



Regional Board Report

TO: Regional Board

FROM: Brian Reardon
Chief Administrative Officer

DATE: March 5, 2019

SUBJECT: Request for Boundary Extension – District of Peachland

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

Purpose: To present a request from the District of Peachland for a boundary extension into Electoral Area West to include lands upon which a new water treatment facility on Peachland Creek will be built.

Executive Summary:

The current District of Peachland Water Intake Facility on Peachland Creek is situated on a parcel of Crown Land located immediately adjacent to the District of Peachland boundary with Electoral Area West. This parcel is described as Lot 1, District Lot 1275, Osoyoos Division, Yale District, Plan KAP38197; PID: 007-703-503.

The District of Peachland wishes to adjust their municipal boundary to include this parcel in their jurisdiction to accommodate, amongst other things, the existing Peachland Water Intake Facility and their soon to be constructed water treatment facility. A copy of the District of Peachland 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 West should this boundary extension application be approved and confirmed it to be insignificant. Further, this matter has been discussed with the Director for Electoral Area West who indicated he has no objections to this application being approved.

RECOMMENDATION:

THAT the Board support the boundary extension application made by the District of Peachland and approve a letter being sent to the District of Peachland with a copy of the Board resolution advising the Regional District of Central Okanagan has no objections to the boundary extension of Lot 1, District Lot 1275, Osoyoos Division, Yale District, Plan KAP38197; PID: 007-703-503.

Respectfully Submitted:

Brian Reardon, CAO

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.

Background:

The Regional District has been advised that the District of Peachland wishes to extend their municipal boundaries to incorporate a parcel of land adjacent to their current boundary upon which their current Water Intake Facility and their soon to be constructed Water Treatment Facility will be located. The legal description for this property is Lot 1, District Lot 1275, Osoyoos Division, Yale District, Plan KAP38197; PID: 007-703-503 and is located in the southern region of Electoral Area West. An image of the property is below:



The property is approximately 41.07 acres in size and is leased by the Crown to the District of Peachland. Understandably, there is a desire by Peachland staff and Council to extend the municipal boundary to bring this parcel under the jurisdiction of the District of Peachland.

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

1. Peachland 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 Peachland'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 District of Peachland 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 District 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 District of Peachland and have analysed potential impacts to existing services. Because the subject property is Crown Land, which is exempt from local government taxation, there is no financial impact to the Regional District should the boundary extension be approved.

This matter was raised with the Director of Electoral Area West and Director Fortin (Mayor of Peachland) at the end of the February 25th, 2019 Board Meeting. Director Carson indicated that he had no objections to the boundary extension application at that time.

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

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