

REPORT TO COUNCIL



Date: October 19, 2011
File: 1200-30
OCP11-0016 / BL 10621
To: City Manager
From: Long Range Planning Manager
Subject: OCP 2030 Bylaw 10500 - Housekeeping Amendments

Recommendation:

THAT Council receives, for information, the report from the Long Range Planning Manager dated October 19, 2011 with respect to Council directed and staff initiated housekeeping amendments to OCP 2030 Bylaw 10500;

AND THAT Council gives First Reading consideration to OCP Amendment Bylaw No. 10621 being an amendment to Bylaw No. 10500 Kelowna 2030 - Official Community Plan;

AND THAT after 1st reading Council directs staff to forward OCP Amendment Bylaw No. 10621 being an amendment to Bylaw No. 10500 Kelowna 2030 - Official Community Plan to the Agricultural Land Commission for comments as per LGA Section 882(3)(c);

AND FURTHER THAT Council forwards OCP Amendment Bylaw No. 10621 being an amendment to Bylaw No. 10500 Kelowna 2030 Official Community Plan - Bylaw 10500 to Public Hearing.

Purpose:

To proceed with minor housekeeping amendments to the OCP based on Council direction from previous meetings as well as staff initiated housekeeping amendments.

Background:

At the Council Meeting of October 3, 2011 the following resolutions were adopted:

THAT Council receives, for information, the report from the Long Range Planning Manager dated September 28, 2011 with respect to Council directed and staff initiated housekeeping amendments to OCP 2030 Bylaw 10500;

AND THAT Council directs staff to refer the proposed OCP 2030 Bylaw 10500 changes to the Advisory Planning Commission as the required public consultation prior to introduction of the amendment bylaw.

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In addition to specific Council directed amendments related to UBCO interests and Map 4.1 Generalized Future Land Use, there are number of other minor housekeeping amendments suggested to correct typing / numbering / formatting errors, wording clarification and one suggested new policy.

The proposed OCP housekeeping amendments were presented at the Advisory Planning Commission (APC) meeting of October 11, 2011. There were no concerns or issues raised from the public in attendance although there was a letter of support for the proposed amendments submitted by UBC. The APC passed the following recommendation:

THAT the Advisory Planning Commission supports Housekeeping Amendments to the Official Community Plan Bylaw No. 10500 as noted in the report from the Long Range Planning Manager to the Advisory Planning Commission dated October 5, 2011.

Internal Circulation:

General Manager of Community Sustainability

Legal / Statutory Authority:

Local Government Act Part 26: Division 2 - Official Community Plans, Sections 875 - 882.

Legal/Statutory Procedural Requirements:

Local Government Act Section 882(3) specifies that after first reading (and prior to Public Hearing) of an Official Community Plan bylaw the local government must, in sequence, consider the plan in conjunction with its financial plan and any waste management plan applicable. The local government must also refer the plan to the Agricultural Land Commission (ALC) for comment if the plan applies to land in an agricultural land reserve established under the Agricultural Land Commission Act.

The only amendments likely to be of interest to the ALC are with respect to the proposed changes to the Resource Protection Area designation and to Policy 5.3.1 Permanent Growth Boundary that would impact lands owned by UBCO. The lands in question are within the ALR and the ALC has previously requested changes to the Permanent Growth Boundary (PGB) to ensure that lands in the ALR remain outside the PGB.

In addition, Local Government Act Section 879 (1) specifies that a local government must, during the development, repeal or amendment of an official community plan, provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. This consultation is in addition to the required public hearing.

As noted above, the requirement for consultation over and above the Public Hearing has been addressed by Council referral of the proposed OCP amendments to the Advisory Planning Commission, where the contents of the proposed bylaw were presented in a public forum.

Existing Policy:

Kelowna OCP 2030 Bylaw 10500.

Considerations not applicable to this report:

External Agency/Public Comments:

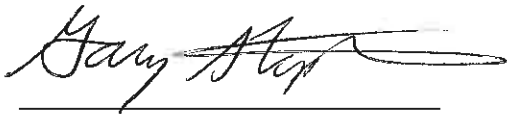
Financial/Budgetary Considerations:

Communications Comments:

Personnel Implications:

Alternate Recommendation:

Submitted by:



Gary Stephen, Long Range Planning Manager
Policy and Planning

Approved for inclusion:

Signe Bagh, Director of Policy & Planning



cc: General Manager, Community Sustainability