

In addition, to the extent that it deals with matters within the scope of a regional growth strategy, the plan must “work towards” the provincially mandated goals for regional growth strategies (see “Regional Growth Strategies” in this chapter) (*Local Government Act*, s. 471(2)). Finally, a local government must, in developing an official community plan, consider any applicable guidelines under s. 582 and 585.5.

It is not clear what the consequences would be if an official community plan were found to be incomplete in one or more of these items. Certainly, not every area in the province has sand and gravel deposits, hazardous conditions, or environmentally sensitive areas such that an official community plan for the area could state meaningful policies for them. Section 510(2), which deals with the dedication of land for park purposes upon subdivision, implies that an official community plan possibly might not contain policies and designations for the location and type of proposed parks. Finally, under s. 479(3) a local government may exercise its zoning power to prohibit any use or uses in any zone, and under s. 478 a zoning bylaw must be consistent with the relevant official community plan. The latter provisions suggest that a local government could designate no land in the official community plan for one or more of the categories of uses referred to above. The subjects set out in s. 473 cannot be interpreted as a mandatory list; therefore, failure to include one or more items would not invalidate an official community plan.

Local governments are also required to consider their most recent housing needs report, and the housing information on which it is based, when developing an official community plan or amending an official community plan in relation to housing statements, map designations, or policies (*Local Government Act*, s. 473.1(2)). As a result of the 2023 amendments to the *Local Government Act*, local governments are now required to include in their official community plans statements and map designations for at least the 20-year total number of housing units required to meet anticipated housing needs documented in their most recent housing needs report (s. 473.1(3)), as well as housing policies respecting each class of housing needs required to be addressed in their most recent housing needs report (s. 473.1(4)).

## **B. OPTIONAL COMMUNITY PLAN CONTENT [§5.24]**

A community plan may designate areas for the purpose of issuing temporary use permits under s. 493 in areas not zoned for such uses,

and may specify conditions for the issue of those permits (*Local Government Act*, s. 492).

An official community plan may also designate areas in which no development may occur without the owner having applied for and obtained a development permit (s. 488). These areas may be designated for several purposes:

- (1) to protect the natural environment, its ecosystems and biological diversity;
- (2) to protect development from hazardous conditions;
- (3) to protect farming;
- (4) to protect provincial or municipal heritage sites;
- (5) to revitalize an area in which a commercial use is permitted;
- (6) to control the form and character of commercial, industrial, intensive residential, or multifamily residential development;
- (7) to promote energy conservation;
- (8) to promote water conservation;
- (9) to promote the reduction of greenhouse gas emissions; and
- (10) to mitigate the effects of displacement on tenants who will be, or have been, displaced from their rental units in relation to a redevelopment or proposed redevelopment.

For each development permit area designated, the official community plan must contain information justifying the designation and specify guidelines to form the basis of conditions imposed when development permits are issued. Further discussion of development permits is found starting at “Development Permits” in chapter 6. An official community plan may include social planning policies of the local government, a regional context statement dealing with matters that would be dealt with in a regional growth strategy if one was in existence, and policies of the local government respecting the maintenance and enhancement of farming.

An official community plan may designate areas for which, or specify circumstances in which, “development approval information” may be required (s. 485). If these powers are exercised, under ss. 486 and 487 a local government must adopt a bylaw indicating what information is required of applicants for zoning amendments, development permits, and temporary use permits. These powers form the basis of local government environmental and social impact statements and were

added to the *Municipal Act* in 1997 (now the *Local Government Act*) in companion amendments to the *Fish Protection Act* (now the *Riparian Areas Protection Act*, retitled as a consequential amendment pursuant to s. 162 of the *Water Sustainability Act*, S.B.C. 2014, c. 15).

An official community plan may also designate heritage conservation areas, and in respect of those areas specify guidelines in accordance with which heritage alteration permits may be issued. The plan may also include a schedule listing buildings, structures, land, or features that are to be “protected heritage property”; special notification requirements in s. 614(4) and (5) ensure that owners are aware that their property is included in such a schedule.

Some local governments also have “area development plans” or “neighbourhood community plans” that focus on land uses within a specific designated area or neighbourhood. Such plans may include a greater level of detail for land use, density, form, and character of development for specific areas or neighbourhoods. These plans may be enacted by bylaw as an amendment to an official community plan or, alternatively, may be endorsed by a council or board as a policy to guide development in the specified areas.

#### **C. CITY OF VANCOUVER OFFICIAL DEVELOPMENT PLANS [§5.25]**

The *Vancouver Charter* authorizes the city council to adopt official development plans, which are very different in content and effect from official community plans under the *Local Government Act* (see “Official Development Plans” in chapter 9, and R.E. Young, “Vancouver’s Official Development Plans” (1987) 45 *Advocate* 359).

#### **D. OFFICIAL COMMUNITY PLAN APPLICATION [§5.26]**

The official community plan applies to any land in the municipality or regional district designated in the plan as being covered by the plan.

#### **E. CONSULTATION AND ADOPTION PROCEDURES FOR OFFICIAL COMMUNITY PLANS [§5.27]**

Section 475 of the *Local Government Act* requires local governments developing official community plans and official community plan amendments to consider whether and how to consult with affected persons, organizations, and authorities, including specifically named