

Report to Council



Date: February 1, 2021
To: Council
From: City Manager
Subject: RDCO – Fringe Area Planning
Department: Policy & Planning Department

Recommendation:

THAT the RDCO Fringe Area Planning Summary report from the Policy and Planning Department dated February 1, 2021 be received for information;

AND THAT the Mayor and City Clerk be authorized to execute the formal agreement with the Regional District of Central Okanagan with respect to Fringe Area Planning and related funding.

Purpose:

To consider renewal of the existing Fringe Area Planning agreement.

Background:

The Regional District of Central Okanagan (RDCO) has advised that the existing Fringe Area Planning agreement has concluded and has asked the City to consider renewal of the agreement.

“Fringe 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 their boundaries where the municipalities deem they have an interest. Typically, those lands in which municipalities have an interest are those directly abutting or nearby.

Essentially, Fringe Area Planning recognizes that land use planning decisions made at the Regional District level can have significant impacts on adjacent or member municipalities, and that cooperative decisions in such instances will yield an improved governance model and better decision making. These impacts can be related to municipal infrastructure, such as services (i.e.: utilities) and transportation networks, or to issues such as visual impact or environmental impact of development (e.g.: hillside development and watershed protection).

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

- Official Community Plans and amendments;
- Rural Land Use Bylaws and amendments;
- Zoning Bylaws and amendments;
- Land use planning permits, such as Development Variance Permits and Temporary Use Permits.

Without Fringe Area Planning, member municipal representatives at the Board table would not be permitted to vote on land use planning matters in regional district electoral areas, even though such matters may have important implications for them. However, it is important to note that municipal representatives are entitled to vote on any “regional” matters at the Board table with or without a Fringe Area Planning arrangement. Regional matters include items such as the Regional Growth Strategy, environmental policy and regional transit planning. Fringe Area Planning relates only to land use planning matters, such as Official Community Plan, Rural Land Use Bylaw, and Zoning Bylaw changes. A formal agreement, informed by the provisions of the Local Government Act, governs the RDCO Fringe Area Planning process.

The fringe area planning framework was reviewed and updated prior to entering into the 2016-2020 agreement. The review provided the City with the opportunity to examine the Fringe Area Planning process to ensure that the City is engaged at the appropriate level and that it is receiving good value for its financial investment. The current Fringe Area Planning agreement commenced on January 1, 2016 and expired on December 31, 2020.

It is City staff’s understanding that all member municipalities have agreed in principle to renew the existing agreement for another 5 years (January 1, 2021 to December 31, 2025). The proposed renewal, including a map of the fringe planning areas, has been attached (Attachment 1).

Discussion:

The proposed renewal provides the City the continued ability to be appropriately involved in Fringe Area Planning, which results in a balanced decision making model, as Kelowna members of the Regional Board can speak and vote in a way that represents the City’s interests.

Many of the City’s broader interests are covered by regional planning initiatives, such as the Regional Growth Strategy, regional transportation planning, and by provincial and RDCO policy and regulation protecting the natural environment. These protections will continue to function without Fringe Area Planning.

Should Council support the proposed renewal, the agreement will form a part of RDCO’s 2021 budget deliberations.

Conclusion:

The renewal of the Fringe Area Planning agreement will ensure that the City continues to be appropriately involved in Fringe Area Planning.

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act Part 11, Division 2 Cost Recovery for Services, Section 381 – cost sharing for services under Part 14

Financial/Budgetary Considerations:

RDCO staff anticipates that Kelowna's annual share of Fringe Planning Area costs for 2021 will be approximately \$177,182.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements

Existing Policy

External Agency/Public Comments

Communications Comments

Submitted by:

J. Moore, Long Range Policy Planning Manager

Approved for inclusion:



D. Noble-Brandt, Department Manger of Policy & Planning

cc:

City Clerk

Infrastructure Divisional Director

Financial Services Director

Community Planning and Real Estate Divisional Director

Attachments:

Proposed Fringe Area Planning Agreement 2021-2025