



# BOARD REPORT

**TO:**

Chair and Directors

<b>File No:</b> BL840
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**SUBJECT:**

Electoral Area E: Electoral Area E Official Community Plan Bylaw No. 840 – First Reading

**DESCRIPTION:**

Report from Jan Thingsted, Planner III, dated August 6, 2020.  
Electoral Area E Official Community Plan Bylaw No. 840 – First Reading.

**RECOMMENDATION #1:**

THAT: First Reading given the 17<sup>th</sup> day of October, 2009 and Second reading given the 18<sup>th</sup> day of March, 2010 to "Electoral Area E Official Community Plan Bylaw No. 840", be rescinded.

**RECOMMENDATION #2:**

THAT: "Electoral Area E Official Community Plan Bylaw No. 840", be given first reading this 20<sup>th</sup> day of August, 2020.

**RECOMMENDATION #3:**

THAT: The Board utilize the complex consultation process for "Electoral Area E Official Community Plan Bylaw No. 840" and the bylaw be referred to the following agencies and First Nations:

- Agricultural Land Commission;
- BC Parks;
- Canadian Pacific Railway;
- City of Salmon Arm;
- CSR D Financial Services;
- CSR D Operations Management;
- District of Sicamous;
- Interior Health Authority;
- North Okanagan Regional District;
- Ministry of Environment;
- Ministry of Municipal Affairs and Housing;
- Ministry of Transportation and Infrastructure;
- Provincial Archaeology Branch;
- School District 83; and,
- All relevant First Nations Bands and Councils.

**SHORT SUMMARY:**

This report provides an overview of how the proposed Electoral Area E Official Community Plan Bylaw No. 840 was developed, including a brief description of the proposed text and mapping, and a summary of public consultation and bylaw implementation after adoption. Staff recommends rescinding previous readings of Bylaw No. 840 and restarting at first reading given the significant time lapse and substantive changes made to the bylaw since it was last considered by the Board.

See Bylaw No. 840 text "BL840\_Schedule\_A\_OCP\_text\_first.pdf" attached.

See Bylaw No. 840 mapping "BL840\_Schedule\_B\_Land\_Use\_Designations\_first.pdf" attached.

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**VOTING:**Unweighted  
Corporate☐LGA Part 14  
(Unweighted)☒Weighted  
Corporate☐Stakeholder  
(Weighted)☐

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**BACKGROUND:**

The preparation of Bylaw No. 840 began initially in 2008 when the consultant, Catherine Berris and Associates, was engaged as the lead planner and primary author of the plan. The consultant utilized a participatory process that consisted of a series of meetings with a local advisory group, alternating with public workshops. The advisory group was composed of volunteer representatives of various geographic areas and interests in the community. Their role was to provide comments to the CSRD and consultants on draft content for the OCP, to provide input on the public consultation process itself, and to serve as a communication link between the planning process and the community.

As the OCP process was nearing completion, on June 12, 2012 a major debris flow event occurred on Hummingbird Creek which had significant impacts to the community of Swansea Point (a previous debris flow occurred on July 11, 1997). Due to the impacts from the debris flow and the initial minor mitigative works proposed by the Ministry of Transportation and Infrastructure, the CSRD was unable to continue with OCP land use planning for the Swansea Point area until it was known what decisions would ultimately be made by the province for highway improvements and in-stream works that would help in managing future flooding and debris flow events in the community.

After significant public pressure, the Province of BC announced in late 2013 that a new clear span bridge on Highway 97A would be constructed over Hummingbird Creek to replace the existing under-sized culvert. In-stream works would also be done including the removal of debris from the creek bed and significant armouring of the channel to the lake. These works were completed in mid-2015.

Work on the Electoral Area E OCP began again in 2016 with substantive changes being made to the bylaw based on a legal review of the final draft, new legislative requirements for OCPs, updated Census data, and changes in land use in the plan area. Although the general vision and framework of the OCP considered by the Board in 2010 remains in this 2020 version, much of the content has been updated.

Concurrent to the development of Bylaw No. 840, a new Zoning Bylaw has also been drafted for Electoral Area E. The Zoning Bylaw is a regulatory tool that includes more specific requirements that new development must comply with (e.g. permitted density, site coverage, land use and parking). The new OCP and Zoning Bylaw will replace Rural Sicomous Land Use Bylaw No. 2000, which only covers the western portion of Electoral Area E, and introduce new land use policies regulations for the entirety of the Electoral Area. It is expected that the new Zoning Bylaw will be ready to be presented to the Board for first reading by early fall 2020.

**POLICY:****CSRD 2019-2022 Strategic Plan**

The proposed OCP advances the seven strategic priorities identified in the 2019-2022 Strategic Plan. The seven priorities are listed below along with a brief statement regarding how the OCP addresses these policies:

1. Natural Disaster Mitigation
  - Establishes development permit areas and guidelines for geohazards.
2. Action on Environment & Climate Change
  - Sets Greenhouse Gas emission reduction targets and establishes policies for climate change action and resilience.
3. Responsible Governance
  - Establishes land use development policies that are consistent with current provincial legislation.
4. Healthy Communities
  - Advocates a Healthy Built Environment for the Plan area.
5. Transportation Advocacy
  - Includes policies to encourage active transportation, highway safety enhancements, and improved public transit.
6. Culture of Engagement
  - Involvement of an OCP working group and multiple public information meetings with future public engagement opportunities planned.
7. Partnerships & Economy
  - Includes policy statements regarding cooperation with member municipalities, Regional District of North Okanagan, and Splatins Chief and Council on a number of initiatives including housing, economic development, Sicamous - Armstrong rail trail etc.

#### **BC Climate Action Charter:**

In 2008, the CSRD became a signatory of the BC Climate Action Charter thereby agreeing to work towards reducing greenhouse gas emissions (GHG) in its corporate operations and regional communities. Bylaw No. 840 integrates objectives and policies that will help the Regional District achieve the goals identified in the Charter; including the following:

- Encouraging infrastructure and a built environment that supports the economic and social needs of the community while minimizing its environmental impact;
- Encouraging communities that are complete and compact and socially responsive;
- Encouraging land use patterns that promote increased density, smaller lot sizes;
- Developing GHG reduction targets and strategies; and,
- Promoting alternative transportation opportunities - policies and processes that support fast-tracking of green development projects, community gardens and integrated transportation and land use planning.

#### **FINANCIAL:**

The 2020 CSRD Financial Plan has the necessary budget allocated for the completion of Bylaw No. 840. The costs associated with completing the bylaw include staff time required to prepare amendments to

the OCP text and maps as well as advertising and staff time required for the public open houses and public hearing.

### **KEY ISSUES/CONCEPTS:**

Rural Sicamous Land Use Bylaw No. 2000 was adopted in 1986 and provides zoning regulations and simplified OCP policies for the western portion of Electoral E (including the northern part of Mara Lake, Anstey Arm, Salmon Arm and the Eagle Valley as far east as Yard Creek). The proposed Bylaw No. 840 will replace the land use policies for areas currently covered by Bylaw No. 2000 and will introduce new OCP policies for the remainder of the Electoral Area (extending from Malakwa to just east of Three Valley Lake).

Bylaw No. 840 sets out policies and land use designations that are intended to guide future growth in the Electoral Area. The Plan is divided into five sections (listed below), each focusing on a particular community issue, such as land use, environment, housing, and community infrastructure.

Bylaw No. 840 will also introduce seven Development Permit Areas (DPAs) to address hazardous areas, foreshore and riparian areas, and the form and character of new multi-family & intensive residential, commercial and resort developments. The list below names each DPA and its key objective:

- Geohazard DPA – Minimize the risk to life, and to minimize the potential for damage to property and the natural environment by directing development away from hazardous areas.
- Foreshore and Water DPA – Ensure the siting of docks, swimming platforms, and private mooring buoys to prevent or minimize negative impacts on foreshore and aquatic environments.
- Lakes 100 m DPA – Protect and mitigate negative impacts on lakes and the Eagle River from land alteration and the installation of onsite sewerage systems
- Riparian Areas Protection Regulation DPA - Protect streams, their riparian areas and adjacent upland areas that exert an influence on streams from residential, commercial, public and institutional, and industrial development.
- Malakwa Village Centre Form and Character DPA - Ensure that new development in Malakwa has a high standard of building and site design, while incorporating the rural characteristics of the surrounding area.
- Resort Lands Form and Character DPA - Ensure that new development in resorts have a high standard of building and site design, while incorporating the rural characteristics of the surrounding area.
- Commercial Lands Form and Character DPA - Ensure that new commercial development has a high standard of building and site design, while incorporating the rural characteristics of the surrounding area.

### **Sections of the OCP:**

1. Introduction and Overview
  - 1.1 Community Vision and Goals
  - 1.2 Regional Context
  - 1.3 History and Culture

- 1.4 Demographics
2. Sustainability and Resilience
  - 2.1 Environment
  - 2.2 Climate Change
  - 2.3 Economic Resilience
  - 2.4 Housing Needs
3. Land Use Planning Strategy and Designations
  - 3.1 Community Specific Policies
  - 3.2 Land Use Designations
4. Community Infrastructure
  - 4.1 Transportation and Mobility
  - 4.2 Rail-Trail
  - 4.3 Waste Management
  - 4.4 Utilities
5. Plan Implementation
  - 5.1 Development Permit Areas
  - 5.2 Development Approval Information
  - 5.3 Temporary Use Permits

The OCP's vision embodies guiding principles of Sustainability and Resilience:

Sustainability: A sustainable community effectively balances economic, social, cultural and environmental interests in order to meet the needs of the present generation without compromising the ability of future generations to meet their needs.

Resilience: A resilient community has the capacity to adapt to changes such as shifting demographics and housing affordability, and "bounce back" from events such as economic downturns and the effects of a changing climate (for example, more frequent and intense storms, temperature increases or sea level rise).

The land use designations in the proposed OCP reflect the existing land use pattern of Electoral Area E:

- Malakwa as a "Village Centre."
- Cambie/Solsqua (Eagle Valley) predominately "Agriculture" with pockets of "Rural Residential."
- Small waterfront parcels on Shuswap Lake, Mara Lake and Swansea Point are designated as "Rural Residential."
- Larger private parcels designated as "Medium Holdings."
- Crown land designated as "Rural and Resource."
- Existing Agriculture (ALR), Resort land, Commercial, Institutional, Industrial and Park lands are designated accordingly.
- All lakes and the Eagle River designated Foreshore and Water.

See "BL840\_Schedule\_B\_Land\_Use\_Designations\_first.pdf" attached.

**SUMMARY:**

The Electoral Area E Official Community Plan Bylaw No. 840 will replace land use policies for areas currently covered by Rural Sicamous Land Use Bylaw No. 2000 and will introduce new policies for the remainder of the Electoral Area. Bylaw No. 840 will also introduce several development permit areas which will be applicable to the entire Electoral Area. Policies contained in the Plan advance the goals of the CSRD 2019-2022 Strategic Plan and BC Climate Action Charter commitments.

**IMPLEMENTATION:**

Implementation of Bylaw No. 840 following adoption would entail updating information on CSRD mapping, website and document packages. Importantly, it would also include the communication to Electoral Area E residents of the Plan's adoption and of the new development permit area requirements that will be in effect.

**COMMUNICATIONS:****Public Consultation**

Public open houses were held in Sicamous, Malakwa and Swansea Point at four stages during the initial drafting of No. 840 (see summary below). These meetings gave residents and property owners in Electoral Area E the opportunity to participate in visioning exercises and to provide valuable input into the first and final drafts of the plan. The public were also encouraged to fill out comment forms which were provided at the meetings and on the CSRD website.

In addition to the public open houses, the OCP Advisory Group met in advance of the four key stages during the development of the OCP. CSRD staff, the consultants, members of the Electoral Area E Advisory Planning Commission and Area E Director Martin also attended the OCP Advisory Group meetings. During this time, staff worked closely with the consultants on policy development and land use designation mapping.

*Public Open House summary:*

May 2008	Visioning Workshop ( <i>Sicamous, Swansea Pt. &amp; Malakwa</i> )
August 2008	Objectives Workshop ( <i>Sicamous, Swansea Pt. &amp; Malakwa</i> )
April 2009	Presentation of First Draft ( <i>Sicamous, Swansea Pt. &amp; Malakwa</i> )
August 2009	Presentation of Final Draft ( <i>Sicamous, Swansea Pt. &amp; Malakwa</i> )

Meetings with OCP Advisory Group occurred prior to each workshop

If Bylaw No. 840 receives first reading, public open houses will be scheduled again for Sicamous, Swansea Pt. and Malakwa to present the latest version of the bylaw along with the draft zoning bylaw. Strict

measures will be taken by staff to ensure that all meetings follow the latest WorkSafeBC and CSRD COVID-19 guidelines and policies regarding public meetings.

It is anticipated that the referral process and public engagement for the OCP and zoning bylaw will be carried out in parallel since the zoning is the primary tool used to implement the vision and policies of the OCP.

### **Other Public Feedback Opportunities**

Public engagement during the COVID-19 pandemic will take a somewhat different form than it has in the past. Traditional engagement tools such as phone calls, small stakeholder meetings, letter writing and emails will still be used but social media and electronic virtual meeting tools will also be employed. The CSRD website will be better utilized to create simplified property searches enabling owners to view proposed OCP designations, zoning, and development permit requirements. Public comment forms will be made available on the CSRD website and also in hard copy for individuals who are unable to access the internet.

The CSRD will provide a two month public consultation window to ensure that residents and property owners have sufficient time to review the proposed bylaw and to engage effectively with planning staff.

### **Referrals**

Bylaw No. 840 will be referred to the agencies and First Nations listed in Recommendation #3 of this report. At second reading the comments received from the referral agencies will be provided to the Board.

### **DESIRED OUTCOMES:**

That the Board endorse the staff recommendation.

### **BOARD'S OPTIONS:**

1. *Endorse the Recommendations.*
2. *Deny the Recommendations.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

### **LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Rural Sicamous Land Use Bylaw No. 2000
2. CSRD Strategic Plan (2019-2022)
3. CSRD Financial Plan
4. Local Government Act
5. B.C. Climate Action Charter





**Report Approval Details**

Document Title:	2020-08-20-Board_DS_BL840_First_Reading.docx
Attachments:	<ul style="list-style-type: none"><li>- BL840_first.pdf</li><li>- BL840_Schedule_A_OCP_text_first.pdf</li><li>- BL840_Schedule_B_Land_Use_Designations_first.pdf</li><li>- BL840_Schedule_C_ALR_first.pdf</li><li>- BL840_Schedule_D_Aggregate_Potential_first.pdf</li><li>- BL840_Schedule_E_GeoHaz_DPA_first.pdf</li></ul>
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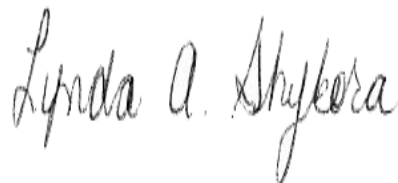
This report and all of its attachments were approved and signed as outlined below:



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