

Cowichan Tribes

Verbal feedback from the Cowichan Tribes Lands Committee meeting in 2022 was previously incorporated into the OCP policies. This included the addition of a policy section on the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the *BC Declaration on the Rights of Indigenous Peoples Act* (DRIPPA).

On January 31, 2024, the City received written input and recommended revisions from Cowichan Tribes (see letter in **APPENDIX 4**). Virtually all of the recommended revisions from Cowichan Tribes have been incorporated into the revised new OCP are indicated with “**COWICHAN TRIBES RECOMMENDATION**” in the track changes version of the OCP (**APPENDIX 2**). Where a revision was not made for technical or procedural reasons, an explanation is also provided (e.g. addressed elsewhere in the OCP).

The OCP Advisory Committee had previously recommended that the City “Ask Cowichan Elder(s), if they would like to add a paragraph to the Territorial Acknowledgement in Hul’qumi’num and English”. Staff have made some enquiries regarding this and are recommending that this be pursued under a separate process, with consideration given to budget, time, and resource implications.

Design Standards

In response to advice received by staff, the wording used in most of the design standards has been changed from “must” to “should”. The reason for this is that these are intended to be guidelines, not regulations. Staff originally felt that using stronger wording might assist the City in ensuring that the design standards are actually adhered to when designs are being prepared for submission to the City. However, staff have confirmed that the City is fully within its rights to refuse a design that does not comply with any design standard, regardless of whether “must” or “should” is used. A provision has been added in the OCP that clarifies and confirms this for current and future Councils, staff, and the public.

Advisory Design Panel

The Advisory Design Panel (ADP) passed the following recommendation at its May 25, 2023 meeting:

That the Advisory Design Panel supports the design standards in the proposed new Official Community Plan, as attached to the March 23, 2023 report from the Manager of Planning, subject to the following revisions:

- 1. remove "4 storeys" and replace with "3 storeys" for design guideline 90;*
- 2. add "Increase building separation to accommodate larger tree canopies" at the end of design guideline 145; and*
- 3. add a design guideline to mandate significant green space at grade level.*

All of the ADP’s recommendations have been incorporated into the design standards in the revised new OCP and are indicated with “**ADVISORY DESIGN PANEL RECOMMENDATION**” in the track changes version of the OCP (**APPENDIX 2**).

OCP Advisory Committee

The Committee met passed the following motions at its January 22, 2024 meeting:

That the Official Community Plan Advisory Committee recommend an amendment to Section 3.7 Climate Change of the proposed new Official Community Plan to indicate that the City will opt in to the highest step of the BC Zero Carbon Step Code.

That the Official Community Plan Advisory Committee recommend the following amendments to the proposed new Official Community Plan:

- 1. Update Section 1.3 Official Community Plan to include a reference to changes to provincial legislation to address housing.*
- 2. Update Section 2.1 Community Vision to include a commitment to reconciliation in the community vision.*
- 3. Update Section 3.4.11 to read “The City will explore opportunities to enhance the Coronation Avenue and Trunk Road intersections with the Trans-Canada Highway to draw travelers into downtown and businesses along the highway corridor, including wayfinding signage.”*
- 4. Update Section 3.5.9 to read “The City will explore the idea of undertaking a feasibility analysis for a downtown parkade, including consideration of a usable rooftop greenspace.”*
- 5. Update Section 3.6.11 to read “The City will continue to implement the recommendations in the City’s Urban Forest Strategy, including increasing tree canopy coverage in public spaces throughout Duncan to meet the 40% target in the Strategy.”*
- 6. Update Section 3.6.14 to read “The City supports the use of boulevards for native pollinator plant species as a City initiative, resident initiative, or through the development process.”*

That the Official Community Plan Advisory Committee supports the amendments to the proposed new Official Community Plan, as attached to the November 15, 2023 report from the City Planner, subject to receipt of input from Cowichan Tribes.

That the Official Community Plan Advisory Committee recommend the draft Community Vision statement be amended to read:

“Community Vision for the Present and Future: Located on the unceded territory of Cowichan Tribes, Duncan continues to be one of the most livable small cities in Canada, proudly serving as the economic and cultural heart of the Cowichan Valley. Duncan is and continues to be welcoming, diverse, creative, environmentally sustainable, and resilient. The City has a genuine intention to integrate differing perspectives into policy making, intentionally leading to greater harmony in outcomes for the greatest number of people.”

That the following recommendation be forwarded to Council:

That first two readings of “Official Community Plan Bylaw No. 3226, 2022” be rescinded;

That Council give first reading to “Official Community Plan Bylaw No. 3226, 2024”.

That Council considers the “Official Community Plan Bylaw No. 3226, 2024” in conjunction with the City of Duncan’s Five Year Financial Plan, the Cowichan Valley Regional District Solid Waste Management Plan, and the Cowichan Valley Regional District Central Sector Liquid Waste Management Plan.

That Council give second reading to “Official Community Plan Bylaw No. 3226, 2024”.

That Council direct staff to schedule a public hearing for “Official Community Plan Bylaw No. 3226, 2024”.

All of the Committee’s recommendations have been incorporated into the revised new OCP and are indicated with “**OCP COMMITTEE RECOMMENDATION**” in the track changes version of the OCP (**APPENDIX 2**).

New Provincial Legislation

The provincial government recently introduced and enacted a series of legislative changes related to housing development, development financing, and transit-oriented development. Among other things, these changes will require the City to update its OCP and zoning bylaw, including required changes to permit small-scale multi-unit housing in traditional single-unit housing neighbourhoods. A number of minor adjustments have been made to the OCP to accommodate these changes, but it is important to note that the specific details of the new regulations in the City’s zoning bylaw still need to be determined by Council.

IMPLICATIONS:

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| Financial: | The OCP project is anticipated to be completed within the approved budget. |
| Policy/Legislation: | The consultation and adoption procedures for OCPs are established in the <i>Local Government Act</i> . The City will meet all statutory adoption procedures. |
| Strategic Priority: | GOAL: Managed Growth Supported by Sustainable Development
Complete the Official Community Plan Update
Undertake additional public consultation and finalize and adopt the new OCP. |
| Sustainability: | The new policies, guidelines, and standards in the OCP that will replace the 2007 OCP policies are likely to improve overall community sustainability, particularly as it relates to new development. |
| Communication: | Notification and advertising for the OCP will follow all statutory requirements. |
| Staffing Implications: | While valuable and important, deferring completion of the OCP project and undertaking the additional public engagement in 2023 has resulted in a significant amount of work for the Planning Department, including reallocating staffing resources from other projects that were planned to be initiated or completed in 2023. Staff have an interest in completing the OCP project early in 2024 in order to ensure that the City can meet any obligations it may have under the new housing legislation within the prescribed timelines. |

ALTERNATE OPTIONS:

As directed by Council.

APPENDICES:

APPENDIX 1 – Official Community Plan Bylaw No. 3226, 2024

APPENDIX 2 – Proposed Revisions to OCP (with Track Changes)

APPENDIX 3 – Staff Report and Attachments to OCP Advisory Committee

APPENDIX 4 – Letter from Cowichan Tribes

APPENDIX 5 – Additional Input from OCP Advisory Committee Members