



# **ADVISORY PLANNING COMMISSION ORIENTATION**

## **2015**

A.	ADVISORY PLANNING COMMISSIONS (APC).....	2
B.	ADVISORY COMMITTEES .....	5
C.	SCRD STRUCTURE .....	6
D.	SCRD SERVICES .....	8
E.	SCRD DEPARTMENTS .....	8
F.	SCRD COMMITTEES AND BOARD MEETINGS .....	9
G.	SCRD STRATEGIC PLAN and REGIONAL SUSTAINABILITY PLAN.....	10
H.	PLANNING.....	12
I.	OFFICIAL COMMUNITY PLANS.....	12
J.	BYLAWS .....	15
K.	OCP OR ZONING BYLAW AMENDMENT PROCESS .....	16
	ATTACHMENT A: LOCAL GOVERNMENT ACT.....	17
	ATTACHMENT B: BYLAW NO. 453 - ADVISORY PLANNING COMMISSIONS .....	18
	ATTACHMENT C: ADVISORY PLANNING COMMISSION COMMUNICATION POLICY.....	22

Please contact SCRDP Planning staff if you have any questions

604 885 6804

<http://www.scrd.ca/Contact-Planning>

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## A. ADVISORY PLANNING COMMISSIONS (APC)

Advisory Planning Commissions (APCs) advise the Regional District Board on all matters referred to the APC by the Board or by the Area Director respecting land use, the preparation and adoption of a community plan, or a rural land use bylaw or a proposed bylaw or permit. Each Electoral Area within the SCR D has an APC.

The *Local Government Act* includes a section regarding APCs included in Attachment A which sets out how a local government can establish an APC. SCR D Bylaw 453 (see Attachment B) regulates APCs.

The SCR D Board has final decision-making authority. However, an APC is responsible for giving advice and acting as the citizens' voice in the planning process. While an APC's role is advisory, it involves a unique set of responsibilities and is critical to the success of the planning.

It is expected the level of formal planning skills, and/or training of members of a commission will vary, yet it is members' individual skills and experiences relating to the community that make APCs effective for public participation in local planning processes. In considering a proposal, the APC members should:

- consider potential impacts (positive and negative) on the community;
- bring forward local knowledge about the site;
- listen to and report on community opinion;
- gather additional information to supplement that provided in the staff report (it is helpful if the information is forwarded to staff);
- draw on their experience;
- be fair and flexible; and
- use knowledge gained as members of the community and in seeing how the community has developed.

Do not be influenced by your personal knowledge of the applicant.

The information and analysis that APCs generate are a special combination of subjective and objective observations that only community members could bring to the discussion.

In some cases, the SCR D Board is asking the Commission to conduct complex examinations usually associated with people trained in the planning profession. For this reason, SCR D staff may act as a resource to provide assistance and information as appropriate.

Each staff report in an APC agenda includes the name of the SCR D staff who is responsible for the file. APC members are welcomed to contact SCR D staff before the meeting if additional information is needed to assist in your review. Staff may attend the meeting if requested by the Director, APC or if there item is complex or of significant community interest.

The APC meetings are open to the public and the applicant or applicant's agent may attend and hear the APC's discussion and motion. The applicant or the applicant's agent is entitled to attend meetings of the commission and be heard; this is a legislative requirement. The Chair may take questions or comments from members of the public in attendance, however this is not a requirement. Members of the public can submit information or questions to the SCR D Directors and SCR D staff prior to the proposal being considered by the SCR D Board.

APC motions/recommendations are reached by vote and can be to:

- support the proposal;
- object to the proposal (please identify why there is an objection);
- seek additional information before a conclusion can be made.

Staff reports to APC may seek specific information about the proposal and the motion/recommendation(s) should also address this by including specific reference to the concern or information need.

Bylaw 453 includes the following section regarding conflicts of interest:

*Where a member, his or her family, employer or business associate has any interest in a matter being considered by the Advisory Planning Commission, that member shall absent him or herself from the discussion.*

The APC minutes are received by the SCRDC at the Planning and Development Committee. SCRDC staff incorporate APC comments/motions in staff reports. The APC input influences staff recommendations and Board decisions. A bylaw may be amended in response to concerns raised.

### Overview

- Members appointed by Board
- APCs have at least six and not more than twelve members
- Quorum is three
- At least 2/3 must be residents of the Electoral Area
- Members have two year terms (half in even years, half in odd years)
- Board funds secretarial services
- APC generally meets on a regularly scheduled day each month
- APC Secretary arranges a suitable meeting location
- APC motions adopted by majority vote
- Members must abstain from discussion and voting where they have a conflict of interest
- APC meetings are public
- Applicant entitled to attend, present information and hear APC deliberations
- The applicant is responsible for contacting the APC Chair when they wish to attend
- With the approval of the Chair, SCRDC will provide the Chair's contact details
- Members of the public may speak at the Chair's discretion, not a public info meeting or public hearing

APC motions/comments are included in staff reports to PDC and are important in considering Board decisions.

### Site visits

- Optional, however it can help APC members to understand the issues
- BE CAREFUL –if the site looks dangerous (barking dog, construction, etc.) or you feel uncomfortable  
**DO NOT GO ON THE PROPERTY**
- get permission from owner (or their agent)
- from road no permission needed
- do not go alone
- SCRDC insurance - details to follow

### Agenda for APC Meetings

- Prepared by SCRDC staff and set by the SCRDC
- Applicants not to initiate contact with APC, must be through SCRDC
- Distribution (SCRDC APC Communication Policy – Attachment C – paper and e-mail copies)
- SCRDC staff provide reports (also sent to applicant)
- Minutes from previous APC, other APCs, NRAC, AAC and Planning & Development Committee
- Director may provide information about other SCRDC initiatives and what is going on

### Minutes

- APC Secretary records and distributes the minutes
- Minutes must receive Chair's approval prior to their delivery to the SCRDC
- Minutes should be received by SCRDC within 3 days of the meeting

- APC Minutes received by Board via the Planning and Development Committee and are posted on SCR D website

### Referral Items

Staff will seek APCs input on a range of issues/applications:

- Official Community Plan Amendments (covered in more detail below)
- Zoning Amendments (covered in more detail below)
- Subdivisions
- Development Variance Permits
- Development Permits (Design or with Variances)
- Temporary Use Permits
- Agricultural Land Reserve Applications
- Crown Referrals
- Items referred by SCR D Board

Subdivisions - In a regional district are not approved by the local government. They are approved by Ministry of Transportation and Infrastructure staff (Approving Officer) with input from the local government and the Ministry of Health. The APC can assist the SCR D in considering subdivisions mainly with respect to proposals for parkland. If more than three new parcels are proposed, with at least one being less than 2 hectares, then provincial legislation requires 5% of the land or cash value being given to the local government for park or in park acquisition funds. The APC can also point out any site specific issues that staff may not be aware of.

Development Variance Permits – The Zoning Bylaws include requirements regarding the location, height and floor area of buildings/structures. The developer may apply to vary these requirements. For example in some zones there is a five metre setback from the rear property line, however the site may be constrained so that to build a reasonable sized house it needs to be located two metres from the rear line. Neighbours are also consulted and the Board makes the decision.

Development Permit – Official Community Plans identify areas that are geotechnical or environmentally sensitive or have special form and character requirements. The SCR D does not refer geotechnical or environmental DPs to the APC as these are the subject of technical requirements that either support the proposal or not; thus there is no scope for community input. However for DPs that consider design the visual impact is being considered and it is important to gather APC and community input. Where the proposal includes a variance such as reducing the setback to the property line or increasing building height, then it is important to gather APC and community input.

Temporary Use Permits - The *Local Government Act* allows a temporary use permit to be issued for a use that is not permitted by zoning. A TUP is for up to three years, can be renewed once, and requires public notification before the Board issues the permit. The permit can set out specific conditions and require a bond. Locations where temporary uses may be considered must be set out in an OCP or zoning bylaw. Most OCPs in the SCR D have identified where TUPs may be considered (Area A – Rural Resource, Rural Residential A, Rural Residential B, and Industrial land use designations; Area B – specific uses on Resource land designation; Area D – range of agricultural related uses; Hillside/Port Mellon - Comprehensive Industrial and Rural Resource designations; Twin Creeks - Rural, Private Forest Land, and Crown Forest Land designations).

Agricultural Land Reserve Applications - The SCR D reviews applications to, and referrals from, the Agricultural Land Commission (ALC) on subdivisions, special or non-farm use, and both inclusions and exclusions of ALR land. The application process includes a fee, referral to a local advisory planning commission and Agricultural Advisory Committee for comments and advice.

Crown Referrals – Use of Crown land by private individuals or businesses requires the issuance of a tenure (lease or licence of occupation) by the province. The province sends referrals to the SCR D most of these (there are some exceptions). The province sets a tight timeline and while the SCR D regularly seeks

extensions (which are often granted by the province, it is not always possible for SCRD staff to refer the application to the APC. The SCRD has no decision making role.

Other Items Referred by the Board – From time to time the SCRD Board may refer other items to the APC to help gather community input.

## **B. ADVISORY COMMITTEES**

The following are advisory committees that the SCRD Board established to provide advice regarding a range of issues:

- Agricultural Advisory Committee
- Natural Resources Advisory Committees
- Hillside Development Group Advisory Committee
- Ocean Beach Esplanade Stewardship Committee
- Dakota Ridge Advisory Committee
- Public Wharves Advisory Committee
- Solid Waste Management Plan Monitoring Advisory Committee
- North Pender Harbour Water Advisory Committee
- South Pender Harbour Water Advisory Committee

Other advisory committees are established to work on specific projects such as Official Community Plan reviews. These committees are usually dissolved once the project is completed.

## C. SCRD STRUCTURE

The **Sunshine Coast Regional District** (SCRD) is the regional government serving the residents of the Sunshine Coast. Formed in 1967, the SCRD is one of 27 regional districts that were designed to establish a partnership between electoral areas and member municipalities within their boundaries. The municipalities and electoral areas in the SCRD are:

- The District of Sechelt
- Town of Gibsons
- Sechelt Indian Government District
- Electoral Area A – Egmont/Pender Harbour
- Electoral Area B - Halfmoon Bay
- Electoral Area D - Roberts Creek
- Electoral Area E - Elphinstone
- Electoral Area F - West Howe Sound

The purpose and roles of a regional district include:

- providing good government for the communities it serves
- providing services that the board considers as necessary or desirable for all or a part of its communities
- providing stewardship of public assets within its communities
- fostering the current and future economic, social and environmental well-being of member communities

Through the electoral area and municipal partnerships, the SCRD provides services that can be regional (supplied to the whole region), inter-municipal (supplied to two or more members within the region) or local (provided to electoral areas, or within a subset of an electoral area, within the region).

The SCRD is governed by the *Local Government Act* and *Community Charter* and is run by a Board of Directors.

SCRD Board members also sit as members of the **Regional Hospital District** Board.

The SCRD is located within the traditional territories of the Sechelt and Squamish First Nations.

Detailed information on why Regional Districts were formed and how they function is described in **A Primer on Regional Districts in British Columbia** which is available on the SCRD website:

<http://www.scrd.ca/Our-Role>

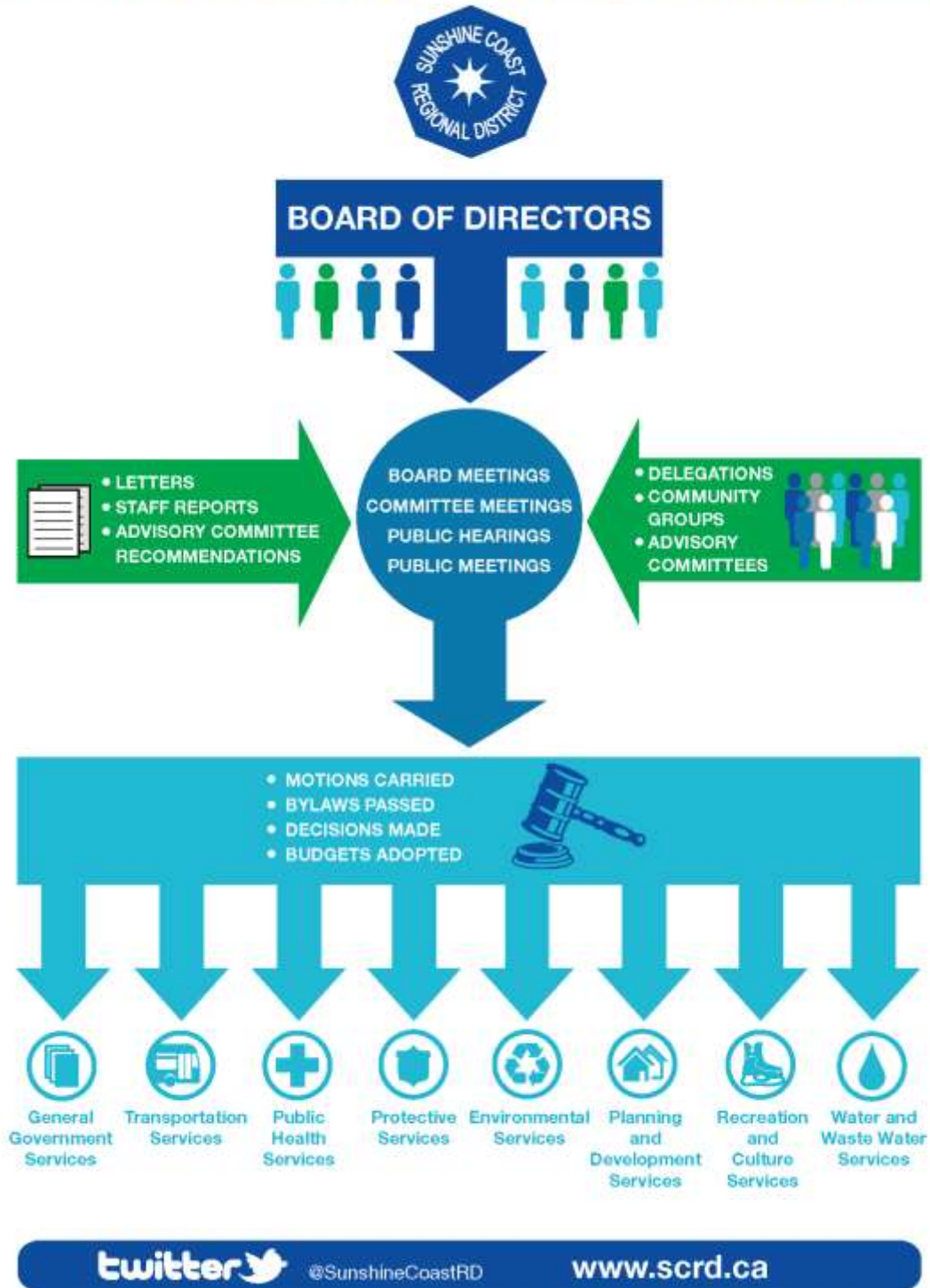
The SCRD produced a short video called [Get to Know the SCRD](#) on the SCRD YouTube page (

The SCRD's annual reports include the audited financial statements and an overview of the organizational structure and services provided by the SCRD. They also include a variety of statistical and financial information on a five-year comparative basis. The past five annual reports are available here:

<http://www.scrd.ca/Annual-Reports>

Here is an infographic of how the SCRD works:

## How the **Sunshine Coast Regional District** Works



## D. SCRD SERVICES

The SCRD provides a wide range of services. The costs of each service are recovered only from the area that benefits from the service. Listed below are services provided by the SCRD. Some of the functions involve all Electoral Areas and Municipalities while others pertain to specific areas. To find out which services you are receiving in the electoral area or municipality that you live in, check out the **Participating Area Service Grid** on the SCRD website: <http://www.scrd.ca/Services-we-Provide>

Animal Control	Library (Funding Assistance)
Bicycle & Walking Paths	Museum Service (funding Assistance)
Building Inspection Services	Pender Harbour Health Clinic
Bylaw Enforcement	Pender Harbour Pool
Cemetery	Ports Services
Civic Addressing	Public Transit
Community Parks	Recreation Programs
Community Recreation Facilities	Refuse Collection & Disposal
Dakota Ridge Recreation Service Area	Regional Planning
Economic Development	Regional Water Services
Elections	Rural Planning Services
Emergency Telephone - 911	School Facilities - Joint Use
Fire Protection	Solid Waste Management (Landfills)
Grants in Aid	Street Lighting
Halfmoon Bay Library Service	Sunshine Coast Emergency Planning
Hillside Development Project	Waste Water Plants

Note: The SCRD is not responsible for roads or road maintenance. Roads in the rural areas are under the jurisdiction of the Ministry of Transportation and Infrastructure.

## E. SCRD DEPARTMENTS

The SCRD staff are organized into four Departments:

1. Corporate and Administrative Services  
(Finance, Information Technology, Administration, Human Resources)
2. Infrastructure Services  
(Utilities, Transit and Fleet, Solid Waste, Waste Reduction, Ports)
3. Community Services  
(Recreation, Parks, Emergency Program, Fire Departments)
4. Planning and Development Services  
(Planning and Development, Building Inspection, Hillside Industrial Park, Economic Development, Bylaw Compliance, Dog Control)



## F. SCRD COMMITTEES AND BOARD MEETINGS

The SCRD has four standing committees that normally meet once a month:

- Infrastructure Services (1<sup>st</sup> Thursday)
- Planning and Development (2<sup>nd</sup> Thursday)
- Community Services (3<sup>rd</sup> Thursday)
- Corporate and Administrative Services (4<sup>th</sup> Thursday)

There are other committees that meet regularly but less frequently:

- Sunshine Coast Policing Committee
- Transportation Advisory Commission

The committees consider input from staff, delegations, correspondence and advisory committees and make recommendations to the SCRD Board. Sometimes staff reports and issues are sent directly to the Board for consideration. The Board makes resolutions (decisions).

The Board is made up of eight directors, one from each Electoral Area and member municipality. Electoral Area Directors are elected for a four-year term; and Municipal Directors from the Town of Gibsons, the District of Sechelt, and Sechelt Indian Government District, are appointed by their councils. The Directors vote on matters that are within services that their Electoral Area or municipality participate in.

Board meetings are held twice a month on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday.

Committee and Board meetings are open to the public, although there are some issues that are considered In Camera (for example without members of the public). Rules about which items can go In Camera are set out in the sections 90 to 92 of the province's *Community Charter* which can be found at this web address:

[http://www.bclaws.ca/civix/document/id/complete/statreg/03026\\_00](http://www.bclaws.ca/civix/document/id/complete/statreg/03026_00)

Board and committee agendas and Board minutes are available on the SCRD website:

<http://www.scrd.ca/agendas-2015>

<http://www.scrd.ca/Minutes>

Committee minutes are included in the Board agendas.

Individuals and groups can apply to be a delegation and give presentations to committees and the Board. Information about this can be found on the website: <http://www.scrd.ca/Public-Input>

## G. SCRD STRATEGIC PLAN and REGIONAL SUSTAINABILITY PLAN

The Sunshine Coast Regional District is pleased to present the 2015-2018 Strategic Plan. The plan can be found here: <http://www.scrd.ca/strategic-plan>

Our **Strategic Plan** outlines why we exist, what we are trying to accomplish and how we will achieve it.



Using the **Regional Sustainability Plan** *We Envision* as a lens, the Strategic Plan considers emerging trends and issues that affect the entire Sunshine Coast, from Egmont to Port Mellon and the islands.

*We Envision* is also used to provide a high level review of development proposals. The plan can be found here: <http://www.scrd.ca/Regional-Sustainability-Plan>

*We Envision* includes the following 13 Strategic Directions and each contains a vision statement, discussion of how to move forward, targets and actions:

	Land Use		Arts and Culture
	Water Stewardship		Leading and Learning
	Food Security		Natural Spaces, Parks and Recreation
	Affordable Housing		Transportation
	Employment		Climate and Energy
	Addressing Poverty		Zero Waste
	Community Health and Social Services		

## OTHER STRATEGIC PLANS

In addition to Official Community Plans (see section G for more information) there are other plans that are used to inform reviews of development proposals.

### *Sunshine Coast Agricultural Area Plan (2014)*

The plan was adopted by the Board in October 2014: <http://www.scrd.ca/Ag-Plan>. It sets out a vision for the Coast and the following six strategic goals each with a actions to mover the Coast towards greater food security:



### *Sunshine Coast Regional District Integrated Transportation Study (2011)*

Focusing on the regional transportation network and issues, the study sets out a collective approach to resolving issues and improving transportation on the Coast. The themes focus on regional transportation and include:

- Improving the safety and efficiency of the existing Highway 101 route
- Improving transit, bicycling and walking options
- Providing for a long-term alternative route for Highway 101
- Looking at opportunities to improve ferry and air transportation links
- Integrating better the above modes of transportation

### *Solid Waste Management Plan (2011)*

The plan includes the adoption of the zero waste principle, and thus combines the provincially mandated need to plan for the management of waste from our society, with moving forward the agenda of reducing and reusing the generation of discards to the extent that this can be achieved at the regional level. Official Community Plan amendments need to be reviewed to ensure there are no impact to the Waste plan (legislative requirement).

The plan maps out a strategy that balances demand side (conservation) and supply side (expansion) practices to meet the water needs for the Regional Water Service Area over the next 25 years. The plan assumes an annual population growth of 2%. Major developments are reviewed to consider potential impact on the plan.

## **H. PLANNING**

The power delegated to local governments to regulate land use derives from the authority granted to the province under s. 92 of the *Constitution Act* (Canada) to enact laws in respect of property and civil rights.

The provincial *Local Government Act* provides the legislative framework for local government land use planning in BC.

The SCRD Planning and Development Division acts in the public interest to prepare plans and policies to guide development while balancing the needs of the community with economic, social and environmental considerations to protect the unique character of the area and quality of life for existing and future generations of the Sunshine Coast.

The principal functions of the SCRD Planning and Development Division are:

- to prepare land use plans and policies for consideration by the SCRD Board (such as Official Community Plans and Zoning Bylaws, including amendments);
- to facilitate citizen participation in the land use process;
- to serve the community by responding to a wide range of inquiries and applications related to the use and development of land;
- to administer SCRD land use bylaws and policies;
- to act as a resource to the SCRD Board on planning and development matters.

The SCRD does not oversee land use in the Sechelt Indian Government District, Islands Trust (Gambier, Keats and other islands from Halfmoon Bay to West Howe Sound), Town of Gibsons and District of Sechelt. For land use inquiries in the Islands Trust, in Gibsons, or in Sechelt, please view the following websites:

- [shíshálh Nation](#)
- [Islands Trust](#)
- [Town of Gibsons](#)
- [District of Sechelt](#)

## **I. OFFICIAL COMMUNITY PLANS**

An Official Community Plan (OCP) provides the longer term vision for the community. Under the *Local Government Act (LGA)*, an OCP is a statement of objectives and policies to guide decisions on planning, land use and development, within the area covered by the OCP.

While not a legal requirement, OCPs are typically updated every five to ten years, but their long-term vision sets a course for many decades.

There are seven OCPs in the SCRd:



Copies of the OCPs can be found here:

<http://www.scrd.ca/EgmontPender-Harbour>

<http://www.scrd.ca/Halfmoon-Bay>

<http://www.scrd.ca/Roberts-Creek>

<http://www.scrd.ca/Elphinstone->

<http://www.scrd.ca/Roberts-Creek>

<http://www.scrd.ca/Twin-Creeks>

<http://www.scrd.ca/HillsidePort-Mellon>

When preparing and adopting an OCP, a local government must include the following:

- the approximate location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least five years;
- the approximate location, amount and type of present and proposed commercial, industrial, institutional, agricultural, recreational and public utility land uses;
- approximate location and area of sand and gravel deposits that are suitable for extraction;
- restrictions on land that is subject to hazardous conditions or is environmentally sensitive;
- the approximate location and phasing of any major road, sewer and water systems;
- the approximate location and type of present and proposed public facilities, including schools, parks and waste treatment and disposal sites;
- matters that may, in respect of any plan, be required or authorized by the Provincial Minister responsible for land use planning;
- housing policies respecting affordable housing, rental housing and special needs housing; and
- maps to show land use designation and other information.

A local government may choose to provide certain types of policy statements in an OCP, including:

- policies relating to social needs, social well-being and social development;
- policies respecting the maintenance and enhancement of farming on land in a farming area or in an area designated for agricultural use in the community plan;
- policies relating to the preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity; and,
- in cases where a matter is not within the jurisdiction of the local government, the plan may only state the broad objectives unless the minister has required or authorized the local government to state a specific policy.

Every OCP is slightly different, but each address core aspects of a community such as:

- Proposed land use and density;
- Transportation, water and wastewater infrastructure;
- Parks and open space;
- Housing needs and policies;
- Public facilities, including schools, health care, etc.
- Neighbourhood character (such as development permit areas for form and character);
- Social policies;
- Economic development;
- Targets, policies and actions for the reduction of Greenhouse Gas (GHG) emissions.
- The regulation of development such as development permit areas for geotechnically and environmentally sensitive locations.

### **Consultation during the development of an OCP**

The SCRD Board decides what form the consultation takes. The consultation can include written referrals, open houses, information meetings, focus groups, workshops, newsletters, questionnaires, etc. This consultation is in addition to the requirements for a public hearing.

A review group made up of community representatives will normally be established to assist in the review.

When developing or updating an OCP, the Regional District must provide one or more opportunities for consultation with persons, organizations and authorities which will be affected, for example:

- local residents, property owners, businesses and community groups;
- local governments that are adjacent to the plan area;
- First Nations;
- school district board; and
- Provincial and federal governments and their agencies.

A draft OCP will be presented to the community at a public meeting and a comment period will be set to allow for feedback. The feedback will be considered by staff and the review group. The draft OCP could be amended and will then be presented to the SCRD Board to initiate the formal bylaw approval process.

### **SCRD Adoption of the OCP**

The OCP will be adopted by the SCRD as a bylaw. The bylaw adoption process is a formal process that must follow requirements set out in the *LGA* and procedures set out by the SCRD. It will include additional referrals to consult the community, agencies and the First Nations. At least one public information meeting will also be arranged. The OCP may be adjusted based upon the comments received and the SCRD Board will be asked to approve the next draft for a public hearing. Depending on the results of the public hearing, the SCRD Board may move to adopt the OCP, make some minor

changes and adopt it, or to make significant changes and re-consult and then hold another public hearing.

Once an OCP is adopted as a bylaw, the Community Plan becomes “official”, and all future land use decisions made by the Board must be consistent with the Plan’s objectives and policies.

### **How is the OCP implemented?**

In order for an OCP to be effective, several tools are required to implement a Plan’s policies and objectives. This includes the use of regulations or guidelines such as those contained in the zoning bylaw, development permits, capital expenditure, development cost charges and subdivision guidance.

The main method by which the SCR D puts the OCP’s objectives and policies into action is through the SCR D Zoning Bylaws. The Zoning Bylaws set out what each property is allowed to be used for (such as residential, commercial or park), lot size for new subdivisions, and some controls (such as building location, height, and site cover). Any changes to the Zoning Bylaws must conform to the policies in the OCP.

Other OCP policies may await site specific development proposals as a means to implement the policy. These applications would be subject to a formal process that includes consultation with the community and normally require a public hearing.

The OCP may direct the SCR D to take certain actions, such as develop agreements with outside agencies or develop more detailed policy documents for specific topics. The SCR D will attempt to implement such policy directions over the life of the OCP.

### **The OCP is Living Document**

An Official Community Plan is the most significant expression of the vision for how development of a community should be managed. However there will be occasions where new opportunities come forward that were not envisioned by the OCP either in the proposed location or the type or scale of development. Rather than deny the community the opportunity to consider these, the OCP can undergo amendments to incorporate new ideas. The process to change an OCP is the same as adopting it: SCR D Board adopting a bylaw amendment after consultation, public information meeting(s) and public hearing(s).

## **J. BYLAWS**

### *Zoning Bylaws*

There are two zoning bylaws. Bylaw 310 covers West Howe Sound, Elphinstone, Roberts Creek and Halfmoon Bay. Bylaw 337 covers Egmont/Pender Harbour.

The Zoning Bylaws divide areas into zones and within each zone regulate:

- use of land, buildings and structures
- density of the use of land, buildings and structures
- siting, size and dimensions for uses and buildings
- the location of uses on the land
- size of parcels to be created through subdivision

Copies of Bylaw 310 and Bylaw 337 can be found here: <http://www.scrd.ca/bylaw-zoning->

### *Other Relevant Bylaws*

There are other bylaws that relate to the SCR D’s planning activity:

- Bylaw 453 (Advisory Planning Commissions) – copy attached
- Bylaw 522 (Procedures and Fees)



- Bylaw 320 (Subdivision Servicing)
- Bylaw 350 (Tree Cutting)

They can be found here: <http://www.scrd.ca/bylaws>

## K. OCP OR ZONING BYLAW AMENDMENT PROCESS

Whether a new OCP, or an amendment to a zoning bylaw or an OCP, there is a legislated process that needs to take place. A bylaw is drafted that sets out the proposed changes and shows how the amendment can be integrated into the existing OCP or Zoning Bylaws.

Bylaws need to receive readings (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and adoption) and undergo public consultation. This is the case whether the applicant is the SCR D or a developer. Pre-application consultation is not required, however for significant proposals it is a good idea for an applicant to do some groundwork to see what the community thinks and to meet with SCR D staff before submitting an application.

Amendments can arise due to a development proposal that is not currently supported by the OCP or zoning bylaw. They can also arise in response to changes in legislation or to respond to wider community issues. An example of this is the bylaws for marihuana production facilities that were considered in response to changes in Health Canada regulations.

Input from the APC is sought early in the process, usually before the proposed amendment goes to the Planning and Development Committee for consideration by the Directors.

The bylaw review process is normally:

1. Application by owner/agent/SCR D
2. Review by staff
3. Referral to Advisory Planning Commission
4. Planning and Development Committee
5. Board may give 1st Reading or decide not to proceed
6. Consultation with local residents and other agencies
7. Public information meeting
8. Board considers responses from consultation, 2nd Reading and may set Public Hearing or decide not to proceed
  - 8a May be amended 2<sup>nd</sup> Reading if the bylaw is changed in response to consultation
  - 8b May need additional referrals of public meeting if the bylaw is substantially changed
9. Public Hearing
10. 3rd reading (can be denied or minor amendment made at this stage)
11. Complete any outstanding requirements identified during the review such register a covenant
12. Ministry Approval if required (Ministry of Transportation and Infrastructure in some circumstances)
13. SCR D Board Adoption or decision not to proceed

Notifications for the public information meeting and public hearing includes a notice in a local newspaper and may include mailing to notices to local property owners and delivering notices to local properties. If the proposal impacts ten or more parcels owned by ten or more persons then mailing/delivering notices is not required (*Local Government Act*). For site specific proposals, the applicant is required to post a large notice in a visible location on the property to inform the community and provide contact details where further information can be sought (applicant and SCR D contacts).

In some circumstances a public information meeting may not be required. If the OCP contains policies that support the proposal, legislation allows for a public hearing to be waived; however this requires notification in local paper.

The above process does not apply to other bylaws that the SCR D may adopt such as Noise Control Bylaw 597, Procedures and Fees Bylaw 522, and so on.



## ATTACHMENT A: LOCAL GOVERNMENT ACT

The section of the Act that relate to Planning and Land Use Management can be found here:

[http://www.bclaws.ca/Recon/document/ID/freeside/96323\\_30](http://www.bclaws.ca/Recon/document/ID/freeside/96323_30)

The full Act can be found here:

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/96323\\_00](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96323_00)

### 898 - Advisory planning commission

- (1) A council may, by bylaw, establish an advisory planning commission to advise council on all matters respecting land use, community planning or proposed bylaws and permits under Divisions 2, 7, 9 and 11 of this Part that are referred to it by the council.
- (2) A board may, by bylaw, establish an advisory planning commission for one or more electoral areas or portions of an electoral area to advise the board, or a director of the board representing the electoral area, on all matters referred to it by the board or by that director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw or permit that may be enacted or issued under this Part.
- (3) The bylaw establishing an advisory planning commission must provide for
  - (a) the composition of and the manner of appointing members to the commission,
  - (b) the procedures governing the conduct of the commission, and
  - (c) the referral of matters to the advisory planning commission.
- (4) At least 2/3 of the members of an advisory planning commission must be residents of the municipality or the electoral area.
- (5) A council member, board director, employee or officer of the local government, or an approving officer, is not eligible to be a member of an advisory planning commission, but may attend at a meeting of the commission in a resource capacity.
- (6) The members of an advisory planning commission must serve without remuneration, but may be paid reasonable and necessary expenses that arise directly out of the performance of their duties.
- (7) [Repealed 1999-37-202.]
- (8) If an advisory planning commission is established, minutes of all of its meetings must be kept and, on request, made available to the public.
- (9) If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard.

### SCRD NOTES:

The SCRD adopted a bylaw that established the APCs', the composition, time and terms of appointment, rules and regulations governing meetings, conflict of interest, remuneration and the format of meeting minutes. A copy of the bylaw is included in Attached B.

Division 2 Official Community Plans

Division 7 Zoning and Other Development Regulation

Division 9 Permits and Fees

Division 11 Subdivision and Development Requirements

## **ATTACHMENT B: BYLAW NO. 453 - ADVISORY PLANNING COMMISSIONS**

(consolidated for convenience only to include 453.5)

A Bylaw to establish Advisory Planning Commissions in the Electoral Areas of Egmont/Pender Harbour, Halfmoon Bay, Roberts Creek, Elphinstone and West Howe Sound in the Sunshine Coast Regional District

WHEREAS Section 898(2) of the Local Government Act provides that a Regional Board may, by bylaw, establish an Advisory Planning Commission for one or more electoral areas or portions of an electoral area to advise the board, or a director of the board representing the electoral area, on all matters referred to it by the board or by that director respecting land use, the preparation and adoption of a community plan, or a rural land use bylaw or a proposed bylaw or permit that may be enacted or issued under Part 26 of the Local Government Act;

AND WHEREAS Section 898(3) of the Local Government Act provides that the bylaw establishing Advisory Planning Commissions must provide for

- (a) the composition of and the manner of appointing members to the commissions,
- (b) the procedures governing the conduct of the commissions, and
- (c) the referral of matters to the Advisory Planning Commissions.

NOW THEREFORE the Board of the Sunshine Coast Regional District in open meeting assembled, enacts as follows:

### 1. Citation

This bylaw may be cited as Sunshine Coast Regional District Advisory Planning Commissions Bylaw No. 453, 1998.

### 2. Interpretation

In this bylaw:

- (i) "Board" means the Board of Directors of the Sunshine Coast Regional District;
- (ii) "Regional District" means the Sunshine Coast Regional District.

### 3. Establishment and Names of Commissions

In accordance with Section 898 of the Local Government Act, the Board hereby establishes Advisory Planning Commissions for the following areas:

- (i) all of the Electoral Area of Pender Harbour /Egmont to be known as Pender Harbour/Egmont Advisory Planning Commission;
- (ii) all of the Electoral Area of Halfmoon Bay to be known as Halfmoon Bay Advisory Planning Commission;
- (iii) all of the Electoral Area of Roberts Creek to be known as Roberts Creek Advisory Planning Commission;
- (iv) all of the Electoral Area of Elphinstone to be known as Elphinstone Advisory Planning Commission;
- (v) all of the Electoral Area of West Howe Sound to be known as West Howe Sound Advisory Planning Commission.

#### 4. Powers of the Advisory Planning Commissions

Advisory Planning Commissions are hereby empowered to advise the Board or their respective Director on all matters referred to them by the Board or their Director, respecting land use, the preparation and adoption of a community plan, or a rural land use bylaw, or a proposed bylaw or permit, that may be enacted or issued under Part 26 of the Local Government Act.

#### 5. Composition of the Commissions

- (i) The members of each Advisory Planning Commission shall be appointed by resolution of the Board.
- (ii) Each Advisory Planning Commission shall consist of not less than six and no more than twelve members.
- (iii) Any person, other than a corporation, who is qualified as an elector within the meaning of the Local Government Act is eligible for appointment to an advisory planning commission, provided that at least two-thirds of the members of each commission shall be residents of the electoral area which that commission represents.

#### 6. Ineligibility for Appointment to Advisory Planning Commissions

A Council Member, Board Director, Employee or Officer of the Regional District, or an Approving Officer, is not eligible to be a member of an Advisory Planning Commission but they may attend at a meeting of a commission in a resource capacity.

#### 7. Times and Terms of Appointment of Advisory Planning Commission Members

- (i) Members of an Advisory Planning Commission shall be appointed for two years, except as otherwise provided herein.
- (ii) An advertisement for new members will be published annually.
- (iii) The term of one-half of the members of an Advisory Planning Commission shall expire in each year in order to ensure continuity of experience among the members.
- (iv) If the number of members of an Advisory Planning Commission is increased, the one-half rule in subsection (iii) shall be maintained. If the increase results in an odd number of members on the Advisory Planning Commission, the extra member shall be appointed for an initial term of two years.
- (v) If the one-half rule in subsection (iii) has not been maintained for an Advisory Planning Commission as of the date of adoption of this bylaw, the Board, at its meeting in January 2005, shall appoint one half of the members of the Advisory Planning Commission for one year, the other half for two years and thereafter subsections (i) and (iii) shall apply.
- (vi) The Board shall make appointments to each Advisory Planning Commission at the last Board meeting in January of each year.
- (vii) Every member appointed to the Advisory Planning Commission shall continue to hold office until his successor is appointed, if the appointment of a successor has not been made before the expiration of the term of such member.
- (viii) The Board shall have the power, by an affirmative vote of not less than two-thirds of all the members thereof, to remove any member of the Advisory Planning Commission from office at any time upon the recommendation of the Area Director.
- (ix) Upon the resignation, death or removal of any member during their term of office, the Board, on the recommendation of the Area Director, shall appoint a successor who shall hold office during the remainder of the term of the vacating member.

## 8. Rules and Regulations Governing Meetings

- (i) Each Advisory Planning Commission shall at its first regular meeting of the term appoint a Chair from among its members. The Chair shall hold office for one year or until a successor has been appointed.
- (ii) The Advisory Planning Commission Secretary shall be appointed by the Sunshine Coast Regional District as a non-voting member.
- (iii) At all meetings, three members of each Advisory Planning Commission shall constitute a quorum.
- (iv) Recommendations of the Advisory Planning Commission must be adopted by a majority vote of the members present at the meeting, and the Chair of the commission shall be a voting member.
- (v) An Advisory Planning Commission shall hear all applicants who wish to make representations on permits or bylaws referred to it by the Board or the Electoral Area Director, and it shall be the responsibility of such applicants wishing to make representation to contact the Chair of an Advisory Planning Commission for the purpose of attending a meeting.
- (vi) Discussion and deliberation leading to recommendations of the Advisory Planning Commission shall be open to the public, which would include the applicant, unless the subject matter being considered relates to one or more of the conditions set out in Sections 90 or 91 of the Community Charter.
- (vii) Each Advisory Planning Commission may reserve the right to invite non-members to attend meeting in a resource capacity, as needed.
- (viii) The secretary shall keep proper records of the meetings in accordance with "Schedule "A" - Form of Advisory Planning Commission Meeting Minutes" of this bylaw and provide such minutes to the Advisory Planning Commission members within three days of the meeting requesting changes be received by the Planning and Development Division within a further period of three days thereafter for inclusion on the Planning and Development Committee meeting agenda.

## 9. Conflict of Interest

Where a member, his or her family, employer or business associate has any interest in a matter being considered by the Advisory Planning Commission, that member shall absent him or herself from the discussion.

## 10. Remuneration

- (i) Members of each commission shall serve without remuneration, but they may be paid reasonable and necessary expenses that arise directly out of the performance of their duties.
- (ii) The Regional District shall, in its annual budget, provide for the necessary funds to pay for the costs of each commission.

## 11. Repeal

Roberts Creek Advisory Planning Commission Bylaw No. 231, 1981, Area "E" Advisory Planning Commission Bylaw No. 257, 1983, Area "F" Advisory Planning Commission Bylaw No. 259, 1983, Area "B" Advisory Planning Commission Bylaw No. 260, 1983 and Area A Advisory Planning Commission Bylaw No. 272, 1984 are hereby repealed.

Consolidated 2010

**SUNSHINE COAST REGIONAL DISTRICT**  
**SCHEDULE "A"**  
**FORM OF ADVISORY PLANNING COMMISSION MEETING MINUTES**

The minutes submitted to the Sunshine Coast Regional District Board must generally contain the following information for each meeting of an Advisory Planning Commission:

- a) members of the Advisory Planning Commission present;
- b) other persons present for the duration of the meeting;
- c) items dealt with by the Advisory Planning Commission;
- d) delegations who have made representation to the Advisory Planning Commission;
- e) discussion of the items dealt with by the Advisory Planning Commission;
- f) recommendations to the Sunshine Coast Regional District Board stating one of the following:
  - X items to be approved, with reasons stated
  - X items recommended subject to various conditions, with conditions stated
  - X items to be denied, with reasons stated

# ATTACHMENT C: ADVISORY PLANNING COMMISSION COMMUNICATION POLICY

Sunshine Coast Regional District

## BOARD POLICY MANUAL

Section:	Planning & Development	13
Subsection:	Planning & Development	6410
Title:	Advisory Planning Commission Communication	9

### POLICY

The Sunshine Coast Regional District will facilitate clear and consistent communications and ensure timely provision of information to Advisory Planning Commissions.

### REASON FOR POLICY

Advisory Planning Commissions (APC's) advise the Sunshine Coast Regional District Board through the Planning and Development Division on matters referred to them respecting land use, the preparation and adoption of a community plan, a rural land use bylaw, or a proposed bylaw or permit.

This policy outlines procedures for staff to follow regarding communication with APC's and attendance at APC meetings. The policy outlines how Planning and Development Division staff will respond to requests by an APC for: information; resources; training; interpretation; or, the expertise of a Planner. The procedures describe:

- how/when routine referrals and additional information and resources will be provided to APC members;
- conditions under which staff attendance at APC meetings will be approved;
- how/when the annual APC Orientation will be conducted; and
- implementation of an informal mentoring system.

### AUTHORITY TO ACT

Retained by the Board.

### PROCEDURE

#### ***APC Agenda Packages***

An agenda package will consist of:

- APC minutes of the receiving APC
- APC Minutes of the other Electoral Area APC meetings
- Planning and Development Committee minutes
- NRAC minutes (when available)
- Development Referrals, Planning Projects and Relevant Documents

Area A agenda packages will be dropped off at the Area A Satellite Office whenever possible and electronic copies will be emailed to the APC Secretary one week prior to the APC meeting. If drop-off is not possible, the hard copy packages will be mailed. For all other Electoral Areas, completed agenda packages will be provided to the APC Secretary in both electronic and hard copy format one week prior

to the APC meeting, or as close as reasonably possible to that date. Completed agenda packages will be provided to the APC Secretary in both electronic and hard copy format one week prior to the APC meeting, or as close as reasonably possible to that date. Extensions to the deadline will be approved by the Manager of Planning and Development when it is determined that staff require additional time to gather required information, or hold consultations in order to prepare a comprehensive analysis of an application.

To ensure agenda packages are provided on schedule, the late item may be removed from the main agenda and distributed separately by email to the APC Secretary to place on an amended agenda.

### ***Referrals to APC's***

Planners will ensure referrals contain, as much as reasonably possible, sufficient information with adequate mapping to illustrate the development. A referral may include: a technical analysis or reports on other planning issues; draft bylaw(s) and appendices, or, permit and appendices; location map; site plan; photos (if available); summary of engineering or other technical report (if applicable).

One paper copy of the previous month's Planning and Development Committee Agenda, including Amended Agendas will be referred to the Electoral Area APC's.

### ***Communication with APC Members and Chair***

Planners are a resource to the APC and may be contacted by members or the Chair when, for example; clarification or further information is required concerning an agenda referral. The APC Chair may request, through the Manager of Planning and Development, that a Planner be present at the APC meeting. For communication purposes, each referral will include the Planner's contact information including name, telephone number and email address.

### ***Access to OPIS Mapping System***

Property Information and Mapping staff will provide agenda related custom mapping to APC members and assist with information requests, including training on the OPIS mapping system, upon request.

### ***Staff Attendance at APC Meetings***

The Manager of Planning and Development will determine when a referral is of significant impact or is sufficiently complex to warrant a Planner's attendance at the APC meeting. Under such circumstances, the Planner responsible for the file will likely be designated to attend the APC meeting to address the particular referral.

### ***APC Orientation***

A member of the Planning Division will present the annual orientation for APC members in February at a regularly scheduled APC meeting.

New members will receive copies of Bylaw No. 453 (the establishing bylaw for APC's); Part 26 of the *Local Government Act*; the Zoning Bylaw and the Official Community Plan for their respective electoral area.

The goal of the orientation will be to both provide refresher training for existing members and acquaint new members with the following topics:

- Overview, purpose and role of APC's; how they are established; SCRDC APC Bylaw
- APC Meeting Procedures
  - conduct of meetings
  - recording secretary function
  - agendas and minutes - format

- Outline of Part 26 of the Local Government Act Planning and Land Use Management
  - Consultation Groups
  - Local Government Act
  - Official Community Plans
  - Development Permits
  - Development Permits with a Variance
  - Development Variance Permits
  - Zoning
  - Board of Variance
  - Tree Cutting Permits
  - Temporary Industrial/Commercial Use Permits
  - Subdivisions
- Other Activities
  - Agricultural Land Reserve Applications
  - Crown Tenure Application Referrals
  - Current Projects

***Mentoring New APC Members***

At the orientation session, Planning staff will encourage experienced APC members to implement an informal mentoring system with incoming members for the first year of the new member’s term.

Throughout the year, the Planner’s role will be as a resource to the mentor through email or telephone contact and to assist them in facilitating a new member’s understanding of planning issues typically considered by the APC. These may include providing instruction concerning the different types of referrals, the scope of the Regional District’s jurisdiction, approval processes, and the distinction between Zoning Bylaw regulations and policies and designations contained in the Official Community Plan.

Approval Date:	December 18, 2008	Resolution No.	570/08
Amendment Date:	June 25, 2009	Resolution No.	288/09 Rec. No. 16
Amendment Date:		Resolution No.	
Amendment Date:		Resolution No.	