
CITY OF KELOWNA

MEMORANDUM

Date: September 25, 2002
File No.: 5340-09
To: City Manager
From: Wastewater Manager
Subject: Hein Road – Proposed Sewer & Road Improvements

RECOMMENDATION:

THAT the City of Kelowna initiate a Sewer Specified Area project pursuant to Section 646 of the Local Government Act, for the area shown on the attached Map A, which indicates the proposed Specified Area No. 22C

AND THAT the City of Kelowna initiate a Local Improvement project as shown on Map B consisting of road widening, road drainage, concrete curb and gutter and boulevard landscaping in conjunction with the City funded sidewalk and street lighting on both sides of Hein Road from Leathead Road to Houghton Road and including the south side of lot CP K1577, pursuant to Section 629 of the Local Government Act;

AND THAT Council receive the attached report for the proposed Local Improvement project prepared under Section 635 of the *Local Government Act*;

AND FURTHER THAT Council direct staff to take the necessary steps of advising and involving the affected property owners as required by the Local Government Act.

BACKGROUND:

During the 2002 Budget review process, City Council asked the Works & Utilities Department to attempt to facilitate the installation of concrete curbs and road improvements and provided \$157,000 of the total estimated cost of \$262,000 for these improvements in the Hein Road area. The Works & Utilities Department reported that over the past few years, several property owners in that neighbourhood had expressed a desire to have a sewer system installed on Hein Road, and that it would be prudent to install a new sewer system on Hein Rd. before street improvements were made.

In March, the Wastewater Division sent out letters to all the Owners explaining the possible options for improvements on Hein Road and on March 27th hosted a public meeting for all owners to explain how these improvements are carried out and paid for. Seven people attended the meeting where we explained the “Local Improvement” process that we use to install sewers and road improvements in existing neighbourhoods and we outlined the anticipated timelines and cost of the project. There was an informative “question and answer session” and the meeting was concluded with a poll of the attendees, which indicated that the majority of the property owners who attended were in favour of proceeding with having both sewer and road improvements constructed in the Hein Road neighbourhood.

Staff then sent out a letter and a "Question and Answer" sheet to all affected owners explaining what had transpired to date and outlined the various options available and the estimated costs that each Owner would be responsible for, under each option. To determine the level of interest of the Owners, a questionnaire was attached to the letter and all the Owners were requested to indicate their preference and send it in. In addition, a mailing address, an email address, a fax number, a voice-mail phone number and a staff member's phone number were provided to allow the owners to respond.

The letter specified a reasonable deadline for the Owners to respond. After that date had passed we attempted to contact the owners that we had not heard from. The following list summarizes the questionnaire results from the properties affected by both the Sewer and Road improvements:

Number of Owners interested in both SEWER & ROAD improvements.	12	36.4%
Number of Owners interested in only SEWER improvements.	2	6.0%
Number of Owners interested in NO IMPROVEMENTS .	12	36.4%
Number of Owners that did not advise staff of their interest.	7	21.2%
TOTAL number of Owners	33	
TOTAL number of Properties	18	

The results indicate that there is some interest for improvements, although we cannot assess the true level of interest due to the number of Owners who did not respond. Based on the response we received, it appears that the likelihood of success of proceeding with the proposed Local Improvements is uncertain. We recommend that Council initiate a Sewer Specified Area and a Local Improvement bylaw to attempt to construct both the Sewer and Road improvements for the Hein Road area. This will result in a formal information package being sent to every Owner and requires those Owners that are not in favour of the improvements to submit a petition to the City in opposition to the project. This process will likely motivate the Owners to express their opinions. The sewer installation and road, curb & gutter and sidewalk improvements will be established as conditional bylaws so that all the improvements must occur together. This will avoid the possibility of gaining consent to make road improvements and not having the ability to install the underground sewer installation in advance of improving the road.

If either of the Local Improvement bylaws (Sewer or Surface improvements) are unsuccessful, staff will bring forward other alternatives for Council's consideration. These alternatives may include the deferral of this work to some time in the future or to proceed with selected components of the project that can be performed without the Owners consent.

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

John Vos
Director of Works & Utilities



