APPENDIX "A"

Terms of Reference:

**Regional District of Okanagan-Similkameen Electoral Area 'D' –
Services and Boundary Configuration Study**

OVERVIEW

The purpose of the study is to conduct an analysis of services, with public engagement in the Regional District of Okanagan-Similkameen (RDOS) Electoral Area "D" communities on services and opinions on incorporation, and work to develop and test potential municipal boundary configurations in Area "D" (the Study).

This Study will describe and educate on facets of governance and services in Electoral Area "D", engage the public to identify the issues that are of greatest concern and identify options, within the regional district framework, for addressing the most pressing interests of the communities. It builds on a previous Governance Study, conducted in 2016 across what is now Areas D and I, which did not have a mandate to consider municipal incorporation.

The key outcome of the 2016 study was creation of a more focused electoral area 'D' in 2018. The other options to address governance and service issues have not been explored. Moving forward five years, further work is required in the new Area "D" for a more comprehensive assessment of service issues and an appreciation of the public's understanding of regional district and rural service provision.

This Study will expand on the 2016 work and:

- review, update and analyze services and service issues specific to Area "D" as it is configured since 2018;
- identify data gaps in the analysis, whether related to services, community profiles, public outreach, etc;
- engage the public and interest groups on services and various boundary configurations;
- clarify and define potential study area geographies, which includes preliminary analysis of the impact that incorporation would have on: political representation, governance structure, service provision/delivery and identifying other high-level restructure implications arising from the boundary configurations; and,
- soliciting input from a Study Committee and the public to choose a final potential municipal boundary.

Since previous studies did not specify which portions of Electoral Area 'D' are most suitable for incorporation, the Study will consider boundaries for different configurations of local

communities. These may include, but not be limited to: Okanagan Falls; Okanagan Falls and the eastern lakeside communities (Skaha Estates, Heritage Hills/Vintage Views); Okanagan Falls and the southern portion of Area "D" (Skaha Estates, Heritage Hills/Vintage Views, Sun Valley and Rolling Hills); Okanagan Falls/East Lakeside/Southside; all of Area "D".

The Study will provide a comprehensive assessment of quantitative and qualitative data in sufficient detail and rigour to make recommendations for study areas for each of the boundary configurations. The analysis is expected to consider, at a high-level, implications of the proposed boundaries on future restructure scenarios, but it is not expected to analyze the impacts of each restructure scenario on residents in the area or the RDOS (e.g. impacts on taxation). If the Minister and RDOS Board decide to move forward with a full-scale incorporation study following the service analysis and boundary configuration study, impacts will be explored at that time.

The Ministry of Municipal Affairs is contributing $80,000 to RDOS for the first phase of the restructure study. The Study will be completed by a consultant or consultants retained by the RDOS. The RDOS will lead the procurement process and administer the contract.

Following this work, it is anticipated that the RDOS Board, with a recommendation from the Study Committee, will determine which of the considered boundary options is most suitable for further exploration, and whether there is sufficient understanding of service provision, residents needs and issues, and local enthusiasm for incorporation to proceed with a provincial funding request for a detailed incorporation study in a second phase of work.

Study Committee

The committee, working with RDOS staff ensures that the study and engagement with the community are neutral and balanced. The composition of the volunteer committee should therefore be broadly representative of the various interests in the study area. The committee will have 7 to 12 members, selected through an advertised call for members, followed by interview selection with RDOS representatives and supported by Ministry staff.

The committee is an objective fact-finding body; individual members of the committee should ensure that any expression of their personal opinions do not detract from the ability of the study committee to function as a neutral and credible conduit for information to the community. Committee meetings are open to the public and shall be conducted via electronic means until such time as the Public Health Officer allows for in-person meetings.

Committee members will conduct themselves in accordance with the RDOS Conflict of Interest and Code of Ethics policies. Meetings of the Committee will be conducted in accordance with the RDOS Procedure Bylaw.

The study committee includes the Electoral Area Director and Alternate Director in an ex-officio (non-voting) capacity, and the committee will select a chair and other officer positions from among its membership.

Public Engagement
The RDOS Board endorsed consultant, working with the committee should develop an engagement strategy and outline how best to engage with the public and other stakeholders directly affected in the Study process.

It is important to establish parameters for public participation so that residents and property owners understand the opportunities to participate in the Study.

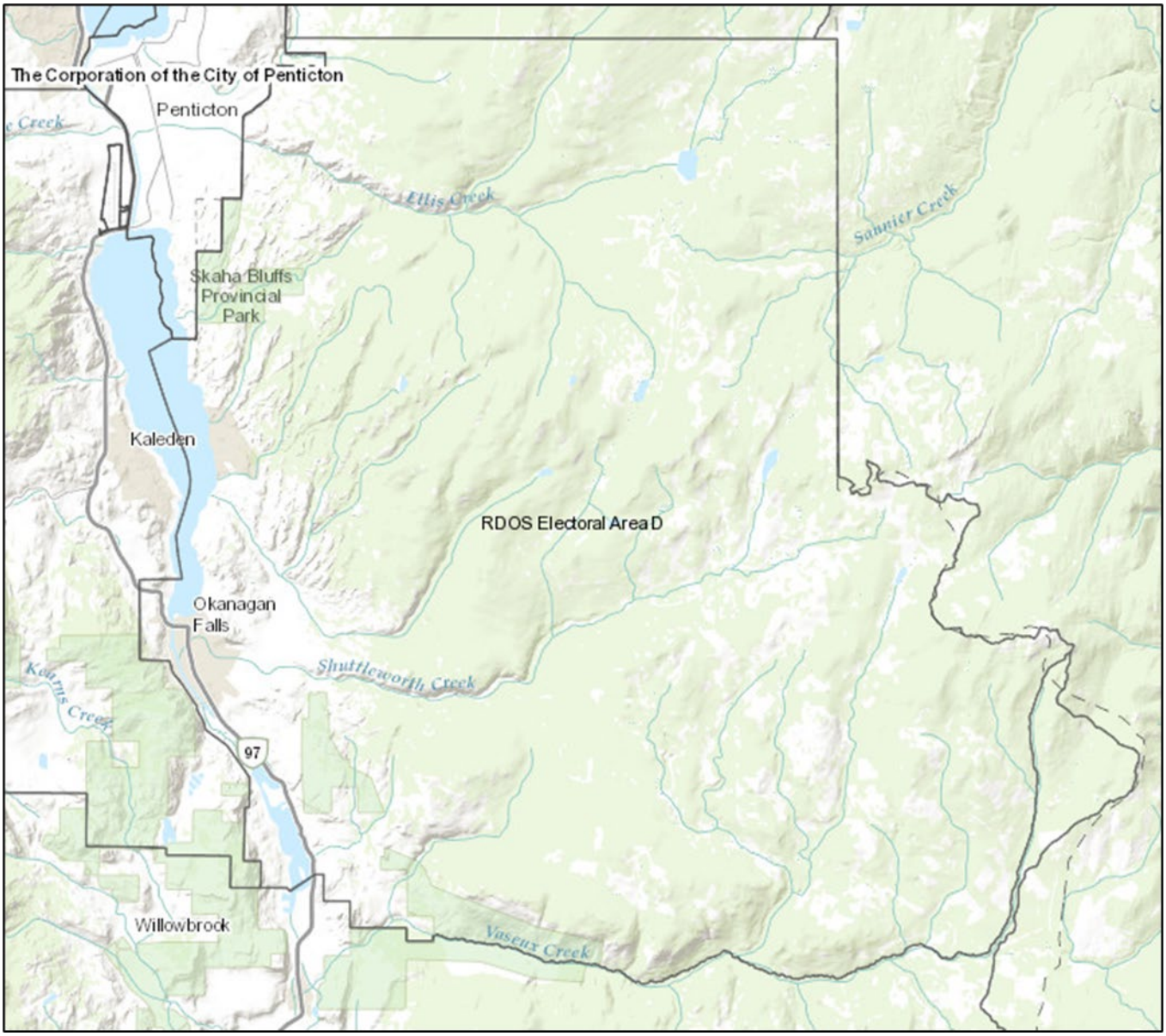
The public engagement strategy should include:

- a communication plan for reporting out to the public on the study progress;
- one or more community meetings to present information to the public and to seek community feedback; and
- a process to gather information from the public on subjects such as community issues.

SCOPE OF WORK

Study Area
The Study Area is Area "D", generally centred on populated areas in Okanagan Falls and nearby communities (extending north on the east side of Skaha Lake to include Skaha Estates and Heritage Hills, and extending south to Vaseux Lake), and also including Upper Carmi.

Map of RDOS Electoral Area 'D' on next page



Study Contents

The final study report should align with the objectives of the Study. The report should present observations and analysis in a form that is legible and understandable to a broad public audience. The contents should include, but are not limited to:

1) Background and context: overview of the purpose of the Study and report contents; and evaluation criteria used with the service analysis and to decide on the various boundaries.

2) Results of analysis: analysis of community and area services, description of each boundary configuration scenario, including detailed maps; high-level overview of potential restructure implications for each boundary; and associated analysis of available data and identification of data 'gaps'.
3) Observations and conclusions: clear summary of report findings and limitations, or other conclusions; final potential municipal boundary (with public and final RDOS decisions).
4) Supporting evidence for conclusions and options: data collection methodologies, technical or aggregated data (as necessary).

When assessing boundary options the following factors should be considered:

- settlement patterns (e.g. zoning, OCP land use designations, ALR status, lot sizes; area population, population density, and dispersion);
- services and infrastructure (e.g. existing infrastructure, including water and sewer; future infrastructure needs and development plans, current and projected future local services and standard demands, existing local roads);
- tax revenue capacity (e.g. property class composition and assessed property values)
- community input and perspectives collected during the previous 2016 study and this Study; and,
- Other factors determined relevant based on data gathered during the Study process.

Deliverables from the Study will ultimately include:

1) Final report that fulfills the objectives of the Study as described in the Overview; and includes recommendations to the Board of Directors;
2) Updated Fact Sheets on Area 'D' services;
3) Fact Sheets on various boundary configurations and GIS based maps depicting the various boundary configurations;
4) Data tables and other quantitative/qualitative information (to be included in final report as appendices and also provided electronically in appropriate formats) used to make recommendations.

Timeline

It is recommended that the project be completed within the following timelines:

Task/Deliverable	Completion Date
Interim progress report delivered to MUNI	July 30, 2021
Draft report provided to RDOS and MUNI staff for review/comment	February 28, 2022
Final formatted report delivered to RDOS and MUNI	May 30, 2022
Final account of project expenses delivered to MUNI	September 30, 2022

This timeline will become more certain after a consultant is selected and agreement is reached with the consultant on a feasible study completion schedule. Timelines may be flexible, to factor in unanticipated delays, and may be adjusted with mutual consent of the Ministry and the RDOS.

Linkages
The Study should consider linkages with:

- Previous 2016 study report completed by RDOS study committee
- Timing of upcoming local government elections
- South Okanagan Regional Growth Strategy
- Area 'D' Official Community Plan amendments
- 2020 OK Falls Economic Recovery and Development Plan
- A potential future incorporation study

Out of Scope
Detailed technical and financial information on the impact of municipal incorporation within a proposed boundary. This analysis would be found in an incorporation study, which may follow this Study.

Role of Ministry
MUNI staff will be available as a resource to RDOS staff, the Committee and the consultant, and provide additional input including review of the draft materials and provision of comments prior to completion of the final report.

Administration
The RDOS will procure a consultant, or consultants, in accordance with the RDOS' procurement policy and process and it will meet the requirements of applicable trade agreements including the *New West Partnership Trade Agreement* (NWPTA), the *Canadian Free Trade Agreement* (CFTA), and the *Canada-EU Comprehensive Economic and Trade Agreement* (CETA).

Consultant(s) will be sought to undertake this study with sufficient experience and expertise in local government boundary extension/restructure, service delivery and governance studies to effectively identify restructure implications arising from the selection of study boundaries. The consultant(s) must also demonstrate ability to work with and generate GIS data and mapping. In supervising the work of the consultant(s), the RDOS is responsible for ensuring that expected outputs completed by the consultant(s) meet the requirements outlined in this Terms of Reference.

The consultant(s) shall report directly to the RDOS, who will administer the contract.

The total funding available for the Study will be determined by the RDOS; the MUNI contribution is $80,000. Disbursements under contract(s) will be made by the RDOS.

The RDOS will provide MUNI staff with a copy of the selected consultant’s proposal accepted as the basis of a contract for the study and/or a preliminary outline of the study and work plan before substantive work begins.

A draft report written by the consultant(s) will be provided to RDOS and MUNI staff for review and comment prior to the report being finalized.

Once the report is finalized, the RDOS will convey the findings to the Minister of Municipal Affairs. Depending on the results of the Study, and subsequent decisions by RDOS and the Province, further phases of an incorporation study may be considered.