

Electoral Area “E” OCP Bylaw No. 3010 Proposed Revisions

Planning and Development Committee Meeting
March 7, 2024



Electoral Area "E" OCP Bylaw No. 3010

Project Overview

Electoral Area “E” OCP Bylaw No. 3010

AREA “E” NARAMATA AREA



OCP Bylaw No. 2458, 2008 – Regional District of Okanagan-Similkameen

OFFICIAL COMMUNITY PLAN

This bylaw has been consolidated for
convenience only and includes all
amendments to the text up to:
June 2, 2022

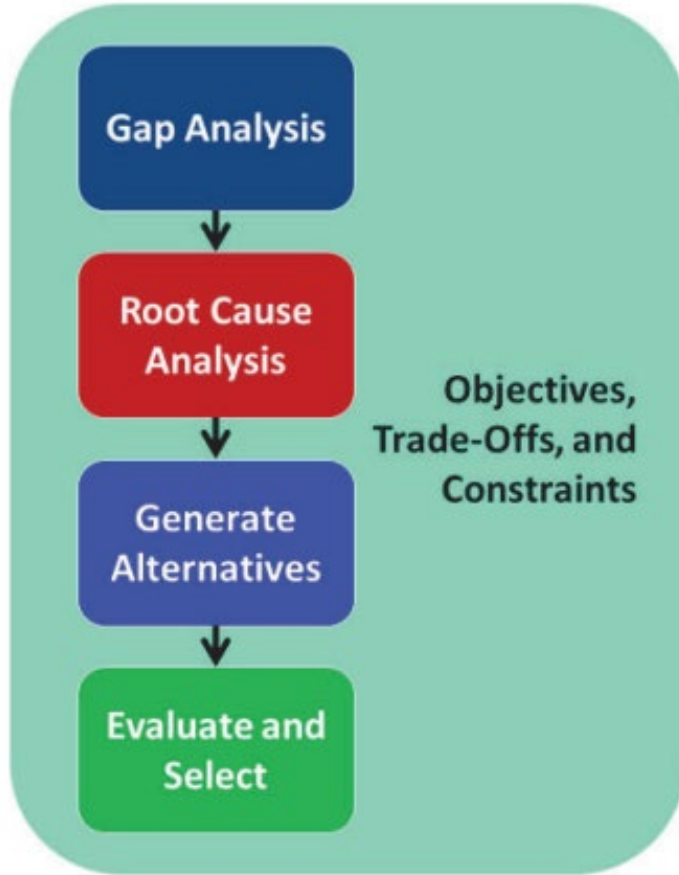
- Current Electoral Area “E” OCP Bylaw was adopted in 2006;
- Was “Repealed & Re-enacted” in 2008 largely unchanged;
- Has been amended 40 times (+/-) since 2005;
- Review of OCP was identified as a priority in 2020 Business Plan.

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Background Context:

- Since 2006, a number of “significant” changes have already been made to the Electoral Area “E” OCP, including:
 - WDP Areas (2006)
 - Climate Change & GHG reduction policies (2010)
 - Vacation Rental policies (2014)
 - ESPD Area Update (2017)
 - Accessory dwellings update (2020)
 - Cannabis production (2020)

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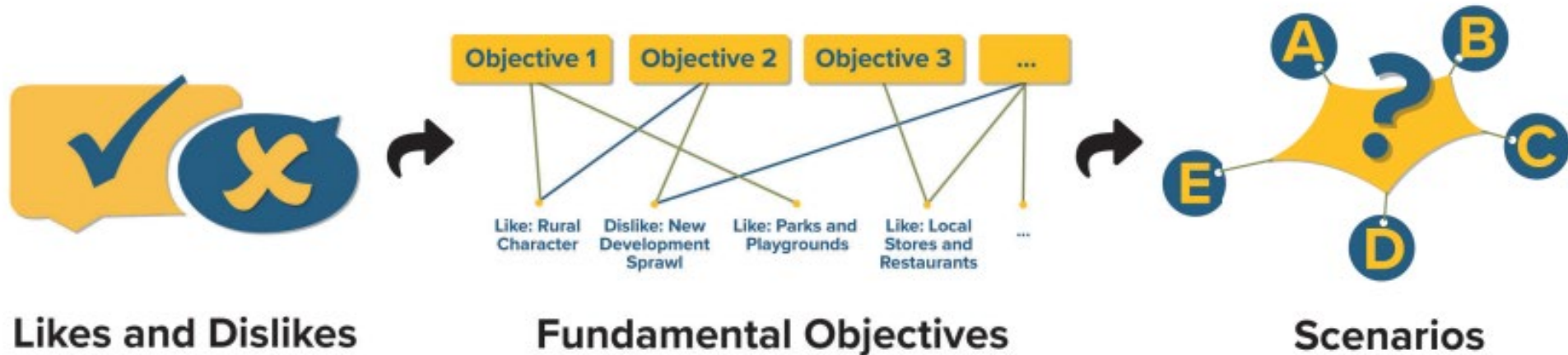


- Project completed “in-house”
- Initial Community Engagement completed by “LOCAL Decisions”
- Informal Community Advisory Group (CAG)
- Series of “Community Conversations” held
- Completion of project has been impacted by staff changes, local government election, other competing demands, etc.

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Community Engagement:

- Three-round survey, 2021/2022
- Over 500 people participated
- Trade-offs and compromises



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Growth Management:

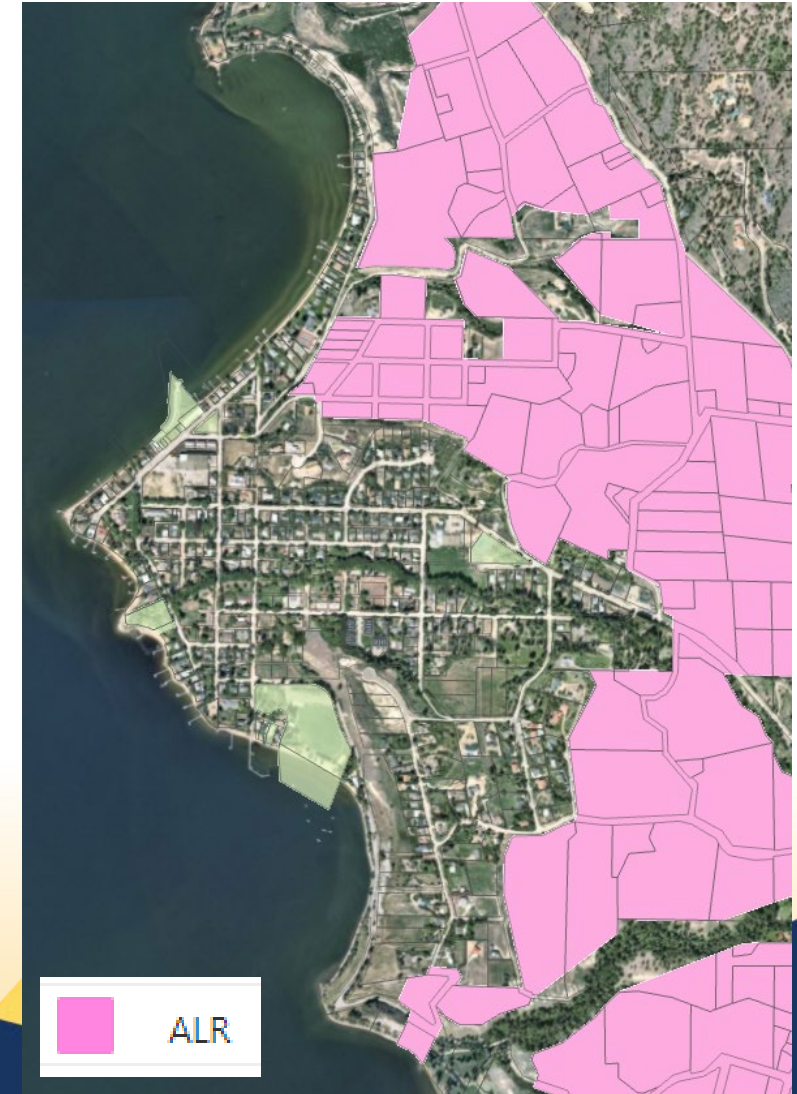
- “Naramata” is designated as a “Rural Growth Area” under the South Okanagan Sub-Regional Growth Strategy (RGS);
- A “Rural Growth Area” is where limited future development is anticipated, or where development has been pre-determined through approved zoning.



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Growth Management:

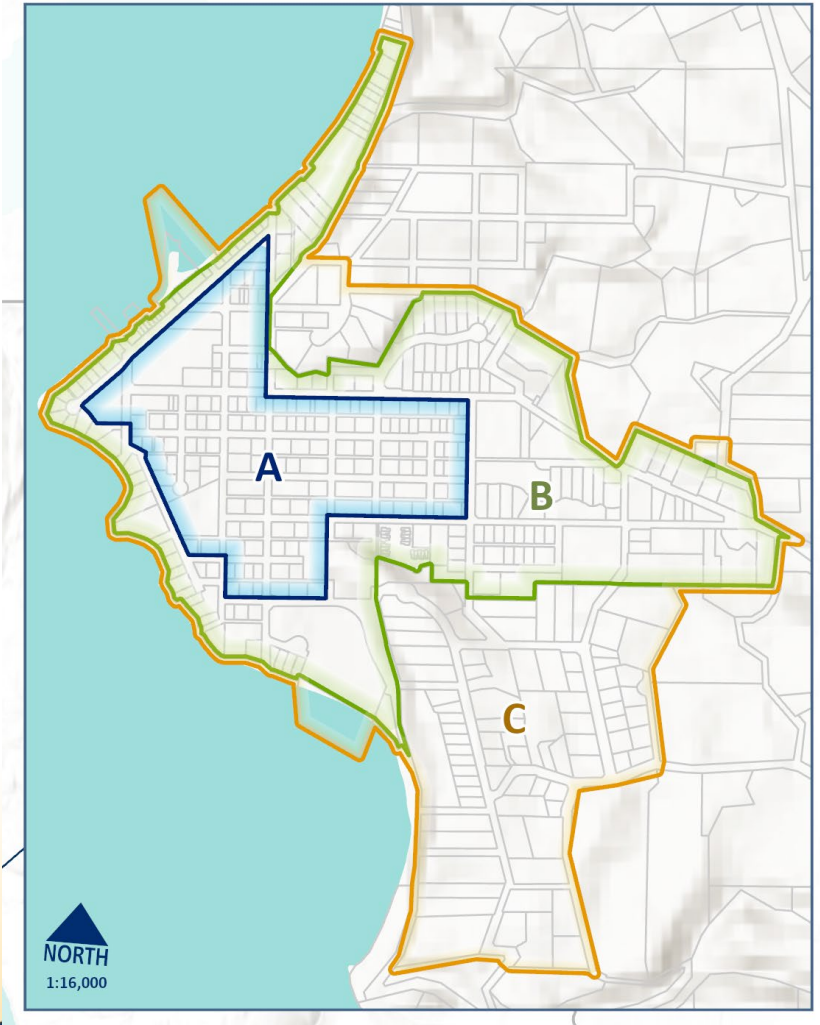
- “Rural Growth Area” boundaries have been determined during OCP Reviews.
- Electoral Area “E” is last OCP to be reviewed since RGS was adopted in 2010*.
- Considerations included existing settlement area, ALR boundaries, natural features, etc.



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Growth Management:

- Containment Area “A” - focuses on commercial, mixed use, and some type of higher density residential development.
- Containment Area “B” - short to mid-term growth, similar to resident’s preference and to Phase 1 of LWMP.
- Containment Area “C” - longer term (50 years~), similar to Phase 2 of LWMP.



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Broad Goals:

- **Infrastructure:** Improve and support the development of new infrastructure, including community water and sanitary sewer systems and improved internet connectivity.

Local Area Policy (Lower Naramata):

- Supports the creation of a community sewer system to serve lands within “West Naramata” in order to prevent contamination of Okanagan Lake and to facilitate higher residential densities.

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Natural Hazards Policy:

- Encourages the development of a sanitary sewer and/or stormwater management system to alleviate the risk of geotechnical failure due to usage of existing onsite septic systems.

Infrastructure Objective:

- Establish long-term sustainable sewage collection and disposal methods.

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Local Area Policies:

- A separate section for local area policies has been introduced for the following areas:
 - “Lower Naramata”
 - “Upper Naramata”
 - “Falcon Ridge”
 - “Indian Rock”



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Regional Policies:

- *Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighbourhood residential needs and other land use needs can be addressed.*
- Review of the Regional District’s Vacation Rental policies is tentatively set to be a regional project in 2024*.





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Land Use Bylaw Transition Policy

P&D Committee - June 1, 2023

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“Land Use Bylaw Transition Policy”:

... Prior to first reading of a new Official Community Plan (OCP) Bylaw and/or Zoning Bylaw for an Electoral Area, the Board of Directors be apprised by Administration of the following:

- i) all significant policy changes comprised within the Bylaw(s);*

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OCP Policy Changes :

- Community Profile
- Growth Management
- Local Area Policies
- Resource Area
- Administrative and Institutional
- Naramata Village Centre
- Hazard Lands
- Community Infrastructure
- Climate Change and Adaptation

Direction Requested:

- Vacation Rentals
- Hillside Development
- Growth Management
- Climate Action DP

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Vacation Rental Policy Options:

1. New vacation rental policies be deferred until the regional review is completed (recommended); or
2. Introduce new policies discouraging vacation rentals in Naramata.

Board Direction:

The introduction of new vacation rental policies be deferred pending the completion of the Vacation Rental Review.

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Hillside Development Policy Options:

1. As an implementation item, explore options for managing and regulating hillside development (recommended)
2. As an implementation item, create a development permit area to protect development from hazardous conditions.

Board Direction:

A policy be included supporting the exploration of options for managing and regulating hillside development, such as tree cutting, development permits, runoff and drainage.

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Growth Management Policy Options:

1. That the Naramata Rural Growth Boundary be comprised of Figure 10 in draft OCP (recommended). Layers of growth containment are included within the draft OCP
2. That the Naramata Rural Growth Area Boundary be revised to ... [TBD]

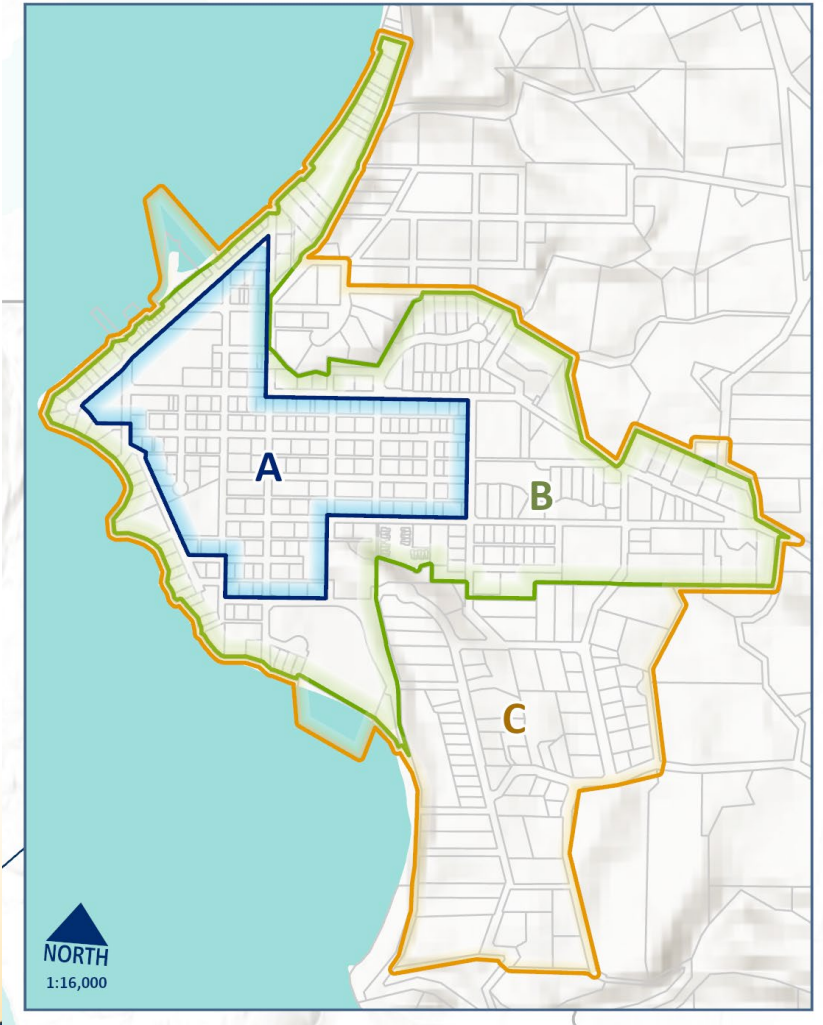
Board Direction:

The Naramata Rural Growth Boundary comprise the area shown on Figure 10 in the draft OCP.

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The Naramata Rural Growth Boundary comprise the area shown on Figure 10 in the draft OCP.



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Climate Action Policy Options:

1. The draft OCP not include an action item for the introduction of a development permit area to promote reduction of greenhouse gas emissions. (recommended)
2. the draft OCP supports the introduction of a development permit area.

Board Direction:

The introduction of a development permit area to promote the reduction of greenhouse gas emissions not be pursued as an action item.

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Next Steps (as of June 2023):

- Referrals to agencies;
- Meet with Community Advisory Group;
- Final round of community engagement;
- 1st and 2nd reading (~ August 2023)
- Public Hearing (September 2023)
- 3rd reading & adoption (September 2023)

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Final Engagement / Survey Results

P&D Committee – September 7, 2023

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Community Engagement:

- Purpose is to seek input on Draft OCP;
- Conducted between July 10th and August 8th, 2023
- 373 respondents:
 - 356 online; and
 - 17 paper

Area "E" OCP Community Engagement survey - Final round

SURVEY RESPONSE REPORT

09 July 2023 - 09 August 2023

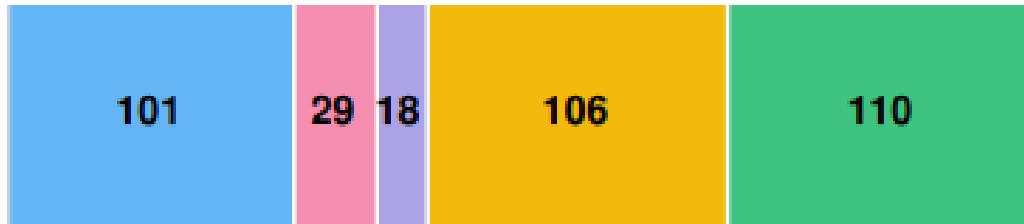
PROJECT NAME:

Electoral Area "E" OCP Review

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Growth Containment Areas:

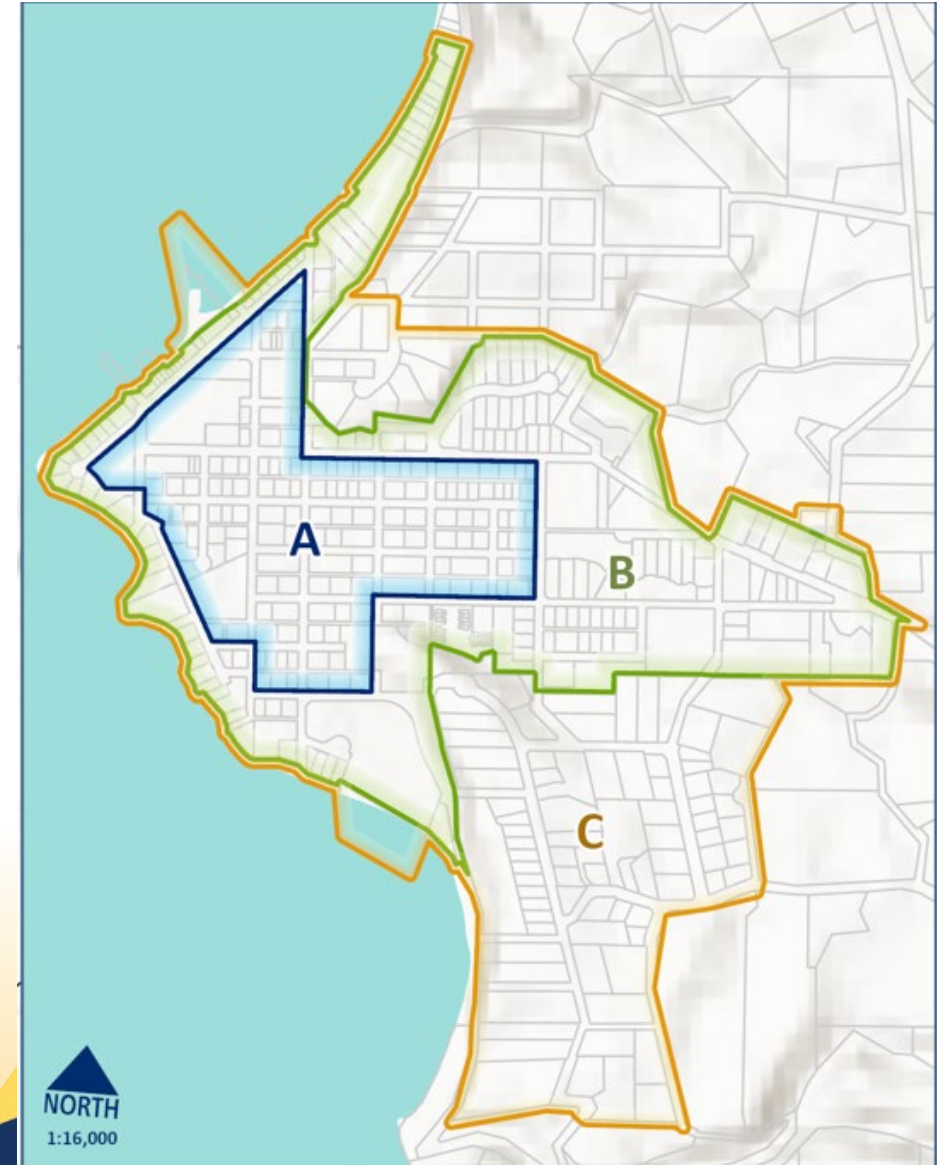
- Containment Area “A”



Question options

- Definitely disagree
- Somewhat disagree
- Neither agree nor disagree
- Somewhat agree
- Definitely agree

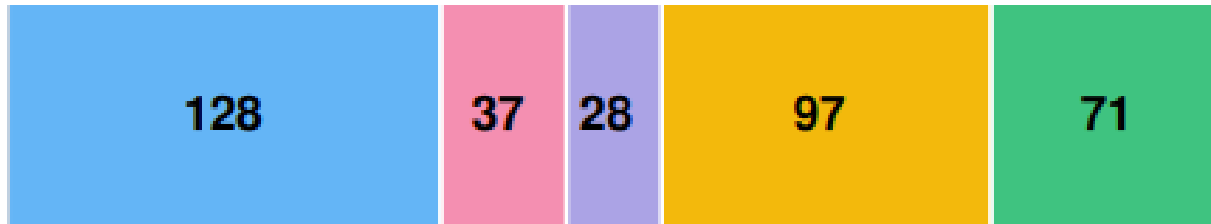
59% - definitely or somewhat agree



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Growth Containment Areas:

- Containment Area “B”

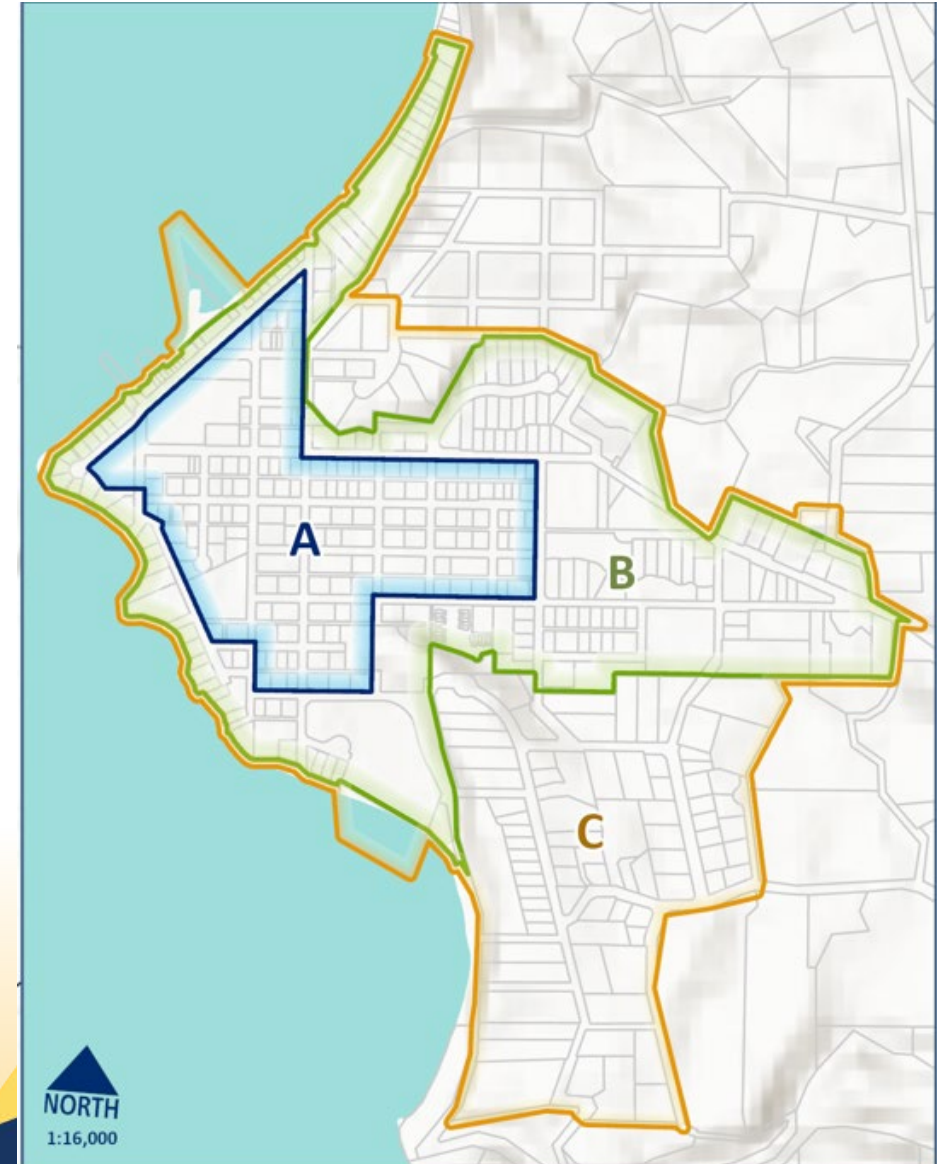


Question options

- Definitely disagree
- Somewhat disagree
- Neither agree nor disagree
- Somewhat agree
- Definitely agree

47% - definitely or somewhat agree;

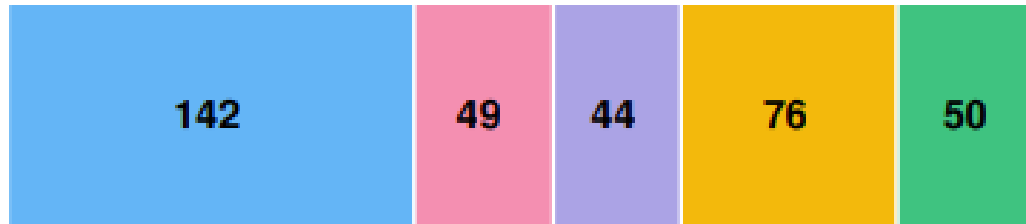
46% - definitely or somewhat disagree.



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Growth Containment Areas:

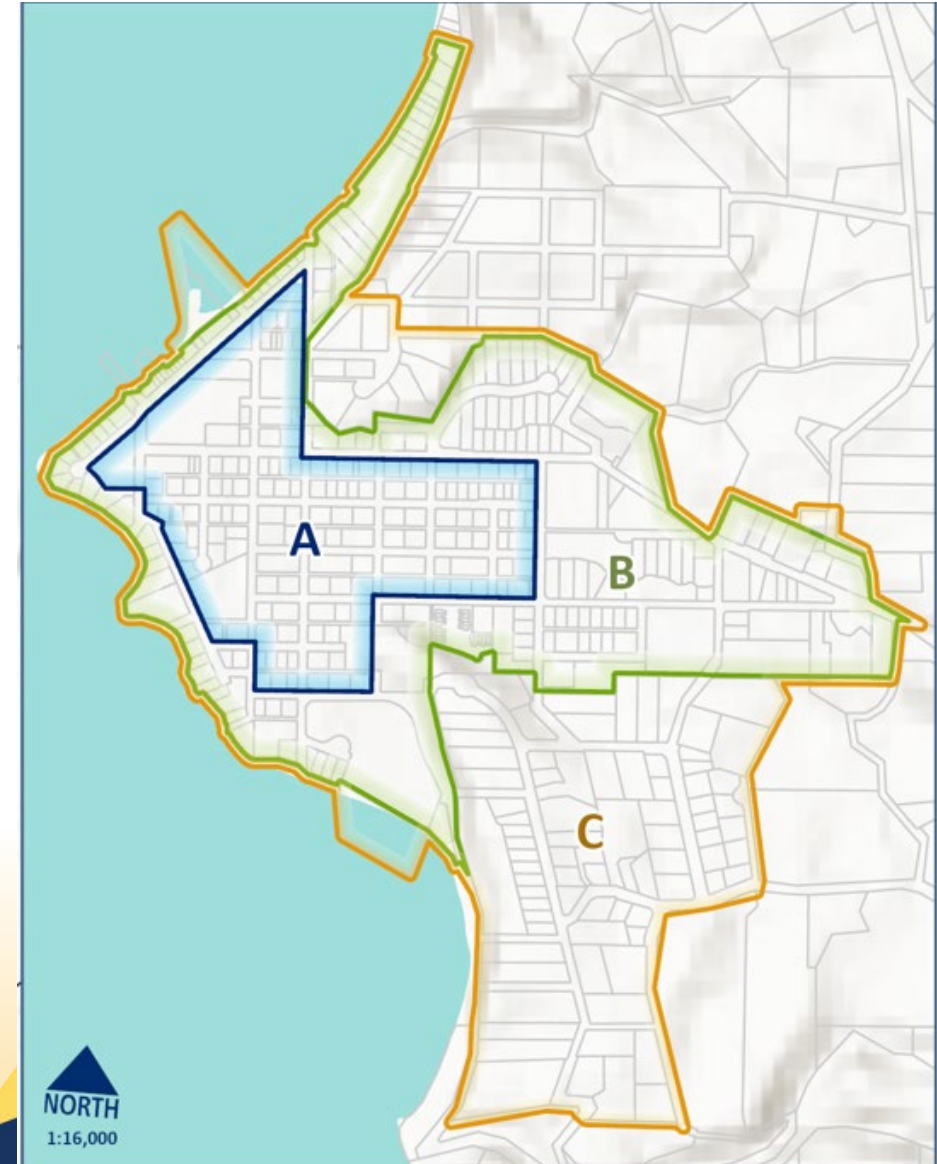
- Containment Area “C”



Question options

- Definitely disagree
- Somewhat disagree
- Neither agree nor disagree
- Somewhat agree
- Definitely agree

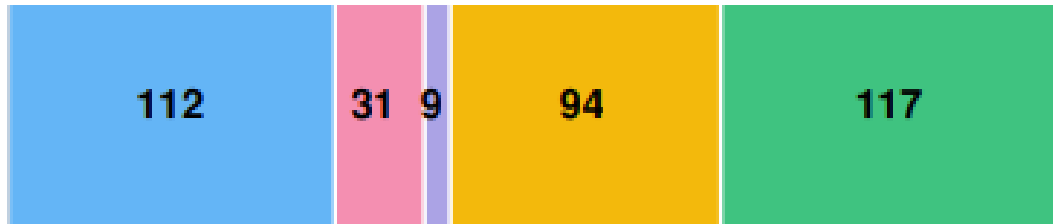
35% - definitely or somewhat agree;
53% - definitely or somewhat disagree.



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Lower Naramata Local Area Policies:

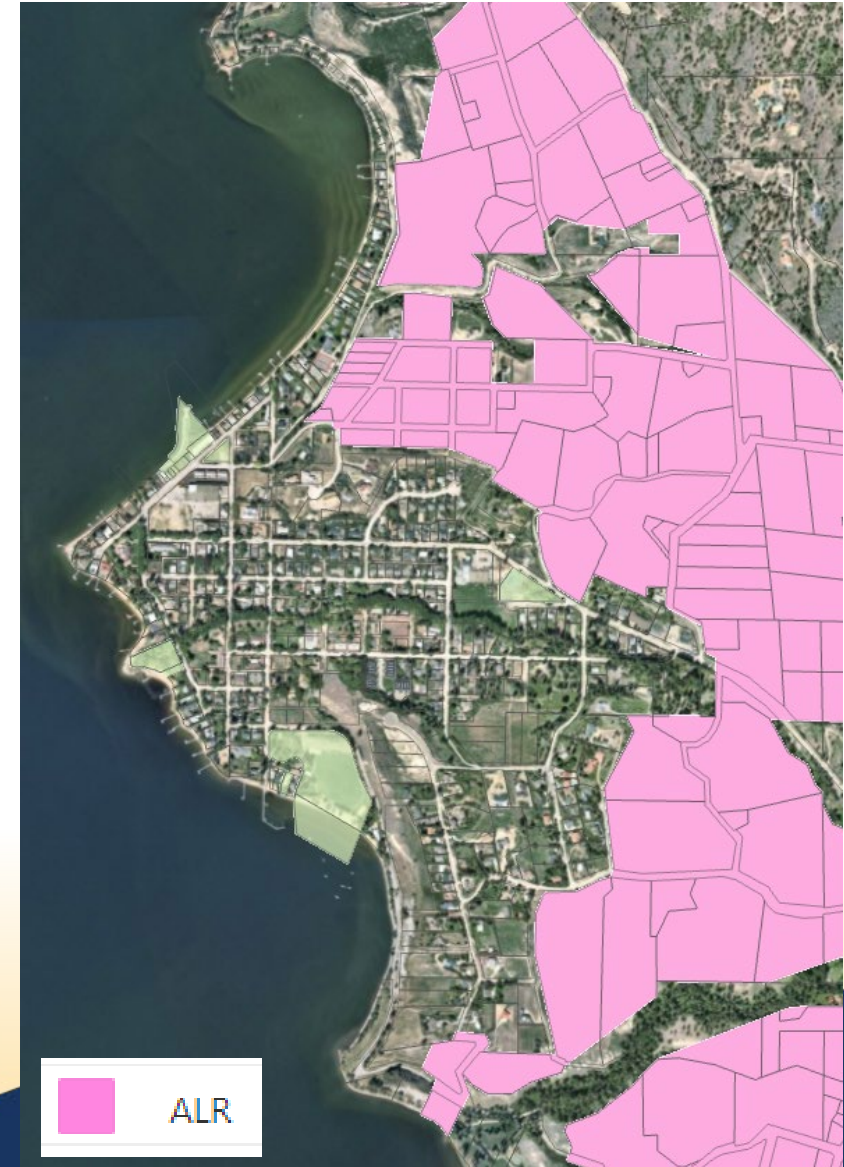
- Various policies (e.g. sewer)



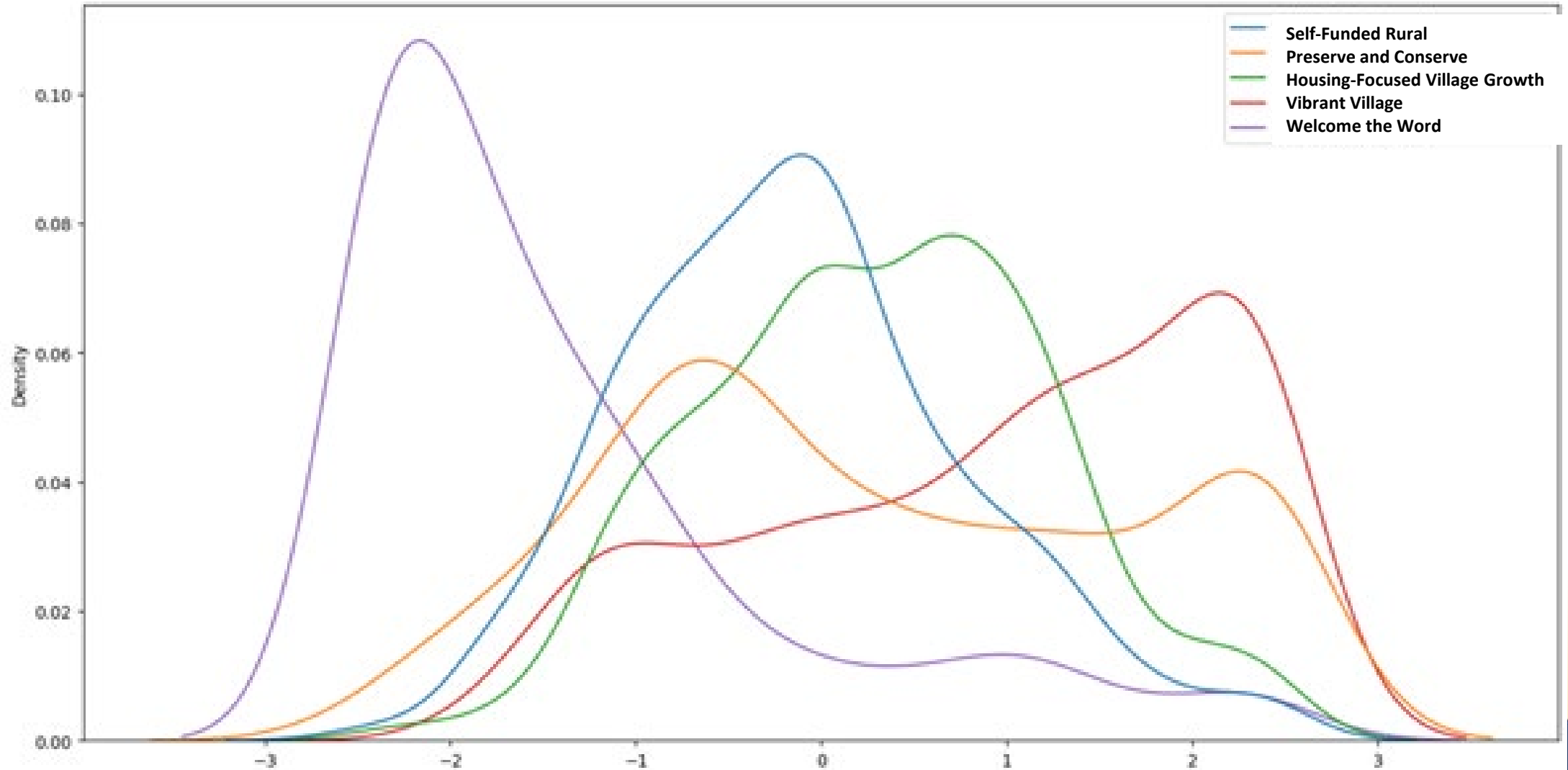
Question options

- Definitely disagree
- Somewhat disagree
- Neither agree nor disagree
- Somewhat agree
- Definitely agree

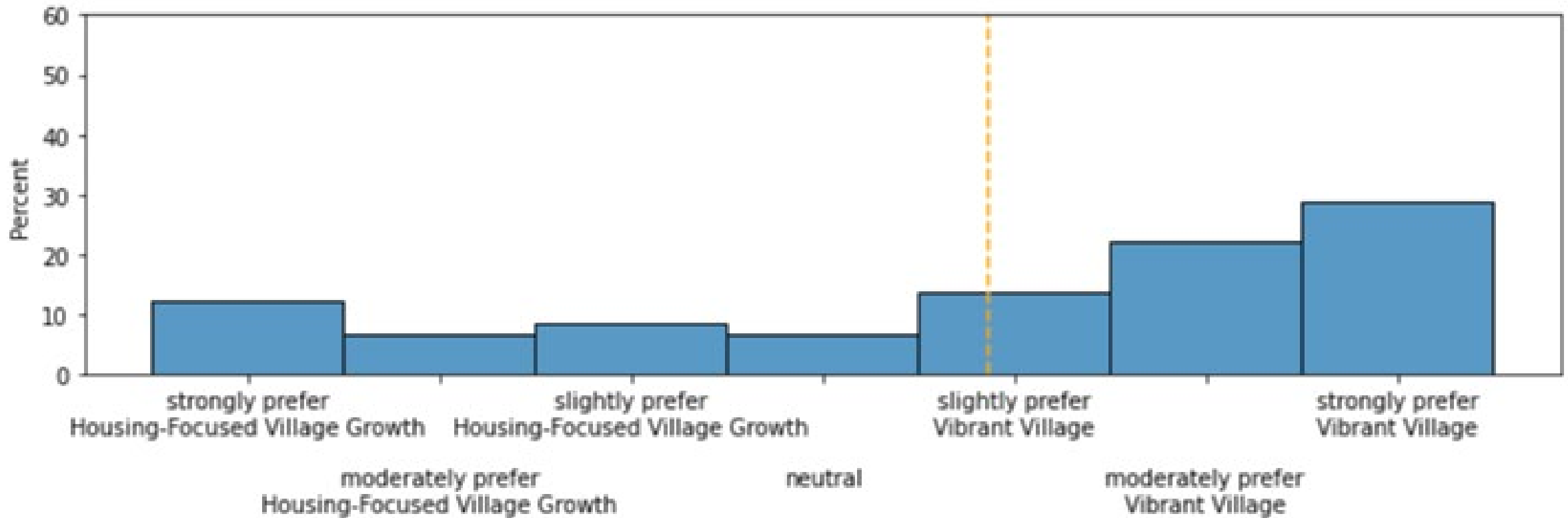
58% - definitely or somewhat agree



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Summary Comments:

- There are inherent ‘biases’ when conducting a survey to obtain public feedback.
- Participants are anonymous and duplicate responses are possible.
- Survey responses should be viewed as information only; a snapshot of opinions from those who chose to participate.

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Bylaw Consideration

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Board Consideration:

- September 7, 2023: 1st reading deferred for APC consideration;
- October 10, 2023: APC recommends project be deferred;
- October 19, 2023: 1st reading deferred for APC consideration;
- October 25, 2023: APC provides recommendations;
- November 16, 2023: 1st & 2nd readings are approved, public hearing is delegated to Area Director.

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Public Hearing:

- Attendance:
 - 45 person (approx.) on January 7, 2024;
 - 27 attendees (approx.) on January 9, 2024; and
 - 29 attendees (approx.) on January 11, 2024.
- Representations received between 1st reading and hearing:
 - 91

NOTE: Q&A sessions were held prior to each public hearing

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Board Consideration:

- February 8, 2024: 3rd reading is deferred;

THAT the Electoral Area “E” Official Community Plan Bylaw No. 3010, 2023, be postponed to a future meeting.



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Proposed Bylaw Revisions

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Proposed Revisions:

- Remove Containment Area “C” from the Naramata Rural Growth Area Boundary;
- Remove language supportive of a sewer system for Naramata;
- Remove existing Vacation Rental policies;
- Correct a typographical error at Section 17.5.1 (e.g. replace “Osoyoos Lake” with “Okanagan Lake”).

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Proposed Revisions:

- Requested changes are seen to be substantive;
- Additional “early and ongoing” consultation in accordance with s. 475 of the Act is required;
- 1st and 2nd reading of the bylaw require rescinding in order to allow for requested changes to be prepared;
- The following engagement opportunities are recommended and is based on previous steps in project ...

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Recommended Engagement:

- Board confirmation of revisions at Committee (April 2024);
- External agency referrals (May 2024 - 45 days);
- Naramata Community Advisory Group (May 2024*);
- Electoral Area “E” Advisory Planning Commission (May 2024*);
- Community Survey (May/June 2024);
- Board review of responses at Committee (July 2024);
- re-consideration of 1st reading (August 2024);
- delegated public hearing (September 2024); and
- re-consideration of 3rd reading and adoption (October 2024).

* does not account for possible deferral requests

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Option No. 1 (recommended):

- first and second reading of OCP Bylaw No. 3010, 2023, be rescinded and the bylaw abandoned;
- policies specific to Electoral Area “E” currently comprised within OCP Bylaw No. 3010 be incorporated within the Draft Okanagan Valley OCP Bylaw; and
- a draft of the Draft Okanagan Valley OCP Bylaw be brought forward for consideration at a forthcoming P&D Committee meeting (i.e. tentatively set for Q4).

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Option No. 1 (recommended):

- Will allow for work on other projects to commence (e.g. Vacation Rental Review, Okanagan OCP, etc.);
- Will allow for a more efficient use of staff and financial resources (i.e. overlapping OCP consultation requirements);
- Policy work comprised within Bylaw No. 3010 can be carried forward into new Okanagan OCP, as could other project work (i.e. Vacation Rental Review).

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Option No. 2:

- first and second reading of OCP Bylaw No. 3010, 2023, be rescinded;
- THAT Bylaw No. 3010 be re-drafted to incorporate the following:
 - a) revised growth boundary (remove Area “C”);
 - b) removal of language supportive of a sewer system; and
 - c) removal of existing Vacation Rentals policies.
- Undertake public engagement.

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Option No. 2:

- Will allow for OCP to be updated to reflect requested revisions;
- To accommodate proposed revisions to the OCP Bylaw the following projects will require deferral:
 - Vacation Rental Review (to 2025);
 - ESDP Review* (to 2025);
 - Okanagan OCP Project (to 2025).

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Option No. 3:

- Consideration of third reading and adoption of the Electoral Area “E” OCP Bylaw No. 3010, 2023, be brought forward to the March 21, 2024, Board meeting.

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Questions?