BYLAW No. 2999

A bylaw to amend Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626, 2014, as amended

WHEREAS pursuant to Section 472 [Authority to adopt a bylaw] of the *Local Government Act*, the Board of the Regional District of North Okanagan may, by Bylaw, adopt one or more official community plans;

AND WHEREAS the Board has enacted the "*Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626, 2014"* as amended to provide a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan;

AND WHEREAS the Board has resolved to amend the Official Community Plan;

NOW THEREFORE, the Board of the Regional District of North Okanagan in an open meeting assembled, hereby **ENACTS AS FOLLOWS**:

CITATION

1. This Bylaw may be cited as "*Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No.* 2999, 2024".

AMENDMENTS

2. Schedule "A" of *Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626, 2014* is amended by removing the entirety of Section 12.1 – Community Parks & Trails Objectives and replacing with the following:

12.1 COMMUNITY PARKS & TRAILS OBJECTIVES

The Greater Vernon Natural Space and Trails Master Plan (2022-2032) and the Electoral Areas B and C Parks Master Plan (2019) offer strategic guidance for the continuous enhancement of recreational amenities and services in Electoral Areas "B" and "C". These areas predominantly feature community parks, natural spaces, and trails, which are widely enjoyed by both individuals and organized youth athletic groups.

PARKS & TRAIL POLICIES

- 12.1.1 The Regional District will consider park, recreation and cultural servicing arrangements that provide opportunities for regional collaboration that benefits the residents of Electoral Areas "B" and "C".
- 12.1.2 Acquire land for park purposes whenever economically feasible. Pursue opportunities to acquire parkland in strategic locations that support increasing populations as a priority.

PARKLAND ACQUISITION POLICIES

12.1.3 At subdivision and rezoning for all development types, secure a 5% parkland dedication within new development areas. If the 5% parkland dedication amounts to less than 0.2 ha, collecting cash in lieu of parkland will be considered.

- 12.1.4 The Regional District will exercise the right under LGA s.510(2)(b) to decide if it accepts 5% of the total subdivision area or cash in lieu, or some combination thereof in accordance with the policies identified in this Plan and in consideration of the following traits:
 - Topography
 - Risks such as fire hazard or slope stability
 - Intended use of the park
 - Future maintenance requirements
 - Location of the land in relation to other parkland
 - Current and proposed density of the neighbourhood
 - Significant features, including views, environmental and historical aspects

Potential park lands will be ground-truthed to assess the value, traits and suitability as outlined above.

12.1.5 Proposed new developments are required to provide parkland dedication that is both usable, accessible and in the public interest. The Regional District acknowledges that environmentally sensitive areas or lands not accessible by the public should be excluded from the overall subdivision area when calculating the mandatory parkland contribution (5%), other than in exceptional cases (as determined in the discretion of the Regional District) where the intrinsic value of dedicated lands outweighs active recreational use.

PARKS POLICIES

- 12.1.6 Existing park lands are designated as *Parks* on Schedule "B" and uses are restricted to park and civic uses as outlined in the *"Zoning Bylaw"*.
- 12.1.7 The Regional District recognizes the need to develop new community parks in the Plan area with priority on areas seeing increased density due to infrastructure upgrades and subdivisions. The areas that have been highlighted as a priority include:
 - South of Tillicum Road and east of Herbert Road
 - L&A Road between Baker Hogg Road and Pleasant Valley Road
 - Baker Hogg Road and Glenhayes Road residential areas
 - East of Hillview Elementary surrounding the intersection of Robin Road and Pottery Road
- 12.1.8 Land for new parks should have sufficient frontage on a local street.
- 12.1.9 It is the opinion of the Regional District that the crown lands in the Commonage within the Plan area should be considered in the long term as natural areas or parkland to preserve the inherent environmental and cultural attributes.
- 12.1.10 If an area is removed from the Agricultural Land Reserve (ALR) for purposes of new development, the Regional District will re-evaluate the need for parks in this new development area.

TRAILS POLICIES

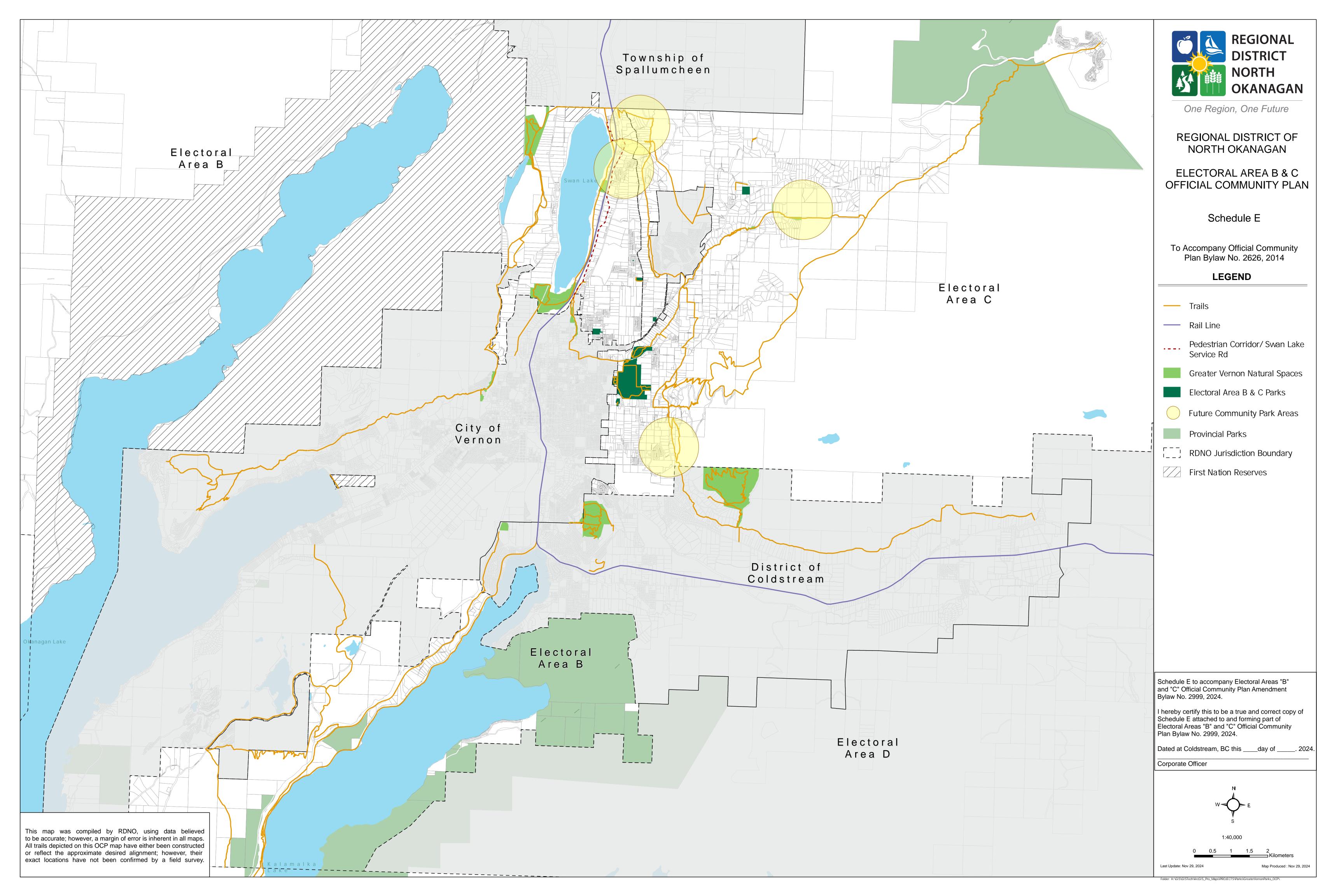
12.1.11 When considering a development application for any land adjacent to crown land, the Regional District will have consideration for the provision of public trails through the subject parcel to the crown land.

- 12.1.12 A recreational trail may pass through, or be located adjacent to, the ALR. Where a recreational trail lies within the ALR, the Regional District will submit an application to the Agricultural Land Commission and consult with affected farmers and property owners to ensure that trail access, trespass, signage, and waste management do not negatively affect farmland or farm operations. The Ministry of Agriculture publication "Guide to Using and Developing Trails in Farm and Ranch Areas" will provide the basis to mitigate the potential negative impacts of trail development use on the ALR.
- 12.1.13 The Regional District supports the expansion of various trail networks as outlined in *Schedule "E" Electoral Areas B & C Parks and Trails* and the expansion of community parks and natural spaces as outlined in the *Greater Vernon Natural Space and Trails Master Plan* and the *Electoral Areas B and C Parks Master Plan*.
- 12.1.14 The Regional District recognizes the need to develop local trails within Electoral Areas "B" & "C" to enhance the connectivity between community parks, natural spaces, and trails and for active transportation connections between neighbourhoods. The Regional District may identify additional connections not identified in *Schedule "E" Electoral Areas B & C Parks and Trails* as priorities emerge.
- 12.1.15 The Regional District has identified priorities for the acquisition and development of new trails in the *Electoral Areas B and C Parks Master Plan*. It is also recognized that when opportunities arise for the acquisition of a new trail segment as identified in *Schedule "E" Electoral Areas B & C Parks and Trails* then prompt action is often necessary despite the outlined priorities.
- 12.1.16 The Regional District considers that all road rights-of-way that have been dedicated have the potential to be integrated into the trail network as identified in *Schedule "E" – Electoral Areas B & C Parks and Trails* and as such, the Regional District does not generally support the closure of these rights-of-way.
- 12.1.17 The Regional District encourages and will carefully consider any proposal from local groups to develop new trails in the Rural Vernon area as outlined in the *Greater Vernon Natural Space and Trails Master Plan*, the *Electoral Areas B and C Parks Master Plan* and *Schedule "E" Electoral Areas B & C Parks and Trails*.
- 3. Section 15.1.8 of Schedule "A" is amended by replacing the text "Schedule G" with "*Schedule E Electoral Areas B & C Parks and Trails*"
- 4. Section 16.5.10.c of Schedule "A" is amended by replacing the text "Schedule H" with "*Schedule E Electoral Areas B & C Parks and Trails*"
- 5. Section 8.1.6 of Schedule "K" is amended by replacing the text "the Ribbons of Green" with "non-profit societies"
- 6. Section 8.1.7 of Schedule "K" is amended by replacing the text "Ribbons of Green" with "nonprofit societies"
- 7. Section 8.1.9 of Schedule "K" is removed, and subsequent sections are renumbered accordingly.
- 8. Schedule "E" BX Trail, Schedule "F" Grey Canal Trail, Schedule "G" Ribbons of Green Trail Network and Schedule "H" – Swan Lake Corridor are removed and replaced by Schedule "E" – Electoral Areas B & C Parks and Trails.

Bylaw No. 2999				Page 4 of 4
Read a First Time	this	16th	day of	October, 2024
Bylaw considered in conjunction with the Regional District Financial Plan and Waste Management Plan	this	22nd	day of	January, 2025
Read a Second Time as Amended	this	22nd	day of	January, 2025
Advertised on	this this	31st 4th	day of day of	January, 2025 February, 2025
Delegated Public Hearing held	this	13th	day of	February, 2025
Read a Third Time	this		day of	, 2025
ADOPTED	this		day of	, 2025

Chair

Deputy Corporate Officer



Extract from the Minutes of a Meeting of the

Board of Directors

Held on

Wednesday, January 22, 2025

Bylaw 2999 - Electoral Areas "B" and "C" Official Community Plan Amendment

[Incorporate Policies from the Greater Vernon Natural Space and Trails and Electoral Areas "B" and "C" Parks Master Plan]

Moved and seconded

That the consultation and referral process for Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No. 2999, 2024 as outlined in the Planning Department report dated November 27, 2024, be considered appropriate consultation for the purpose of Sections 475 and 476 of the *Local Government Act*, and further,

That in accordance with Section 477 of the *Local Government Act*, Bylaw No. 2999 be considered in conjunction with the Regional District of North Okanagan's Financial Plan and the Regional Solid Waste Management Plan.

CARRIED

Moved and seconded

That Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No. 2999, 2024 be amended to consolidate Schedule H Pedestrian Corridor within Swan Lake into Schedule E and update any references to Schedule H to the new comprehensive map Schedule E; and further,

That Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No. 2999, 2024 be given Second Reading, as amended and forwarded to a Public Hearing.

CARRIED

Moved and seconded

That the Public Hearing for Bylaw No. 2999 be delegated to the Electoral Area Advisory Committee under Section 231 of the *Local Government Act.*

CARRIED



STAFF REPORT

TO:	Board of Directors	File No:	24-0579-B-OCP	
FROM:	Planning Department	Date:	November 27, 2024	
SUBJECT:	Electoral Areas "B" & "C" Official Community Plan Amendment Bylaw No. 2999, 2024 [Incorporate Policies from the Greater Vernon Natural Space and Trails and Electoral Areas B and C Parks Master Plan]			

RECOMMENDATION:

That the consultation and referral process for Electoral Area "B" & "C" Official Community Plan Amendment Bylaw No. 2999, 2024 as outlined in the Planning Department report dated November 27, 2024, be considered appropriate consultation for the purpose of Sections 475 and 476 of the *Local Government Act*; and further,

That in accordance with Section 477 of the *Local Government Act*, Bylaw No. 2999 be considered in conjunction with the Regional District of North Okanagan's Financial Plan and the Regional Solid Waste Management Plan; and further,

That Electoral Area "B" & "C" Official Community Plan Amendment Bylaw No. 2999, 2024 be amended to consolidate Schedule H Pedestrian Corridor within Swan Lake into Schedule E and update any references to Schedule H to the new comprehensive map Schedule E; and further,

That Electoral Area "B" & "C" Official Community Plan Amendment Bylaw No. 2999, 2024 be given Second Reading as amended and forwarded to a Public Hearing; and further,

That the Public Hearing for Bylaw No. 2999 be delegated to the Electoral Area Advisory Committee under Section 231 of the *Local Government Act.*

SUMMARY:

At the October 16, 2024, Regular Meeting of the Board of Directors, Electoral Area "B" & "C" Official Community Plan Amendment Bylaw No. 2999, 2024 was given First Reading and a resolution was passed to refer the Bylaw to various agencies, First Nations, the Regional District Chief Financial Officer, and Regional Engineering Services Manager in accordance with Sections 475, 476, and 477 of the *Local Government Act*

The referral process concluded on November 15, 2024; no comments were received. However, internally, staff identified an opportunity to consolidate Schedule H into the new comprehensive map Schedule E. In addition, the rail line has been given its own distinction in the legend to stand out from the trail designation. The tree and bench symbols have been removed for the future park notation as they blocked the property lines below. Staff recommend that Bylaw No. 2999, 2024, be given Second Reading as amended and forwarded to a Delegated Public Hearing.

DISCUSSION:

The Regional District of North Okanagan has recognized the need to update the Official Community Plan parks policies for Electoral Areas "B" and "C" to align with two significant planning initiatives: the Electoral Areas B and C Parks Master Plan and the Greater Vernon Natural Space and Trails Master Plan.

The Electoral Areas "B" and "C" Official Community Plan was adopted on September 3, 2014, and currently references older park plans, such as the Ribbons of Green Trails Plan. To integrate relevant references and the Regional District's newly created map, Schedule E, which acts as a comprehensive outline of parks, trails, and natural spaces in the region, an amendment to the Electoral Areas "B" and "C" Official Community Plan is required.

The Electoral Areas B and C Parks Master Plan was endorsed by the board on July 17, 2019. This planning initiative directs capital operations and the acquisition of parkland within Electoral Areas "B" and "C." It provides decision-makers and staff with background and justification for the development and location of future parks and trails. The Greater Vernon Natural Space and Trails Master Plan was endorsed by the board on September 21, 2022, and was developed with extensive community input and aims to guide the future development, management, and enhancement of parks, natural spaces, and trails within the region.

Several new policies on parkland acquisition were formulated. These policies outline the Regional District's processes for acquiring parkland, including implementing a DCC bylaw and requiring a 5% parkland dedication or cash-in-lieu at the time of subdivision or rezoning. These policies also emphasize that the Regional District will exercise its right to accept or deny a 5% parkland dedication based on specific characteristics or constraints of the proposed area. The proposed policies and map Schedule E have been reviewed by legal counsel to ensure the RDNO is in the best position possible to acquire parklands and trail connections during the development process. These acquisition policies must be incorporated into the Electoral Areas "B" and "C" Official Community Plan to ensure the implementation of the two new park plans and the acquisition of desired trail connections and natural spaces can occur.

Bylaw No. 2999, 2024, received First Reading at the October 16, 2024, Regular Meeting of the Board of Directors and was referred out on October 18, 2024, to the following agencies:

- Splatsin
- Okanagan Indian Band (OKIB)
- City of Vernon
- District of Coldstream
- School District 22
- RDNO Solid Waste Department and
- RDNO Finance Department

No feedback was received in response to this referral. As noted above, staff have internally identified an opportunity to consolidate Schedule H - Swan Lake pedestrian corridor, with the new comprehensive map Schedule E along with two revisions to the legend (designation of the rail line and removal of the tree and bench symbol for Future Parks). Staff recommend that Bylaw No. 2999, 2024, be given Second Reading and referred to a Delegated Public Hearing. At this hearing, area residents can provide comments on the proposed amendments. Based on the feedback from the public hearing, staff and area Directors can determine the best approach for any additional amendments at that time.

File No.: 24-0579-B-OCP Date: November 27, 2024 Page 3 of 3

Attachments

Attachment A – Electoral Area "B" & "C" Official Community Plan Amendment Bylaw No. 2999, 2024

Submitted by:

Laura Frank, MCIP, RPP Regional Planning Projects Manager

Approved for Inclusion:

David Sewell Chief Administrative Officer

Reviewed and endorsed by:

Rob Smailes, MCIP, RPP General Manager, Planning and Building

Extract from the Minutes of a Meeting of the

Board of Directors

Held on

Wednesday, October 16, 2024

Bylaw 2999 - Electoral Areas "B" and "C" Official Community Plan Amendment

Moved and seconded

That Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No. 2999, 2024, which proposes to amend Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626 to include policies regarding the Greater Vernon Trails and Natural Spaces Master Plan and Electoral Areas B and C Parks Master Plan, be given First Reading; and further,

That Bylaw No. 2999, 2024 be referred to various agencies, First Nations, the Regional District Chief Financial Officer, and Regional Engineering Services Manager in accordance with Sections 475, 476, and 477 of the *Local Government Act*.

CARRIED



STAFF REPORT

то:	Electoral Area Advisory Committee	File No:	24-0579-B-OCP	
FROM:	Planning Department	Date:	September 17, 2024	
SUBJECT:	Electoral Areas "B" & "C" Official Community Plan Amendment Bylaw No. 2999, 2024 [incorporate policies from the Greater Vernon Trails and Natural Spaces and Electoral Areas B and C Parks Master Plan]			

RECOMMENDATION:

That it be recommended to the Board of Directors, Electoral Areas "B" & "C" Official Community Plan Amendment Bylaw No. 2999, 2024, which proposes to amend Electoral Areas "B" & "C" Official Community Plan Bylaw No. 2626 to include policies regarding the Greater Vernon Trails and Natural Spaces Master Plan and Electoral Areas B and C Parks Master Plan, be given First Reading; and further,

That Bylaw No. 2999, 2024 be referred to various agencies, First Nations, the Regional District Chief Financial Officer, and Regional Engineering Services Manager in accordance with Sections 475, 476, and 477 of the *Local Government Act*.

SUMMARY:

The Board of Directors endorsed the Electoral Areas B and C Parks Master Plan on July 17, 2019, and the Greater Vernon Natural Space and Trails Master Plan on September 21, 2022. These plans' future park and trail objectives are not currently referenced in the Electoral Areas "B" and "C" Official Community Plan. The proposed amendment provides references to these plans, new parkland and trail policies, and a new map Schedule E, which was created to replace existing Schedules E, F and G. It is recommended that Electoral Areas "B" & "C" Official Community Plan Amendment Bylaw No. 2999, 2024, be given First Reading and referred to relevant agencies, First Nations, and adjacent local governments.

DISCUSSION:

The Regional District of North Okanagan has recognized the need to update the Official Community Plan parks policies for Electoral Areas "B" and "C" to align with two significant planning initiatives: the Electoral Areas B and C Parks Master Plan and the Greater Vernon Natural Space and Trails Master Plan.

The Electoral Areas "B" and "C" Official Community Plan was adopted on September 3, 2014, and currently references outdated park plans, such as the Ribbons of Green Trails Plan 2013-2033. To integrate relevant references and the Regional District's newly created map Schedule E, which acts as a comprehensive outline of parks, trails, and natural spaces in the region, an amendment to the Electoral Areas "B" and "C" Official Community Plan is required.

The Electoral Areas B and C Parks Master Plan was endorsed by the board on July 17, 2019. This planning initiative directs capital operations and the acquisition of parkland within Electoral Areas "B" and "C." It provides decision-makers and staff with background and justification for the development and location of future parks and trails. The Greater Vernon Natural Space and Trails Master Plan was endorsed by the board on September 21, 2022, and was developed with extensive community input and aims to guide the future development, management, and enhancement of parks, natural spaces, and trails within the region.

Several new policies on parkland acquisition were formulated. These policies outline the Regional District's processes for acquiring parkland, including implementing a DCC bylaw and requiring a 5% parkland dedication or cash-in-lieu at the time of subdivision or rezoning. These policies also emphasize that the Regional District will exercise its right to accept or deny a 5% parkland dedication based on specific characteristics or constraints of the proposed area. The proposed policies and map Schedule E have been reviewed by the legal counsel to ensure the RDNO is in the best position possible to acquire parklands and trail connections during the development process. These acquisition policies must be incorporated into the Electoral Areas "B" and "C" Official Community Plan to ensure the implementation of the two new park plans and the acquisition of desired trail connections and natural spaces can occur.

REFERRALS:

Legislation References

The following references to the *Local Government Act* are cited in the recommendation section of this report:

Section 475 states that during the development, repeal, or amendment of an Official Community Plan (OCP), the local government must provide one or more appropriate opportunities for consultation with persons, organizations, and authorities it considers will be affected. The local government must also consider whether such opportunities for consultation should be early and ongoing.

Section 476 states, in part, that if a local government has adopted, or proposes to adopt or amend, an OCP 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 at the time of preparing or amending the OCP.

Section 477 outlines the adoption procedures for an OCP bylaw, including considering the proposed OCP amendment in conjunction with its financial plan and any applicable waste management plan after First Reading.

Should the Board of Directors give the First Reading to OCP Amendment Bylaw No. 2999 as recommended, staff propose the Bylaw be referred to the following:

- City of Vernon,
- District of Coldstream
- First Nations,
- School District No. 22,
- RDNO Finance Department and
- RDNO Solid Waste Department and

Given that the proposed OCP amendments are unlikely to impact any of the adjacent Regional Districts, staff have <u>not</u> recommended that OCP Amendment Bylaw No. 2999 be referred to these jurisdictions.

Submitted by:

im

Laura Frank MCIP, RPP Regional Planning Projects Manager

Approved for Inclusion:

David Sewell Chief Administrative Officer

Reviewed and endorsed by:

Rob Smailes, MCIP, RPP General Manager, Planning and Building

BYLAW No. 2999

A bylaw to amend Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626, 2014, as amended

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AND WHEREAS the Board has enacted the "*Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626, 2014*" as amended to provide a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan;

AND WHEREAS the Board has resolved to amend the Official Community Plan;

NOW THEREFORE, the Board of the Regional District of North Okanagan in an open meeting assembled, hereby **ENACTS AS FOLLOWS**:

CITATION

1. This Bylaw may be cited as "*Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No. 2999, 2024*".

AMENDMENTS

2. Schedule "A" of *Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626, 2014* is amended by removing the entirety of Section 12.1 – Community Parks & Trails Objectives and replacing with the following:

12.1 COMMUNITY PARKS & TRAILS OBJECTIVES

The Greater Vernon Natural Space and Trails Master Plan (2022-2032) and the Electoral Areas B and C Parks Master Plan (2019) offer strategic guidance for the continuous enhancement of recreational amenities and services in Electoral Areas "B" and "C". These areas predominantly feature community parks, natural spaces, and trails, which are widely enjoyed by both individuals and organized youth athletic groups.

PARKS & TRAIL POLICIES

- 12.1.1 The Regional District will consider park, recreation and cultural servicing arrangements that provide opportunities for regional collaboration that benefits the residents of Electoral Areas "B" and "C".
- 12.1.2 Acquire land for park purposes whenever economically feasible. Pursue opportunities to acquire parkland in strategic locations that support increasing populations as a priority.

PARKLAND ACQUISITION POLICIES

12.1.3 At subdivision and rezoning for all development types, secure a 5% parkland dedication within new development areas. If the 5% parkland dedication amounts to less than 0.2 ha, collecting cash in lieu of parkland will be considered.

- 12.1.4 The Regional District will exercise the right under LGA s.510(2)(b) to decide if it accepts 5% of the total subdivision area or cash in lieu, or some combination thereof in accordance with the policies identified in this Plan and in consideration of the following traits:
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 - Risks such as fire hazard or slope stability
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12.1.11 When considering a development application for any land adjacent to crown land, the Regional District will have consideration for the provision of public trails through the subject parcel to the crown land.

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- 5. Section 8.1.7 of Schedule "K" is amended by replacing the text "Ribbons of Green" with "nonprofit societies"
- 6. Section 8.1.9 of Schedule "K" is removed, and subsequent sections are renumbered accordingly.
- Schedule "E" BX Trail, Schedule "F" Grey Canal Trail and Schedule "G" Ribbons of Green Trail Network are removed and replaced by Schedule "E" – Electoral Areas B & C Parks and Trails.

Read a First Time	this	day of	, 2024
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Bylaw No. 2999			Page 4 of 4
Bylaw considered in conjunction with the Regional District Financial Plan and Waste Management Plan	this	day of	, 2024
Read a Second Time	this	day of	, 2024
Advertised on	this this	day of day of	, 2024 , 2024
Public Hearing held	this	day of	, 2024
Read a Third Time	this	day of	, 2024
ADOPTED	this	day of	, 2024

Chair

Deputy Corporate Officer

