

ADMINISTRATIVE REPORT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: November 17, 2022

RE: Electoral Area Official Community Plan (OCP) Bylaw Review Schedule

Administrative Recommendation:

THAT a consolidated Official Community Plan (OCP) Bylaw for the Okanagan Valley electoral areas be undertaken as a project in 2023

Purpose:

It is being proposed that a single Official Community Plan (OCP) Bylaw be prepared for Electoral Areas "A", "C", "D", "E", "F" and "I", being the Okanagan Valley electoral areas, as a project in 2023.

Background:

At its meeting of December 17, 2020, the Board adopted the following Electoral Area OCP Bylaw Review schedule:

Electoral Area	Projected Review Period	Electoral Area	Projected Review Period
"E"	2021 – 2023	"I"	2030 – 2031
"C"	2024 – 2025	"F"	2032 – 2033
"H"	2026 – 2027	"A"	2034 – 2035
"D"	2028 – 2029	"G"	2036 – 2037

The "Projected Review Period" shown in the table above is based on an anticipated 24 month timeline to complete an OCP Review and is based upon previous project experience. The actual "Review Period" may, however, be somewhat longer (e.g. 15-20 years) due to changing circumstances (e.g. new Board priorities, timing of local government elections and staff availability / turnover related to such things as emergency operations).

The consulting budget established for an OCP Review projects has, since 2011-12, been set at approximately \$55,000/year for an overall project budget of \$110,000.

For the most recent OCP Review projects, the response rate from consultants was underwhelming with only two (2) proposals being submitted for Electoral Area "A" in 2019 and an initial two (2) proposals followed by one (1) proposal when a request for proposals (RFP) was re-notified for Electoral Area "G" in 2020.

Analysis:

Benefits:

Regional Decision-Making:

Increasingly, the challenges the Regional District is being asked to address, whether they are a result of constituent concerns or new provincial initiatives, are regional in nature and include:

- Climate Change Mitigation and Adaptation (e.g. compliance with *Climate Change Accountability Act*, undertaking extreme heat risk mapping, BC Energy Step Code, etc.);
- Growth Management (e.g. completion of Housing Needs Assessments, designation of growth areas, provision of water and sewer infrastructure, etc.);
- Hazard Land Risks (e.g. flooding and wildfire mitigation, emergency operations, etc.);
- Environmental Protection (e.g. sensitive lands identification, conservation fund, riparian preservation, etc.);
- Economic Development (e.g. preservation of employment lands, provision of services and amenities to attract businesses to the area); and
- Food System Security (e.g. maintaining agricultural lands, assisting innovation in the agricultural industry through supportive bylaw policies and regulations, etc.).

A regional OCP bylaw for the Okanagan Valley would allow the Regional District to be more responsive to these issues by allowing for improved integration and consistency with the South Okanagan Sub-Regional Growth Strategy (RGS) Bylaw and Okanagan Valley Zoning Bylaw.

Additionally, a single bylaw would provide consistency, clarity and ease of use for developers and the general public (e.g. less onerous and more user friendly) and would align with previous strategic values of transparency and customer service.

Improved Efficiencies:

At present, the predominant type of objectives and policies in the current OCP Bylaws are “regional” in nature and generally occur across each of the electoral areas.

Administration has previously estimated that these form approximately 85% of the content of an OCP Bylaw and include sections related to parks, recreation and trails, natural environment and conservation, hazard lands, climate change, temporary use permits and development permits.

Where the current OCP bylaws are distinctly local is in relation to the following three (3) sections; Community Profile, Growth Management and Local Area Policies.

Local policies can effectively be maintained in a consolidated OCP bylaw and would be capable of being reviewed on an “as needed basis”, such as following an RGS Review or based on concerns expressed by a community and/or Director. The ability of local communities to provide input has been encouraged as part of these projects and would not be lost if the Regional District moved to a consolidated OCP.

Recent examples of this approach include the Gallagher Lake Area Plan completed in 2016-17, the ongoing Faulder Zone Review as well the proposed Kaleden Zone Review that has been identified as a possible 2023 project.

Financial Considerations:

Fiscally, the current budget established for an OCP Review is no longer competitive and an increase to \$130,000 to \$150,000 is required to account for inflation and competition for consulting services.

This would result in the Regional District spending over \$1,000,000 to review all of its OCP bylaws over the next 15-20 years.

In addition, each OCP Review project requires the assignment of a senior planning staff member (e.g. Planner II) to oversee the project, thereby removing this planner from participating on any other major land use project during the 2-year duration the OCP Review. It would seem the development of an Okanagan OCP would be a more effective use of available staff and fiscal resources.

Freed from the current OCP Review schedule, the consulting budget could be used for other Board priorities while also freeing up staff time to undertake such projects.

Recent examples of projects that could not be initiated due to resource limitations include the Hazard Lands Review (Flood & Wildfire) and RGS Review (Housing, Economic Development and Agriculture) identified by the Board at its Strategic Planning session in November of 2021 as well as the subsequent requests for a Vacation Rental Review.

Bylaw Modernization Program:

As the Regional District matures as a local government, consideration of similar consolidation projects that have alleviated the financial and administrative burdens associated with maintaining multiple, similar bylaws have been initiated, including:

- Zoning bylaws (Okanagan Valley);
- Noise Control bylaws;
- Water System Regulatory bylaws;
- Untidy & Unsightly bylaws (on-going);
- Fire Department bylaws; and
- Parks and Recreation Commission bylaws.

Summary:

The on-going review and maintenance of six (6) similar OCP Bylaws is seen to be an inefficient use of available staff and financial resources. The consolidation of these bylaws would free-up resources for other Board priorities and projects as well as improve integration between the Okanagan Valley Regional Growth Strategy and Zoning bylaws.

Alternatives:

1. THAT the preparation of an Official Community Plan (OCP) Bylaw for the Okanagan Valley electoral areas not be undertaken as a project in 2023.

Respectfully submitted:



C. Garrish, Planning Manager