

Memo

Date October 23, 2023

From Christina Hovey, RPP, MCIP, Project Planner

Subject **Understanding the Impact of the North of Herd Road OCP Amendment on the BMLAP Implementation Project**

The first step of creating a development concept is usually confirming the location and dimensions of the roads and parks. In the Bell McKinnon Area, this information conceptually comes from the Bell McKinnon Local Area Plan (BMLAP).

- The size/location of roads and parks impacts how much land is available for development, where the lot lines will be, and ultimately drives the size and location of the building footprints.
- In the Bell McKinnon Area, there are many
- properties with different owners and developers involved. It is our job as the Municipality to make sure that all the developments are coordinated towards creating a cohesive and functional neighbourhood. This won't happen by itself.
- The main tool for coordinating the different developments and setting up that functional neighbourhood is through the Bell McKinnon Local Area Plan (BMLAP)

However, staff have direction to review the BMLAP, including to revisit the park and road locations in the BMLAP. Until this is complete, staff and developers cannot rely fully on the information shown in the existing BMLAP. There are good reasons for revising the BMLAP, and it will ultimately result in more clarity for developers and make it easier for the Municipality to coordinate/realize the vision for the community.

- Work done since 2018 (when the BMLAP was adopted) resulted in identification of several challenges which led to direction from Council in October 2024 to revise the LAP including revising the road and park networks to better support the long-term vision of the community.
- As a key example of a challenge in the existing BMLAP, the "blue-green network" is one of the key components of the plan but, the "wildlife corridors" described in the text of the BMLAP are not shown on the maps, and the "conceptual park network" did not provide clarity on the preferred locations of parks, and recommends almost 20 separate parks in the area – which would be operationally challenging.
- For more information, this "Story Map" from October 2024, provides a visual step-by-step explanation of the challenges and recommendations for moving forward:
<https://www.northcowichan.ca/BMLAP>

Council direction to proceed with the OCP Amendment request for the property North of Herd Road and to review the Future Growth Area (FGA) in November 2024 forced the BMLAP Review project to be put on hold.

- The direction from the OCP adopted in August 2022, was to remove the “future growth area” (FGA), the area north of Herd Road from the BMLAP.
- In November 20, 2024, Council directed staff to review the Future Growth Area (FGA).
- In the lead up to that meeting and during the “public input period” on November 20, 2024, Council heard from many people on both sides of the issue, showing this to be a controversial issue.
- Staff concluded that it would be impossible to initiate public engagement on the BMLAP Review until the question about the FGA was settled:
 - Asking people to comment on details like the road and park networks would be difficult while focus was on the bigger FGA question.
 - Reviewing and amending the BMLAP a second separate time for the area north of Herd Road would be inefficient and potentially confusing.

Once the decision is reached for the FGA, the BMLAP Review project will resume.

The BMLAP Review project will take longer and require additional budget allocation to include the area north of Herd Road in the study area.

- Most of the technical background work has already been completed for the area south of Herd Road (e.g., engineering studies for water and sanitary services, wildlife corridor/natural systems review).
- The technical background work will need to be replicated for the area north of Herd Road.
 - Staff are refining the projected budget for the project, but for context, the budget allocated for the technical work in the area south of Herd Road was \$240,000. The area north of Herd Road is smaller than the area to the South, on the other hand, inflation over the past few years has been high for these types of services.
 - The wildlife corridor/natural systems review must be completed before the other technical work, and depending on the weather conditions, may not be possible to complete until the spring.

Meanwhile, developers in the BMLAP are waiting for the updated direction on the roads and parks network.

- An early milestone of the BMLAP Review will be a draft of a revised road and park network.
 - Although nothing would be “final” until/unless a revised BMLAP is adopted by Council, in many cases the draft information would be enough to allow developers and staff to move applications forward.
 - As with the project overall, it will take longer to reach this milestone if the project includes the FGA.

- Although staff have attempted to keep the project moving, the reality is that several major applications (e.g., multiple buildings/phases) have been effectively “on hold” since spring of 2025.
 - Note that the wait for the BMLAP Review Project has not been the only complicating factor for these applications, which are also seriously impacted by servicing constraints.

Implications of the North of Herd Road Decision on the 2024 Phasing Plan for the BMLAP

- The existing [Council Policy – Phasing Plan for the Bell McKinnon Local Area Plan](#), was adopted by Council in October 2024.
- The existing Phasing Plan also states the following (subsection 6.2):

“Policies for internal phasing for the area within the Future Growth Phase should be developed concurrently with any OCP Amendment which brings all or part of the Future Growth Area into the UCB.”
- Accordingly, if the UCB is being amended, and to support the original objectives of the Phasing Plan, the Phasing Plan must be revised to properly incorporate the Future Growth Area (FGA). Council gave staff direction to report back on amendments to the Phasing Plan on September 3, 2025, when they gave first two readings to the OCP amendment bylaws related to the north of Herd Road application and the FGA.
- Incorporating the Future Growth Area into the Phasing Plan will require balancing each of the phases and adding a fourth phase (which was formerly the entirety of the area north of Herd Road). This may mean that as some of the properties north of Herd Road move into earlier phases, other properties south of Herd Road will need to move into later phases. More details will be provided in the upcoming staff report.

Timeline of North of Herd Road Application (West Vista Terrace) and the FGA Review:

- *Sept 3, 2025 – Council gives 1st and 2nd Readings and directs staff to schedule a Public Hearing for OCP amendment bylaws for the application and the entirety of the Future Growth Area.*
- *June 18, 2025 – Council Direction to proceed to bylaw amendment readings without requiring an FIA.*
- *March/April 2025 – Applicant requests that information not be required for OCP amendment.*
- *December 18, 2024 – Staff requests additional information from applicant (Economic and Fiscal Impact Assessment (FIA)).*
- *November 20, 2024 – Council directed staff to proceed with processing OCP amendment application and with reviewing the Future Growth Area.*
- *April 30, 2024 – Reapplication for OCP amendment was received including payment.*
- *February 21, 2024 – Council denied application for OCP amendment.*
- *September 2023 – New application for OCP amendment for subject property was received.*
- *September 2022 – Original application was withdrawn following adoption of the 2022 OCP.*
- *August 2022 – Council adopts new OCP with area north of Herd Road shown as “Future Growth Area”.*
- *December 2020 – Original application received for the subject property (this was a zoning bylaw amendment since, at the time the property was within the Bell McKinnon Growth Centre).*