



# Regional Board Report

**TO:** Regional Board

**FROM:** Brian Reardon  
Chief Administrative Officer

**DATE:** May 27, 2019

**SUBJECT:** Request for Boundary Redefinition – City of Kelowna

**Voting Entitlement:** *All Directors – Unweighted Corporate Vote – Simple Majority – LGA 208(1)*

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**Purpose:** To present a request from the City of Kelowna for a boundary redefinition into Electoral Area East to include lands that will permit additional support services for Kelowna's International Airport.

## **Executive Summary:**

The City of Kelowna currently owns a number of parcels located immediately adjacent to the Kelowna International Airport and along the boundary with Electoral Area East.

The City of Kelowna wishes to adjust their municipal boundary to include four (4) parcels in their jurisdiction to accommodate the expansion of the aerospace campus at Kelowna International Airport. A copy of the City of Kelowna staff report and Council resolution pertaining to this matter is attached for the Board's information.

RDCO staff has evaluated the impact on existing services in Electoral Area East should this boundary redefinition application be approved and confirmed it to be minimal. Further, this matter has been discussed with the Director for Electoral Area East who indicated he has no objections to this application being approved.

## **RECOMMENDATION:**

**THAT** the Board supports the boundary redefinition application made by the City of Kelowna and approve a letter being sent to the City of Kelowna with a copy of the Board resolution advising the Regional District of Central Okanagan has no objections to the boundary extension of the following properties:

- 4130 Old Vernon Road, Lot 1, District Lot 122, ODYD, Plan KAP8953; PID:009-766-791
- 4210 Old Vernon Road, Lot 1, District Lot 122, ODYD, Plan KAP1629; PID:001-482-530
- 4310 Old Vernon Road, Lot 2, District Lot 122, ODYD, Plan KAP1629; PID:011-510-544
- 4444 Bulman Road, Lot 1, District Lot 122, ODYD, Plan KAP1608; PID:007-699-883

Respectfully Submitted:

Brian Reardon, CAO

*Prepared by Todd Cashin, Director of Planning*

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### Implications of Recommendation:

Strategic Plan:	The Board has adopted as a top priority, the need to provide proactive and responsive governance.
Legal/Statutory Authority:	Section 44 [ <i>Creation or restructure of municipality in regional district</i> ] of the <i>Local Government Act</i> outlines the authority of the Lieutenant Governor in Council to extend the boundaries of a municipality.

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### Background:

The Regional District has been advised that the City of Kelowna wishes to extend their municipal boundaries to incorporate four (4) parcels of land adjacent to the Kelowna International Airport upon which the Airport's 2045 Master Plan identifies for future expansion. The properties are located in the northern region of Electoral Area East. An image of the properties is below:



The properties are approximately 114 acres in size and are owned by the City of Kelowna. Understandably, there is a desire by City of Kelowna staff and Council to extend the municipal boundary to bring these parcels under the jurisdiction of the City of Kelowna.

The Boundary Extension process is fairly straight forward from a City of Kelowna perspective with the general process outlined below:

1. Kelowna sends a proposal to the Province complete with maps, rationale, Council Resolution, support from the Regional District of the Central Okanagan and potentially support letters from local First Nations.
2. The Ministry will evaluate the proposal and prepare an administrative report for Kelowna's consideration, highlighting any possible issues with road networks or recommended tweaks.
3. The Ministry does its own referrals to:
  - a. Local First Nations (in addition to any support letters the City obtains)
  - b. The Ministry of Transportation and Infrastructure (to address any road network issues arising from the boundaries).
4. Once any issues have been addressed, the City would conduct the Alternative Approval Process (AAP) process and publish notice in the BC Gazette, as required by section 12(2)(b) of the *Local Government Act*.
5. If the AAP goes through, the Minister will recommend the extension to Cabinet for consideration.

From a Regional District perspective, the provisions of the *Local Government Act* limit our role to that of a referral agency only. Regional Districts have no decision making authority when it comes to extending municipal boundaries into the electoral areas; that authority is vested exclusively with the Province. What the Province will be looking for are comments describing negative impacts to Regional District services should a municipal boundary extension be approved.

RDCO staff has reviewed the municipal boundary extension application being considered by the City of Kelowna and have analysed potential impacts to existing services. Because the subject properties are now owned by the City of Kelowna there is no financial impact (2018 taxes: for 4210 Old Vernon Road was \$1,502 as it was not owned by the City at that time) to the Regional District should the boundary extension be approved. *Note: Kelowna has confirmation from the ALC that the lands have now been excluded from the ALR.*

Should the Board wish to support the Kelowna boundary extension application, a motion supporting the staff recommendation on this report would be in order.

Attachment(s): Kelowna Staff Report  
Kelowna Council Resolution  
Drawing Showing Proposed Boundary Extension  
RDCO Property Information Report