Minutes – East Kildonan-Transcona Community Committee – March 15, 2011

REPORTS

Minute No. 98 **Local Improvements – Proposed Wastewater Sewer and Watermain – Grassie Boulevard (Transcona Ward) File SL(2011)**

COMMUNITY COMMITTEE DECISION:

The East Kildonan-Transcona Community Committee received the report of the Winnipeg Public Service as information and directed the Winnipeg Public Service to proceed to advertise the subject local improvement as part of the 2011 Local Improvement Program, namely:

1. Wastewater Sewer and Watermain – In Grassie Boulevard from a point approximately 95 feet east of the east line of Skowron Crescent to a point approximately 900 feet east to the east limit of the westerly half of Lot 1, Plan 7649 WLTO municipally known as 520 Grassie Boulevard.

DECISION MAKING HISTORY:

The Chairperson called Councillor Browaty to the Chair in order to move the following motion:

Moved by Councillor Wyatt,

That the recommendation of the Winnipeg Public Service be received as information and the Winnipeg Public Service be directed to proceed to advertise the subject local improvement as part of the 2011 Local Improvement Program, namely:

1. Wastewater Sewer and Watermain – In Grassie Boulevard from a point approximately 95 feet east of the east line of Skowron Crescent to a point approximately 900 feet east to the east limit of the westerly half of Lot 1, Plan 7649 WLTO municipally known as 520 Grassie Boulevard.

Carried

The Chairperson resumed the Chair.

Cecil R. Notley, submitted a drawing of the subject area in support of the matter.

ADMINISTRATIVE REPORT

Title: **RESULTS OF THE PROPOSED WASTEWATER SEWER AND WATERMAIN LOCAL IMPROVEMENT- PETITIONS FOR (PROJECT #'S 1420010111 AND 1420060111, RESPECTIVELY).**

Critical Path: **East Kildonan-Transcona Community Committee**

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Cull Manager of Taxation and Finance	N. Karpa City Assessor	N/A	N/A

RECOMMENDATIONS

1. That the following 2011 Local Improvement Projects ***not proceed***, namely:

   Wastewater Sewer and Watermain – In Grassie Boulevard from a point approximately 95 feet east of the east line of Skowron Crescent to a point approximately 900 feet east to the east limit of the westerly half of Lot 1, Plan 7649 WLTO municipally known as 520 Grassie Boulevard.

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

REASON FOR THE REPORT

Since these proposed Local Improvement Projects are within the East Kildonan-Transcona Community and Ward boundary, the East Kildonan-Transcona Community Committee is required to review and authorize the Administration on whether these local improvement projects should proceed.

IMPLICATIONS OF THE RECOMMENDATIONS

FINANCIAL IMPLICATIONS

(X) Within approved Current and/or Capital Budget.

( ) Current and/or Capital Budget adjustment is required.

Comment(s): There are no financial implications in these recommendations.

HISTORY

On January 7, 2011, the Planning, Property and Development Department prepared a report for the East Kildonan-Transcona Community Committee recommending a proposed subdivision and rezoning of land at 444 Grassie Boulevard (DASZ 34/2010) and that the Developer, Global Homes, be required to enter into a Development Agreement with the City containing all the conditions outlined in Schedule B (the report of the Administrative Coordinating Group dated December 31, 2010).

On January 18, 2011, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on February 15, 2011, and requested the Winnipeg Public Service to report back with recommendations on amendments to the following Recommendations of the Report of the Administrative Co-ordinating Group dated December 31, 2010 which is copied in part, below:

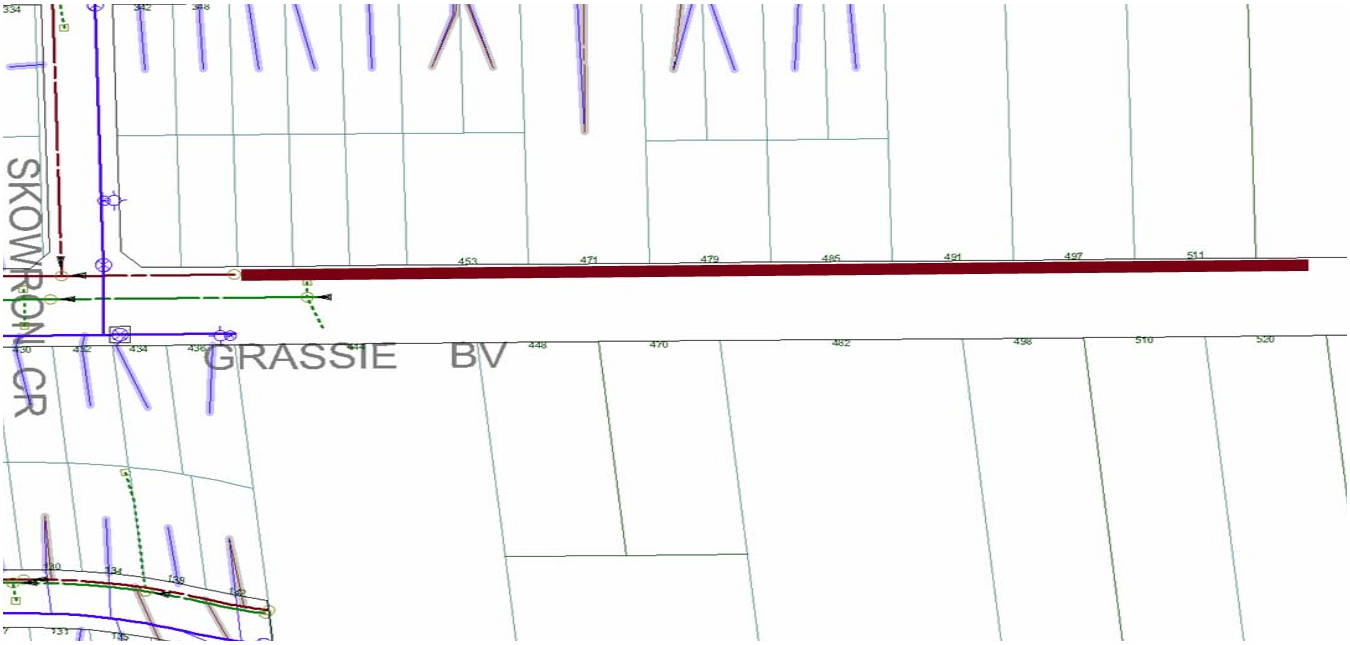
> *"• Recommendations 2, 10 and 18 – Provide amendments to address the need for a full range of municipal services for the proposed lots fronting Grassie Boulevard via the Local Improvement Program, with the boundary no further than the most eastern limit of the subject property."*

On February 3, 2011, the Planning, Property and Development Department had prepared a report for the East Kildonan-Transcona Community Committee which is copied in part, below:

> *"As information, on January 17, 2011 the Water and Waste Department received a request from Cecil Notley (498 Grassie Boulevard) for the installation of watermains and wastewater sewers in Grassie Boulevard from 448 to 520 Grassie Boulevard. The resultant Local Improvement applications, currently being processed, were amended to also include the land fronting 444 Grassie Boulevard because the subject works have to be constructed from their existing terminus in order to become operational. Petitions for these improvements are currently being prepared by the City's Finance Department for distribution to the applicant. Results of same will be presented to Community Committee in the next 3-5 months pending return of the petitions within 90 days of them being issued."*

On February 10, 2011, two *"Petition For"* forms were issued to Mr. Cecil R. Notley of 498 Grassie Boulevard for proposed Wastewater Sewer and Watermain Local Improvement Projects

within the East Kildonan-Transcona Community and Ward boundary which is depicted in the following drawing:



On February 15, 2011, the East Kildonan-Transcona Community Committee moved that no representation be heard on the application and the public hearing be further adjourned to the East Kildonan-Transcona Community Committee meeting on March 15, 2011.

On February 23, 2011, the City Clerk's Department had received the two signed *"Petition For"* forms and a letter *(see Attachment 1)* addressed to the Senior Local Improvement Clerk from Mr. Notley.

In compliance with Section 125 of *The City of Winnipeg Charter (the "Charter")*, it was ascertained and certified by the Manager of Taxation and Finance that the signatures obtained from the benefiting registered property owners on each of the *"Petition For"* forms represent ***42.54%*** of the total assessable frontage, as summarized below:

Total Assessable Frontage (includes City-owned property)	1,800.00 feet
Less: City-owned property Frontage	59.70 feet
Total Assessable Frontage (Excludes City-owned Frontage)	1,740.30 feet
Petitioners For Represent	740.30 feet
Percentage Signed	***42.54%***

Sections 408 and 409(1) of the *Charter* are copied below:

"Initiation of local improvement
408 *A local improvement may be proposed*

(a) by council; or

(b) by a petition signed by registered owners of at least 3/5 of the total real property that is to be benefited by the proposed local improvement.

Notice of proposal

409(1) *If a local improvement is proposed the city must*

(a) give public notice of the proposed improvement; and

(b) send by ordinary mail a notice of the proposed improvement to each registered owner of property to be benefited by it."

Therefore, as these petitions were signed by the registered property owners representing 42.54% of the total assessable frontage (an amount less than the required 3/5 or 60%), it will not be necessary to advertise these proposed local improvement projects.

Note that the frontage for 444 Grassie Blvd. is included in the "Total Assessable Frontage" above, but the registered owner of 444 Grassie Blvd. did not sign the "Petition For" form. If signed, the "Percentage Signed" above would still only be 54% (less than the required 3/5 or 60%).

The Winnipeg Public Service recommends that these projects ***not proceed*** in compliance with the *Charter.*

FINANCIAL IMPACT

Financial Impact Statement **Date:** March 1, 2011

Project Name:

Results of Proposed Local Improvement Projects on Grassie Blvd.

COMMENTS:

There are no financial implications as the Local Improvement projects are recommended not to proceed to advertisement.

Original signed by
Radhika Abeysekera
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

In preparing this report there was consultation with:

Internal

Planning, Property and Development Department

External

SUBMITTED BY

Department: Assessment and Taxation
Division: Taxation and Finance
Prepared by: G. Wladyka, Senior Local Improvement Clerk
Date: March 1, 2011
File No. N/A



Letter from Cecile Notley

Attachment 1

CITY CLERKS DEPARTMENT

City of Winnipeg

George J Wladyka

Senior Local Improvement Clerk

RE: Proposed petition to extend sewer and water. From the west property line of 444 Grassie Blvd inclusive to the east property line of 520 Grassie Blvd, total 900 feet.

RE: Project # 142006011 + 142001011

Please find that we have signatures for seven in favour of the petition=749 feet.

444 Grassie wants the sewer and water, both the owner and developer have approved for the plan of subdivision= 200 feet.

The City of Winnipeg has a interest on Grassie= 59 feet. We therefore have signed or agreed upon of 1,008 feet.

Three of the unsigned indicate they will not oppose the petition of the fourteen homes on this project. Seven have agreed to this petition, which is a 50% acceptance.

I feel that some consideration be given to this petition considering the average age of the septic fields an wells are 50 years old. There is also a health component to consider because there is a garbage dump from the 60's located just north of 511 Grassie.

The quality of the water has been deteriorating in the 20 years I have lived here. I feel that contaminates are leaching into the ground water.

I feel that a favourable conclusion will be made to have this petition moved up to the next stage.

I remain yours truly,

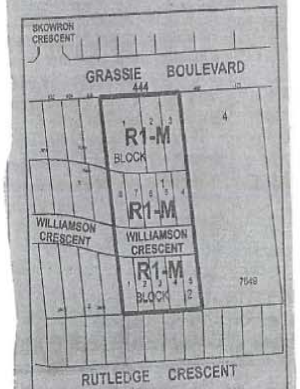
Cecil Notley

498 Grassie Blvd

661[illegible]-6637

TRANSCONA COMMUNITY COMMITTEE PUBLIC HEARING

Date: Tuesday, January 18, 2011
Time: 6:30 P.M.
Location: 720 Henderson Highway
Bronx Park Community Centre



APPLICANT : GLOBAL HOMES
FILE : DASZ 34/10
PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "RR5" RURAL RESIDENTIAL 5 DISTRICT and an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT to an "R1-M" RESIDENTIAL SINGLE FAMILY (MEDIUM) DISTRICT to allow for the creation of thirteen (13) residential lots for future development and establishes the extension of Williamson Crescent public right-of-way. For information, phone Mr. J. Wintrup, Planner at 986-5102.

