Minute No. 60
Report - Standing Policy Committee on Infrastructure Renewal and Public Works - November 21, 2006

Item No. 8 **Local Improvement Project to be funded and constructed in 2006 - 1269 St. Anne's Road**
File SL(2006)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Infrastructure Renewal and Public Works and the Riel Community Committee and submits the following to Council:

1. That the following Local Improvement project be proceeded with, namely:

   A. Wastewater Sewer to service Lot 22, Plan 20519 (1269 St. Anne's Road) Work Order No. 1220010106.

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

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DECISION MAKING HISTORY:

Moved by Councillor O'Shaughnessy,

That the recommendations of the Standing Policy Committee on Infrastructure Renewal and Public Works and the Riel Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On November 21, 2006, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 19, 2006, the Riel Community Committee concurred in the administrative recommendation and submitted the matter to the Standing Policy Committee on Infrastructure Renewal and Public Works.

TO: Mr. Marc Pittet, Riel Community Committee Clerk

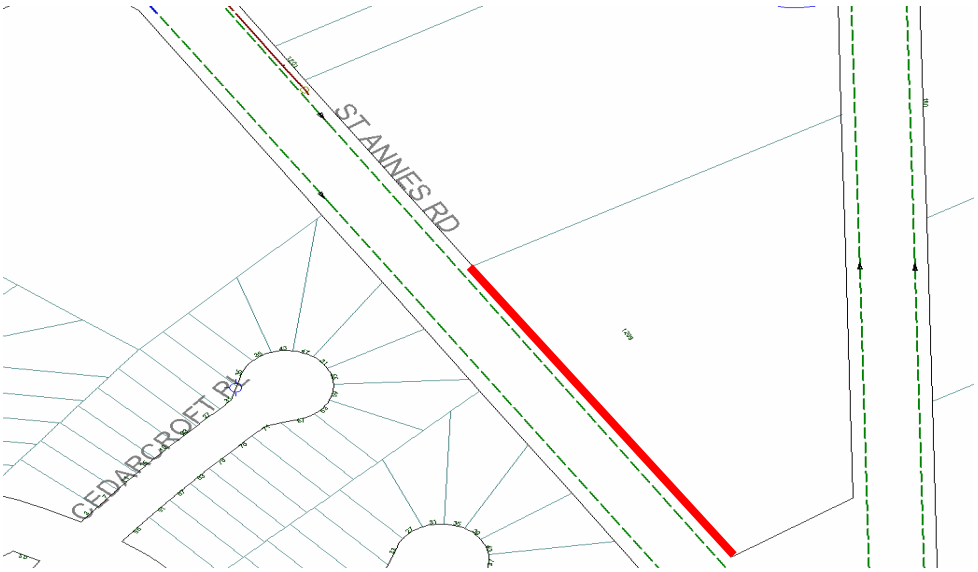
FROM: Mr. Norm Dobson, Co-ordinator of Tax Accounting & Administration

SUBJECT: RESULTS OF A PETITION FOR A PROPOSED LOCAL IMPROVEMENT

DATE: September 6, 2006

On December 21, 2005, the Water and Waste Department had received an e-mail from Mr. Daryl Gross, on behalf of the Southside Bible Church of 1269 St. Anne's Road, requesting the construction of a Local Improvement within your Community and Ward boundary. Their property is the only property directly affected by this proposed local improvement, a petition has been received and filed with the City Clerk, and Legal Services has confirmed that the petition meets the requirements of The City of Winnipeg Charter. The Riel Community Committee is therefore, requested to specifically review and recommend to the Standing Policy Committee on Public Works on the Local Improvement project as follows:

Work Order No.	***Local Improvement***	***Location***
1220010106	Wastewater Sewer	To service Lot 22, Plan 20519 (1269 St. Anne's Road).



It has been ascertained and certified by the Co-ordinator of Tax Accounting and Administration of the Taxation and Revenue Division that the signatures obtained from the benefiting property owners (E-mail dated December 21, 2005) represented 49.97% of the total assessable frontage as indicated below:

Total Assessable Frontage (includes "flankage")	1,168.80 feet
Petitioners For Represent	584.00 feet
Percentage Signed	49.97***%***

However, in accordance with Section 410(2) of *The City of Winnipeg Charter*, it states:

> ***"Where real property benefited is exempt***
> ***410(2)*** *If real property that is to be benefited by a proposed local improvement is exempt from taxation, the city is deemed to be the registered owner of the real property for the purpose of any petition for, or objection to, the local improvement."*

Therefore, by ***excluding*** the "flankage" property from the total assessable frontage, the signatures obtained from the benefiting property owners would then represent ***100%*** of the total assessable frontage as indicated below:

Total Assessable Frontage (includes "flankage")	1,168.80 feet
Less: Flankage	(584.80) feet
Total Assessable Frontage (excluding "flankage")	584.00 feet
Petitioners For Represent	584.00 feet
Percentage Signed	***100.00%***

Also, in accordance with Section 409(4) of *The City of Winnipeg Charter*, it states:

> ***"When notice and hearing not required***
> ***409(4)*** *Subsections (1) to (3) do not apply to a local improvement proposed by a petition signed by all of the registered owners, other than the city, of the total real property to be benefited by it."*

Therefore, it will ***not*** be necessary to advertise this proposed local improvement in 2006.

It is estimated that the total cost of the project is $90,000 of which 24.67% is to be recovered from the registered property owner's share.

City's Administration Recommendation: The undertaking of this Local Improvement project may proceed as part of the 2006 Local Improvement Program, funded by the Local Improvement Float and approved as part of the 2006 Capital Budget.

[Original Signed By Norm Dobson]

Co-ordinator of Tax Accounting & Administration