



City of Revelstoke

Discussion Paper

File No.: 6480-01

To: His Worship Mayor Sulz and Members of City Council
From: Marianne Wade, Director of Development Services
Paul Simon, Senior Planner
Date: February 11, 2021
Subject: Official Community Plan Bylaw Housekeeping Amendments

SUMMARY OF ISSUE

The current OCP has been amended multiple times since the original adoption in 2009. Over the course of the past twelve years, Revelstoke has changed dramatically and experienced a variety of opportunities and challenges posed by new development.

The City is undertaking a comprehensive review of Official Community Plan Bylaw No. 1950 (OCP). Phase 1 includes project plan development; vision check-in and update; as well as housekeeping amendments. Staff completed the Vision Check-in and have included the updated Vision and Community priorities in the proposed housekeeping amendments to the OCP.

These amendments will assist in structuring and organizing the document along with resolving challenges encountered by applicants and staff.

Staff propose to repeal Bylaw No. 1950 along with all amending bylaws contained therein and adopt a new bylaw. The adoption of the new bylaw will constitute the completion of Phase 1 of the OCP project.

In addition to introducing the amendments to Committee of the Whole, Staff are seeking feedback on next steps for outreach to present the amendments to the Community.

BACKGROUND:

In 2019 and 2020, staff encountered a variety of challenges in working with the current OCP including:

- Structure of the document and a lack of references to sections, numbering, and general formatting;
- References to a Unified Development Bylaw that was never adopted by Council and is not being pursued, and corresponding Land Use transect zones;



City of Revelstoke

Discussion Paper

- A density table that does not align with approved and proposed density of development to reflect best practices and the intent/objectives of the current OCP;
- A lack of permit exemptions for development within Development Permit areas, causing unnecessary applications along with confusion for staff and applicants;
- An incorrect framework for development within the flood plain that does not align with provincial legislation;
- A lack of a proper policy framework for land uses to help guide OCP amendment applications; and
- Unnecessary, outdated appendices adding significant length to the document.

In addition to solving the above noted challenges encountered by staff and applicants, the housekeeping amendments will set the stage for a more effective content review in Phase 3 of the OCP project by staff.

DISCUSSION:

The City is currently undertaking a comprehensive review of the OCP broken into the following general phases:

- **Phase 1:** Project Plan development; Vision and Priorities Update; Housekeeping
- **Phase 2:** Current Situation and Future Projections Analysis (technical review)
- **Phase 3:** Policy Review and Plan Update
- **Phase 4:** Council Review and Adoption

To ensure a high degree of transparency for the public and Council regarding the proposed changes, staff prepared a Comprehensive Summary of Housekeeping Amendments as an attachment to this report. This summary outlines all content changes and restructuring that has been undertaken. The summary table identifies the existing wording in the OCP and articulates the proposed amendment to Council and the public. Staff have also prepared an annotated version of the current OCP which aligns with the summary tracker and shows what sections have moved where, and what their revised section in the amended OCP is.

General Amendments

Some general amendments were undertaken to the entire document. This includes:

- Renumbering
- Formatting
- Spelling/Punctuation/Grammar
- Updates to references to Legislation that has changed
- Update cross references within document as required

The intent of these changes is to drastically enhance the layout of the document and provide structure to the document so that the public, applicants, Council and staff can easily access information.



City of Revelstoke

Discussion Paper

Vision and Priorities

Between 2019 and 2020, staff engaged the community to update the vision and community priorities of the OCP. Based on direction received by Council at the [July 14, 2020](#) Council meeting, endorsement of an updated vision and community priorities was received.

THAT the OCP Vision and Community Priorities be supported.

Proposed Vision

Revelstoke will pursue a sustainable mountain community by balancing environmental, social economic and cultural values within a local, regional, and global context. Our rich heritage and stunning natural environment inspire us to be forward thinking, inclusive, resilient, and welcoming. We will create a supportive, vibrant community for those that live, work, and visit here today and in the future.

Proposed Priorities

- *A range of housing options and affordability;*
- *Environmental protection and stewardship;*
- *Climate change action;*
- *Personal and community economic growth and stability;*
- *A responsive and caring social support system;*
- *Opportunities for lifelong learning;*
- *Fostering of diverse cultural and spiritual values, and,*
- *A range of recreation and activities for residents and visitors.*

The updated vision and priorities have been included as housekeeping amendments.

Density Table

Under the “Amenities and Affordable Housing” header in Section 3.4. there is a density table referred to as: Table 3: Provisions for Various Densities of Residential Development”.

Preceding this table is policy references to a “Maximum Bonus Density (A)” and “Maximum Bonus Density (B)”. However, the current Table 3 does not include any references to maximum bonus density, and instead references a maximum density of 60 units/hectare (UPH).

Between 2008 and 2012, there were amendments undertaken to the City’s previous OCP (Bylaw No. 1519) and the current OCP ([Bylaw No. 1950](#)) in the Land Use section that contains this density table.

On September 22, 2008, Council adopted Bylaw No. 1916. This Bylaw included amendments to allow for Density Bonusing in accordance with the City’s Inclusionary Housing Policy. This Bylaw included a more robust Table that included Density Bonuses organized by (A) and (B).



City of Revelstoke

Discussion Paper

On July 6, 2009, the current OCP was adopted (Bylaw No. 1950). The previous Bylaw and all previous amendments (including Bylaw No. 1916) were repealed. The new OCP did not include the amended table 3 that allowed for density bonusing as described in the policy, and instead reverted to the original table that existed in OCP Bylaw No. 1519 (before amending Bylaw No. 1916 was adopted), that capped density at a maximum of 60 unit/hectare. This table is still in the current OCP.

In 2012, another major amendment to Section 3.4 was undertaken through [Bylaw No. 2010](#). This amendment, adopted May 8, 2012, never amended the density table. However, the policy references to Density Bonusing (A) and (B) remained and have been consistent in the policy since 2008 (with the adoption of Bylaw No. 1916). Staff have reviewed the history and propose that this table be amended to reflect the policy. The proposed table 3 to be amended into the OCP is consistent with the original Bylaw No. 1916 amendment. For clarity Staff have added a reference to how density is calculated (see footnote 'a' of revised Table 3) and organized in a more user-friendly format.

This amendment is critical as future bylaws (i.e., comprehensive zones) that propose density higher than 60 UPH would not be in line with the OCP. Under Section 478(2) of the *Local Government Act*, all bylaws adopted must be in line with the OCP. Staff note that all density provisions and density bonusing provisions will be re-evaluated as part of the OCP comprehensive review. Given the complex history associated with this change, Staff prepared Figure #1 to provide a visual of the changes over the years.

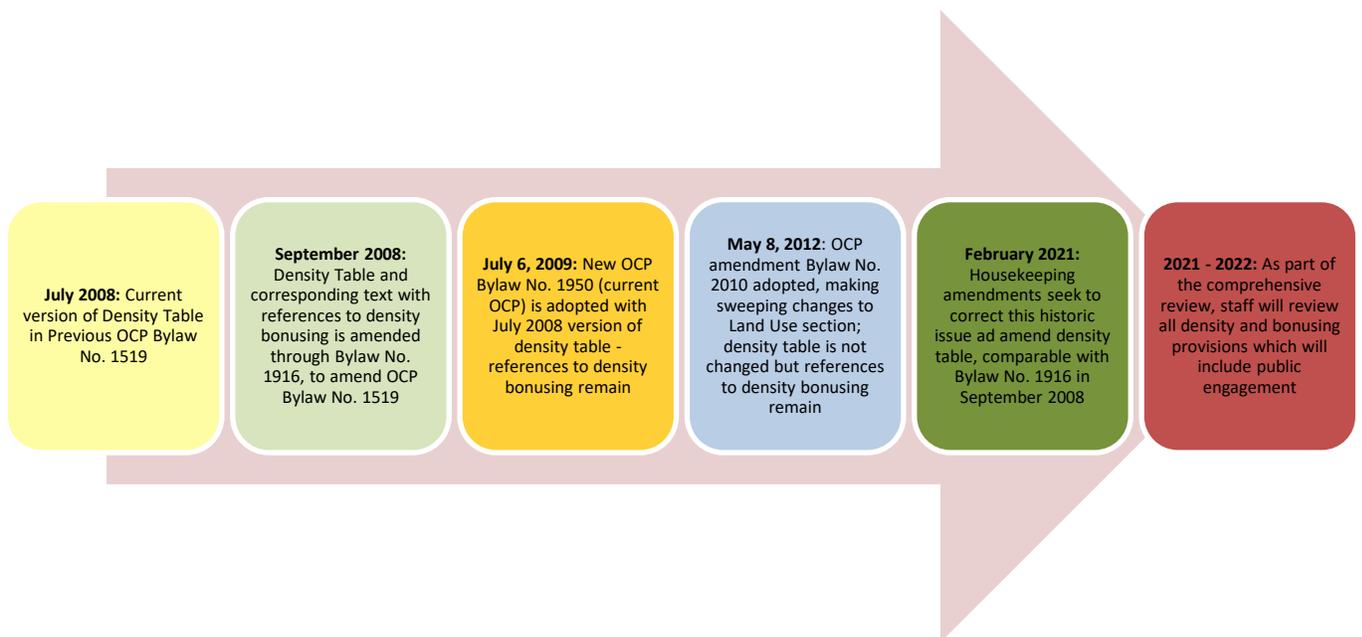


Figure 1: History of Residential Density Table



City of Revelstoke

Discussion Paper

Unified Development Bylaw and Transect Land Uses

On May 8, 2012, Bylaw No. 2010 was adopted by Council. This bylaw brought forth sweeping amendments to Section 3.4 “Land Use” of the OCP. The amendments introduced, “Transect Land Uses.” The “Transect Land Uses” were intended to provide a more cohesive, integrated approach to land use planning in the City to guide rezoning applications in a way that provided effective transitions between new and existing development.

To implement the guiding framework of these new, “Transect Land Uses”, staff had proposed the adoption of a Unified Development Bylaw (UDB) in early 2013. The general intent of a UDB is to integrate individual bylaws (Zoning, Subdivision and Servicing, Sign, and Building bylaws) into one comprehensive bylaw. The UDB was never adopted by Council but OCP amendment Bylaw No. 2010 was. On March 12, 2013, a report was presented to Council indicating that the UDB was not being pursued and instead zoning bylaw updates would be completed by October 2013. Council passed a subsequent resolution on [March 12, 2013](#), directing staff to proceed with the public process and drafts of a new Zoning Bylaw. No comprehensive changes have been made to the City’s Zoning Bylaw between March 2013 and present.

While a UDB was never adopted, its references in the current OCP and legacy of “Transect Land Uses” remains. The proposed housekeeping amendments rename all “Transect Land Uses” and remove all references to a UDB.

As part of the OCP comprehensive review, staff will review opportunities to streamline and simplify the variety of Land Uses that currently exist in the OCP to provide a more straight-forward framework for the public and developers who may need to rezone lands. This updated Land Use Strategy will be based on robust public engagement and technical analysis.

Staff will be bringing forward Zoning Bylaw updates this year. After the Land Use Strategy in the OCP has been reviewed, Staff will undertake comprehensive Zoning Bylaw updates to implement the development envisioned in the OCP updated Land Use Strategy.

Development Permit Areas

One of the major challenges with administering the City’s current OCP is with respect to Development Permit Areas (DPA). The current OCP does not include a prescriptive list of exemptions within a DPA that would provide clarity and consistency to the public and staff regarding what forms of development require a Development Permit (DP).

Under Section 489 of the *Local Government Act*, all areas designated as DPAs must not be subdivided, nor have the “construction of, addition to, or alteration of a building or other structure” be started, unless a valid DP has been issued. Under Section 488(4) of the *Local Government Act*, municipalities can specify conditions in which a DP would not be required. The current OCP provides for the following exemptions:

- Interior renovations;
- Replacement of materials of the same like and kind;



City of Revelstoke

Discussion Paper

- Repainting in colours of the same like and kind; and
- Addition of rooftop equipment not visible from the street.

Every DPA within the current OCP makes a blanket policy reference stating: “All works within the Development Permit Area shall require a development permit.” With such a limited set of exemptions, and an ambiguous policy reference to “all works”, staff have significant challenges in allowing for very minor forms of development to proceed without an issued DP. This causes additional approvals, increased timelines for applicants, and administrative workload for staff to administer this policy in its current form.

In addition, these existing exemptions apply to every DPA. This means that an owner developing within an environmentally sensitive DPA has the same exemptions as an owner within a form and character DPA. Staff are recommending exemptions for Form and character DPAs and technical DPAs as this will provide clarity to the public, staff, and Council (see Attachment #1).

Form and Character DPA

A general summary of proposed exceptions is provided below:

- Interior renovations;
- Replacement of materials of the same like and kind, at the discretion of Development Services;
- Repainting in colours of the same like and kind at the discretion of Development Services;
- Addition of rooftop equipment not visible from the street;
- Demolition of a building (subject to building permit issuance);
- Construction of a single-family dwelling or duplex (within the multi-family DPA);
- Replacement, alteration, or addition to a building (siding, roofing, doors, trim, awnings, windows etc.) where it does not detract from overall form and character, at the discretion of Development Services;
- Placement of signage;
- Outdoor patios, seating areas;
- Construction of an accessory building when under 10. sq. m in size, in compliance with zoning bylaw regulations (all DPAs);
- Construction of an accessory building when in compliance with zoning bylaw regulations (within the multi-family DPA);
- Replacement of a building destroyed by natural causes, when identical to the original in both form and location;
- Subdivision, lot consolidation, or road widening;
- Land alteration (minor clearing); for which a Building permit has not been issued, and does not constitute excavation (which under Building Bylaw No. 1707, all excavation not authorized by a building permit requires an excavation permit); and



City of Revelstoke

Discussion Paper

- Any public works activities administered by the City to accommodate municipal servicing or when completed in conjunction with or under the supervision of the City's Engineering and Public works department.

Technical DPAs

Technical DPA's areas include both environmentally sensitive or environmentally hazardous areas. A general summary of proposed exceptions is provided below:

- Interior renovations;
- Replacement of materials of the same like and kind, at the discretion of Development Services;
- Repainting in colours of the same like and kind at the discretion of Development Services;
- Addition of rooftop equipment not visible from the street;
- Demolition of a building (subject to building permit issuance);
- Construction of a single-family dwelling or duplex (within the multi-family DPA);
- Replacement, alteration, or addition to a building (siding, roofing, doors, trim, awnings, windows etc.) where it does not detract from overall form and character, at the discretion of Development Services;
- Placement of signage;
- All activities in the environmentally hazardous area (steep slopes/unstable soils) when a previous DP has been issued and a geotechnical engineer provides a memo confirming that the findings of the previous DP remain valid;
- Subdivision, lot consolidation, road widening (excluding for lands within the steep slopes/unstable soils area); and
- Any public works activities administered by the City to accommodate municipal servicing or when completed in conjunction with or under the supervision of the City's Engineering and Public works department.

Staff are currently having the OCP amendments reviewed with legal to confirm these exemptions in accordance with the requirements of the *Local Government Act*.

Floodplain Exemptions Policies

The floodplain policies as currently written in the OCP are not reflective of the proper procedures to manage development within the floodplain in accordance with provincial legislation. The current OCP classifies floodplain areas as a technical DPA and requires a DP for all works within this area. Staff is proposing to remove this from the DPA and follow the process outlined in Section 524 of the *Local Government Act*.

Section 524 states that a municipality may establish a floodplain that specifies the geodetic elevation that habitable space and storage of goods damageable by floodwaters may be permitted above, and the minimum flood setback. This geodetic elevation and flood setbacks are established by a BC Land Surveyor. If development is proposed under this geodetic



City of Revelstoke

Discussion Paper

elevation or within the setback, the legislation very clearly indicates the process by which a municipality can issue a “Floodplain Exemption Permit.”

In order address current policies in the OCP regarding a framework for regulating development in the floodplain, staff propose the following amendments to the OCP:

- Taking the floodplain lands out of the environmentally hazardous development permit area (Schedule C of the OCP) and moving all floodplain related policies to the revised general land use section.
- Providing policies to govern all development within the floodplain including specifying the geodetic elevation of construction; setback requirements; Zoning Bylaw requirements; and specifying floodplain requirements in the Big Eddy (there are differing provisions in the Big Eddy based on a 2008 report completed for this neighbourhood).
- Providing an enabling policy that allows for the provisions of the Zoning Bylaw to not be followed should a “Floodplain Exemption Permit” be issued.
- Providing an appropriate policy framework based on best practices to guide the issuance of “Floodplain Exemption Permits.” This includes the requirements to align with Provincial guidelines and for a report from a Professional Engineer or Geoscientist to be provided with experience in geotechnical/hydrogeotechnical engineering.

Given that the issuance of “Floodplain Exemption permits” is a technical matter, staff propose amending Delegation Bylaw No. 2098 to allow this authority to be delegated to the Director of Development Services.

Mapping – Land Use

The current Schedule F – Land Use, in the OCP is not accurate as it does not include the most recent bylaw amendments and does also not include the recently annexed Thomas Brook lands that are currently operating under CSRD OCP Bylaw No. 850.

The current Schedule G – Development Permit Areas, in the OCP is inaccurate and does not have the update amendments.

Staff is recommending amendments to both schedules with the most accurate information to date.

Appendices

Staff propose to remove Appendix 6 (Smart Growth Checklist) and Appendix 7 (Illustrative Plans) of the OCP.

Appendix 6 Sustainability Checklist

Appendix 6 has never been implemented and it adds a convoluted, outdated layer to the OCP given the movement to Step Code and Climate Action Plans to meet the city’s agreement to



City of Revelstoke

Discussion Paper

Climate Action. In the updated OCP a new GHG emission target will be established, and associated policies brought in.

As part of the OCP comprehensive review, utilization of a climate lens and sustainability framework to review applications will be embedded throughout the document.

Appendix 7 Illustrative Plans

The purpose of Appendix 7 was to show how a UDB can be used to achieve the goals set out in the OCP. It includes illustrative plans for some specific geographic areas of the City. These concepts were created through the development of the UDB, which was never adopted by Council, and therefore these concepts have no implementation value. It should also be noted that these plans are examples and are not binding policy requirements.

As part of the OCP comprehensive review, staff will look at implementing a robust policy framework to guide comprehensive development for vacant parcels based on feedback received from the community, best practises, and technical analysis.

Next Steps – Informing the Community

A robust public engagement strategy will be undertaken for the OCP comprehensive review project. That engagement strategy will include significant work with the public to consult extensively regarding multiple components of the OCP.

With respect to the housekeeping amendments, staff generally view these as administrative and necessary to help with current implementation issues and set the stage for a future comprehensive review. The requirement to solicit extensive community feedback for this stage of the project is less than what will be required in the future with more drastic content changes to the OCP. With the housekeeping amendments, efforts to inform the community in the form of the following are proposed to be completed:

- The amended version of the OCP, the Comprehensive Summary of Housekeeping Amendments and annotated version of OCP Bylaw No. 1950 will be posted on the City's webpage;
- Social media outreach;
- Advertisement in the local newspaper (beyond the requirement to advertise for a public hearing);
- Update to the OCP focus group;
- Potential informational video posted to the OCP webpage;
- Review with the Advisory Planning Committee (if vacant positions filled in timely manner); and
- Public hearing in accordance with the legislative requirements.

Staff in the Development Services department are routinely available to the public via email, phone or in person as well to discuss any questions that they may have.



City of Revelstoke

Discussion Paper

IMPLICATIONS:

Strategic

The amended OCP constitutes the completion of Phase 1 of the Comprehensive OCP review process. It will set the stage for a successful comprehensive review by addressing some of the challenges that staff currently encounter and allow for more effective communication with the internal project team and external stakeholders.

Financial

The 2020-2024 Five Year Financial Plan included the OCP update as a capital project with a total budget of \$352K over two years. To date, \$132K has been spent. Leaving \$220K to cover the costs of completing the update.

Administrative

Corporate Administration will be required to support with the logistics of public outreach and public hearing requirements.

Attachments/ Links:

Attachment #1 – [Comprehensive Summary of Housekeeping Amendments](#)

Attachment #2 – [Amended Official Community Plan \(Draft\)](#)

Attachment #3 – [Annotated Version of Official Community Plan Bylaw No. 1950](#)

Respectfully submitted,

A handwritten signature in black ink that reads "M Wade".

Marianne Wade
Director of Development Services

A handwritten signature in black ink that reads "Dawn Low".

Dawn Low
Chief Administrative Officer