
CITY OF KELOWNA

MEMORANDUM

Date: March 28, 2009
File No.: 0113-01

To: City Manager

From: Director of Works and Utilities

Subject: **Westside Governance - Infrastructure Impacts of WFN Growth**

RECOMMENDATION:

THAT Council receive the report of the Director of Works and Utilities dated March 28th, 2007 for information.

DISCUSSION:

While discussing results of the Prosser Report at their March 12, 2007 Regular Meeting, Council directed staff to conduct a "high level" review of the financial impacts of the projected Westbank First Nation's (WFN) growth on infrastructure outside the First Nation lands. The primary area of concern expressed by some Council members was potential impact on Westside roads.

Information was gathered by contacting staff of WFN, Ministry of Transportation, Regional District of Central Okanagan (RDCO) and consultants working for these agencies. The review consists of the information primarily provided verbally and is not a comprehensive review of related documents or independent analysis.

The areas of infrastructure are addressed individually below:

- 1) **Drainage** – RDCO and WFN worked together in developing a Westside Master Drainage Plan which addresses major drainage corridors and overall drainage for the Westside. This study is similar to those conducted by the City of Kelowna for major drainage basins. This addresses the major drainage corridors while the impacts of development are assessed independently when they occur, again similar to how the City reviews impact of new development. Standards appear similar to the City. WFN has addressed growth through their Drainage DCC program which identifies improvements to the major drainage systems. Therefore it appears that WFN growth from a drainage scenario is addressed appropriately and in an integrated fashion.
- 2) **Water Supply** – The WFN has its own water supply system that supplies most areas of IR 9 and IR 10. Some small areas on First Nation land are serviced by RDCO. Therefore long term water supply on IR lands appears addressed and will have no impact on water infrastructure outside their lands.
- 3) **Wastewater Collection and Treatment** – WFN has worked closely with RDCO to identify wastewater flow impacts of development on reserve lands. Development on WFN lands pays fees similar to any development outside First Nation lands for impacts on collection trunks and treatment capacity. This continues to be reviewed as growth

occurs both on and off the First Nation lands and it is anticipated Development Cost charges will be adjusted as required.

- 4) **Transportation** – The Ministry of Transportation, WFN and RDCO have different initiatives completed or underway in this area of infrastructure. WFN has completed a roads plan and developed Developer Cost Charges to cover the cost of road improvements on First Nation lands. RDCO currently has a roads study underway to develop a similar Road Plan and Development Cost charges for roads outside the reserve lands. This study integrates the results of projected growth on First Nation lands with the growth outlined in the Westside Official Community Plan. This work is in its early phases and is anticipated to be completed by October. RDCO has an interim charge of \$5000 per unit on development on the Westside to help pay for major road improvements. Development off and on the First Nation lands are obligated to provide frontage improvements to standards similar to Kelowna. The Ministry of Transportation has ownership over most roads on First Nation lands in addition to Westside Governance area roads. They review developments that occur on band lands and can require improvements to meet their standards. Major Westside community roads where significant issues may arise as result of WFN growth are quite limited. IR 10, the reserve lands off Westside Road, is expected to have no significant impact on municipal roads due to its location. Impacts in this area are primarily on Westside Road through the reserve and Hwy 97, both which will continue to be Provincial responsibility. The impact of IR 9 growth may have impacts on Boucherie Road, Gellatly Road, and Old Okanagan Hwy (bordering the westside of IR 9). There is no data at this time to determine exact impact; however the comment of various staff is that the impact is not expected to be significant. This is based on improved WFN roads, public desire to access planned major shopping areas, and general desire to access the Highway. The view is that as long as good capacity is maintained on the Highway the travel desire lines will continue to be the shortest distance to that major corridor. There will be a general impact on all roads on the Westside by growth both on and off the First Nation lands as long as the public desire for vehicle usage continues.
- 5) **Parks** – WFN has identified \$26.9 million in park acquisition on the reserve lands through their DCC program. WFN also contributes to the capital and operating costs of Regional Parks consistent with the newly signed agreement between themselves and RDCO. Within this agreement is also the recognition of use of WFN facilities by Westside residents. Therefore continued growth on First Nation lands is not envisioned to have significant impact on municipal parks.

WFN and RDCO have negotiated a Local Services Agreement to address shared services in addition to parks. These include: Mt. Boucherie Arena, Johnson Bentley Aquatic Center, Westside Seniors Activity Center, Westside Transit Services, Handi-Dart Transit, Okanagan Water Basin Board, Effluent/Water Disposal, Regional Rescue, 911 Emergency Number, Crime Stoppers, Victim/Witness Assistance and Westside Sanitary Landfill. It is expected that under a new governance model for the Westside these shared services would continue. The agreement allows for growth, review of services and cost changes on an ongoing basis.

In summary, based on this level of review, the projected growth on Westbank First Nation lands will have no significant impact on municipal infrastructure outside of their lands.

From a staff perspective, all indications are that WFN, Ministry of Transportation and RDCO are striving to work cooperatively and this has resulted in integrated solutions to providing infrastructure and services to Westside residents. It appears WFN and RDCO have infrastructure plans to address growth within their areas of responsibilities. The Ministry of Transportation's focus is primarily on Hwy 97 through the Westside and their staff is working to

address the projected growth on this critical roadway. This may or may not have impacts on municipal infrastructure depending on timing and financing of improvements.

The reality for the Westside is that two distinct communities will exist that will impact one another. No different than municipalities that border each other throughout Canada and the world, there may be and likely will be times where there will be differences in vision and direction. A complicating factor is that these communities will be operating under slightly different senior government regulation. Continued extensive dialogue and cooperation between the Westbank First Nation, Municipal authority, and the Province is essential to providing services to Westside residents who do not recognize borders that are largely only lines on a map.

Considerations not applicable to this report:

**INTERNAL CIRCULATION TO:
LEGAL/STATUTORY AUTHORITY:
LEGAL/STATUTORY PROCEDURAL REQUIREMENTS:
EXISTING POLICY:
FINANCIAL/BUDGETARY CONSIDERATIONS:
PERSONNEL IMPLICATIONS:
TECHNICAL REQUIREMENTS:
EXTERNAL AGENCY/PUBLIC COMMENTS:
ALTERNATE RECOMMENDATION:**

Submitted by:

Original signed by John Vos

John Vos

cc. Boundary Extension Review Team