



Regional Board Report

Request for Decision

To: Regional Board

From: Corporate Officer

Date: January 19, 2023

Subject: Establishment of Advisory Committees and Board of Variance – 2022-2026 Term

Voting Entitlement: *All Directors – Unweighted Corporate Vote – Simple Majority (LGA s.208)*
Bylaw Adoption – Unweighted Corporate Vote – 2/3 Majority (LGA. s.228)

Purpose: To approve the Terms of Reference for the Planning Advisory Committee and Agricultural Advisory Committee and consider a new Board of Variance Bylaw.

Executive Summary:

Advisory committees established by the Regional Board provide an opportunity for members of the public to work together collaboratively on matters referred to them by the Regional Board. The terms of reference outline the formal role of the committee, including the objectives and scope of work that will guide the committee in their advisory role.

At the November 24, 2022, Regular Board Meeting, the Regional Board received a Report from the Regional Board Chair establishing the committees for the 2022-2026 Regional Board term and requested staff prepare draft Terms of Reference for each committee for consideration.

The *Local Government Act* requires local governments who have adopted a zoning bylaw to establish, by bylaw, a board of variance. A person may apply to a board of variance for an order under s.542 of the *Local Government Act* if the person alleges that compliance with a local government policy/regulation would cause the person hardship.

It is recommended that the Regional Board approve the Terms of Reference for the Planning Advisory Committee, and Agricultural Advisory Committee, and adopt new Board of Variance Bylaw.

Recommendation #1: *All Directors – Unweighted Corporate Vote – Simple Majority (LGA s.208)*

THAT the Regional Board give first, second and third readings to Regional District of Central Okanagan Advisory Planning Commission Repeal Bylaw No. 1523, 2023.

Recommendation #2: *Bylaw Adoption – Unweighted Corporate Vote – 2/3 Majority (LGA s.228)*

THAT the Regional Board adopt Regional District of Central Okanagan Advisory Planning Commission Repeal Bylaw No. 1523, 2023.

Recommendation #3: All Directors – Unweighted Corporate Vote – Simple Majority (LGA s.208)

THAT the Regional Board approve the Terms of Reference for the Planning Advisory Committee in the form attached to the Report from the Corporate Officer dated January 19, 2023;

AND THAT the Regional Board approve the Terms of Reference for the Agricultural Advisory Committee in the form attached to the Report from the Corporate Officer dated January 19, 2023;

AND FURTHER THAT the Regional Board give first, second and third readings to Regional District of Central Okanagan Board of Variance Bylaw No. 1515, 2023.

Recommendation #4: Bylaw Adoption – Unweighted Corporate Vote – 2/3 Majority (LGA s.228)

THAT the Regional Board adopt Regional District of Central Okanagan Board of Variance Bylaw No. 1515, 2023.

Respectfully submitted by: Sandi Horning, Deputy Corporate Officer

Approved by:



Karen Needham, Corporate Officer

Attachment(s):

1. RDCO Advisory Planning Commission Repeal Bylaw No. 1523, 2023
2. Terms of Reference – Planning Advisory Committee
3. Terms of Reference – Agricultural Advisory Committee
4. RDCO Board of Variance Bylaw No. 1515, 2023

Strategic Plan Alignment:

Priorities: Sustainable Communities

Values: Good Governance

Background:*Planning Advisory Committee:*

The Central Okanagan Advisory Planning Commission has been meeting as an advisory commission for many years to provide the Regional Board, it's Committees and staff advice on policy changes for consideration of the Board on Regional Planning related issues with an emphasis on how those issues might impact the community.

The commission is being presented as an advisory committee of the Regional Board. Along with a new name, and the change from an advisory commission to an advisory committee, the Terms of Reference for the Planning Advisory Committee (attached) includes updated language, formatting, and additional corporate services legislative support in scheduling and managing the records of the committee. The

scope in the terms of reference has been updated to include advising the Regional Board on electoral area planning matters related to land uses, bylaw and Official Community Plan preparation, and permits issued under Part 14 of the *Local Government Act*. This Committee will provide local perspectives and expertise on how planning policy and permit issuance may impact the community in the RDCO Electoral Areas.

Agricultural Advisory Committee:

The Agricultural Advisory Commission has been meeting as an advisory commission for many years to advise the Regional Board on agricultural issues and the potential impact of planning decisions on agriculture.

The commission is being presented as an advisory committee of the Regional Board. Along with the changes from an advisory commission to an advisory committee, the new Terms of Reference for the Agricultural Advisory Committee (attached) includes updated language and formatting, and additional corporate services legislative support in scheduling and managing the records of the committee. The scope in the terms of reference remains consistent with previous versions. This Committee will provide local perspective and expertise on the protection and enhancement of agricultural lands within the RDCO.

Board of Variance:

The current Board of Variance Bylaw for the RDCO was established in 1970 and is therefore outdated and does not meet the intent of the current legislation. The new Board of Variance Bylaw (attached) includes updated language and formatting and sets out in detail the scope of the Board of Variance's mandate as well as its procedural guidelines.

Next Steps:

Upon adoption of the Board of Variance Bylaw and approval of the advisory committees' Terms of Reference, staff will undertake the membership recruitment process and report back to the Regional Board with recommended membership appointments to the Board of Variance, Planning Advisory Committee, and Agricultural Advisory Committee.

Considerations:

Legal/Statutory Authority:

Board Procedure Bylaw No. 1501, Section 7.9

Local Government Act, Division 15 – Board of Variance

Considerations not applicable:

- Organizational/External
- Financial
- Alternate Recommendation

Approved for Agenda



Brian Reardon, CAO