
CITY OF KELOWNA

MEMORANDUM

Date: January 8, 2002
File No.: 5340-09-21A
To: City Manager
From: Wastewater Manager
Subject: Addition No. 2 to Sewer Spec Area No. 21A (McKenzie bench)

RECOMMENDATION :

THAT Bylaw 8658 be amended to add 33 properties, as shown on the attached plan (Schedule A) to Sewer Specified Area No. 21A. The properties to be added are:

Lots 1-13, Plan 15377
Lots 24-32, Plan 15377
Lots 3-8, Plan 22050
Lots 4-8, Plan 22370

AND THAT Bylaw 8795, being Amendment No. 2 to Sewer Specified Area No. 21A (McKenzie bench), be forwarded to Council for reading consideration.

AND THAT once included in Sewer Specified Area No. 21A, these parcels be subject to all the fees and charges specified by the original Bylaw No. 8658.

AND THAT Bylaw No. 8469, the Sewer Connection Charge bylaw, be amended to remove these parcels from Sewer Service Area No. 21.

BACKGROUND :

The City Wastewater Division pursued and obtained a Provincial Local Government Grant for 50% of the estimated costs of installing sewers in an area of Rutland referred to as the McKenzie bench. Public meetings were conducted and petitions requested from the affected Property Owners to determine if they wanted to pay their share of the costs of the project. The majority of the Owners were in favour of the project, and Council adopted the bylaw to create Sewer Specified Area No. 21A.

Last fall, the Mugford Rd, Mara Ct., Macaden Ct. neighbourhood, which is immediately adjacent to the mains that were being installed in the Spec Area, gathered support and submitted petitions to join the Spec Area with the support of over 80% of the affected property owners. Subsequently, Council adopted a bylaw to add these properties to the Spec Area.

This addition is very similar. A group of neighbours on Langford Rd, Madsen Rd. and Muir Rd. canvassed their area to gather support to get sewer installed to their homes, and they have submitted petitions indicating the support of 79% of the area.

Most of the Spec Area projects that have been carried out previously, have been done so in accordance with Section 629 of the Local Government Act which is by Council's initiative. That type of local improvement requires advertising and the invitation of petitions against the proposed work, essentially allowing the residents to "vote" on the project. Section 631 of the Local Government Act allows the owners to present petitions to Council, and if they are signed by at least 2/3 of the owners liable to be charged, then the advertising and "voting" process is not required. With the percentage of owners that have indicated their desire to install sewers in the Langford/Madsen/Muir area, the City Clerk's office has deemed that the petitions received are sufficient to add this area to Sewer Specified Area No. 21A.

It is proposed to add the work involved in servicing these properties to Contract 2 of the Spec Area (the upper bench area) which is anticipated being awarded in March/April of 2002, or to create a Contract 3 component to the Spec Area but still complete the work in 2002.

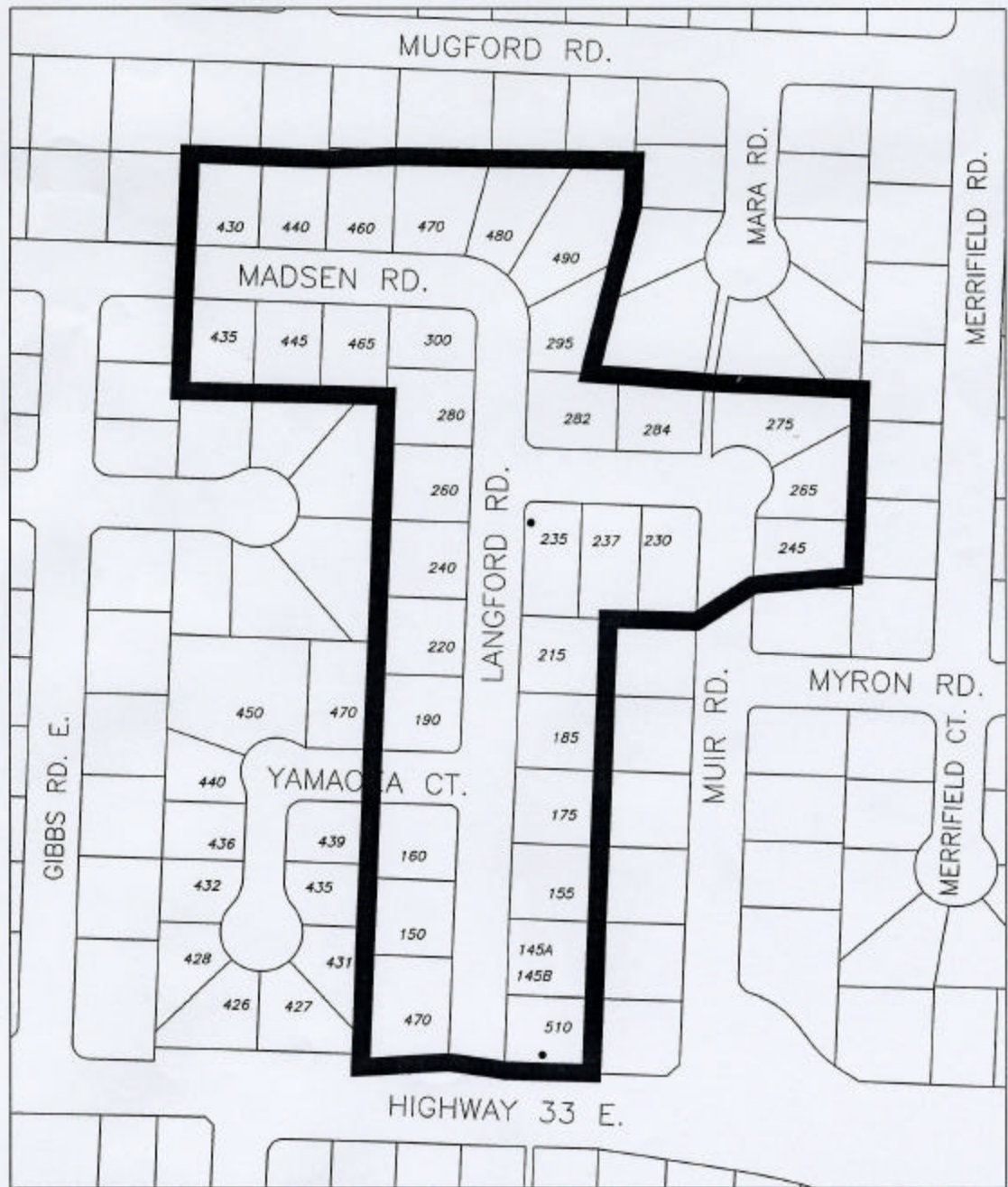
W.J. Berry, P.Eng.
Wastewater Manager

John Vos
Director of Works & Utilities

Attachment (Schedule A)

cc City Clerk
 Revenue Manager
 CAD Technician

BYLAW #8795
SCHEDULE "A"



ADDITION # 2 BOUNDARY

