



# REGIONAL DISTRICT OF NORTH OKANAGAN

## BOARD of DIRECTORS MEETING

Wednesday, November 18, 2015

4:00 pm

## PUBLIC HEARING AGENDA

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### A. CALL PUBLIC HEARING TO ORDER

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### B. INTRODUCTION OF BYLAW

1. **Bylaw 2690 – Electoral Areas “D” and “E” Official Community Plan Amendment**  
– Staff report dated November 5, 2015

**Bylaw 2690 – Electoral Areas “D” and “E” Official Community Plan Amendment**

**Purpose:** A bylaw to amend Electoral Areas “D” and “E” Official Community Plan Bylaw No. 2485, 2011 to include a Regional Context Statement.

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### C. PUBLIC PRESENTATIONS

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### D. CLOSE PUBLIC HEARING





REGIONAL DISTRICT  
of  
NORTH OKANAGAN

# REPORT

File No.: 3045.01.04

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**TO:** Board of Directors  
**FROM:** Planning Department  
**DATE:** November 5, 2015  
**SUBJECT:** Electoral Areas "D" and "E" Official Community Plan Regional Context Statement

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**RECOMMENDATION:**

That following consideration of comments received at the Public Hearing, Electoral Areas "D" and "E" Official Community Plan Amendment Bylaw No. 2690, 2015 be given Third Reading.

**DISCUSSION:**

On August 19, 2015 at the Regular Meeting of the Board of Directors, Bylaw No. 2690 received First Reading and referral to government agencies, First Nations and the Advisory Planning Commissions for review and comment. In addition, the Bylaw was forwarded on to the RDNO Finance and Engineering Departments to be considered in conjunction with the financial and waste management plans. In response to the referral, the Agricultural Land Commission (ALC) has indicated no objection to Bylaw No. 2690 finding it to be consistent with the purposes of the ALC Act. The Electoral Area "E" Advisory Planning Commission had some minor edits and additions to be incorporated into the Bylaw. It was also requested that the *Cherryville Community Interests* be reviewed in relation to the Regional Growth Strategy (RGS) to identify any gaps in existing policy. Upon review, staff confirmed that the objectives and opportunities highlighted in *Cherryville's Community Interests* are largely addressed in the RGS albeit at a broader, regional level.

The Regional Context Statement (RCS) summarizes how the Electoral Areas "D" and "E" Official Community Plan aligns with and supports the nine policy areas of the Regional Growth Strategy. The RGS is the coordinating plan for the Regional District of North Okanagan and member municipalities on matters affecting the management of growth and regional sustainability. The RGS provides partners with a framework to achieve shared goals while maintaining the autonomy of local jurisdictions in their community planning decisions.

On October 21, 2015 the Board of Directors passed the following resolution:

*That as recommended by the Electoral Area Advisory Committee, Electoral Areas "D" and "E" Official Community Plan Amendment Bylaw No. 2690, 2015 be given Second Reading as amended and be referred to a Public Hearing.*

Upon consideration of comments received at the Public Hearing, the Board of Directors can proceed with Third Reading.

**BACKGROUND/HISTORY:**

The Regional District of North Okanagan adopted RGS Bylaw No. 2500 on September 21, 2011, following acceptance by all affected local governments (including the City of Armstrong, District of

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Coldstream, City of Enderby, Village of Lumby, Township of Spallumcheen, City of Vernon and adjacent regional districts) and endorsement by the Electoral Area Advisory Committee.

The Regional District of North Okanagan received \$250,000 from the Union of British Columbia Municipalities (UBCM) Regionally Significant Projects Grant in February 2013 to coordinate Regional Context Statement (RCS) development and provide assistance, staff and financial resources in developing 10 municipal and Electoral Area RCSs.

The Electoral Areas "D" and "E" OCP was under review during the development and adoption of the RGS. During the OCP's policy development, draft RGS goals and strategies were taken into consideration. The OCP began the bylaw process in May 2011 and the Electoral Areas "D" and "E" Official Community Plan was adopted on March 21, 2012. The OCP currently does not include a RCS.

**CONSULTATION PLAN:**

To ensure that the RCS is aligned with the RGS in a way that retains and reflects the unique attributes of the OCP, the period of review included Planning Department staff, the Electoral Area Advisory Committee and both the Electoral Areas' Advisory Planning Commissions (APCs).

The RCS work plan, as represented in **Table 1** below, has been revised to outline the tasks, target dates and resulting deliverables to meet the goal of adoption by year end 2015.

**Table 1: RCS Revised Work Plan**

Target Date	Milestone	Deliverables
July-August 2015	Project Initiation, including Legislative Requirements, Project Timelines Report #1 Initial Draft RCS	<ul style="list-style-type: none"> <li>Staff Report: EAAC- request 1<sup>st</sup> Reading Refer bylaw to external agencies, First Nations, RDNO departments and APC's (30 days for review)</li> </ul>
September-October 2015	Report #2: Second draft of RCS Bylaw for review, request 2 <sup>nd</sup> Reading referral to Public Hearing	<ul style="list-style-type: none"> <li>Staff Report :EAAC</li> <li><i>Public consultation, communications and advertising (optional)</i></li> </ul>
November 2015	Bylaw is referred to RDNO Board of Directors RGMAC for endorsement-Public Hearing Report #3: 3 <sup>rd</sup> Reading	<ul style="list-style-type: none"> <li>Staff Report to RGMAC and BoD</li> <li>Public Hearing Minutes</li> </ul>
December 2015	Report # 4: Report Final RCS, Adoption	<ul style="list-style-type: none"> <li>Staff Report: BoD</li> <li>Adopted OCP Amendment Bylaw [RCS]</li> </ul>

**CONSULTATION REQUIREMENTS:**

Section 879 of the *Local Government Act* states that during the amendment of an OCP, such as when developing and adopting a RCS, a jurisdiction must consider what opportunities will be provided for early consultation and with whom. The local government must:

- (a) consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing; and,
- (b) specifically consider whether consultation is required with:
  - i. the board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan;
  - ii. the board of any regional district that is adjacent to the area covered by the plan;
  - iii. the council of any municipality that is adjacent to the area covered by the plan;

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- iv. first nations;
- v. school district boards, greater boards and improvement district boards; and,
- vi. the provincial and federal governments and their agencies.

The level of consultation on the development of RCSs, beyond what is required under Section 879, is at the discretion of the Board of Directors. Based upon the extensive public consultation that was undertaken during the development of the RGS and the Electoral Areas "D" and "E" OCP Review, it is the opinion of staff that consultation requirements, as specified in Section 879, are the appropriate level of consultation for the preparation of an OCP Amendment Bylaw.

**ANALYSIS:**

The Electoral Areas "D" and "E" OCP contains policies that address: Environment; Agricultural & Resource Use; Rural, Rural Residential & Residential Use; Commercial; Industrial; Special Use Areas; Quality of Life; Transportation & Servicing; Economy and Development Permit Areas.

The RCS has been developed as a mechanism to convey the consistency of the OCP's policies and approach with the goals and strategies of the RGS.

***Urban Containment and Rural Protection:***

The OCP policy framework restricts urban uses and development outside the Rural Protection Boundary and directs residential and commercial growth towards municipal Growth Areas (Lumby), which supports the RGS goal of creating a compact urban area. There is a policy which supports development within the "downtown" Cherryville area however this is predicated on appropriate servicing. The Rural Protection Boundary does not reflect the potential for development in downtown Cherryville and will need to be examined during the RGS 5-Year review to ensure consistency between the two plans.

***Agriculture and Food Systems:***

The OCP supports a robust and diverse agricultural sector by reinforcing the Agricultural Land Commission in its efforts to protect and enhance farmland. The OCP also contains policies which supports the production, processing, sale and distribution of locally grown products.

***Water Stewardship***

The RCS acknowledges the importance of water identifying the OCP supporting policies which address the many dimensions of water sustainability and responsible water management.

***Environment and Natural Lands***

The RCS highlights the unique natural features found within the OCP plan area recognizing the need to preserve and protect these natural assets. The OCP policy framework supports the three goals and twenty-three policies that address a number of environmental and natural land issues, including watershed management, environmentally sensitive areas, parks and open spaces, and pollution reduction.

***Economic Development***

The RCS acknowledges the reliance of Areas "D" and "E" residents on primary industries, mainly forestry, and agriculture for their livelihood and the need for a diversified regional approach to economic development. The RCS identifies how the OCP supports opportunities that are compatible with the rural character of the Electoral Areas, including: home occupation; communication connectivity; agriculture – local food production; and artistic events and festivals that provide economic benefits to the community.

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**Transportation and Infrastructure**

The RCS identifies how the OCP supports a variety of transportation options that are appropriate within the rural area and provides direction regarding alternative active transportation routes within communities, including trails and multi-use paths.

**Housing**

The Electoral Areas "D" and "E" OCP policy framework supports a range of housing options appropriate within a rural context, including secondary suites and mobile homes and recognizes that social housing and affordable housing projects benefit from being in close proximity to an urban location.

**Governance and Service Delivery**

The RCS acknowledges the need for regional collaboration and community involvement in initiatives to provide efficient, effective and fiscally responsible services that respond to community needs.

**Energy and Emissions:**

The OCP has adopted the RGS Green House Reduction target with supporting policies that are achievable within the rural context of Electoral Areas "D" and "E". This approach is consistent with the strategic direction of the RGS.

The RCS in the Electoral Areas "D" and "E" OCP confirms that the goals and policies of the OCP are consistent with the regional goals of the RGS to create a sustainable and resilient region that balances urban development and rural and agricultural protection.

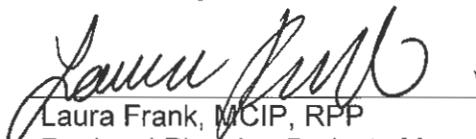
**SUMMARY:**

This report presents the revised Regional Context Statement for the Electoral Areas "D" and "E" Official Community Plan based upon feedback received during the referral process.

The Electoral Areas "D" and "E" Regional Context Statement, attached to this report as Bylaw No. 2690, 2015, demonstrates consistency with the twenty one goals of the Regional Growth Strategy, adopted on September 21, 2011.

It is recommended to the Board of Directors that upon consideration of the comments received at the Public Hearing, Electoral Areas "D" and "E" Regional Context Statement be given Third Reading.

Submitted by:

  
 Laura Frank, MCIP, RPP  
 Regional Planning Projects Manager

Endorsed by:

  
 Rob Smailes, MCIP, RPP  
 General Manager, Planning and Building

Approved for Inclusion:

  
 David Sewell  
 Chief Administrative Officer

## REGIONAL DISTRICT OF NORTH OKANAGAN

### BYLAW No. 2690

A bylaw to amend Electoral Areas “D” and “E” Official Community Plan Bylaw No. 2485, 2011 and amendments thereto

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**WHEREAS** pursuant to Section 876 [*Authority to adopt a bylaw*] of the *Local Government Act*, R.S.B.C., 1996, Chapter 323, as amended, and Regulations passed pursuant thereto, the Board of the Regional District of North Okanagan may, by Bylaw, adopt one or more official community plans;

**AND WHEREAS** the Board has enacted the “*Electoral Areas “D” and “E” Official Community Plan Bylaw No. 2485, 2011* and amendments thereto to provide a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan;

**AND WHEREAS**, pursuant to Section 895 [*Development approval procedures*] of the *Local Government Act*, the Board must, by bylaw, define procedures under which an owner of land may apply for an amendment to an Official Community Plan and must consider every application for an amendment to the plan;

**AND WHEREAS** the Board has enacted the “*Regional District of North Okanagan Development Application Procedures and Administrative Fees Bylaw No. 2315, 2008 and amendments thereto*” to establish procedures to amend an Official Community Plan, a Zoning Bylaw, or a Rural Land Use Bylaw, or to issue a Permit:

**AND WHEREAS** the Board is desirable and expedient to amend “*Electoral Areas “D” and “E” Official Community Plan Bylaw No. 2485, 2011*”.

**NOW THEREFORE**, the Board of the Regional District of North Okanagan in an open meeting assembled, hereby **ENACTS AS FOLLOWS**:

#### CITATION

1. This Bylaw may be cited as “***Electoral Areas “D” and “E” Official Community Plan Amendment Bylaw No. 2690, 2015***”.

#### AMENDMENTS

2. That Schedule “A” attached to and forming part of Electoral Areas “D” and “E” Official Community Plan Bylaw No. 2485, 2011 and amendments thereto be amended by including the following as Sections 1.6 and 1.7 and renumbering the remaining Sections accordingly:

##### **1.6 REGIONAL GROWTH STRATEGY (RGS)**

The North Okanagan Regional Growth Strategy Bylaw No. 2500, 2011 was adopted by the Regional District on September 21, 2011. The Regional Growth Strategy provides an integrated strategic policy framework for addressing growth management, compact complete communities, economic development, transportation, other infrastructure, environmental concerns and long term regional sustainability, resilience and prosperity. These policies play three key roles:

- 1) Provide direction for implementing the Regional Growth Strategy;
- 2) Create a common strategic framework for planning at various levels within the North Okanagan; and,
- 3) Provide the vision for all levels of government to strive towards.

Much of the implementation of the Regional Growth Strategy occurs through local planning and actions. The Regional Context Statement identifies the relationship between the OCP and the policies included within the Regional Growth Strategy.

## **1.7 REGIONAL CONTEXT STATEMENT**

The Electoral Areas “D” and “E” Official Community Plan is required by the Local Government Act to include a Regional Context Statement that identifies the relationship between the Official Community Plan and the Regional Growth Strategy.

While the OCP and the RGS are separate documents, their content is inter-related. The OCP is a comprehensive document which provides direction for the management of growth in the rural unincorporated communities of Electoral Areas “D” and “E” over a twenty year period. The OCP contains goals and a policy framework which directly supports the twenty-one goals of the RGS.

In accordance with Section 865 of the Local Government Act, this OCP must be consistent with the RGS. All policies in the Electoral Areas “D” and “E” OCP are consistent with, or complementary to, the goals and policies of the RGS.

The RGS identifies nine key policy areas covering a broad range of issues. Within each policy area, the RGS has one or more goals, followed by more specific strategies. The Regional Context Statement illustrates how the OCP will assist in achieving the goals and strategies established in the RGS.

### **Urban Containment and Rural Protection**

The OCP aligns with the RGS goal of focusing development into Growth Areas by encouraging lots less than 1 ha in size to be located within the Village of Lumby. Official Community Plan policy 5.3.3 indicates supports residential development in the “central” Cherryville area upon receipt of a comprehensive plan or showing servicing details. Such a development would require a community sewer system or equivalent service. The current RGS does not contemplate this type of development in “central” Cherryville but can be considered in the Five-year review to ensure consistency between the plans.

### **Agriculture and Food Systems**

Agricultural lands within Electoral Areas “D” & “E” support extensive agricultural uses which contribute to the rural character of the area. The Agricultural policies of the OCP support a robust and diverse agricultural sector protecting and enhancing farmland by establishing minimum parcel sizes and setbacks to minimize the potential for land use conflicts and support long term agricultural use.

### **Water Stewardship**

The OCP supports the RGS goal of managing water sustainability so all reasonable needs, including agriculture, are met in a balanced manner. The communities are opposed to inter-basin transfers of water. Electoral Areas “D” and “E” recognize the value of water, supporting policies within the OCP include: public education on water supply and water testing; encouraging water conservation for all land uses and implementation of new

technologies to reduce water use; and collaboration with the province to ensure data collected by local water stewardship groups and through the development review process contributes to better stewardship of water resources over the long term.

### **Environment and Natural Lands**

Electoral Areas “D” and “E” contain a diversity of natural features such as lakes, streams, hills, valleys, canyons, mature forests with large stem, alpine areas and open space which are home to various species such as raptors, owls, songbirds and amphibians. Many of the natural features are in a delicate balance that may be disturbed by pollution and development. The plan area contains significant natural features that help define the community and its landscapes including: Mabel Lake, Shuswap River, Cherry Creek, Ferry Creek and their tributaries, Sugar Lake, Echo Lake, Rawlings Lake, Kettle River, Upper Shuswap as well as Monashee Park, Camel’s Hump and Shuswap Falls. The OCP contains a number of policies which support the RGS in developing consistent, integrated environmental policies that will protect water ecosystem function, drinking water sources, and conserve and enhance biodiversity and ecological services within the Region. Policy areas include: Environmentally sensitive areas; Watercourse and riparian areas; Wildlife; Floodplains & Alluvial Fans; Wildfire policies; Tree retention and tree expansion policies; Energy and Conservation Policies; and Climate Change Policies.

### **Economic Development**

The RGS promotes a regional approach to economic development and encourages a sustainable, resilient and diverse economy. The Electoral Areas “D” and “E” OCP supports the RGS goal of economic diversity to create a sustainable future with various policies including:

- fostering a wood culture -ensuring a livelihood for area residents.
- recognizing the importance of communication connectivity for businesses and families in rural areas.
- supporting initiatives to promote local food production and sale of produce and other local food products.
- promoting tourism development.
- incubating local business- machine shops and manufacturers, wildcrafting, herbal products, farmer’s markets, home based businesses and home occupations.
- supporting annual sporting and artistic events and festivals as important economic benefits to the community.

### **Transportation and Infrastructure**

The RGS supports integrated regional transportation planning as well as managing regional transportation corridors. There is also a commitment to create effective, efficient and sustainable transportation infrastructure. The Electoral Areas “D” and “E” OCP acknowledges Highway 6 as the main highway corridor within the plan area. Over the years efforts have been made to plan a transportation network with efficient linkages between and within the rural areas. The Canadian National Railway line from Coldstream to Lumby has been designated as a transportation corridor. The OCP is supportive of the development of a Bicycle and Trail Network Plan which would consider crossovers between the road and trail network and opportunities for alternative transportation modes including: bicycle and ATV routes, trails, a Handi-dart, school bus rides; community van, carpool and car co-operatives.

## Housing

Housing choice and affordability was identified as one of the most significant challenges facing the communities of the North Okanagan during the public consultation process for the RGS. It is a goal of the RGS to provide for a variety of housing options to meet the diverse needs of all residents within the region. Within the Electoral Areas “D” and “E” OCP secondary suites and manufactured homes have been identified as a form of affordable housing within the rural areas. The OCP does acknowledge that social housing and affordable housing projects benefit from being in close proximity to an urban location (e.g. Lumby). The OCP also recognizes that the Electoral Area Zoning Bylaw supports a second dwelling in some zones for family members as a strategy to support aging in place with the ultimate goal of providing additional housing opportunities for seniors.

## Governance and Service Delivery

The RGS strives to support regional governance based upon a foundation of regional cooperation while pursuing efficient, effective and fiscally responsible service delivery. Residents within Electoral Areas “D” and “E” have indicated support for community participation in local government initiatives and regional collaboration however these communities are proud of their independence and self-sufficiency.

## Energy and Emissions

Beginning in 2007, the province of British Columbia moved forward with a number of actions designed to encourage energy efficiency and reduce emissions of Green House Gases. The Local Government Act requires that the Regional Growth Strategy include a GHG target and actions. The RGS has committed to a GHG emissions reduction of 15% by 2020 and 25% by 2030 from 2007 GHG emission levels. The Electoral Areas “D” and “E” OCP supports the regional target and has committed to a 25% reduction in community emissions by 2030 from 2007 GHG emission levels. Strategies and Actions have been identified including promoting pedestrian and cycling facilities; supporting provincial and federal programs to encourage energy retrofits; reduction of landfill waste; support for Smart Growth planning principles as applicable to rural areas and protection of ecosystems that perform essential ecosystem services such as cleaning air and purifying water.

<b>Read a First Time</b>	this	19th	day of	August, 2015
<b>Bylaw considered in conjunction with the Regional District Financial Plan and Waste Management Plan</b>	this	19th	day of	August, 2015
<b>Read a Second Time, as amended</b>	this	21st	day of	October, 2015
Advertised on	this	11th	day of	November, 2015
	this	13th	day of	November, 2015
Public Hearing held pursuant to the provisions of Section 890 of the <i>Local Government Act</i>	this	18th	day of	November, 2015
<b>Read a Third Time</b>	this		day of	, 2015

**ADOPTED**

this

day of

, 2015

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Chair

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Deputy Corporate Officer