



REPORT

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REPORT TO: Christopher D. Coates, Chief Administrative Officer
FROM: Laura Beckett, Planner
DATE: September 19, 2013
SUBJECT: **OCP-ICSP Amendment – Consultation Plan and First Reading**
FILE: 6480-15

RECOMMENDATION

THAT Council endorse the consultation plan

THAT Council give OCP Amendment Bylaw 360 First Reading

FURTHER THAT Council request the CRD Board to accept the proposed Regional Context Statement

BACKGROUND

The District's Official Community Plan (OCP) is being amended to bring it in line with the Highlands' Integrated Community Sustainability Plan (ICSP). The draft OCP was the subject at the September 9, 2013 Committee of the Whole Meeting and at an Open House held on September 18, 2013. Please find attached changes made to the OCP as a result of both those engagement opportunities.

OPEN HOUSE RESULTS

The OCP Open House was held from 3pm to 8pm on Wednesday, September 18. Approximately 15 to 20 people attended, all asking questions, and some providing input. Please see the attached sheets. One piece of input/correspondence was also received and is attached.

RECOMMENDED CHANGES AS A RESULT OF CONSULTATION TO DATE

	Location	Change	Origin
1	Section 2.2, Policy 24	<i>Change to:</i> “When Council considers secondary housing, sustainability will be the prime factor for consideration.”	Sept. 9 COW
2	Chapter 5, New Objective	<i>Add:</i> “To consider the effect of climate change related impacts on the District of Highlands at the local scale in order to inform the planning of future infrastructure and adaptation measures.”	Sept. 9 COW
3	Chapter 5, Introduction	<i>Add:</i> “Since a large portion of the Highlands is permanently protected in forested park areas and protected private forested lands, the Highlands contributes significantly to the rest of the Capital Region in terms of sequestering carbon in forest lands, thereby mitigating the impacts of human-caused greenhouse gas emissions.”	Open House Input
4	New DPA, Objectives	<i>To read:</i> <ul style="list-style-type: none"> • “To regulate guide development in a manner that conserves energy and water • To regulate guide development in a manner that reduces greenhouse gas (GHG) emissions.” 	Staff change as a result of Open House input
5	New DPA, Guidelines	<i>Add preamble:</i> “The guidelines are intended to meet the Objectives and should be considered collectively, choosing the best “mix” for each unique situation.”	Staff change as a result of Open House input
6	New DPA, Guideline “f”	<i>Change to:</i> “While respecting the importance of Highlands’ naturally forested character, Encourage the design of on-site landscaping and screening to minimize negative shading impacts on the potential for solar thermal or photovoltaic systems on the site and surrounding properties.”	Open House Input
7	New DPA, Guideline “k”	<i>Adding the word “especially” to clarify that the given situation is not the only situation for green roofs:</i> “Green roofs are especially encouraged where...”	Open House Input
8	Map 2.1	<i>Correction from previous OCP Amendment:</i> Removing “Recreation Tourism” Land Use Designation over an area of land that is part of 1150 Bear Mountain Parkway, and adding it to “Amenity 3 – 1150 Bear Mountain Parkway	Council
9	Throughout	Minor clarifications and grammar corrections	Staff, Council

CONSULTATION PLAN

Section 879 of the Local Government Act requires that local governments provide one or more opportunities that the local government considers appropriate for consultation with persons, organizations and authorities it considers will be affected by the changes to the OCP. This amendment is based on the District's Integrated Community Sustainability Plan, which had its own consultation processes throughout 2010, 2011 and into the beginning of 2012. This included a Sustainability Fair late in 2010, a web survey in 2011 (no responses were received), three committee of the whole meetings dedicated to discussing the draft ICSP, and council meetings.

The following lists the draft OCP consultation opportunities to date:

- The draft OCP was made public at the March 18, 2013 Council Meeting.
- Consultation on the OCP amendment has been largely with the community-based advisory committee, the Sustainability Strategy Advisory Committee (SSAC), throughout the spring and summer while they reviewed the draft changes.
- The District staffed an "OCP Amendment" table at the Highlands Fling. This table caught the interest of approximately 10 different groups of people; both those familiar with the amendment and those entirely new to it.
- The draft OCP was the subject of a Committee of the Whole meeting on September 9, 2013.
- The following agencies were sent a referral letter on September 12, 2013:
 - CRD Board
 - City of Langford
 - District of Saanich
 - Town of View Royal
 - Tsartlip First Nation
 - Songhees First Nation
 - Malahat First Nation
 - Pauquachin First Nation
 - Tsawout First Nation
 - Tseycum Band
 - Te'mexw Treaty Association
 - School Districts 61, 62 and 63
 - West Shore RCMP
 - BC Transit
- An open house for the draft OCP occurred on September 18, 2013 from 3 to 8pm. Approximately 15 to 20 people attended. No major changes were suggested, and overall people seemed satisfied with the proposed amendments.

Council may wish to add to this consultation plan, and may wish to do so by resolution. Staff is of the opinion that the consultation plan is appropriate for the proposed amendment, and recommends that Council endorse the plan.

CRD ACCEPTANCE REQUIRED – REGIONAL CONTEXT STATEMENT

A Regional Context Statement is a section in an OCP that links the community's policies to those in a Regional Growth Strategy. Municipalities subject to a Regional Growth Strategy are not bound directly by the Regional Growth Strategy, but rather by their own Regional Context Statement. The Local Government Act requires that all Regional Context Statements be accepted by the relevant regional government before they become part of an adopted OCP. In other words, a municipality cannot adopt an OCP without first receiving acceptance of its Regional Context Statement by the regional board. This can only occur once an OCP amending bylaw has had at least first reading.

As Council members are aware, the CRD process to bring an item to the CRD Board for consideration requires that the item first be vetted by the appropriate CRD committee. Each of these meetings is held only one a month, and the appropriate CRD committee in this case is the Planning, Transportation and Protective Services Committee. Their meetings are held in the latter part of the month, whereas the Board Meetings are held in the earlier part of the month. As Council is further aware, the absolute deadline to meet the Federation of Canadian Municipalities (FCM) grant requirements is November 15, 2013. Staff has projected that the preferred date for Council's consideration of adoption of the OCP amending bylaw is the regular scheduled Council Meeting of November 4, with the absolute latest date being November 12, requiring a Special Council Meeting.

On the CRD side, this means that the latest CRD Board Meeting date for consideration of the District's Regional Context Statement is October 9, also meaning that the Regional Context Statement would need to be before CRD's Planning, Transportation and Protective Services Committee at their scheduled meeting of September 25. CRD staff have arranged for the item to be on that September 25 meeting, should Highlands Council give the OCP amending bylaw first reading.

Highlands' Regional Context Statement is chapter 10 of the OCP. Please find attached the current and draft Regional Context Statements. Staff is of the opinion that the changes to the OCP and the Regional Context Statement are aligned with the direction the CRD is taking as it amends its own Regional Growth Strategy into a Regional Sustainability Strategy. The current Regional Growth Strategy has set the groundwork for transition, and staff believes that there are no grounds for the CRD to not accept the District's proposed Regional Context Statement.

Staff recommends giving the OCP amending bylaw first reading. First reading would still allow minor changes in the OCP, provided the Regional Context Statement remains intact.

WORK PLAN

Attached immediately below is an updated work plan for information. It is based on Council giving first reading to the OCP amending bylaw at their September 23, 2013 Meeting.

OPTIONS

1. *(Recommended.)* Council may wish to
 - Endorse the consultation plan within the staff report,
 - Give first reading to the OCP Amending Bylaw, and
 - Send the Regional Context Statement to the CRD Board for acceptance.
2. Council may wish to take alternative action.

Respectfully submitted



Laura Beckett, MCIP, RPP

CAO Concurrence



C. D. Coates, CAO

WORK PLAN

Date (2013)	Deliverable
March 18	<ul style="list-style-type: none"> • Presented draft OCP to Council • Went to SSAC for review
April , May, June and July	<ul style="list-style-type: none"> • SSAC review of OCP between April 17 and July 3 • SSAC is satisfied with draft OCP
August 22 Council	<ul style="list-style-type: none"> • Council moved draft OCP to September COW
September 9 COW	<ul style="list-style-type: none"> • Council reviewed Draft OCP • 9 members of the public present • Some changes made
September	<p><i>Consultation:</i></p> <ul style="list-style-type: none"> • Table at Highlands Fling September 8 • COW September 9 • Referrals to external agencies • Open House September 18
September 23 Council Meeting	<ul style="list-style-type: none"> • Council to consider: <ul style="list-style-type: none"> ○ endorsing consultation plan, ○ first reading of bylaw ○ send Regional Context Statement to CRD for acceptance
September 25 CRD Planning and Protective Services Committee Meeting	<ul style="list-style-type: none"> • Committee consideration of Regional Context Statement for recommendation to the Board
October 7 Council Meeting	<ul style="list-style-type: none"> • Report to Council summarizing consultation, and recommending any changes to OCP as a result of input • Bylaw to Council for consideration of further preliminary readings • Council to consider scheduling public hearing for November 4
October 9 CRD Board Meeting	<ul style="list-style-type: none"> • Board consideration of acceptance of Regional Context Statement
October 21 Council Meeting	<ul style="list-style-type: none"> • Last opportunity for Council to consider any changes to draft OCP.
November 4 Council Meeting	<ul style="list-style-type: none"> • Public hearing, Council may consider final readings/adoption of bylaw
November 12	<ul style="list-style-type: none"> • Absolutely last opportunity for consideration of adoption of OCP amending bylaw • Regularly scheduled COW for this date...Would need to be a Special Council Meeting