

REPORT

Climate Action, Planning and Development

To: Mayor Cote and Members of Council **Date:** September 26, 2022

From: Emilie K. Adin,
Director, Climate Action, Planning and
Development **File:** OCP00036
OCP00031

Item #: [Report Number]

Subject: 501 Fourth Avenue and 408 Fifth Street (Holy Eucharist Cathedral), and
1135 Salter Street: Official Community Plan Amendment Section 475 and
476 – Consultation Report

RECOMMENDATION

THAT Council, with regard to the proposed Official Community Plan (OCP) Amendment for 501 Fourth Avenue and 408 Fifth Street:

- 1) Give consideration to the requirements of Section 475 and 476 as well as other relevant sections of the Local Government Act;
- 2) Direct staff to advise and consult with the following First Nations:
 - i) Skawahlook First Nation;
 - ii) Seabird Island Band;
 - iii) Shxw'ōwhámél First Nation;
 - iv) Soowahlie First Nation;
 - v) Squamish Nation; and
 - vi) Sto:lo Tribal Council.

AND

THAT Council, with regard to the proposed Official Community Plan (OCP) Amendment for 1135 Salter Street:

- 1) Give consideration to the requirements of Section 475 and 476 as well as other relevant sections of the Local Government Act;

2) Direct staff to advise and consult with the following First Nations:

- i) Skawahlook First Nation
- ii) Seabird Island Band;
- iii) Shxw'ōwhámél First Nation;
- iv) Soowahlie First Nation;
- v) Squamish Nation; and
- vi) Sto:lo Tribal Council.

PURPOSE

To identify those parties that may be affected by the proposed OCP Amendment, as required by Sections 475 and 476 of the Local Government Act, and request Council direction to proceed with the required consultation.

DISCUSSION

Consultation Requirements

Section 475 and 476 of the *Local Government Act* provides specific requirements for consultation that must occur prior to the consideration of an Official Community Plan (OCP) amendment. The Act requires local government to provide one or more opportunities it considers appropriate for consultation with the organizations and authorities it considers may be affected by the proposed OCP amendment.

Consideration of Consultation

On April 25, 2022 and May 9, 2022, Council provided direction to staff to proceed with the required consultation for 501 Fourth Avenue and 408 Fifth Street, and 1135 Salter Street, respectively, as required by Sections 475 and 476 of the Local Government Act. The following First Nations were included based on Port Metro Vancouver's consultation list:

- Cowichan Tribes;
- Halalt First Nation;
- Katzie First Nation;
- Kwantlen First Nation;
- Kwikwetlem First Nation;
- Lyackson First Nation;
- Lake Cowichan First Nation;
- Musqueam Indian Band;
- Penelakut Tribe;

- Qayqayt First Nation;
- Semiahmoo First Nation;
- Sto:lo Nation;
- Stz'uminus First Nation;
- Tsawwassen First Nation; and
- Tseil-Waututh Nation.

New information has since come available to staff which identifies additional nations to consult with based on updates to the Port Metro Vancouver contact list. As such, staff recommends consultation with the following additional First Nations:

- Skawahlook First Nation;
- Seabird Island Band;
- Shxw'ōwhámél First Nation;
- Soowahlie First Nation;
- Squamish Nation; and
- Sto:lo Tribal Council.

OPTIONS

The following options are available for Council's consideration:

1. That Council, with regard to the proposed Official Community Plan (OCP) Amendment for 501 Fourth Avenue and 408 Fifth Street:
 - 1) Give consideration to the requirements of Section 475 and 476 as well as other relevant sections of the Local Government Act;
 - 2) Direct staff to advise and consult with the following First Nations:
 - i. Skawahlook First Nation;
 - ii. Seabird Island Band;
 - iii. Shxw'ōwhámél First Nation;
 - iv. Soowahlie First Nation;
 - v. Squamish Nation; and
 - vi. Sto:lo Tribal Council.

2. That Council, with regard to the proposed Official Community Plan (OCP) Amendment for 1135 Salter Street:
 - 1) Give consideration to the requirements of Section 475 and 476 as well as other relevant sections of the Local Government Act;
 - 2) Direct staff to advise and consult with the following First Nations:

- i. Skawahlook First Nation;
- ii. Seabird Island Band;
- iii. Shxw'ōwhámél First Nation;
- iv. Soowahlie First Nation;
- v. Squamish Nation; and
- vi. Sto:lo Tribal Council

3) That Council provide staff with alternative direction.

Staff recommend Options 1 and 2.

APPROVALS

This report was prepared by:
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This report was reviewed by:
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This report was approved by:
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Lisa Spitale, Chief Administrative Officer