



# REFERRAL

**Sent:** March 24, 2023

**Respond By:** April 21, 2023

**Referral To:**

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|--|--|--|
| <input type="checkbox"/> shísháhl Nation               | <input type="checkbox"/> Min. of Transportation and Infra. | <input checked="" type="checkbox"/> District of Sechelt          |
| <input type="checkbox"/> Skwxwú7mesh Nation            | <input type="checkbox"/> Agricultural Land Commission      | <input checked="" type="checkbox"/> Town of Gibsons              |
| <input type="checkbox"/> SCR D Building Services       | <input type="checkbox"/> Min. of Forests, Lands and Nat.   | <input type="checkbox"/> Islands Trust                           |
| <input type="checkbox"/> SCR D Infrastructure Services | <input type="checkbox"/> School District #46               | <input type="checkbox"/> Vancouver Coastal Health                |
| <input type="checkbox"/> SCR D Corporate Services      | <input type="checkbox"/> Dept. of Fisheries and Oceans     | <input checked="" type="checkbox"/> Advisory Planning Commission |
| <input type="checkbox"/> Natural Resources Advisory    | <input type="checkbox"/> Agricultural Area Committee       | <input checked="" type="checkbox"/> Other:                       |

Roberts Creek Official Community Plan Committee, Halfmoon Bay Community Association, Pender Harbour and Area Residents Association, Halfmoon Bay Environmental Society, Egmont Community Club.

**Type of Referral:** Board Policy

**Electoral Area:** all

**Summary of Referral:**

SCR D’s 7 OCPs are aging and in need of renewal. Meanwhile, SCR D is experiencing rising numbers of applications to amend OCPs, such as applications to change land use designations or density. Staff observe the need for policy direction in advance of full OCP renewal, to guide applicants, staff, community and decision makers in preparing and evaluating proposed applications toward innovative OCP amendment applications that will benefit the region for the long term.

The draft policy proposes a framework for interdisciplinary evaluation that ensures clear direction for managing emerging values as well as those already embedded in SCR D policies and strategic plan: housing affordability, natural asset protection, climate action, reconciliation, water conservation, corridor planning, park land dedication and more.

This is proposed to be a guide for Board decision making, which is also intended to be operationalized via staff: from inquiry management, through pre-application negotiation, technical review and Board reports. This policy does not replace the legislated process for amending OCPs, it adds a lens to the review.

SCR D Board is interested in seeing an updated draft policy after referring it to shísháhl Nation and Skwxwú7mesh Nation, municipalities, APCs as well as some community organizations. Your feedback is much appreciated.

Julie Clark, Senior Planner  
Planning and Development Division  
Sunshine Coast Regional District

**Attachments Enclosed:**

Report: Draft OCP Amendment Policy

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## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Special Committee of the Whole – July 26, 2022

**AUTHOR:** Julie Clark, Senior Planner

**SUBJECT:** BOARD POLICY - OFFICIAL COMMUNITY PLAN AMENDMENTS

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### RECOMMENDATIONS

**THAT the report titled Board Policy - Official Community Plan Amendments be received;**

**AND THAT staff be directed to develop a Board Policy for Official Community Plan amendments to be brought back later in Q3 for review and consideration;**

**AND FURTHER THAT the draft OCP policy be referred to APCs for feedback.**

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### BACKGROUND

At recent public information meetings for Zoning Bylaw 722, staff received feedback that the bylaw update had not gone far enough toward innovative community building to address current crises such as housing shortages and building climate resilience. Staff heard repeated requests related to the urgency for innovation and/or for denser development in some areas and specifically there were calls to “be bold and be brave.”

#### Legislative Context

[Zoning](#) bylaws are tools to implement local government land use planning visions expressed in official community plans and regional growth strategies; and a hierarchical policy alignment must be maintained. BC’s *Local Government Act* requires official community plans (OCPs) to include a statement of objectives and policies to guide decisions on planning and land use management within the area covered by the plan. To achieve this, OCPs must further include policies and mapping to ensure approximate location, amount, and type of land use and in the case of residential development, also specify the general location and amount of density. In achieving this spatial implementation of land use and density, other factors such as hazardous conditions, environmentally sensitive areas and the phasing of services must also be identified and guided by OCP policy. For these reasons, Zoning Bylaw 722 has a limited scope and cannot directly accomplish some of the requests received from the public during consultation, as it is guided by six different OCPs; all of which are aging policy documents. The result is that procedurally Zoning Bylaw 722 is geared to be a refresh to its predecessor (Bylaw 310) and the call for bolder change that considers the type of community we want to build is part of a deeper policy dive that involves reviewing SCRDS OCPS and ensuring commensurate levels of consultation.

### Current Trends in Inquiries and New Applications

SCRD receives applications to amend OCPs from time to time. There is a current trend of initial proposals requesting to deviate from adopted OCPs without demonstrating specific community benefits in return, consideration of planning best practices or the broad array of existing SCRD policies and plans that seek to build a resilient and livable community. These applications take a considerable amount of resource time and often result in community division on how to move forward. SCRD does not have current policy direction that clearly guides OCP amendment applications. This makes it additionally challenging for staff to calm this division by being able to concretely refer to and articulate agreed upon values for the professional recommendations that are being made for the betterment of long-term community-building.

### Trends in Recent Application Reviews

Looking back on the last 2-3 years of OCP amendment applications, staff observations about OCP review processes are reflected, as follows:

- One particularly strong application, that achieved many planning best practices and offered a strong community benefit did not get approved, where community dissent strongly influenced decision making;
- Multiple applications were entertained that did not include planning best practices, and from a planning best-practice perspective, likely ought to have been turned down early. While they were not ultimately approved, the length of the process led to community division that was avoidable as well as a substantial use of staff time that could have been better allotted to doing proactive planning work.
- In each of these review processes, a clear policy might have changed the course of the application for the betterment of the community, by providing policy thresholds for which the application would be considered through and by enhancing timing of the review and/or the ultimate decision. Such a policy would benefit applicants (clearer target, consistency, faster process), the community (transparency, potential for better planning outcomes) and SCRD (more efficient processes and improved policy alignment).

### OCPs Are Aging Infrastructure

SCRD has seven existing OCPs which are aging. OCPs are key planning 'infrastructure' for the Sunshine Coast. Like physical infrastructure, there are increased risks as these policy documents age. Aging OCPs increase the likelihood that applications to amend them, resulting from development pressure. Amendments, if done well, have the potential to achieve greater land use density or more diverse uses that can result in positive planning outcomes. Careful negotiation is required to ensure the benefit remains with the community for the long-term, and not just for the developer.

If such applications are approved without a rigorous consideration for the appropriateness of the proposed use and density at the subject location and negotiation of adequate community benefit, an increase in future community challenges is likely to result from the unplanned land use. Such challenges may include climate impacts, social equity concerns, land use and neighbourhood conflicts, as well as long-term inefficiencies, inabilities or cost impacts to providing community infrastructure and services.

Despite these challenges, developer-initiated OCP amendments can present a significant opportunity to shape land use patterns and decisions in a positive way that support long term community benefits, if there is policy to support rigorously reviewed and negotiated outcomes.

### Urgency

Staff share the community's sense of urgency to meaningfully address the many environmental, social and economic challenges facing the Sunshine Coast and are eager to embark on this critical community conversation. Future comprehensive updates to SCRD's seven OCPs will form the legacy of our community for future generations, but it will take time, resources and deep community conversations to inform decision making and ensure we get it right (a multi-year renewal project has been approved to commence later this year/following completion of the zoning bylaw project).

Proposed Bylaw 722 is intended as a steppingstone to this larger metric of upcoming planning work and the recent Regional Growth Baseline Work serves as a compass to guide the way. Despite these efforts, recent climatic events, housing demand and developer willingness suggest that there is an urgent need to consider how and when we consider amendments to SCRD's OCPs in the interim.

Such processes move at the speed of legislated requirements, community relationships and trust, as well as the provision and availability of resources. SCRD is committed to that deep work, yet there is a practical and urgent need to apply increased rigor to OCP amendment applications now, with a framework of criteria for negotiating that is consistently carried through from the beginning of an inquiry to decision making.

Following up on the above-noted recent community feedback and operational observations, staff have decided to propose to develop a Board Policy to guide the review of OCP amendment applications to help ensure the decisions we make today, build a legacy that we are proud to pass onto future generations. The purpose of this report is to provide information and obtain direction from the Electoral Area Directors on developing a Board Policy that provides an assessment criterion for Official Community Plan Amendment applications.

## **DISCUSSION**

### *Analysis*

In response to requests to "be bold and brave", noting recent application review trends and the increase in inquiries and applications for OCP amendments that depart significantly from existing OCPs, staff propose to develop a Board Policy for OCP amendments, akin to the current DVP Board Policy. The proposed policy is intended to encourage and reward innovative OCP amendment applications that will benefit the region for the long term. This tool is proposed to be:

- an interim solution for the duration of time before new OCPs and regional growth strategy are completed (it would be reassessed at this time);
- A guide for the Board which is operationalized with staff: from inquiry management, through pre-application negotiation, technical review and Board reports;
- A signal to the development community of growing expectations for rural density proposals, foreshadowing new OCP principles and policies;
- Foster transparency: gives the development community the framework needed to build stronger proposals before approaching SCRD, and a common frame of reference for negotiation;

- An evaluation framework that unites land use planning best practices, community wishes, staff technical review and Board decision making; and
- A framework for interdisciplinary evaluation that ensures clear direction for managing emerging values as well as those already embedded in SCRD policies and strategic plan: housing affordability, natural asset protection, climate action, reconciliation, water conservation, corridor planning, park land dedication and more.

A draft policy is attached for reference and to provide an example of the anticipated framework and content. The intent of this policy is to recognize the need to consider OCP amendment applications in advance of comprehensive OCP updates and policy harmonization and provide a framework to guide and encourage the implementation of planning best practices through these applications. **It is important to note that the policy provides review criteria only and is not a yardstick, prescription or requirement.**

An alternative approach, taken by some local governments, would be to hold such OCP amendments in abeyance until OCPs and other guiding documents are updated. Given the urgency of need for action specifically around climate resilience and housing on the Coast, such an approach is not recommended as it may bar much-needed innovative community-building solutions from advancing. By developing this policy framework now, there is an opportunity to strive for land use development excellence and be regional leaders in considering innovative solutions, while harnessing appropriate community benefits. If guided by innovative policy, OCP amendment applications can also be pioneering solutions that may be considered more broadly in future OCP work.

#### *Organization, Intergovernmental and Financial Implications*

- A stronger framework of policies and regulations (regional growth strategy, modern OCPs, modern zoning and development bylaws) are needed to drive the expectations for excellence in rural development that meets the current and future needs of the Sunshine Coast;
- When in place, such a framework steers the marketplace to do the biggest refinements to their development proposals before submitting an application, rather than refining mostly through the public review process (Public Information Meetings, Public Hearings, etc.) of an OCP amendment;
- This work should be borne primarily by the applicant and to a much lesser degree by staff, decision makers and community. It is expected that implementing a high quality, transparent framework for evaluating OCP amendment applications will reduce staff processing time, help support SCRD Board decision making and reduce community division;
- Inadequate applications and potential subsequent approvals represent financial, legal and reputation risks to SCRD;
- Developing and implementing such a Board policy would be a signal of the internal and external culture shift required to meet the challenges of our time; and
- Risks of not implementing a framework is anticipated to prolong the time of receiving (potentially) inadequate applications that must run their course, taking more staff, Board and community time.
- The only anticipated direct financial implication to the adoption of such a policy would be a slightly positive effect of allowing re-allocation of existing, budgeted staff time to required proactive planning work (no net budget impact; potential for faster progress on Board-directed projects).

*Timeline for next steps or estimated completion date*

- If the Board would like to proceed, staff propose to bring a refined draft forward for review in Q4 2022.
- Internal SCRD collaboration and APC referral is planned to refine the draft. It is possible that a special meeting or orientation session for APCs could be conducted in coordination with ongoing work on Bylaw 722.

*Communications Strategy*

If this policy work proceeds to adoption, staff would prepare a communications plan to notify residents and the development community of the policy framework for OCP amendments.

**STRATEGIC PLAN AND RELATED POLICIES**

This proposed policy development aligns with many areas of the SCRD’s Strategic Plan.

**CONCLUSION**

SCRD Planning staff has heard requests from the community to be bold and brave in the short term to propel housing solutions in appropriate locations. Staff observe there are an increasing number of OCP amendment inquiries and applications coming forward, some citing housing-creation as their intent, while others have also included broader suggested community benefits. Staff review, community understanding and Board consideration of these applications would be assisted by a more rigorous policy framework to weigh the merits of the application against the implementation of planning best practices to ensure a long-term community-building benefits.

Staff propose to develop a Board Policy for OCP amendments to be used in addition to current OCPs. Staff see this as an interim solution in advance of and during the process of OCP renewal, to raise and clarify application expectations and direct development effort toward multiple urgent community needs.

**ATTACHMENTS**

Attachment A – Draft Board Policy: Official Community Plan (OCP) Amendments

Reviewed by:			
Manager	X - J. Jackson	Finance	
GM	X - I. Hall X - R. Rosenboom X - S. Gagnon	Legislative	X - S. Reid
CAO	X - D. McKinley	Other	X - Y. Siao X - R. Shay

## Sunshine Coast Regional District Official Community Plan Amendment Application Assessment Criteria Board Policy

### Intent

This Board Policy is intended to provide guidance to assess the merits of proposed Official Community Plan (OCP) amendment applications in the Sunshine Coast Regional District. Development proposals that require an OCP amendment will be evaluated against the criteria below.

The criteria listed here are a sample of best practices with which to evaluate OCP amendment applications and may not be an exhaustive list. SCRD is open to other innovative criteria that meet the intent of current bylaws, align with SCRD authority and stretch toward sustainable development.

### Criteria

#### **1. Location**

- a) Subject property is located within 500 metres of a major transportation corridor for which transit services are currently or planned to be provided (applicable to all OCP areas having transit services).
- b) Proposed development would limit the number of crossings of watercourses and seek to protect environmentally sensitive areas.
- c) Location is not in an identified area of climate vulnerability: sea level rise, storm surge, debris flood.
- d) Proposed development eliminates direct vehicular driveway access to the Sunshine Coast Highway and seeks to limit or reduce direct vehicular driveway access to other arterial roads.
- e) Proposed development is in close proximity to or directly accessible by transit, to existing or planned commercial development and civic services such as parks, schools and recreation centres.

#### **2. Land Use Compatibility and Density**

- a) Compatibility of land use with adjacent planned land uses.
- b) Appropriateness of proposed density with planned density of surrounding area.
- c) Proximity of planned and existing utility infrastructure with proposed development.
- d) Proposed development provides a housing choice that is appropriately-located and contributes to the range of housing affordability on the Sunshine Coast
- e) The proposal seeks to implement complete community and low-carbon land use attributes.
- f) If located at or near a rural-municipal edge, proposal responds to adjacent municipal land use planning

#### **3. Community Amenity Contribution**

- a) Proposed development provides a significant Community Amenity Contribution (CAC), deemed acceptable by SCRD, which benefits the public good and would not otherwise be achievable through established plans, bylaws and policies. *Note: A CAC shall be calculated by the amount of contribution (in-kind or monetary) in addition to all other requirements and payments that are otherwise required by established plans, bylaws, policies and legislation.*

# Sunshine Coast Regional District Official Community Plan Amendment Application Assessment Criteria Board Policy

- b) If the CAC involves the donation of land or infrastructure to SCR D, this donation should generally adhere to the following criteria:
  - i. The land or infrastructure is provided in a “turn-key” format, acceptable to SCR D.
  - ii. The land or infrastructure is provided in a location acceptable to SCR D that logically supports existing OCP policies and community needs, with consideration given to promoting the use of transit, walkable community cores, as well as environmental protection and enhancement.
  - iii. A cost-benefit analysis of the asset has been completed to ensure long-term benefit to the public good, which may consider risk mitigation factors, such as maintenance costs.

## 4. Environmental Enhancement

- a) The application proposes to protect and enhance waterbodies, watercourses, aquifers, flora and fauna (particularly those at risk), and other natural features in a manner that provides greater benefit than otherwise required by existing policy or legislation.
- b) The application seeks to reduce Green House Gases (GHGs) through design, protection of carbon sinks, and/or proximity that encourages walkability, cycling, and use of transit.
- c) If the application involves or is adjacent to agricultural lands it seeks to enhance and protect farming activities and soils that are suitable for agriculture.
- d) The proposal does not result in an exclusion from the Agricultural Land Reserve, unless a 2-for-1 replacement with like or better soil qualities is proposed at a location deemed acceptable to SCR D and the Agricultural Land Commission.
- e) The application commits to removing invasive plants and limiting or correcting previous land alteration practices and provides restoration that enhances native biodiversity.
- f) The project protects an area that is integral to a wildlife corridor.

## 5. Climate Resilience & Reduction of Greenhouse Gas Emissions

- a) The application seeks to contribute to climate resilience efforts in response to the Climate Risk Assessment and provides benefit to the greater public good, such as:
  - i. Maximizes retention of existing native trees, soil and vegetation
  - ii. Uses climate-resilient planting for future shade
  - iii. Climate-ready stormwater management
  - iv. Provides rainwater capture/retention opportunity
- b) Applications involve innovative climate-resilient design that warrants consideration to support piloting new ideas that could set new standards for climate resilience on the Sunshine Coast.
- c) Project seeks to reduce emissions associated with single occupant vehicle trips and fossil fuel heating.

## 6. Community Health and Equity

- a) The project applies an equity lens to development.
- b) The project is or will be informed by a socio-economically diverse group of people (including, potentially, those who it is intended to serve).
- c) The project outcome intends to serve people with barriers to adequate housing or transportation services.
- d) The project includes aspects that build social capacity, especially for equity-deserving groups.

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- e) The projects considers community child care needs.
- f) The project design promotes and connects to safe Active Transportation routes between the proposed location and community amenities.
- g) The project design integrates indoor or outdoor community gathering spaces.
- h) The project furthers food security by producing or processing local food for a local economy.
- i) The project unites affordable housing opportunities with opportunities for growing and/or processing food.
- j) The project protects or enhances farm land and soil for future agricultural capability.
- k) The project protects or enhances habitat for pollinators.

## **7. Impact of Amendment on Infrastructure and Amenities**

- a) The proposal provides a benefit towards enhancing public infrastructure for the development or the larger area.
- b) The location of proposed density is within a logical proximity to the availability of existing or planned SCRD services and utilities.
- c) Proposal demonstrates innovation in or a high-degree of efficiency related to community drinking water.

## **8. Affordable Housing**

- a) The application proposes innovative housing solutions that assist with the provision of affordable housing, particularly long-term rental, on the Sunshine Coast in a location that promotes walkability, cycling and transit usage in any of the following ways:
  - i. Through a registered housing agreement that protects market rental and/or below-market rental.
  - ii. Increases the housing stock of apartments, townhouses and duplexes at an appropriate location and in a manner that will provide more affordable means of homeownership.
- b) The proposed development involves senior level government, a government agency, SCRD, or non-profit backing (collaboration, land or financial partnership) to assist with the provision of affordable housing in a strategic location.
- c) The application involves an affordable housing solution that assists with aging in place for Sunshine Coast residents.

## **9. Economy**

- a) The proposed development involves the construction of an employment-generating use that when complete would provide a significant number of jobs that pay a living wage.
- b) The proposed development involves the provision of a use that would be a significant benefit to tourism on the Sunshine Coast, while ensuring best-practice sustainable development initiatives.
- c) The proposal propels economic growth that benefits environmental and social community needs, such as climate resilience, culture, heritage and the provision of housing.

# Sunshine Coast Regional District Official Community Plan Amendment Application Assessment Criteria Board Policy

## 10. Topography

- a) The proposal is a response to the presence of steep slopes, ravines or flooding hazards that preclude certain uses or types of development and require an OCP amendment to facilitate a use or form of development that is more appropriate for the topography, location, and risks associated with the subject lands.

## 11. Reconciliation

- a) The project advances the reconciliation goals of the corresponding Nation through collaboration.

## 12. Heritage Conservation

- a) The full scope of the project is aligned with the *Heritage Conservation Act*
- b) The project seeks to protect and enhance a building, site, or natural feature that has heritage value worthy of long-term protection through any combination of bylaw, covenant, designation, or public ownership

## 13. Design

- a) Proposed development demonstrates a high degree of innovation, creativity and sensitivity in its overall design, including site layout, building design, stormwater management and landscaping.
- b) Proposed buildings associated with the development demonstrate leadership for the Sunshine Coast in green-building design or advanced Step Code requirements.
- c) Proposed developments adjacent to forested areas should demonstrate a high degree of site, building and landscaping design that is Fire Smart, while also considering onsite fire suppression capabilities.
- d) Site design and landscaping is designed to preserve significant trees and promote onsite stormwater management and aquifer recharge.
- e) The proposal adequately considers emergency response needs including access for protective services.