Agenda - Council - April 26, 2006

Report - Standing Policy Committee on Infrastructure Renewal and Public Works - April 11, 2006

Item No. 5 Deferment of Fairfield Park Stage I - Local Improvement Taxes File SL-3

STANDING COMMITTEE RECOMMENDATION:

On April 19, 2006, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and submits the following to Council:

1. That the properties listed in Appendix I be granted a deferment of the Local Improvement taxes imposed by By-law No. 70/2006 until such time as the Fairfield Park Local Improvement District services are installed in Stage II.

2. That the properties listed in Appendix II be granted a deferment of the Local Improvement taxes imposed by By-law No. 70/2006 until such time as the Fairfield Park Local Improvement District services are installed in Stage III.

3. That the properties listed in Appendix III be granted a deferment of the Local Improvement taxes imposed by By-law No. 70/2006 until such time as the Fairfield Park Local Improvement District services are installed in Stage IV.

4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary deferment by-laws in accordance with the foregoing and submit same directly to Council.

5. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Infrastructure Renewal and Public Works - April 11, 2006

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 19, 2006, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 11, 2006, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the administrative recommendation and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

RE: DEFERMENT OF FAIRFIELD PARK STAGE I LOCAL IMPROVEMENT TAXES IMPOSED BY BY-LAW 70/2006 FOR STAGE II, III AND IV PROPERTIES.

FOR SUBMISSION TO: Standing Policy Committee on Infrastructure Renewal and Public Works

ORIGINAL REPORT SIGNED BY: Acting Chief Financial Officer

REPORT DATE: April 4, 2006

RECOMMENDATION (S):

1. That the properties listed in Appendix I be granted a deferment of the Local Improvement taxes imposed by By-law 70/2006 until such time as the Fairfield Park Local Improvement District services are installed in Stage II.

2. That the properties listed in Appendix II be granted a deferment of the Local Improvement taxes imposed by By-law 70/2006 until such time as the Fairfield Park Local Improvement District services are installed in Stage III.

3. That the properties listed in Appendix III be granted a deferment of the Local Improvement taxes imposed by By-law 70/2006 until such time as the Fairfield Park Local Improvement District services are installed in Stage IV.

4. That the City Solicitor prepare the deferment by-laws.

5. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Report Summary

Key Issue(s):

- The Fairfield Park Local Improvement District Proposal, passed under By-law 125/2003 as amended, granted the property owners in later Stages the ability to defer payment of the composite Local Improvement taxes for earlier Stages until the installation of services in their Stage and imposition of their Stage's composite Local Improvement taxes.

- The Stage I composite Local Improvement taxes were imposed in 2006 under by-law 70/2006.

- The Stage II & III composite Local Improvement taxes will likely be imposed in 2007 and the Stage IV composite Local Improvement taxes will likely be imposed in 2008.

Implications of the Recommendation(s):

General Implications

	None
	For the organization overall and/or for other departments
x	**For the community and/or organizations external to the City**
	Involves a multi-year contract

Comment(s):

Policy Implications

x	**No**
	Yes

Comment(s):

Regulatory Implications

x	**None**
	Eliminates or reduces regulatory impact
	Proposes regulatory impact

Comment(s):

Environmental Implications:

Environmental Implications: x	**No**
	Yes

Comment(s):

Human Resources Implications:

x	**No**
	Yes

Comment(s):

Financial implications

x	**Within approved current and/or capital budget**
	Current and/or capital budget adjustment required

Comment(s): The financial impact of the one and two year local improvement charge delay is the city's internal cost of borrowing and is considered minimal. The deferments for the properties will be recorded as a receivable on the Balance Sheet.

Report

REASON FOR THE REPORT:

The Fairfield Park Local Improvement District Proposal, passed under By-law 125/2003 and amended by By-Law 184/2004, granted the property owners in later Stages the ability to defer the payment of the composite Local Improvement taxes for earlier Stages until the imposition of their Stage's composite Local Improvement taxes. Council approval and a by-law are required for deferment of the local improvement taxes.

HISTORY:

On October 22, 2003 Council passed By-Law No. 125/2003 establishing the Fairfield Park Local Improvement District.

On February 23, 2005, Council passed By-Law No.184/2004 to amend By-law No. 125/2003 to accelerate the timing of the installation of the services in response to the demand for and absorption of serviced lots in the southwest quadrant of the City.

On February 22, 2006 Council passed by-law 70/2006 imposing the Stage I composite Local Improvement taxes on all properties in the Fairfield Park Local Improvement District.

DISCUSSION:

Conditions set forth in The Fairfield Park Local Improvement District By-Law No. 125/2003 state:

> *"This local improvement district proposal calls for the services to be installed over four years and to have separate levies for the cost of the pond and the cost for each of the four stages. All properties within the district will be assessed all five levies, although properties in the latter stages will have their levies for earlier stages deferred until after the services are installed in their own stage."*

Local improvement taxes for Stage I services have been imposed under By-Law No. 70/2006 on all properties in all Stages. It is anticipated that Stage II & III works and the Land Drainage Pond will be completed in 2006 and those taxes imposed in 2007 and that Stage IV works will be completed in 2007 and those taxes imposed in 2008.

Therefore under the provisions granted in By-Law No. 125/2003 as amended, property owners in Stages II & III are eligible to have their Stage I Fairfield Park Local Improvement District taxes deferred until services are installed in their Stage (probably for one (1) year to 2007) and property owners in Stage IV are also eligible to have their Stage I Fairfield Park Local Improvement District taxes deferred until services are installed in their Stage (probably for two (2) years to 2008).

Appendix I lists property owners from Stage II who have requested in writing to exercise their option to defer payment of Stage I Fairfield Park Local Improvement District taxes. Appendix II lists property owners from Stage III who have requested in writing to exercise their option to defer payment of Stage I Fairfield Park LID taxes. Appendix III lists property owners from Stage IV who have requested in writing to exercise their option to defer payment of Stage I Fairfield Park LID taxes.

In accordance with The City of Winnipeg Charter, notice of any deferments approved will be filed in the Winnipeg Land Titles Office and an entry will be made on the affected certificates of title. The cost for filing these notices is included in the Fairfield Park Local Improvement District budget.

FINANCIAL IMPACT STATEMENT - Date: April 3, 2006

The financial impact of the one and two year local improvement charge delay is the city's internal cost of borrowing and is considered minimal. The deferments for all properties will be recorded as a receivable on the Balance Sheet.

"Original signed by Carrie Erickson"
Carrie Erickson
Manager of Finance & Administration

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Corporate Services Department Legal Services Division

External Consultation With:

THIS REPORT SUBMITTED BY:

Department: Corporate Finance Department
Division: Taxation & Revenue
Prepared by: Robert Weselowski, Manager of Taxation and Revenue
File No. Fairfield Park Stage I Deferment Report Final 2.doc

Appendix I
Stage II Properties Deferral Requests

Roll Number	Lot	Block	Plan	Taxable Measurement	Annual LI Tax Levy	Total LI Tax
03062100000	15	29	1991	62.000	423.46	4,824.84
03062108000	23	29	1991	100.000	683.00	7,782.00
03062111000	1	36	1991	67.000	457.61	5,213.94
03062111800	5	36	1991	50.000	341.50	3,891.00
03062113300	12	36	1991	50.000	341.50	3,891.00
03062113500	13	36	1991	67.000	457.61	5,213.94
03062124000	21	36	1991	417.000	2,848.11	32,450.94
03062176500	3	39	1991	167.000	1,140.61	12,995.94
03062177500	6	39	1991	100.000	683.00	7,782.00
03062186000	13	39	1991	167.000	1,140.61	12,995.94
03091166200	7	39	1991	50.000	341.50	3,891.00
03091166300	8	39	1991	50.000	341.50	3,891.00
03091230400	19	29	1991	50.000	341.50	3,891.00
03091230800	8	36	1991	50.000	341.50	3,891.00
03091230900	9	36	1991	50.000	341.50	3,891.00
03091231100	11	36	1991	50.000	341.50	3,891.00
03091231900	3	36	1991	50.000	341.50	3,891.00
03091232000	2	36	1991	50.000	341.50	3,891.00
03091238300	22	36	1991	50.000	341.50	3,891.00
03091238400	23	36	1991	50.000	341.50	3,891.00
03091238500	24	36	1991	50.000	341.50	3,891.00
03091258600	26	36	1991	67.000	457.61	5,213.94

Note: The Taxable Measurement is the Frontage Foot calculation for each property.

Appendix II
Stage III Properties Deferral Requests

Roll Number	Lot	Block	Plan	Taxable Measurement	Annual LI Tax Levy	Total LI Tax
03061875100	2	4	1991	138.900	948.69	10,809.20
03061875300	3	4	1991	50.000	341.50	3,891.00
03061875500	4	4	1991	50.000	341.50	3,891.00
03061875600	5	4	1991	50.000	341.50	3,891.00
03061876000	7	4	1991	100.000	683.00	7,782.00
03061876600	8	4	1991	50.000	341.50	3,891.00
03061876700	9	4	1991	50.000	341.50	3,891.00
03061876900	10	4	1991	50.000	341.50	3,891.00
03062053200	6		21825	81.000	553.23	6,303.42
03062138100	3	37	1991	100.000	683.00	7,782.00
03062138500	4	37	1991	50.000	341.50	3,891.00
03062139000	6	37	1991	100.000	683.00	7,782.00
03062143000	8	37	1991	100.000	683.00	7,782.00
03062145000	9	37	1991	100.000	683.00	7,782.00
03062146000	12	37	1991	111.800	763.59	8,700.28
03062149000	15		21825	136.600	932.98	10,630.21
03062158500	18	37	21825	242.000	1,652.86	18,832.44
03062159500	22	37	1991	117.000	799.11	9,104.94
03062167000	9	38	1991	432.100	2,951.24	33,626.02

Note: The Taxable Measurement is the Frontage Foot calculation for each property.

Appendix III
Stage IV Properties Deferral Requests

Roll Number	Lot	Block	Plan	Taxable Measurement	Annual LI Tax Levy	Total LI Tax
03061896500	18	6	1991	16.500	112.70	1,284.03
03061990000	16	17	1991	217.400	1,484.84	16,918.07
03062009600	1		17131	75.000	512.25	5,836.50
03062010000	16	18	1991	100.000	683.00	7,782.00
03062014000	21	18	1991	150.000	1,024.50	11,673.00
03062017000	22	18	1991	50.000	341.50	3,891.00
03062018000	24	18	1991	100.000	683.00	7,782.00
03062020600	25	18	1991	50.000	341.50	3,891.00
03062022000	2	26	1991	117.000	799.11	9,104.94
03062022400	3	26	1991	50.000	341.50	3,891.00
03062023100	5	26	1991	50.000	341.50	3,891.00
03062029500	7	26	1991	50.000	341.50	3,891.00
03062030000	1		21825	75.000	512.25	5,836.50
03062031000	2		21825	75.000	512.25	5,836.50
03062050000	1	27	1991	67.000	457.61	5,213.94
03062050500	3	27	1991	100.000	683.00	7,782.00
03062051000	5	27	1991	93.300	637.24	7,260.61
03062190000	1		6363	1,035.700	7,073.83	80,598.17
03062192000	2		6363	111.000	758.13	8,638.02
03091249100	1		42877	215.400	1,471.18	16,762.43
03091249200	2		42877	1,199.600	8,193.27	93,352.87

Note: The Taxable Measurement is the Frontage Foot calculation for each property.