

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – October 11, 2018

AUTHOR: Andrew Allen, Manager, Planning and Development

SUBJECT: **EGMONT/PENDER HARBOUR OFFICIAL COMMUNITY PLAN BYLAW No. 708, 2017 -
THIRD READING AND ADOPTION**

RECOMMENDATIONS

THAT the report titled Egmont/Pender Harbour Official Community Plan Bylaw No. 708, 2017 – Third Reading and Adoption be received;

AND THAT pursuant to the input received at the Public Hearing, Part Four: Regional Planning of the draft OCP be amended;

AND THAT *Egmont/Pender Harbour Official Community Plan Bylaw No. 708, 2017* be forwarded to the Board for Third Reading as amended and Adoption;

AND FURTHER THAT the Egmont/Pender Harbour Official Community Plan Review Committee be acknowledged and thanked for their efforts and contributions in creating the new Official Community Plan.

BACKGROUND

Egmont/Pender Harbour Official Community Plan Bylaw No. 708, 2017 received First Reading on April 27, 2017 and Second Reading on July 27, 2018. A public hearing was held on September 5, 2018 at the Pender Harbour Community Hall in Madeira Park. This report includes a summary report of the public hearing as well as recommendations for amendments.

This part of the OCP bylaw process includes consideration of amendments based on feedback received at the public hearing and a determination if the amendments can be made without changing use or density within the document. If amendments are to be made and there is no alteration of use or density then Third Reading of the bylaw as amended can be considered followed by adoption. Conversely if the amendments include a change of use and/or density then the bylaw can be considered for second reading as amended and a new public hearing would be planned.

DISCUSSION

Analysis

Public Hearing

There were 127 people who signed in to confirm attendance at the public hearing to observe the opening presentation and to contribute written and verbal submissions into the public record. The hearing included 18 individual speakers, 22 letters as well as the submission of a petition containing 160 signatures.

A number of issues were raised at the public hearing. The inclusion of parts of the shíshálh Nation Strategic Land Use Plan within Part Four (Regional Planning Context) of the official community plan (OCP) was the most significant issue and the subject of the petition. Many speakers, letter writers and signatories of the petition feel the way this plan is integrated could pose a threat to privately held property and that its role relative to the OCP has not been clearly explained. The petition requests that wording be added to Part Four of the OCP, which specifically states:

“The shíshálh Nation Strategic Land Use Plan. We Envision: Regional Sustainability Plan and Climate Action Plan are regional planning documents. Part Four summarizes and references these documents as written at the time of adoption. The inclusion of these external summaries is not to be construed as an admission of the alleged facts contained therein.”

The three components of Part Four are summaries and references to external documents.

1. shíshálh Nation Land Use Plan refers to the Nation’s Strategic Land Use Plan and SCRD’s working relation with the Nation.
2. We Envision is a regional sustainability plan that was endorsed by SCRD, municipalities as well as other governmental and service organizations as well as local businesses. This sets direction for sustainable land use and community development provides strategic direction and was used as a foundation for the Sustainable Land Use Principles.
3. The Climate Action section is a brief summary of the Community Energy and Emissions Plan, which the SCRD adopted in 2009. This section contains content, which is mandatory pursuant to the *Local Government Act*.

Part Four could be changed to present an introductory statement, and policy statements which identify the presence of the external plans, what each means to regional planning and where to find more detail. This is consistent with the recommendation from the Egmont/Pender Harbour Advisory Planning Commission received during referral. Changes to this effect have been made to the OCP document and are shown in track changes for review. The changes do not alter land use or density and can be made at the time of third reading, which will enable the adoption of the OCP. This meets the requirement of Section 470 of the *Local Government Act*.

Related consequential changes to the introduction and housekeeping changes, for example updating the name of VCH, are also suggested.

Comments were also received respecting the process of the OCP review, including notification, time between readings, timing of public hearing and desire for more consultation, as well as other concerns such as the prospect of higher taxes and unknown impacts. The sequence of reading, notification and hosting of public hearing were all conducted within the scope of the *Local Government Act* and consistent with process applied for other SCRD OCPs.

There were some specific comments pertaining to support for affordable housing and rental accommodation. Support for affordable housing has been indicated throughout the review process and the densification strategies, which were recently adopted into other OCPs were included in this OCP at 2nd reading in July of this year.

There were also specific requests for amendment. A letter was received requesting re-designation of a property in Garden Bay from Rural Residential to Tourist Commercial for the purposes of campground with related amenities. A change like this would be best accommodated through a site-specific rezoning application made by the property owner outside of this OCP adoption process. This approach would allow a more detailed analysis and specific neighbourhood engagement.

There was also a request to change Policy 2.16 (f) within the Rural Residential section of the Land Use Designation chapter. The intent of the request was to lessen the impact of land uses adjacent to lake shores. This section notes that additional uses are permitted depending on parcel size. It does not identify the specific parcel size, however this is indicated in the zoning bylaw. For example, the RU1A zone in Bylaw 337 prevalent on Sakinaw Lake permits a number of auxiliary uses but only when the property exceeds two hectares. Therefore, the zoning which applies the specifics largely supports limited uses on lakeshore properties and particularly properties less than 2 hectares in size.

A summary report of the public hearing is appended as Attachment A and the written submissions are appended as Attachment B. Some correspondence has been received in the days following the public hearing. Pursuant to the *Local Government Act* and statements made by the Chair of the public hearing this information will not be shared with the Committee.

The OCP including suggested changes based on input received at the public hearing is appended as Attachment C. Amendments are shown in track changes for ease of review. If the changes are accepted a copy will be produced which consolidates the changes into a complete OCP document to be attached to Bylaw No. 708 for Third Reading as amended and Adoption.

Organizational and Intergovernmental Implications

With respect to organizational implications, the First Reading of Bylaw 708 in April 2017 included an examination of the draft Official Community Plan in respect to the Financial Plan and Solid Waste Plan. Subsequent changes to the OCP have been minor in nature and additional text is not substantive enough to trigger another review.

Should amendments be made to Part Four: Regional Planning there may be impacts respecting relations with the shíshálh Nation. SCRD's relationship with the Nation in all respects and not limited to the Egmont/Pender Harbour OCP project is important. At a government-to-government level SCRD will continually strive for partnership and transparency. This was

reflected throughout the OCP review process. Future land use recommendations and decisions will continue to include consultation with the shíshálh Nation.

Legal Review

This report and attached OCP, with track changes, were sent to SCRD Solicitor for review. The review confirms that SCRD Board may amend Part 4 of the OCP without triggering the need for further public hearing.

Financial Implications

As previously reported in April 2017, the Board considered that the OCP is consistent with both the SCRD's 2017-2021 Financial Plan and 2011 Solid Waste Management Plan.

Timeline for next steps or estimated completion date

Bylaw No. 708 with the attached OCP, as amended can be forwarded to the Board for consideration of Third Reading and adoption.

Communications Strategy

Should Bylaw No. 708 be adopted and Bylaw No. 432 be replaced the OCP page on the SCRD website will be updated to reflect this. Members of the Egmont/Pender Harbour Advisory Planning Commission will be provided with newly-published copies of the OCP. Social media advertising can also be used to inform members of the public as well as an update placed within the SCRD bulletin board section of local weekly and monthly newspapers.

The Egmont/Pender Harbour Official Community Plan Review Committee will be acknowledged and thanked for their efforts and contributions in creating the new official community plan.

STRATEGIC PLAN AND RELATED POLICIES

Many of the values from the Board Strategic Plan are directly reflected in the OCP and development process, including: collaboration, environmental leadership and transparency.

Along this same line many of the key strategic priorities of the plan are reflected within the OCP, including: supporting sustainable economic development, enhanced collaboration with *shíshálh* Nation and community development.

CONCLUSION

The public hearing on September 5, 2018 was a significant milestone in the development of Bylaw No. 708: Egmont Pender Harbour Official Community Plan. Leading up to and at the public hearing there were many comments pertaining to the inclusion of Part Four: Regional Planning.

An amendment to Part Four is recommended where detail of each of the three referenced plans is omitted and a brief policy statement and note explaining their respective relationship to the

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and Adoption**

OCP is added. With this change it is recommended that Bylaw No. 708 be forwarded to the Board for Third Reading, as amended and adoption.

Attachments

Attachment A: Public Hearing Summary Report

Attachment B: Letters and Petition received at public hearing

Attachment C: Egmont/Pender Harbour Official Community Plan, with proposed amendments in track changes

Reviewed by:			
Manager		Finance	
GM	X – I. Hall	Legislative	
CAO	X – J. Loveys	Other	X – Counsel