



The Corporation of the City of Courtenay

# Staff Report

**To:** Council

**File No.:** 6480-20-2501/OCP00022

**From:** Director of Development Services

**Date:** April 23, 2025

**Subject:** Official Community Plan (OCP) Update to meet Bill 44 Requirements – Consultation and Communications Strategy

**PURPOSE:** For Council to receive the Communication Strategy Plan for the Official Community Plan (OCP) update and endorse the Consultation and Communication Strategy for OCP update.

## **BACKGROUND:**

Courtenay Council adopted a new OCP Bylaw No. 3070 July 25 2022 after extensive public and interest-holder consultation and land use and policy analysis. In late 2023 the Province introduced a suite of housing legislation reforms to support the acceleration of housing supply and require local governments to engage in more proactive planning.

*Bill 44 – Housing Statutes (Residential Development) Amendment Act* now requires that local governments adopt Housing Needs Reports forecasting a community’s housing needs for 5- and 20- year intervals. Bill 44 also requires that local governments update their OCPs by December 31, 2025 to ensure that the OCPs provide for at least the 20-year total number of housing units required to meet anticipated housing needs, including policies to support housing needs. Formerly the requirement was for 5-years of housing needs reports which was used to inform OCP Bylaw No. 3070, 2022.

Section 475 (1) of the *Local Government Act* (LGA) requires local governments to provide consultation during the development, repeal or amendment to an OCP.

## **DISCUSSION:**

The scope of the OCP update is focused on analyses and deliverables that support Bill 44 requirements for housing supply and growth management.

The OCP review will build on the Complete Communities Growth Assessment presented December 2024 which identified Courtenay’s neighbourhood completeness from the perspective of housing, infrastructure, transportation and daily needs to determine the most strategic locations for future growth. The Assessment confirmed that the growth management framework of primary and secondary growth centres contained within the existing OCP remains a suitable foundation for future growth but in considering requirements for housing over the next 20 years, could include possible recommendations for boundary extension into Settlement Expansion Areas as identified in the Regional Growth Strategy (RGS). The vision that “Courtenay is responsible for the future, supporting high quality of life, with a low-carbon footprint for all” as well as the cardinal directions, and the eight OCP goal statements will continue to guide this OCP update.

The OCP update is targeted to:

- GIS analysis to ensure land use designations support the Housing Needs Report as well as other community land use needs such as sufficient employment lands and sufficient park land supply and

recreational uses commensurate with increased residential densities and less private open space than traditional forms of single-residential development.

- Policy review respecting each class of housing needs required to be addressed from the Housing Needs Report. This work will be coordinated with the regional Housing Action Plan currently underway in partnership with CVRD, Town of Comox and Village of Cumberland.
- Land economic evaluation to conduct rigorous evaluation of the viability of implementation legislation tools such as Inclusionary Zoning policies for the delivery of the continuum of housing including affordable housing as well as Density Benefits (Bonus) policy which will be used to inform the concurrent comprehensive Zoning Bylaw update.
- Analysis of the servicing infrastructure to identify where housing can be supported in the short term and what is required for long term supply. Identify areas in the city where servicing is available and what infrastructure is required to support future growth.
- Coordinate OCP and Asset Management objectives as part of infrastructure capital planning to inform the financial plan.
- Establishing a local area and neighbourhood planning framework to direct more detailed planning efforts in future years at more localized scales, building on the successes of the concurrent Downtown Vitalization Local Area Plan.
- Review of Development Permit Area (DPA) Guidelines for protection of the natural environment, protection of farm land, protection from steep slope hazards, and form and character. Consideration of new DPA for flood hazards and wildfire hazard risk.
- Development of an OCP implementation, monitoring and reporting administrative structure and procedure to ensure OCP objectives are being considered and incorporated into reports to Council, and capital planning.

Comprehensive update to Zoning Bylaw 2500, 2007 will occur under separate procurement process with parallel timelines to allow for information exchange across projects.

### **OCP Project timeline**

The OCP will take place across three phases with five stages of communications and consultation. Attachment 1 Draft Consultation and Communications Strategy provides further detail:

- Phase 1 (March - April): Background Review & Engagement Plan
  - Stage 1 Communications and Consultation (March – April): Engagement Planning
- Phase 2 (April – July): Technical Analysis & Policy Review
  - Stage 2A Communications and Consultation (May): Project Introduction and Interest-holder Outreach
  - Stage 2B Communications and Consultation (June – July): Public Engagement
- Phase 3 (August – December): Update & Adoption

- Stage 3 Communications and Consultation (August – September): Reporting and Recommendations
- Stage 4 Communications and Consultation (October – December): Bylaw Adoption Process

### **Communication Strategy Plan**

Staff have worked with the consultants and communications division to prepare a fulsome yet targeted public and interest-holder communication, engagement and consultation strategy that meets legislative requirements and provides for the appropriate level of community engagement based on the International Association for Public Participation (IAP2). The Consultation and Communications Strategy is based on the City's ongoing Engagement Strategy work. The proposed strategy is found in Attachment 1 to this report for Council's consideration and endorsement.

Staff have identified the following agencies and authorities to consult: Comox Valley Regional District; Town of Comox; Village of Cumberland; School District 71; provincial agencies including Ministry of Housing and Municipal Affairs, Ministry of Transportation and Transit, Water, Land and Resource Stewardship and Island Health; federal agencies including Housing, Infrastructure and Communities Canada and Canada Mortgage and Housing Corporation, Department of National Defence, Transport Canada, and Fisheries and Oceans Canada.

Staff have initiated discussions with K'omoks First Nation (KFN) staff and will work together to propose an appropriate consultation approach which may include a Courtenay Mayor and Council meeting with KFN Chief and Council.

Information provided on provincial mapping sources indicates that the City of Courtenay is located in an area where four additional First Nations territories overlap: Wei Wai Kai, Wei Wai Kum, Kwiakah and Homalco. Staff recommend that consultation with these nations be focused on the referral of the draft OCP with a request for written comment within 60 days. Staff support sharing information with, and responding to queries from staff of these First Nations during the OCP process.

Staff maintain a list of local interest holders and community groups representing social, environmental, economic and development interests. As part of the communications in Stage 2A, the project team will identify key interest holders, notify of the process and invite to interest holder engagement opportunities including scheduled meetings near the beginning and midstream of the Phase 2 Technical Analysis & Policy Review. These meetings may take place in person or virtual and may include multiple interest-holders or more individualised meetings.

### **POLICY ANALYSIS:**

Section 475 (1) of the *Local Government Act* (LGA) requires local governments to provide consultation during the development, repeal or amendment to an OCP; specifically, one or more opportunities it considers appropriate for the consultation with persons, organizations and authorities it considers will be affected. The LGA further provides direction on who shall be consulted:

- (2) *For the purposes of subsection (1), the local government must*
  - (a) *consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing, and*
  - (b) *specifically consider whether consultation is required with the following:*

- a. *the board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan;*
- b. *the board of any regional district that is adjacent to the area covered by the plan;*
- c. *the council of any municipality that is adjacent to the area covered by the plan;*
- d. *first nations;*
- e. *boards of education, greater boards and improvement district boards;*
- f. *the Provincial and federal governments and their agencies.*

*(3) Consultation under this section is in addition to the public hearing required under section 477 (3) (c).*

**FINANCIAL IMPLICATIONS:**

Staff have undertaken a competitive bid procurement process to undertake the OCP update and meet legislative requirements. B&A Studios Inc. in partnership with Aplin Martin Consultants and City Squared Consulting have been retained to work directly with staff and lead the technical review and consultation. Consultation costs with the organizations and authorities including First Nations are included in the approved 2025 Community and Sustainability Planning division operation budget. The overall budget for the OCP in the 2025 budget is \$250,000 with \$85,000 provided through Local Government Housing Initiatives Capacity Funding provided by the Province in 2024.

**ADMINISTRATIVE IMPLICATIONS:**

This project is being delivered with a combination of staff resources from Development Services and external consultants. Internally the project will require support from Communications to utilize city social media, webpages, media and newsprint where required. This project will include input and support from all City departments in the development and implementation of the OCP update.

**STRATEGIC PRIORITIES REFERENCE:**

This initiative addresses the following strategic priorities:

- Buildings and Landscape - Review and update land use regulations and bylaws for consistency with OCP
- Local Economy - Complete a Community Economic Development Analysis, including community engagement and review of land availability
- Good Governance - Establish an OCP Implementation Townhall Forum
- Good Governance - Explore and establish a partnership approach with SD71 on mutual interest topics: active travel and traffic planning, shared facilities, community use of schools, climate, reconciliation, child care and youth engagement
- Social Infrastructure - Develop measures and criteria to track progress for the OCP's four cardinal directions: reconciliation, community well-being, equity, and climate action

**OPTIONS:**

1. THAT Council receive the report "Official Community Plan (OCP) update to meet Bill 44 Requirements – Consultation and Communications Strategy" and endorse the consultation and communications strategy outlined in Attachment 1 in order to guide community and interest holder engagement.

THAT Council pursuant to section 475 and 476 *Local Government Act*, Council will provide

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opportunities it considers appropriate for consultation with persons and parties it considers will be affected, including the Comox Valley Regional District, Town of Comox, Village of Cumberland, First Nations, and the province/provincial agencies and pursuant to section 476 *Local Government Act*, Council will consult with Comox Valley School District 71 prior to considering amendments to City of "Courtenay Official Community Plan Bylaw No. 3070, 2022".

2. THAT Council provide alternative direction to staff.

**ATTACHMENTS:**

1. Draft Consultation and Communications Strategy

Prepared by: Nancy Gothard, RPP MCIP, Manager of Community and Sustainability Planning  
Reviewed by: Marianne Wade, RPP MCIP, Director of Development Services  
Concurrence: Geoff Garbutt, M.P.I., MCIP, RPP, City Manager (CAO)