

**CITY OF KELOWNA**  
**MEMORANDUM**

**DATE:** October 1, 2003  
**TO:** City Manager  
**FROM:** Airport General Manager  
**SUBJECT: AOG AIR SUPPORT INC.**

File: 0550-05  
2380-20-8089

**RECOMMENDATION**

**THAT** Council approve expanding AOG Air Support Inc.'s (AOG) existing airport lease, through a supplemental agreement, by approximately 45,085 sq. ft. of land.

**AND THAT** 4:00 p.m., Wednesday, November 12<sup>th</sup> be set as the deadline for receipt of Counter Petitions, in the form attached to the October 1<sup>st</sup>, 2003 report of the Airport Manager, in relation to the supplemental agreement with AOG;

**AND THAT**, subject to insufficient Counter Petitions being received before the deadline, Council authorize the Mayor and City Clerk to sign the required supplemental agreement on behalf of the City.

**BACKGROUND AND COMMENTS**

AOG built its existing hangar in 1996. Since that time AOG's business has grown to the point where it needs to expand. The proposal is to build a 10,000 sq. ft. hangar expansion on the south end of the existing building. Additional vehicle and aircraft parking would also be provided.

Some of the airport's annual aircraft parking will have to be relocated to accommodate this expansion.

The rent and airport maintenance charge for the additional area would be as provided for in the existing sub-lease.

The supplemental agreement will require Transport Canada consent and will have a term that expires at the same time as the existing sub-lease to AOG, on December 30<sup>th</sup>, 2024. The *Local Government Act* requires that the City provide a counter petition opportunity to all qualified electors in the municipality in relation to agreements with a

term longer than 5 years. The estimated number of electors is 76, 235 based upon the most recent available census data for Kelowna (2001). Advertisements for the counter petition opportunity will run in the Kelowna Daily Courier on October 8<sup>th</sup> and 9<sup>th</sup>, 2003 and will be posted on the City's website.

R. Sellick

RS/cdu/clf

Site Plan Attached



**AOG Air Support Inc. (AOG)  
Supplemental Agreement to  
Land sub-lease at Kelowna International Airport**

**Counter Petition**

I am **OPPOSED** to the City of Kelowna entering into a supplemental agreement to its existing sub-lease with AOG at the Kelowna International Airport for a term commencing immediately and ending on December 30<sup>th</sup>, 2024, which would increase the sub-leased area by 45,085 sq. ft.

I, the undersigned, hereby certify that:

- I am eighteen years of age or older; and
- I am a Canadian citizen; and
- I have resided in British Columbia for at least six months; and
- I have resided in, OR have been the registered owner of real property in, the City of Kelowna for at least thirty days; and
- I am not disqualified by the *Local Government Act* or any other enactment or otherwise disqualified by law from voting in local elections; and
- I am entitled to sign this counter petition and have not previously signed a counter petition for the proposed sub-lease.

**(see instructions on reverse)**

<b>ELECTOR'S FULL NAME (Print)</b>	<b>RESIDENTIAL ADDRESS (AND mailing address if different from residential)</b>	<b>SIGNATURE OF ELECTOR</b>

You **MUST** reside or own property within the municipal boundaries of the City of Kelowna in order to sign this counter petition form.

Pursuant to sections 334.1 of the *Local Government Act*, the Council of the City of Kelowna is proposing to seek the assent of the electors of the City of Kelowna by counter petition. The question before the electors is whether they are **opposed** to the City of Kelowna entering into a supplemental agreement to its existing sub-lease with AOG at the Kelowna International Airport for a term commencing immediately and ending on December 30<sup>th</sup>, 2024, which would increase the sub-leased area by 45,085 sq. ft. The supplemental agreement, existing sub-lease, and related records are available for inspection at the Kelowna International Airport, Administration Offices, #1 – 5533 Airport Way, Kelowna, B.C. V1V 1S1.

## INSTRUCTIONS

- If you are opposed to the agreement, and you qualify as an elector of the City of Kelowna, you may sign a counter petition
- If you are not opposed to the agreement, you need do nothing
- Counter petition forms are available at the Office of the City Clerk, 3<sup>rd</sup> Floor, City Hall, 1435 Water Street, Kelowna, B.C. V1Y 1J4, from 8:00 a.m. to 4:00 p.m. business days, starting on October 8th, 2003
- Accurate copies of the counter petition forms may be made and each counter petition form, or accurate copy, may be signed by one or more electors (A person who presents a counter petition form to another person for signing must not knowingly make any false or misleading statements to the other person about the matter to which the counter petition applies)
- To sign a counter petition form you **MUST** meet the following criteria for either a Resident Elector OR a Non-resident (Property) Elector:

### Resident Electors:

- Must be eighteen years of age or older; and
- Must be a Canadian citizen; and
- Must have been a resident of British Columbia for at least six months; and
- Must have been a resident of the City of Kelowna for at least thirty days; and
- Must not be disqualified by the *Local Government Act* or any other enactment from voting in an election or be otherwise disqualified by law.

### Non-resident (Property) Electors:

- Must NOT qualify as a Resident Elector of the City of Kelowna; and
- Must be eighteen years of age or older; and
- Must be a Canadian citizen; and
- Must have been a resident of British Columbia for at least six months; and
- Must have been the registered owner of real property in the City of Kelowna for at least thirty days; and
- Must not be disqualified by the *Local Government Act* or any other enactment from voting in an election or be otherwise disqualified by law; and
- May only sign a counter petition once, no matter how many parcels the person might own within the City of Kelowna.

NOTE: A person must not sign any counter petition more than once and may not withdraw his or her name from a counter petition after the deadline for submission of the petitions has passed.

**All counter petitions must be received by the City Clerk, 3<sup>rd</sup> Floor, City Hall, 1435 Water Street, Kelowna, B.C. V1Y 1J4 on or before 4:00 p.m. on November 12th, 2003.**

**The number of electors of the City of Kelowna is estimated to be 76,235. If 5% (3,812) of the estimated number of electors of the City of Kelowna sign a counter petition opposing the noted sub-lease, City Council will not be able to proceed without then receiving the assent of the electors by referendum.**

