

# Report

Date	April 25, 2022	File: SPP00040
Subject	Official Community Plan Bylaw No. 3900 First Reading (rescind and re-read)	

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## PURPOSE

To correct an administrative oversight made to Official Community Plan Bylaw No. 3900.

## BACKGROUND

On April 20, 2022, Council passed the following resolution:

THAT Council:

- 1) Gives first reading to Official Community Plan Bylaw No. 3900, 2022;
- 2) Considers the proposed plan in conjunction with the North Cowichan 2022 Five Year Financial Plan, the Cowichan Valley Regional District Solid Waste Management Plan (as amended) and the Cowichan Valley Regional District Central Sector Liquid Waste Management Plan, and finds no significant conflicts; and,
- 3) Directs that:
  - a. The proposed plan be referred to the Agricultural Land Commission for comment; and,
  - b. Staff reports back to Council on options for arranging a public hearing.

However, due to an administrative error, the four pre-existing Local Area Plans and two Comprehensive Development Plans referenced in OCP Bylaw No. 3900 as Appendices 2 and 3 were not attached in full. The bylaw is therefore brought back to Council to rescind first reading and re-read the Bylaw with the six supplemental plans attached.

## DISCUSSION

The administrative error can be remedied by rescinding first reading of the incomplete bylaw and giving first reading to the complete version of the Official Community Plan (OCP) included in this report as Attachment 1.

Furthermore, after first reading of the complete version of the OCP, Council is statutorily required to consider the OCP in conjunction with applicable Financial Plan and Waste Management Plans. The applicable plans with which the OCP must be considered may be found hyperlinked here:

- 1) [North Cowichan 2022 Five Year Financial Plan](#)
- 2) [Cowichan Valley Regional District Solid Waste Management Plan \(as amended\)](#)
- 3) [Cowichan Valley Regional District Central Sector Liquid Waste Management Plan](#)

When staff bring back a report regarding options for a public hearing at the next regular meeting of Council, the report will now include additional recommended resolutions, confirming that Council has

considered the OCP in conjunction with these plans. The report will also direct that the OCP be referred to the Provincial Agricultural Land Commission (ALC) for comment, as a precursor to consideration of the public hearing. These resolutions are now recommended to be separated from the resolution that gives first reading to the OCP and to be considered at the next meeting of Council, rather than immediately following first reading, in order to clearly *demonstrate* that Council has met its obligation to consider the OCP in conjunction with these plans and has done so in the sequence required by the statute.

## OPTIONS

### 1. **(Recommended Option) rescind first reading given to OCP Bylaw 3900, 2022 on April 20, 2022 and give first reading to OCP Bylaw 3900, 2022 as attached to the Planning Manager's report dated April 25, 2022.**

THAT Council:

- 1) Rescind its resolution of April 20, 2022, in relation to Official Community Plan Bylaw No. 3900, 2022, in its entirety; and,
- 2) Give first reading to Official Community Plan Bylaw 3900, 2022.

### 2. **Give first reading to OCP Bylaw 3900, 2022 as amended by resolution.**

- Should Council identify one or more specific further edits to the OCP but otherwise be willing to give first reading, it may direct that first reading be given to the Bylaw subject to amendments:

THAT Council:

- 1) Rescind its resolution of April 20, 2022, in relation to Official Community Plan Bylaw No. 3900, 2022, in its entirety; and,
- 2) Give first reading to Official Community Plan Bylaw 3900, 2022, subject to the following amendments:
  - a. *[amendment to be identified by Council, citing page and section/policy numbers]*
  - b. ... etc.

### 3. **Decline to give first reading and provide alternative direction to staff.**

THAT Council:

- 1) Rescind its resolution of April 20, 2022, in relation to Official Community Plan Bylaw No. 3900, 2022, in its entirety; and,
- 2) Direct staff to make the following changes to the Official Community Plan Bylaw No. 3900, 2022, prior to considering first reading:
  - a. *[Council to identify changes to be made]*

## IMPLICATIONS

There are no significant implications since these actions are recommended in order to correct an administrative oversight. The OCP version given first reading on April 20, 2022, has been referred to the ALC for review (including the six supplemental plans). It will be officially re-referred to the ALC immediately following Council's consideration of the relevant financial and waste management plans.

## RECOMMENDATION

THAT Council:

- 1) Rescind its resolution of April 20, 2022, in relation to Official Community Plan Bylaw No. 3900, 2022, in its entirety; and,
- 2) Give first reading to Official Community Plan Bylaw 3900, 2022.

Report prepared by:



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Report reviewed by:



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**Approved to be forwarded to Council:**



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Ted Swabey  
Chief Administrative Officer

Attachment: Official Community Plan Bylaw 3900, 2022