

Consultation during development of official community plan

- 475.** (1) During the development of an official community plan, or the repeal or amendment of an official community plan, the proposing local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected.
- (2) For the purposes of subsection (1), the local government must
- (a) consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing, and
 - (b) specifically consider whether consultation is required with the following:
 - (i) the board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan;

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- (ii) the board of any regional district that is adjacent to the area covered by the plan;
 - (iii) the council of any municipality that is adjacent to the area covered by the plan;
 - (iv) first nations;
 - (v) boards of education, greater boards and improvement district boards;
 - (vi) the Provincial and federal governments and their agencies.
- (3) Consultation under this section is in addition to the public hearing required under section 477 (3) (c).
- (4) If the development of an official community plan, or the repeal or amendment of an official community plan, might affect agricultural land, the proposing local government must consult with the Agricultural Land Commission.

*RS2015-1-475 (B.C. Reg. 257/2015).***Consultation on planning for school facilities**

- 476.** (1) If a local government has adopted, or proposes to adopt or amend, an official community plan for an area that includes the whole or any part of one or more school districts, the local government must consult with the boards of education for those school districts
- (a) at the time of preparing or amending the official community plan, and
 - (b) in any event, at least once in each calendar year.
- (2) For consultation under subsection (1), the local government must seek the input of the boards of education on the following:
- (a) the actual and anticipated needs for school facilities and support services in the school districts;
 - (b) the size, number and location of the sites anticipated to be required for the school facilities referred to in paragraph (a);
 - (c) the type of school anticipated to be required on the sites referred to in paragraph (b);
 - (d) when the school facilities and support services referred to in paragraph (a) are anticipated to be required;
 - (e) how the existing and proposed school facilities relate to existing or proposed community facilities in the area.

RS2015-1-476 (B.C. Reg. 257/2015).

Adoption procedures for official community plan

477. (1) An official community plan must be adopted by bylaw in accordance with this section.
- (2) Each reading of a bylaw under subsection (1) must receive,
- (a) in the case of a municipal bylaw, an affirmative vote of a majority of all council members, and
 - (b) in the case of a regional district bylaw, an affirmative vote of a majority of all directors entitled under Division 3 [*Voting and Voting Rights*] of Part 6 [*Regional Districts: Governance and Procedures*] to vote on the bylaw.
- (3) After first reading of a bylaw under subsection (1), the local government must do the following in the indicated order:
- (a) first, consider the proposed official community plan in conjunction with
 - (i) its financial plan, and

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- (ii) any waste management plan under Part 3 [*Municipal Waste Management*] of the *Environmental Management Act* that is applicable in the municipality or regional district;
 - (b) next, if the proposed official community plan applies to agricultural land, refer the plan to the Provincial Agricultural Land Commission for comment;
 - (c) next, hold a public hearing on the proposed official community plan in accordance with Division 3 [*Public Hearings on Planning and Land Use Bylaws*] of this Part.
- (4) In addition to the requirements under subsection (3), a local government may consider a proposed official community plan in conjunction with any other land use planning and with any social, economic, environmental or other community planning and policies that the local government considers relevant.
- (5) The minister may make regulations in relation to subsection (3) (b)
- (a) defining areas for which and describing circumstances in which referral to the Agricultural Land Commission under that subsection is not required, and
 - (b) providing that an exception under paragraph (a) is subject to the terms and conditions specified by the minister.
- (6) Despite section 135 (3) [*at least one day between third reading and adoption*] of the *Community Charter*, a council may adopt an official community plan at the same meeting at which the plan passed third reading.

RS2015-1-477 (B.C. Reg. 257/2015); 2018-56-48 (B.C. Reg. 30/2019); 2022-15-24.

Effect of official community plan

478. (1) An official community plan does not commit or authorize a municipality, regional district or improvement district to proceed with any project that is specified in the plan.
- (2) All bylaws enacted or works undertaken by a council, board or greater board, or by the trustees of an improvement district, after the adoption of
- (a) an official community plan, or
 - (b) an official community plan under section 711 of the *Municipal Act*, R.S.B.C. 1979, c. 290, or an official settlement plan under section 809 of that Act, before the repeal of those sections became effective,
- must be consistent with the relevant plan.

RS2015-1-478 (B.C. Reg. 257/2015).