

Memo



Date: March 2, 2011
File: BL10499
To: City Manager
From: City Clerk
Subject: Plant Improvement Program for Brandt's Creek Tradewaste Treatment Plant
Local Service Area No. 40 Parcel Tax Bylaw No. 10499
Report Prepared by: Corinne Boback, Legislative Coordinator

Recommendation:

THAT Council receives for information the report from the City Clerk dated March 2, 2011 directing staff to impose a parcel tax under Section 200 of the *Community Charter* on the benefiting parcels in the Plant Improvement Program for Brandt's Creek Tradewaste Treatment Plant Local Service Area No. 40.

AND FURTHER THAT Bylaw No. 10499 being Brandt's Creek Trade Waste Treatment Plant Local Service Area No. 40 Parcel Tax Bylaw be forwarded for reading consideration.

Purpose:

To impose a parcel tax on the benefiting parcels in the Local Service Area No. 40 for 15 years starting on July 4th 2011 up to and including the 2025 taxation year.

Background:

In February 2009, the Office of the City Clerk received petitions from the owners of Sun-Rype and Canrim Packaging Ltd located at Lot A, Section 30, Township 25, ODYD, Plan 20714, and Lot A, Section 30, Township 26, ODYD, Plan 30655 except Plan M15406 and Part of Closed Lane in Section 30 crosshatched on Plan M15406, Township 26, ODYD for the Plant Improvement Program for Brandt's Creek Tradewaste Plant.

Council received the report from the City Clerk dated February 24, 2009 pertaining to the petitions and the Certificate of Sufficiency that the Office of the City Clerk deemed to be sufficient pursuant to Section 212 of the *Community Charter*.

The petition was initiated by the owners as outlined in the report dated March 13, 2009 from the Design and Construction Services Director. Brandt's Creek Tradewaste Treatment Plant was constructed in 1973 to treat the tradewaste that was discharged from the Calona Wines property and the BC Fruit Growers Cooperative (now Sun-Rype). The Treatment Facility was causing operational problems creating odours in the neighborhood and required improvements.

In March 2009, Bylaw No. 10026 being Establishment of Local Service Area No. 40, Plant Improvement Program for Brandt's Creek Tradewaste Treatment Plant was adopted. Shortly

thereafter in May 2009, Bylaw No. 10135 being Loan Authorization Bylaw No. 10135, Local Service Area No. 40 - Brandt's Creek Tradewaste Treatment Plant was also adopted.

Design and Construction Services recently contacted Financial Services indicating that the work is now complete for the Local Service Area No. 40 therefore a Parcel Tax Bylaw is required.

The Parcel Tax Bylaw is created under the authority of the *Community Charter* in order for the City of Kelowna's Financial Services to begin collecting payment from the benefiting parcels. Annual collection will begin in the 2011 taxation year for a period of fifteen (15) years up to and including the 2025 taxation year.

Internal Circulation:

Financial Services

Legal/Statutory Authority:

Community Charter, Sections 200, 201 and 202

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Community & Media Relations Comments:

Alternate Recommendation:

Submitted by:



S. Fleming, City Clerk

Approved for inclusion



R. Mayne

cc:

George King, Revenue Manager