broader changes to the regulatory landscape that indirectly affect RLUBs. For instance, amendments aim to streamline land use planning processes, enhance consistency, and promote regional planning objectives. Keeping the Joe Rich RLUB static does not serve the region to be planned comprehensively. As such, a review and update of the RLUB will be required or long range planning polices for Joe Rich will have to transition in to an OCP.

OCP Updates

Updates to OCPs can range significantly in scale and scope. Major updates typically involve a re-examination of objectives and policies; updates to population and development forecasts; review of land use designations as they relate to community- or Plan-specific issues; examination of the Plan in the context of new regional growth demands and trends; and, extensive consultation. This process takes a considerable amount of time from the initiation of an OCP review to final adoption and is a multi-year process. Typically, there are also supplementary processes and costs encountered during an OCP update process.

Options Framework

Given the four OCPs and the Joe Rich RLUB requiring review and the significant resources and time required to support these updates on an individual basis, it is not practical or timely to move forward with individual updates.



In the context of the RDCO, there are essentially five options for consideration to address the update of these policy documents from maintaining the current structure to harmonizing all OCPs into a single regional plan.

Table 1: Options

	Description of Option	Deliverables	Resource Intensity
Option A:	Option A would involve the creation of one OCP for the Central Okanagan West Electoral Area and another for the Central Okanagan East Electoral Area. These OCPs would replace the existing individual OCPs, and the Joe Rich RLUB would be repealed. This option involves consolidating and integrating the individual OCPs and local planning policies into two planning frameworks for the RDCO. In repealing the Joe Rich RLUB, a concurrent process will be required to address land use regulations in Joe Rich.	3 Major Projects <ul style="list-style-type: none"> • 1 OCP for Central Okanagan West Electoral Area • 1 OCP for Central Okanagan East Electoral Area • Establish Joe Rich land use regulations 	Medium
Option B:	Option B would involve the comprehensive harmonization of all OCPs and the Joe Rich RLUB and the development of Local Areas Plans within a single OCP. This option involves repealing the Joe Rich RLUB and consolidating and integrating the individual OCPs and local planning policies into a unified planning framework for the RDCO. In repealing the Joe Rich RLUB, a concurrent process will be required to address land use regulations in Joe Rich.	3 Major Projects <ul style="list-style-type: none"> • 1 OCP • Development of local area plans • Establish Joe Rich land use regulations 	High
Option C:	Similar to Option B, with the exception of retaining the Joe Rich RLUB, this option involves the harmonization of all OCPs and the development of LAPs within a single OCP. This option involves consolidating and integrating the individual OCPs and local planning policies into a mostly unified planning framework for the RDCO. In retaining the Joe Rich RLUB, the zoning function of this Bylaw would remain, however the RLUB would still require review and update.	3 Major Projects <ul style="list-style-type: none"> • 1 OCP • Development of local area plans • Update the Joe Rich RLUB 	High
Option D:	Option D involves proceeding with separate updates to the existing OCPs for the Rural Westside, Brent Road/Trepanier, South Slopes, and Ellison areas, while repealing the Joe Rich RLUB and replacing it with a new Joe Rich OCP. In repealing the Joe Rich RLUB, a concurrent process will be required to address land use regulations in Joe Rich.	6 Major Projects <ul style="list-style-type: none"> • 5 OCPs • Establish Joe Rich land use regulations 	High
Option E:	Option E involves proceeding with individual updates to the existing OCPs for the Rural Westside, Brent Road/Trepanier, South Slopes, and Ellison areas, as well as retaining the Joe Rich RLUB. In retaining the Joe Rich RLUB, the zoning function of this Bylaw would remain, however the RLUB would still require review and update.	5 Major Projects <ul style="list-style-type: none"> • 4 OCPs • Update the Joe Rich RLUB 	High


























In repealing the Joe Rich RLUB, land use regulations would also be repealed and involve one of the following:

- Update and transition Joe Rich properties to Zoning Bylaw No. 871; or
- Establish a new Joe Rich Zoning Bylaw.

When evaluating the 5 options, a matrix was used to establish the following criteria being met:

1. Resources: staff time, consulting services, engagement activities, supplementary costs, overall cost to complete the project/financial impacts
2. Timeline: anticipated timeframe to complete updates from project initiation to adoption of bylaws
3. Administrative complexity: legal compliance, regulatory approvals, ancillary bylaw amendments, new bylaws and procedural intricacies
4. Value for community: Reaffirm community vision through consultation processes and ability to stay current and responsive and to reflect community needs
5. Regional cohesion: Alignment of regional objectives and policy consistency
6. Document ease of understanding: Accessibility and clarity of policies for all users

Table 2: Criteria Matrix

	Resources	Timeline	Administrative Complexity	Value for Community	Regional Cohesion	Document Ease of Understanding
Option A: 1 OCP for COW Electoral Area & 1 OCP for COE Electoral Area	\$\$					
Option B: Harmonize all OCPs and the Joe Rich RLUB into 1 OCP	\$\$					
Option C: Harmonize all OCPs and retain the Joe Rich RLUB	\$\$					
Option D: Update all OCPs separately & develop an OCP for Joe Rich	\$\$\$					
Option E: Update all OCPs & the Joe Rich RLUB separately	\$\$\$					

Funding

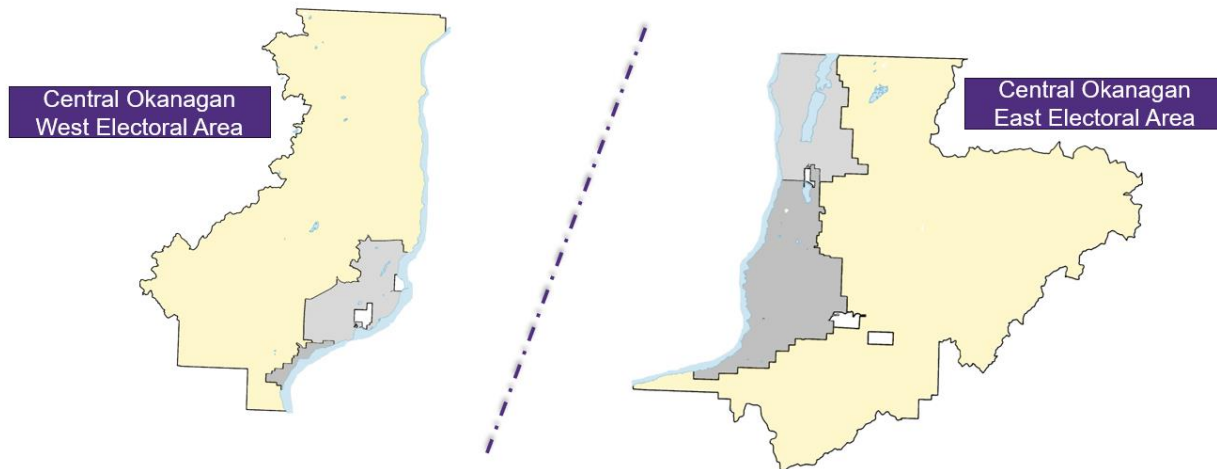
As noted above, undertaking one OCP update (let alone numerous OCP's) is a resource intensive exercise. Under the Local Government Housing Initiatives funding program, the provincial government has issued \$80,000 + \$5.80/per capita to each regional district to help meet new legislative requirements. In 2024, the RDCO received \$198,749 to be spent on eligible costs and activities related to legislative requirements arising from Bills 44, 46, and 47. This funding would be eligible to support OCP updates and at this time is currently the only potential funding source for this initiative. As the update of OCPs will require significant staffing resources and technical support, there is a need to explore additional funding sources.

Recommended Option

Updating the RDCO's OCP policy framework is an opportunity to harness community vision and shape the growth strategy to advance the region's livability and sustainability, while managing anticipated growth on rural and ecologically sensitive lands.

With direction from the Board's Strategic Priorities, Staff have examined the possible pathways to accomplish the OCP updates and recommend the following option to provide the best overall value for community while acknowledging significant resource requirements to complete this extensive scope of work:

Option A: One OCP for Central Okanagan West Electoral Area and One OCP for Central Okanagan East Electoral Area with the Repeal of Joe Rich Rural Land Use Bylaw.



This option honors the distinct geography and character of each of the Electoral Areas, while still advancing the overarching framework of the Regional Growth Strategy and other regionally significant plans, policies and initiatives. As the RDCO continues to advance other key topic specific plans, such as climate action and resiliency, agricultural plan updates, housing needs assessments, etc., this approach would have the greatest balance of delivering on context-specific growth direction while simultaneously being aligned with other relevant plan documents.

Further to direction from the Regional Board, the intent would be for staff to provide a detailed scoping report to advance the preferred option. Given the new legislation, although RDCO is not required to update OCPs every 5 years, commencing the OCP updates in 2025 is considered strategic timing in order to align with other member municipality updates that will serve as a foundation for the pending Regional Growth Strategy update.

Next Steps:

The OCP update project will have implications for organizational workloads. Consultation and plan development with Engineering, Parks, Finance, and Corporate Services will be undertaken to integrate the appropriate content and subject matter expertise. Staff are looking to receive comment from the Electoral Area Services Committee regarding key topics of growth management to be considered and included in the upcoming OCP project management scope.

Recommendation(s):

THAT the Electoral Area Services Committee recommends that the Official Community Plan Updates report be forwarded to the Regional Board for consideration and further direction on the recommended option.

Respectfully submitted by: Danika LeBlanc, Senior Planner

Report Approved by: Danielle Noble-Brandt, Director of Development and Engineering Services