



## STAFF REPORT

### ELECTORAL AREA SERVICES COMMITTEE MEETING OF MAY 7, 2014

**DATE:** April 29, 2014 **File No:** 6480-20-E/2012  
**FROM:** Ann Kjerulf, MCIP, RPP, Senior Planner **BYLAW No:** N/A  
Community and Regional Planning Division  
**SUBJECT:** Electoral Area E Official Community Plan Review Boundary Confirmation

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**Recommendation/Action:**

Committee direction is sought

**Relation to the Corporate Strategic Plan:**

**Financial Impact:** (Reviewed by Finance Division: N/A)

**Background:**

The Cowichan-Koksilah Official Community Plan Bylaw No. 1490 was adopted in 1994, twenty years ago. The Plan Area encompassed Electoral Area E and part of Electoral Area F including the Chemainus, Sahtlam and Seymour Districts (see attached map). It states in the OCP:

*"The easterly most portion of Electoral Area F has been included in the Community Plan Area because its physical characteristics are more closely aligned with Electoral Area E than remainder of Electoral Area F. Also, residents in this area are considered to be within the Duncan trading area rather than that of the Village of Lake Cowichan."*

In accordance with s. 876 of the *Local Government Act*, an official community plan must designate the area covered by the plan. The plan area does not need to be contiguous with an electoral area or municipal boundary. It may, rather, apply to part of an electoral area or to one or more electoral areas or municipalities.

**Discussion:**

Community and Regional Planning Division staff intend to commence a review of the Electoral Area E OCP in 2014 with background research being undertaken during the summer and public consultation beginning in the fall. Prior to beginning work on this project, it is important to confirm the boundary of the Plan Area as this will direct the development of the OCP consultation process and resulting OCP bylaw. There appear to be a number of viable approaches respecting the Plan Area boundary, each with their unique pros and cons as described below:

**Approach #1 – Status Quo**

Perhaps the most obvious approach would be to maintain the status quo and assume a Plan Area boundary which covers all of Electoral Area E and part of Electoral Area F, consistent with the 1994 OCP. A current challenge with the status quo approach is that the Area E and Area F Zoning Bylaw maps do not coincide with their respective plans. It is not technically necessary for zoning and OCP maps to align. However, there is a risk that zoning regulations could be adopted or amended in a manner that is inconsistent with an OCP. In accordance with s. 884 of the *Local Government Act*, all bylaws enacted or works undertaken by a regional district board

after the adoption of an OCP must be consistent with the OCP. If this approach is chosen, staff would request that, subsequent to the adoption of a new OCP bylaw for Area E, that the Area F Zoning Bylaw be amended to remove lands subject to the Area E OCP and that a new Area E Zoning bylaw be adopted which includes lands currently subject to the Area F Zoning Bylaw.

**Approach #2 – Single Electoral Area**

A conventional approach to determining the OCP Plan Area boundary would be to use the electoral area boundary. This is the most convenient approach from the perspective of employing data tools such as the Census and National Household Survey. However, it doesn't necessarily accommodate geographic considerations such as highways, watercourses and communities which straddle the boundaries of one or more jurisdictions.

**Approach #3 – Multiple Electoral Areas**

A third approach would be to establish a Plan Area that applies to multiple electoral areas. This could hypothetically include all of Electoral Area E in addition to part of Electoral Area F and part of Electoral Area B. Under this scenario, it is worth considering how much of Area F should be included in the Plan Area. For instance, perhaps only the portion of Electoral Area F south of the Lake Cowichan Highway, which includes Paldi, should be included rather than the portion of Electoral Area F north of the highway (Seymour and Chemainus Districts), which remains largely forested. It may also be worth considering including the portion of Electoral Area B located to the west and north of the Koksilah River as this area has strong ties, from agricultural and community social development perspectives, to Electoral Area E. Notably, the multiple electoral area approach may be challenging in terms of managing competing interests from different Advisory Planning Commissions.

This is not an exhaustive list of options as further consideration could be made to adjacent jurisdictions such as the City of Duncan, Municipality of North Cowichan, Electoral Area D and Electoral Area G. However, the three approaches are likely the most viable of all possible permutations and combinations at this point in time.

**Conclusion:**

It is recommended that the committee provide direction regarding the Plan Area boundary for the Electoral Area E Official Community Plan.

Submitted by,



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<p><b>Reviewed by:</b> Division Manager:</p> <hr/>
<p><b>Approved by:</b> Acting General Manager:</p> 

