



Regional Board Report

Request for Decision

To: Regional Board
From: Corie Griffiths, Corporate Officer / Deputy CAO
Date: May 15, 2025
Subject: City of Kelowna Request Consent for Service

Voting Entitlement: All Directors – Weighted Corporate Vote – Majority (LGA s.210)

Purpose: To consider the City of Kelowna's request for consent to provide non-potable water service to the property legally known as Lot 1 Plan KAP 68835 (McCulloch Lake Resort).

Executive Summary:

McCulloch Lake Resort is located within the Regional District of Central Okanagan (RDCO) boundary in Electoral Area East. The property owner has requested the provision of a non-potable water service for their property. There is no RDCO public or private water service available for the subject property and provincial legislation permits the provision of a service by another municipality to a property within the RDCO service area boundaries.

The Community Charter s.13 (1) (b) states that a municipality may provide services outside its area but must first obtain consent.

(b) if the area is not in another municipality and is not treaty lands, the council must obtain the consent of the regional district board for the area.

As the subject property is in the RDCO, consent from the Regional District is required to allow the City of Kelowna to provide a service to a property in RDCO service area boundaries.

On April 9, 2025 the City of Kelowna Council approved the City of Kelowna to enter into a water access agreement with McCulloch Lake Resort (Attachment 4) and directed staff to seek consent from the Regional District of Central Okanagan Board in accordance with the *Community Charter* s. 13 (Attachment 1).

Recommendation(s):

THAT the Regional Board grants consent to the City of Kelowna to provide non-potable water service to the property legally known as Lot 1 Plan KAP 68835 (McCulloch Lake Resort);

AND THAT the RDCO may rescind consent upon termination of the McCulloch Lake Water Access Agreement dated March 31, 2025, between the City of Kelowna and 1205687 BC Ltd.;

AND FURTHER THAT the RDCO may, by resolution of the Board, rescind consent if conditions arise that present undue risk or potential harm to the RDCO.

Respectfully submitted by Corie Griffiths, Corporate Officer / Deputy CAO

Approved for Agenda: Sally Ginter, Chief Administrative Officer

Strategic Plan Alignment:

- | | |
|--|---|
| <input type="checkbox"/> Emergency preparedness | <input type="checkbox"/> Truth and reconciliation |
| <input type="checkbox"/> Health and wellness | ✓ Environment and climate – Regional priority only |
| <input type="checkbox"/> Regional transportation | ✓ Growth and development – Electoral Area priority only |
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Background:

On April 9, 2025 the City of Kelowna Council approved the City entering into a water access agreement for McCulloch Lake Resort and directed staff to seek consent from the Regional District of Central Okanagan Board (Attachment 1).

McCulloch Lake Resort is situated on the shores of McCulloch Lake, a water reservoir that forms the foundation of the City of Kelowna's non-potable water supply system. The Resort currently gets water from wells that have limited capacity.

The City of Kelowna owns numerous water diversion, storage and consumption licenses in the subject area. McCulloch Lake reservoir is formed by several dams owned and operated by the City of Kelowna. McCulloch Lake is the main controlled reservoir supplying the City's non-potable water system inherited from the South East Kelowna Irrigation District (SEKID).

Considerations:**Organizational/External:**

As the property is in the RDCO, consent from the Regional District is required to allow the City of Kelowna to provide a service to a property in RDCO boundaries. Should the RDCO deny consent to the City of Kelowna to provide water to this property, the City will be unable to enter into the water access agreement. The Agreement is attached to this report as Attachment 5.

Legal/Statutory Authority:

Authority to provide consent: *Community Charter s. 13 (1) (a) (b)*

Authority to rescind consent: *Community Charter s. 13 (2) (a) (b)*

Considerations not applicable:

- Financial
 - Alternate Recommendation
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Attachment(s):

1. City of Kelowna Consent request
2. 2025-04-07 Water Supply Certified Resolution
3. City of Kelowna Council Report: Water Access Agreement for McCulloch Lake Resort
4. McCulloch Lake Water Access Agreement between City of Kelowna and 1205687 BC Ltd
5. City of Kelowna Request Consent Service.ppt