



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: November 22, 2021

SUBJECT: Request for Boundary Redefinition – City of Kelowna

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

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

Executive Summary:

The City of Kelowna currently owns a parcel located immediately adjacent to the Kelowna International Airport and along the boundary with the East Electoral Area on Old Vernon Road.

The City of Kelowna wishes to adjust their municipal boundary to include one (1) parcel 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. This application follows a previous boundary redefinition request from the City of Kelowna presented to the Regional Board May 2019 for four (4) adjacent properties for the same purposes.

RECOMMENDATION:

THAT the Regional Board receive the Request for Boundary Extension – City of Kelowna report from the Director of Community Services dated November 22, 2021;

AND THAT the Regional Board provide a letter of support for the expansion of the City of Kelowna municipal boundaries to include 4150 Old Vernon Road, Lot A, District Lot 122, ODYD, Plan KAP16500.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Todd Cashin".

Todd Cashin, Director of Community Services

Approved for Board's Consideration

A handwritten signature in black ink, appearing to read "Brian Reardon".

Brian Reardon, CAO

Prepared by: Michael Czarny, Planner

Attachments:

1. City of Kelowna Staff Report
2. Letter of referral – City of Kelowna
3. City of Kelowna Council Resolution
4. RDCO Property Information Report

Strategic Plan Alignment:

Strategic Plan: Support of the Boundary Redefinition is supported by the Regional Board Strategic Priorities 2019-2022 with respect to “Economic Development”.

Legal/Statutory Authority: Section 44 [*Creation or restructure of municipality in regional district*] of the *Local Government Act* 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 City of Kelowna wishes to extend their municipal boundaries to incorporate one (1) additional parcel 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 the East Electoral Area. An image of the properties is shown below:



The property is approximately 1.29 acres in size and is owned by the City of Kelowna. The City of Kelowna is requesting to extend the municipal boundary to bring this parcel under the jurisdiction of the City of Kelowna.

This application follows a previous boundary redefinition request from the City of Kelowna presented to the Regional Board on May 27, 2019, for four (4) adjacent properties for future expansion of the Kelowna International Airport. The boundary redefinition was supported by the Regional Board and subsequently approved through an amendment to Letters Patent for the City of Kelowna and amendment to Letters Patent for the Regional District of Central Okanagan on December 16, 2019.

The Provincial Boundary Redefinition process is outlined below:

1. Local Government sends a proposal to the Province complete with maps, rationale, Council Resolution, and comments from referral agencies (including the Regional District of Central Okanagan).
2. The Ministry of Community and Rural Development evaluates the proposal and prepares an administrative report for local government consideration, highlighting any possible issues with road networks or recommended tweaks.
3. The Ministry also send referrals to:
 - a. Local First Nations
 - b. The Ministry of Transportation and Infrastructure
4. Once any issues have been addressed, the local government would conduct the Alternate Approval Process (AAP) 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.

External Implications:

Local Government Act:

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 as that authority is vested exclusively with the Province. The Province will review comments regarding impacts to Regional District services prior to approval of a municipal boundary extension.

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

Financial Considerations:

The subject properties are now owned by the City of Kelowna, therefore there is no financial impact to the Regional District should the boundary redefinition be approved.

Alternative Recommendation:

Based on staff's analysis of the application staff does not propose an alternative recommendation.

Considerations not applicable to this report:

- *Organizations Issues*