
MEETING TYPE: Regular Council Meeting
MEETING DATE: May 7, 2024
AUTHOR: Brian Zurek, Manager of Planning
DEPARTMENT: Planning and Development
ITEM TITLE: Updated - Amendments to Official Community Plan (2018-2038) Bylaw 1065, 2018
DESCRIPTION: Proposed updates to in-stream Official Community Plan Amendment Bylaw prior to Public Hearing

PURPOSE

To allow Council to consider updates to the Official Community Plan (OCP) Amendment Bylaw informed by public engagement and further staff review. Council granted first and second reading of the draft bylaw on March 19, 2024, and can consider updates to the draft bylaw prior to Public Hearing scheduled for May 21, 2024.

RECOMMENDATION

THAT second reading of OCP Amendment (DP Exemptions) Bylaw 1225, 2024 be rescinded;
AND THAT OCP Amendment (DP Exemptions) Bylaw 1225, 2024 be read a second time as amended;
AND FURTHER THAT first and second reading of OCP Amendment (DP Exemptions) Bylaw 1226, be rescinded and the bylaw closed.

EXECUTIVE SUMMARY

At its meeting on March 19, 2024, Council considered amendments to the Official Community Plan that would streamline the review and approval of Development Permit applications. The draft amendments are scheduled for Public Hearing on May 21, 2024. Prior to the Public Hearing, staff undertook public engagement to consult with external agencies and members of the public. Based on engagement feedback and further review by the District of Lake Country, staff propose updated amendments to further the goals of the in-stream OCP application.

APPLICABLE LEGISLATION, BYLAWS AND POLICIES

Local Government Act (LGA)

Part 14 of the LGA governs Planning and Land Use Management for municipalities in BC. The Province regulates Official Community Plans (Division 4) and Development Permits (Division 7) through the Act. The legislation outlines the purpose of an OCP, content and process requirements, and consultation and adoption procedures. The LGA also details the scope of development permit area designations and their general authority.

In addition to the proposed OCP Amendments that are the subject of this report, the Province requires municipalities across the province to update their OCPs by December 31, 2025 to align the policy document with the Small-Scale Multi-Unit Housing legislation (Bill 44) enacted to encourage residential growth and infill development.

Official Community Plan (OCP)

The District's OCP is a statement of objectives and policies to guide decisions on planning and land use management. The District adopted the current OCP in 2019. No District-led amendments to the OCP have been made since the adoption of the bylaw.

Additionally, staff and Council have stated that a more fulsome review of the OCP is desired to reflect the recent growth in Lake Country and the evolving needs of the community.

BACKGROUND/HISTORY

Council passed the following motion at its meeting on March 19, 20224:

*THAT OCP Amendment (DP Exemptions) Bylaw 1225, 2024 be read a first and second time;
AND THAT prior to Public Hearing, the required external consultation be conducted, in accordance with Section 475 of the Local Government Act.*

Staff have consulted with external agencies and developed a communications plan to provide information to and solicit feedback from the public. Staff continued to review and evaluate the proposed OCP Amendment Bylaw during this period.

DISCUSSION/ANALYSIS

As noted in the previous [report to Council](#), the goal of the in-stream OCP amendments was to streamline the review and approval of Development Permit applications. The amendments would principally achieve this by expanding the exemption criteria to reduce the volume of development proposals that require a development permit, while ensuring development permit area guidelines are met through alternate mechanisms, such as covenants.

This updated proposal would further the goals of the in-stream OCP amendment application. General administrative updates are proposed throughout the document to provide consistency, clarity, and to avoid duplicated text. Additional content of the updated amendments is described below.

21.3 Exemptions

Regarding the subdivision of land, the updated amendment would exempt subdivision proposals from a Development Permit process but ensure that the associated guidelines would be considered by the subdivision Approving Officer. The proposal would consolidate two review processes into one (Preliminary Layout Review) and reduce the staff time required to evaluate subdivision proposals in development permit areas.

Additionally, language in the updated amendment would allow District staff to consider whether professional reports are required to evaluate development proposals against exemption criteria. Rationale for the proposed amendment: staff may be able to determine that a proposal would meet exemption criteria without requiring applicants to hire consulting professionals to authorize development of limited scope.

21.4 – 21.8 Development Permit Areas (Council-Approved)

Proposed changes to development permit area guidelines requiring Council approval would include administrative updates for detail or clarity. References to subdivisions in these sections would be removed as per the proposed exemption noted previously (21.3 Exemptions).

21.9 – 21.12 Development Permit Areas (Approval Delegated to Staff)

Proposed changes to development permit area guidelines delegated to staff for approval would include administrative updates for detail or clarity. References to subdivisions in these sections would be removed as per the proposed exemption noted previously (21.3 Exemptions).

Staff propose to update outdated references to provincial legislation and to highlight the primacy of the federal and provincial statutes.

Additionally, language in the updated amendment would allow District staff to consider whether professional reports or technical documents are required to evaluate development proposals against exemption criteria.

IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY

As noted in the previous report to Council, the proposed amendments to the OCP are not expected to result in direct impacts on municipal infrastructure. Should Council support the proposed amendments, staff expect more streamlined development approvals, resulting in shorter application processing timelines. The proposed OCP Amendments may result in an incremental increase in the rate of development and construction in Lake

Country corresponding to an associated increase in the demand on municipal roadways, water, sewer, storm sewer infrastructure. Staff do not anticipate the need to reexamine the associated infrastructure servicing master plans (Parks, Mobility, Water, Wastewater) as a result of the proposed OCP Amendment.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

As noted in the previous report to Council, the proposed amendments to the OCP are not expected to result in direct financial impacts on the District of Lake Country. The proposed OCP Amendments may result in an incremental increase in the rate of development and construction in Lake Country corresponding to an associated increase in the demand on municipal services and infrastructure. Any increased demand on District of Lake Country resources would be offset by an increase in revenues generated through development. Staff do not anticipate the need to reexamine the Financial Plan as a result of the proposed amendments.

CONSULTATION

Staff referred the draft OCP Amendments to the following external agencies: Agricultural Land Commission, Ministry of Agriculture, Ministry of Environment and Climate Change, Okanagan Indian Band, School District 23, Ministry of Transportation and Infrastructure, City of Kelowna, Regional District of Central Okanagan, Interior Health, and Ministry of Water, Land and Resource Stewardship. Staff reviewed all feedback and evaluated any proposed recommendations for inclusion in the updated OCP Amendment Bylaw.

District of Lake Country staff have had ongoing discussions about the draft DP exemptions, and the feedback received through the consultation process.

COMMUNICATIONS

Staff developed a communications plan for the proposed OCP to share information with and solicit feedback from the public, local residents, and developers with active planning applications. Staff provided the following opportunities for public consultation during the OCP Amendment process: Let's Talk Lake Country website posting, online survey, and public open house at Municipal Hall (April 18th, 2024). Additionally, District staff continue to be available to answer questions about the proposed OCP Amendments.

ALIGNMENT WITH COUNCIL STRATEGIC PRIORITIES

- Create and Support Opportunities for a Healthy, Active and Inclusive Community
- Create Infrastructure That Meets Community Needs
- Encourage Growth of the Downtown Core
- Ensure Sustainable Water Service Delivery for the Community
- Explore Opportunities to Engage With Regional Local Governments for the Betterment of the Community
- Honour Reconciliation by Strengthening Relationships and Inclusiveness With Our Indigenous Partners
- Identify and support improvements to the Development Process
- Implement the Agricultural Plan
- Preserve, Protect and Enhance Our Natural Environment
- Secure long term wastewater service delivery for our community
- Support Opportunities to Diversify Lake Country's Tax Base

ALIGNMENT WITH MASTER PLANS

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| <input type="checkbox"/> Agricultural Plan | <input checked="" type="checkbox"/> Official Community Plan |
| <input type="checkbox"/> Climate Action Charter | <input type="checkbox"/> Parks & Recreation Master Plan 2019 |
| <input checked="" type="checkbox"/> Housing Needs Report | <input type="checkbox"/> Sanitary Sewer System Map |
| <input type="checkbox"/> Liquid Waste Management Plan Stage 1/2 Report | <input type="checkbox"/> Transit Future Plan-Central Okanagan Region-DRAFT |
| <input type="checkbox"/> McCoubrey Plateau Area Structure Plan | <input type="checkbox"/> Transportation for Tomorrow |
| <input type="checkbox"/> Mobility Master Plan | <input type="checkbox"/> Water Master Plan |

OPTIONS

The following options are presented for Council’s consideration:

- A. THAT second reading of OCP Amendment (DP Exemptions) Bylaw 1225, 2024 be rescinded;
AND THAT OCP Amendment (DP Exemptions) Bylaw 1225, 2024 be read a second time as amended;
AND FURTHER THAT first and second reading of OCP Amendment (DP Exemptions) Bylaw 1226, be rescinded and the bylaw closed.
- B. THAT second reading of OCP Amendment (DP Exemptions) Bylaw 1225, 2024 not be rescinded;
AND THAT OCP Amendment (DP Exemptions) Bylaw 1225, 2024 not be read a second time as amended;
AND FURTHER THAT first and second reading of OCP Amendment (DP Exemptions) Bylaw 1226, not be rescinded and the bylaw closed.
- A. THAT second reading of OCP Amendment (DP Exemptions) Bylaw 1225, 2024 be deferred pending additional information identified by Council;
AND THAT OCP Amendment (DP Exemptions) Bylaw 1225, 2024 be deferred as amended pending additional information identified by Council;
AND FURTHER THAT first and second reading of OCP Amendment (DP Exemptions) Bylaw 1226, 2024 be deferred pending additional information identified by Council.

Collaborators: *(each individual collaborator to add name and date reviewed)*

| Name | Date Reviewed |
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Respectfully Submitted,
Brian Zurek, Manager of Planning