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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** March 6, 2006  
**File No.:** 5340-09-34  
**To:** City Manager  
**From:** Wastewater Manager  
**Subject:** **Creation of Local Area Service project No. 34 (Country Rhodes Sewer)**

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**RECOMMENDATION:**

THAT Strata Lots 1 to 133, DL 144, ODYD, Strata Plan KAS1411 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1; Lot B, DL 120, ODYD, Plan KAP51562 and that part of DL 119 shown on Plan B3553, ODYD, except Plan H17738 be allowed to obtain sewer service from the City of Kelowna provided that the property is amalgamated with the City of Kelowna and the boundary extension is approved by the Lieutenant Governor in Council;

AND THAT Council support an extension to the City of Kelowna municipal boundary to include all of Strata Lots 1 to 133, DL 144, ODYD, Strata Plan KAS1411 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1; Lot B, DL 120, ODYD, Plan KAP51562 and That part of DL 119 shown on Plan B3553, ODYD, Except Plan H17738 within the City of Kelowna municipal boundary;

AND THAT the City of Kelowna initiate Local Area Service Project No. 34 (Country Rhodes Sewer) to include those properties identified on MAP 'A' as attached to the report of the Wastewater Manager dated March 6, 2006;

AND THAT Council direct staff to take the necessary steps to advise and involve the affected property owners as required by the *Community Charter*;

AND THAT Bylaws No's. 9575 and 9576 (the Establishment and Loan Authorization bylaw for Local Area Service project No. 34), be advanced for reading consideration;

AND FURTHER THAT the owners of Strata Lots 1 to 133, DL 144, ODYD, Strata Plan KAS1411 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1; Lot B, DL 120, ODYD, Plan KAP51562 and That part of DL 119 shown on Plan B3553, ODYD, Except Plan H17738 be responsible for all costs associated with the proposed boundary amendment and sewer extension and applicable fees for obtaining the sewer service.

## **BACKGROUND:**

Some time ago, representatives of the Country Rhodes strata contacted City and CORD officials to inquire about connecting their Strata of homes to the City sewer system. Country Rhodes was serviced by its own private Treatment Facility and the treatment unit has failed to the point that it would have to be completely replaced at a substantial cost. The City sewer main that was extended to the Hiram Walker area allows service to be provided to their property if the sewer is extended (by the Strata) 1,100m up Old Vernon Road. After the strata initially requested sewer service, several meetings took place with strata Council members and City and CORD staff. The strata was requested to investigate and understand their other options for sewage disposal, and the ramifications of joining the City, prior to their request being considered further.

The strata is outside the City Limits, and is situated immediately adjacent to the City limits. The City has had a long-standing position that if a property wanted to utilize City services, then the property must be amalgamated into our City limits. One special exception was made to enter into an agreement with CORD to service the Sunset Ranch Golf course, because their alternative was to construct a stand-alone Treatment Plant and the Ministry of Environment pressured City Council to allow a connection to our system rather than have them construct a new Treatment facility in the Regional District. Recently, the City reaffirmed its position of requiring properties to join the City to obtain City services when the Kelowna Springs Golf Club was amalgamated with the City to obtain sewer service.

The owners of the Country Rhodes strata had a community vote and decided they want to connect to the City sewer system and are in favour of being included in the City limits if that is required. The majority of Country Rhodes Strata owners submitted petitions requesting the installation of sewer and acknowledging that, to obtain sewer service from the City, that the City boundary would be expanded to include their strata. City Council received the Certificate of Sufficiency from the City Clerk in December, 2005. Recently, the Regional District of the Central Okanagan confirmed they do not object to the City boundary expansion to facilitate the servicing of this area, and a transition agreement is being drafted to accommodate the change.

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Bill Berry, P.Eng  
Wastewater Manager



Approved for inclusion  
John Vos  
Director of Works & Utilities

cc     Legislative Coordinator  
       Director of Financial services

