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CITY OF KELOWNA

MEMORANDUM

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**Date:** June 18, 2008  
**File No.:** 5320-01  
**To:** City Manager  
**From:** Transportation Manager and City Clerk  
**Subject:** Local Area Service – Elm Street

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**RECOMMENDATION:**

THAT Council receive the Report of the Transportation Manager dated June 18, 2008 recommending the addition of Lot B, Plan 39699; Lot 4, Plan 9884; Strata Lot 1, Strata Plan KAS1773; and Strata Lot 2, Strata Plan KAS1773 to the Elm Street Local Service Area (File 657);

AND THAT the petition received April 21, 2008 from Ms. Campbell and others for the construction of road drainage, road widening, concrete (roll over) curb and gutter, asphalt pavement widening, and topsoil and seeding of the boulevard (if required) on the north side of Elm Street be received and referred to the Transportation Manager and be placed in its order of construction priority;

AND THAT Council receive the Certificate of Sufficiency dated June 18, 2008 pertaining to the Elm Street Local Area Service;

AND THAT Bylaw No. 9987, being Amendment No. 1 to Elm Street Local Area Service Establishment Bylaw No. 9847 (File 657) be forwarded to Council for reading consideration.

AND FURTHER THAT once included in Elm Street Local Service Area (File 657), Lot B, Plan 39699; Lot 4, Plan 9884; Lot 1, Plan KAS1773; and Lot 2, Plan KAS1773 be subject to all fees and charges specified by the original Bylaw No. 9847.

**BACKGROUND:**

After Local Area Service project bylaws have been adopted by Council and the detailed design and construction work is complete, there are often cases where it is determined that additional properties may join these Service Areas. In these cases, certain properties may abut road improvement being done as part of the project, and the owners request inclusion with the Service Area project. The properties identified in this report represent those property

owners of lands that are adjacent to a Local Area Service project and have requested joining the Local Service Area in their neighbourhood.

The respective property owners have signed petitions for inclusion in the applicable local service area boundary. Those petitions are sufficient, as shown in the attached Certificates of Sufficiency and in accordance with the *Community Charter*, for Council to consider Bylaw No. 9987.

**LEGAL/STATUTORY AUTHORITY:**

*Community Charter* Sections 211, 212, 218

**LEGAL/STATUTORY PROCEDURAL REQUIREMENTS:**

The Corporate Officer must determine the sufficiency of a petition received for inclusion in an already established local service area in accordance with the *Community Charter*.

**FINANCIAL/BUDGETARY CONSIDERATIONS:**

The City will pay its share of the local road improvements as per the existing Local Service Area Bylaw. Funds are available in the 2008 budget to cover these costs.

Considerations that were not applicable to this report:

**INTERNAL CIRCULATION TO: N/A**

**EXISTING POLICY: N/A**

**PERSONNEL IMPLICATIONS: N/A**

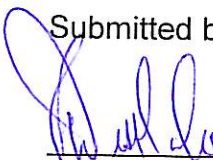
**TECHNICAL REQUIREMENTS: N/A**


**EXTERNAL AGENCY/PUBLIC COMMENTS: N/A**

**COMMUNICATIONS CONSIDERATIONS: N/A**

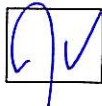
**ALTERNATE RECOMMENDATION: N/A**

Submitted by:

  
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Ron Westlake, P.Eng.  
Transportation Manager

  
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A. Flack, City Clerk

Approved for Inclusion:



J. Vos, P.Eng. Director of Works & Utilities

cc: Revenue Manager

## CITY OF KELOWNA

### CLERK'S CERTIFICATE OF SUFFICIENCY

I hereby certify that a SUFFICIENT amount of petitions has been received covering City of Kelowna Elm Street East Local Service Area as detailed on the schedule below.

Dated this 18th day of January, 2008.

  
M.A. Flack, City Clerk

Project Name	Description Of Work	No. of Owners	Majority Required to Undertake Project	Total No. of Petitions	Total Assessment of Land and Improvements	50% of Assessed Land and Improvements	Total Petitioner's Assessment
Elm Street East	construction of road drainage, road widening, concrete (roll over) curb and gutter, asphalt pavement widening, and topsoil and seeding of the boulevard (if required) on the north side of Elm Street	5	3	5	\$1,501,000.00	\$750,500.00	\$1,501,000.00