



Regional Board Report

TO: Regional Board

FROM: Brian Reardon
CAO

DATE: February 1, 2021

SUBJECT: RDCO Fringe Area Planning Agreement Renewals

Voting Entitlement: Custom Voting -Varies

Purpose: To consider renewal of the existing Fringe Area Planning Agreements.

Executive Summary:

For the past five (5) years, the member Municipalities within the Regional District of Central Okanagan have voted on Electoral Area Planning matters that fall within the boundaries defined in their respective Fringe Area Planning Agreements. Earlier this year, all of the jurisdictions including the Electoral Areas, indicated they supported, in principle, the renewal of these Fringe Area Planning Agreements using the same terms, conditions, and boundaries as before, for a further five-year term.

Our office has recently received Council Resolutions from all four member Municipalities authorizing their respective signing officers to enter into the associated RDCO Fringe Area Planning Agreement attached to this report.

It is now in order for the Regional District to bring forward a report seeking similar Board approval authorizing the RDCO signing officers to execute the four Fringe Area Planning Agreements with the District of Peachland, City of West Kelowna, City of Kelowna, and District of Lake Country, attached to this report.

RECOMMENDATION #1: *(All Directors – Unweighted Corporate Vote – Simple Majority – LGA 208.1)*

THAT the Board receive for information, the Fringe Area Planning Agreement Renewal report from the Chief Administrative Officer dated February 1, 2021.

RECOMMENDATION #2 *(Custom Weighted Vote – Kelowna, West Kelowna, Lake Country, Electoral Areas – excluding the District of Peachland)*

THAT the Regional Board approve the five-year (January 1, 2021-December 31, 2025) Planning Services Agreement between the Regional District and the District of Peachland.

RECOMMENDATION #3 (*Custom Weighted Vote – Kelowna, Peachland, Lake Country, Electoral Areas – excluding the City of West Kelowna*)

THAT the Regional Board approve the five-year (January 1, 2021-December 31, 2025) Planning Services Agreement between the Regional District and the City of West Kelowna.

RECOMMENDATION #4 (*Custom Weighted Vote – West Kelowna, Peachland, Lake Country, Electoral Areas – excluding the City of Kelowna*)

THAT the Regional Board approve the five-year (January 1, 2021-December 31, 2025) Planning Services Agreement between the Regional District and the City of Kelowna

RECOMMENDATION #5 (*Custom Weighted Vote – Kelowna, Peachland, West Kelowna, Electoral Areas – excluding the District of Lake Country*)

THAT the Regional Board approve the five-year (January 1, 2021-December 31, 2025) Planning Services Agreement between the Regional District and the District of Lake Country.

RECOMMENDATION #6 (*All Directors – Weighted Corporate Vote – Simple Majority – LGA 210.2*)

THAT the Board Chair and Chief Administrative Officer be authorized to execute the formal Planning Services Agreements dealing Fringe Area Planning in the Electoral Area's with the District of Peachland, City of West Kelowna, City of Kelowna and District of Lake Country.

Respectfully Submitted:



Brian Reardon, CAO

Background:

For the past five (5) years, the member Municipalities within the Regional District of Central Okanagan have voted on Electoral Area Planning matters that fall within the boundaries defined in their respective Fringe Area Planning Agreements. "Fringe Area Planning" refers to the system developed that gives municipalities adjacent to and within a regional district the ability to influence land use planning decisions in those areas outside of their boundaries where the municipalities deem they have an interest. Typically, those lands are those directly abutting or are nearby.

Fringe Area Planning recognizes that land use planning decisions made at the Regional District level can have a significant impact on municipal services and infrastructure such as utilities, transportation, as well as viewscales and environmental impacts caused by development.

Where a municipality chooses to “fringe” an area, municipal staff receive referrals for land use planning matters in the agreed upon areas, and municipal Directors at the Board table are permitted to vote on such matters. Land use planning matters includes consideration of such issues as:

- Official Community Plans and amendments made thereto;
- Rural Land Use Bylaws and amendments made thereto;
- Zoning Bylaws and amendments made thereto;
- Land Use Permits such as Development Variance Permits and Temporary Use Permits.

Without Fringe Area Planning, Municipal Directors would be ineligible to vote on these matters.

For further clarity, all municipal Directors are eligible to vote on Regional Planning matters regardless of whether or not they have voting privileges under a Fringe Area Planning Agreement. Regional Planning includes such matters as Crown Land referrals, Agricultural Land Reserve referrals, Regional Growth Strategy matters and protection of the natural environment.

Discussion:

Earlier this year, all of the jurisdictions including the Electoral Areas, indicated they supported, in principle, the renewal of these Fringe Area Planning Agreements using the same terms, conditions, and boundaries as before, for a further five-year term (January 1, 2021 to December 31, 2025).

The proposed renewal, including a map of the fringe planning areas for the District of Peachland, City of West Kelowna, City of Kelowna, and District of Lake Country, are attached to this report.

Recently, our office has received copies of Council Resolutions from all four member Municipalities authorizing their respective signing officers to enter into the RDCO Fringe Area Planning Agreement for their respective jurisdiction.

Now would be an appropriate time to bring forward a staff report seeking Board approval that authorizes the RDCO signing officers to execute the four RDCO Fringe Area Planning Agreements with the District of Peachland, City of West Kelowna, City of Kelowna, and District of Lake Country, attached to this report.

Custom Voting rules apply to this matter that has all but the representatives from the jurisdiction associated with the agreement in question voting on the matter. The legal premise is that the Directors from the Municipality to which the Agreement applies should not be voting on their own agreement. For this reason, each agreement will be voted on separately.

Financial Considerations:

The table below summarizes the costs of Electoral Area Planning for each jurisdiction for the past five years:

	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
Kelowna	196,488	165,531	158,809	165,393	177,141
Peachland	2,866	2,341	2,375	2,296	2,488
Lake Country	4,347	3,692	3,532	3,140	3,529
West Kelowna	40,740	33,103	33,424	31,911	35,066
COW	224,202	182,481	183,497	177,743	193,970
COE	67,466	56,999	54,518	41,738	52,481
	536,109	444,147	436,155	422,221	464,675

These costs are formula based and include variables such as ratio of parcels within each fringe area, ratio of votes at the table, number of Directors from each jurisdiction, and total cost of electoral area planning apportioned to each electoral area. Because these variables are fairly constant so are the costs to the jurisdictions.

Conclusion:

The renewal of the Fringe Area Planning Agreements will ensure the continuation of appropriate municipal voting entitlement in the Electoral Areas under a formal framework and cost sharing arrangement that complies with current legislation.

- Attachment(s):
- RDCO – Peachland FPA Part 14 Agreement 2021-2025
 - RDCO – West Kelowna FPA Part 14 Agreement 2021-2025
 - RDCO – Kelowna FPA Part 14 Agreement 2021-2025
 - RDCO – Lake Country FPA Part 14 Agreement 2021-2025