Agenda – Council – July 19, 2017

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – June 27, 2017

Item No. 4 Results of the March 21, 2017 advertisement of the proposed Asphaltic Concrete Lane Pavement local improvement projects

STANDING COMMITTEE RECOMMENDATION:

On July 5, 2017, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and submitted the following to Council:

1. That the following Local Improvement Projects proceed as part of the Local Improvement Program which is funded 50/50 through the Local Improvement Float and Public Work's Granular Roads Capital Account., namely:

Local Improvement	***Location***
Asphaltic Concrete Lane Pavement 14' x 5" and 16' x 5"	On the east-west lane outlet to Lloyd Street north of Lyndale Drive and on the first north-south lane east of Gauvin Street from Coniston Street to Lyndale Drive. Important Note: Local Improvement Taxes will be calculated using a weighted average of the costs of the 14 feet wide and 16 feet wide sections, in order to provide for a uniform rate assessed on all property benefited by this local improvement.
Asphaltic Concrete Lane Pavement 16' x 5"	On all lanes in the block bounded by Coniston Street, Lyndale Drive, Crawford Avenue and Tache Avenue.
Asphaltic Concrete Lane Pavement 16' x 5"	On the north-south lane in the block bounded by Highfield Street, Coniston Street, Ferndale Avenue and Lawndale Avenue.
Asphaltic Concrete Lane Pavement 16' x 5"	On all lanes in the block bounded by Notre Dame Street, Dumoulin Street, Archibald Street and LaFleche Street.

2. That City Council enact Authorization By-law (draft by-law attached as schedule 'A') in accordance with Recommendation 1 of this Report.

3. 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 – June 27, 2017

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 5, 2017, 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 June 27, 2017, 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 June 12, 2017, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service.

ADMINISTRATIVE REPORT

Title: Results of the March 21, 2017 advertisement of the proposed Asphaltic Concrete Lane Pavement local improvement projects

Critical Path: Riel Community Committee – Standing Policy Committee on Infrastructure Renewal and Public Works – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
T. Austin	M. Chambers	M. Ruta	

EXECUTIVE SUMMARY

This Administrative Report provides information regarding a local improvement advertisement and subsequent objections (if any) that have been returned to the City of Winnipeg by property owners.

This report addresses the proposed local improvements and communicates the results of the local improvement advertisements to the area Councilors. The local improvements proposed in this report have not received sufficient objections to defeat the projects and therefore are considered successful.

The Public Service is recommending that these local improvement projects proceed as part of Local Improvement program.

RECOMMENDATIONS

1. That the following Local Improvement Projects **proceed** as part of the Local Improvement Program which is funded 50/50 through the Local Improvement Float and Public Work's Granular Roads Capital Account., namely:

Local Improvement	***Location***
Asphaltic Concrete Lane Pavement 14' x 5" and 16' x 5"	On the east-west lane outlet to Lloyd Street north of Lyndale Drive and on the first north-south lane east of Gauvin Street from Coniston Street to Lyndale Drive. Important Note: Local Improvement Taxes will be calculated using a weighted average of the costs of the 14 feet wide and 16 feet wide sections, in order to provide for a uniform rate assessed on all property benefited by this local improvement.
Asphaltic Concrete Lane	On all lanes in the block bounded by Coniston Street,

Pavement 16’ x 5”	Lyndale Drive, Crawford Avenue and Tache Avenue.
Asphaltic Concrete Lane Pavement 16’ x 5”	On the north-south lane in the block bounded by Highfield Street, Coniston Street, Ferndale Avenue and Lawndale Avenue.
Asphaltic Concrete Lane Pavement 16’ x 5”	On all lanes in the block bounded by Notre Dame Street, Dumoulin Street, Archibald Street and LaFleche Street.

2. That City Council enact Authorization By-law (draft by-law attached as schedule ‘A’) in accordance with Recommendation 1 of this Report.

3. 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 Riel Community and St. Boniface Ward boundary, the Riel Community Committee is requested to specifically review and authorize the Administration on whether these Local Improvement Projects should proceed.

IMPLICATIONS OF THE RECOMMENDATIONS

Budget for this work is within the local improvement capital budget and the Public Works Granular Road capital accounts.

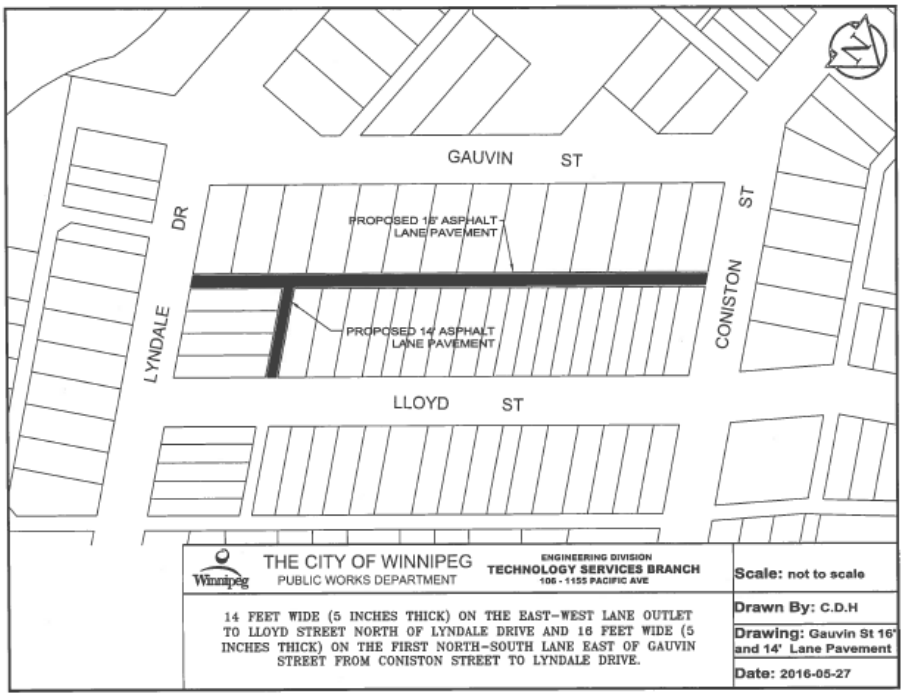
HISTORY/DISCUSSION

On November 20, 2013, City Council amended the Local Improvement process by creating a pilot project for six years whereby the City of Winnipeg will finance the asphalt lane local improvements to the maximum of 50% of the total cost of the improvement. The City has capped support for this program to $1,000,000 per year or roughly 10 lanes. Funding will be provided on a first come first served basis determined by submission of a successful formal petition prepared by the City for an initiating property owner. Similar to concrete lane improvements, the required catch-basins and land drainage sewers are included and fully paid for by the City.

Asphaltic Concrete Lane Pavement 14’ x 5” and 16’ x 5”
On the east-west lane outlet to Lloyd Street north of Lyndale Drive and on the first north-south lane east of Gauvin Street from Coniston Street to Lyndale Drive. Important Note: Local Improvement Taxes will be calculated using a weighted average of the costs of the 14 feet wide and 16 feet wide sections, in order to provide for a uniform rate assessed on all property benefited by this local improvement.

On September 19, 2016, a “Petition For” was issued to Robert L. Louiselle who reside at 74 Gauvin Street for a proposed Asphaltic Concrete Lane Pavement Local Improvement Project

within the Riel Community and St. Boniface Ward boundary which is depicted in the following drawing:



A Filing Deadline of December 19, 2016 was determined for the *"Petition For"* form to be returned to the City Clerk's Department. (90 days after the first signature is dated on the *"Petition For" form)*

The City Clerk's Department received the signed *"Petition For"* form on December 19, 2016. As the petition was signed by the registered owners representing 64.77% of the total assessable frontage, it was recommended that this project proceed to advertise.

On, February 6, 2017, the Riel Community Committee concurred with the recommendation of the Winnipeg Public Service and authorized the advertisement of the proposed Asphaltic Concrete Lane Pavement Local Improvement Project.

On March 21, 2017, this proposed local improvement project was advertised in the Winnipeg Free Press newspaper.

Per Section 409 of The City of Winnipeg Charter, objections to the proposed local improvement must be filed at least 30 days after the notice is published. A deadline of April 19, 2017 was published for this proposed Local Improvement Project.

Subsequent to the advertisement, the Manager of Taxation and Finance confirmed that a "*Notice of Objection"* was not requested and there were no letters of objection received by the City Clerk's Department.

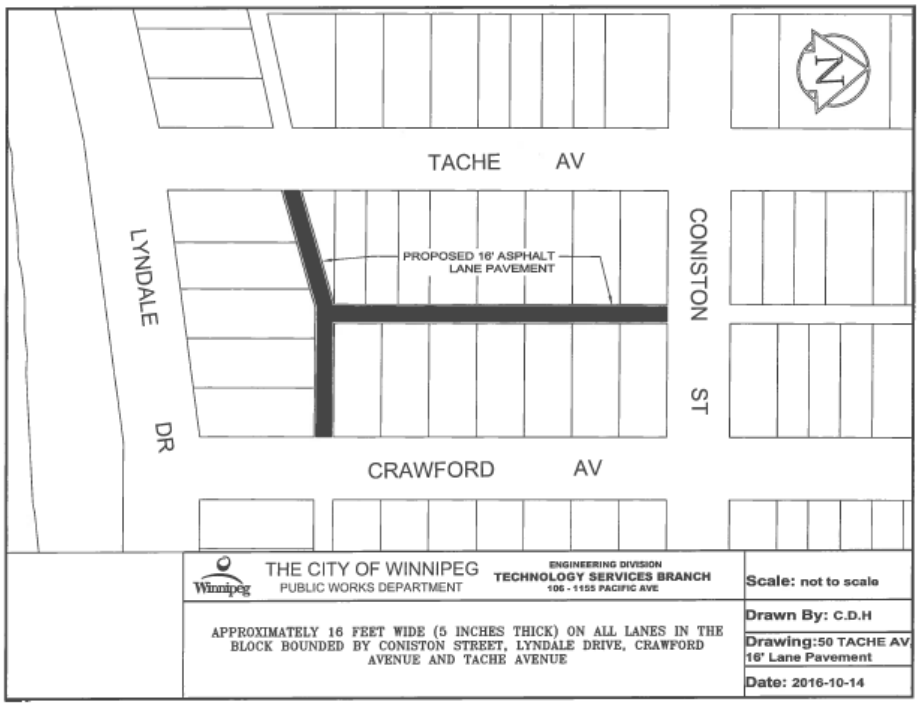
Therefore, no objections were filed against this proposed local improvement project.

It is estimated that the total cost of the project is $315,000.00 of which 38.60% is to be recovered from the registered property owners' share.

The Winnipeg Public Service recommends that this project **proceed** as part of the Local Improvement Program in conjunction with the City of Winnipeg's pilot project for Asphalt Lane Pavement. This project will be funded 50/50 through the Local Improvement Float and Public Work's Granular Roads Capital Account.

Asphaltic Concrete Lane Pavement 16' x 5"
On all lanes in the block bounded by Coniston Street, Lyndale Drive, Crawford Avenue and Tache Avenue.

On October 25, 2016, a "Petition For" was issued to Herve J. and Marie J. Gamache who reside at 50 Tache Avenue for a proposed Asphaltic Concrete Lane Pavement Local Improvement Project within the Riel Community and St. Boniface Ward boundary which is depicted in the following drawing:



A Filing Deadline of January 24, 2017 was determined for the *"Petition For"* form to be returned to the City Clerk's Department. (90 days after the first signature is dated on the *"Petition For" form)*

The City Clerk's Department received the signed *"Petition For"* form on January 5, 2017. As the petition was signed by the registered owners representing 74.73% of the total assessable frontage, it was recommended that this project proceed to advertise.

On, February 6, 2017, the Riel Community Committee concurred with the recommendation of the Winnipeg Public Service and authorized the advertisement of the proposed Asphaltic Concrete Lane Pavement Local Improvement Project.

On March 21, 2017, this proposed local improvement project was advertised in the Winnipeg Free Press newspaper.
Per Section 409 of The City of Winnipeg Charter, objections to the proposed local improvement must be filed at least 30 days after the notice is published. A deadline of April 19, 2017 was published for this proposed Local Improvement Project.

Subsequent to the advertisement, the Manager of Taxation and Finance confirmed that a "*Notice of Objection"* was not requested and there were no letters of objection received by the City Clerk's Department.

Therefore, no objections were filed against this proposed local improvement project.

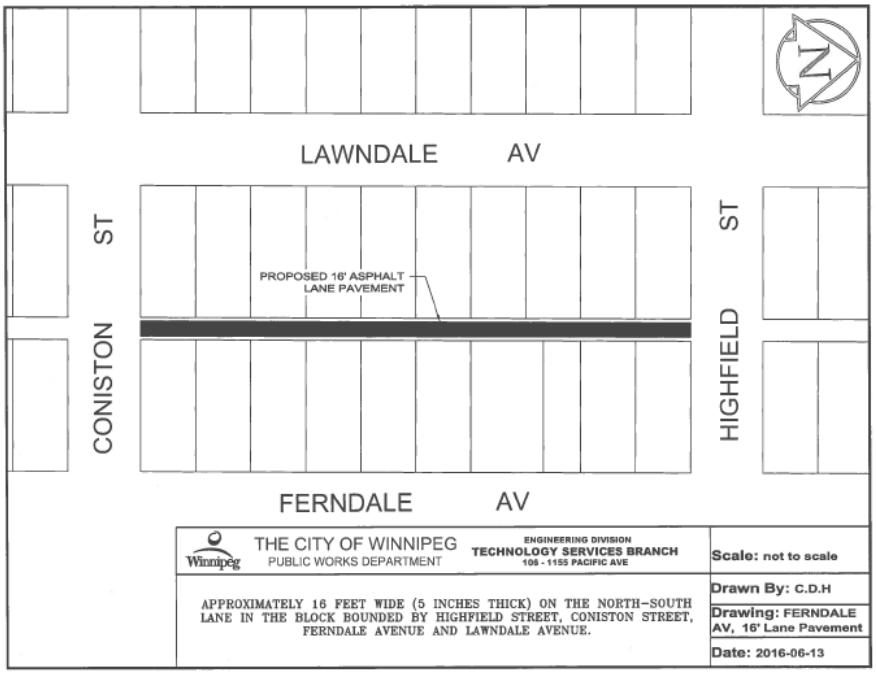
It is estimated that the total cost of the project is $248,000.00 of which 35.38% is to be recovered from the registered property owners' share.

The Winnipeg Public Service recommends that this project **proceed** as part of the Local Improvement Program in conjunction with the City of Winnipeg's pilot project for Asphalt Lane Pavement. This project will be funded 50/50 through the Local Improvement Float and Public Work's Granular Roads Capital Account.

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Asphaltic Concrete Lane Pavement 16' x 5"
On the north-south lane in the block bounded by Highfield Street, Coniston Street, Ferndale Avenue and Lawndale Avenue.

On November 3, 2016, a "Petition For" was issued to Debra L. Kutcher who resides at 105 Ferndale Avenue for a proposed Asphaltic Concrete Lane Pavement Local Improvement Project within the Riel Community and St. Boniface Ward boundary which is depicted in the following drawing:



A Filing Deadline of February 1, 2017 was determined for the *"Petition For"* form to be returned to the City Clerk's Department. (90 days after the first signature is dated on the *"Petition For" form.*

The City Clerk's Department received the signed *"Petition For"* form on November 8, 2016. As the petition was signed by the registered owners representing 60.0% of the total assessable frontage, it was recommended that this project proceed to advertise.

On, January 9, 2017, the Riel Community Committee concurred with the recommendation of the Winnipeg Public Service and authorized the advertisement of the proposed Asphaltic Concrete Lane Pavement Local Improvement Project.

On March 21, 2017, the proposed Local Improvement Project was advertised in the Winnipeg Free Press newspaper.

Per Section 409 of The City of Winnipeg Charter, objections to the proposed local improvement must be filed at least 30 days after the notice is published. A deadline of April 19, 2017 was published for this proposed Local Improvement Project.

Subsequent to the advertisement, the Manager of Taxation and Finance confirmed that a "*Notice of Objection"* was not requested.

However, the City Clerk's Department received one letter of objection from a registered property owner who resides on 102 Lawndale Avenue as additional information for the Committee to consider.

In compliance with Section 125 of *The City of Winnipeg Charter*, it was ascertained and certified by the Manager of Taxation and Finance that the signature obtained from the benefiting registered property owner on the aforementioned letter of objection represents 5.00***%*** of the total assessable frontage, as summarized below:

Total Assessable Frontage	1000.0 Feet
Less City Share (Flankage)	0.0 Feet
Total Assessable Frontage (Flankage Factored Out)	1000.0 Feet
Petitioners Object Represent	50.0 Feet
Percentage Signed	***5.00%***

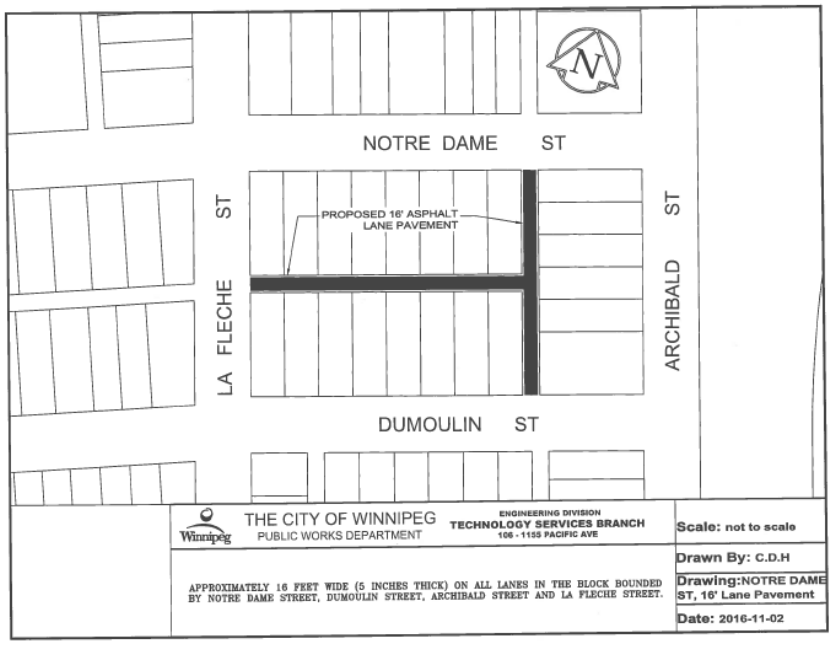
Per Section 411 of *The City of Winnipeg Charter*, where registered owners of at least 3/5 (60%) of the total real property that is to be benefited by a proposed local improvement object to the local improvement, the proposed local improvement must not be proceeded with.

Given the unsuccessful result of 5.00%, the Winnipeg Public Service recommends that this project **proceed** as part of the Local Improvement Program in conjunction with the City of Winnipeg's pilot project for Asphalt Lane Pavement. This project will be funded 50/50 through the Local Improvement Float and Public Work's Granular Roads Capital Account.

It is estimated that the total cost of the project is $198,000.00 of which 45.45% is to be recovered from the registered property owners' share.

Asphaltic Concrete Lane Pavement 16' x 5"
On all lanes in the block bounded by Notre Dame Street, Dumoulin Street, Archibald Street and LaFleche Street.

On November 9, 2016, a "Petition For" was issued to Maurice and Suzanne Quenelle who reside at 484 Notre Dame Street for a proposed Asphaltic Concrete Lane Pavement Local Improvement Project within the Riel Community and St. Boniface Ward boundary which is depicted in the following drawing:



A Filing Deadline of February 7, 2017 was determined for the *"Petition For"* form to be returned to the City Clerk's Department. (90 days after the first signature is dated on the *"Petition For" form)*

The City Clerk's Department received the signed *"Petition For"* form on November 28, 2016. As the petition was signed by the registered owners representing 74.12% of the total assessable frontage, it was recommended that this project proceed to advertise.

On, January 9, 2017, the Riel Community Committee concurred with the recommendation of the Winnipeg Public Service and authorized the advertisement of the proposed Asphaltic Concrete Lane Pavement Local Improvement Project.

On March 21, 2017, the proposed Local Improvement Project was advertised in the Winnipeg Free Press newspaper.

Per Section 409 of The City of Winnipeg Charter, objections to the proposed local improvement must be filed at least 30 days after the notice is published. A deadline of April 19, 2017 was published for this proposed Local Improvement Project.

Subsequent to the advertisement, the Manager of Taxation and Finance confirmed that a "*Notice of Objection"* was not requested.

However, the City Clerk's Department received one letter of objection from registered property owners of 496 Notre Dame Street as additional information for the Committee to consider.

In compliance with Section 125 of *The City of Winnipeg Charter*, it was ascertained and certified by the Manager of Taxation and Finance that the signatures obtained from the benefiting registered property owners on the aforementioned letter of objection represents 4.40***%*** of the total assessable frontage, as summarized below:

Total Assessable Frontage	1148.2 Feet
Less City Share (Flankage)	240.0 Feet
Total Assessable Frontage (Flankage Factored Out)	908.2 Feet
Petitioners Object Represent	40.0 Feet
Percentage Signed	***4.40%***

Per Section 411 of *The City of Winnipeg Charter*, where registered owners of at least 3/5 (60%) of the total real property that is to be benefited by a proposed local improvement object to the local improvement, the proposed local improvement must not be proceeded with.

Given the unsuccessful result of 4.40%, the Winnipeg Public Service recommends that this project **proceed** as part of the Local Improvement Program in conjunction with the City of Winnipeg's pilot project for Asphalt Lane Pavement. This project will be funded 50/50 through the Local Improvement Float and Public Work's Granular Roads Capital Account.

It is estimated that the total cost of the project is $233,000.00 of which 35.08% is to be recovered from the registered property owners' share.

FINANCIAL IMPACT

Financial Impact Statement

Date: May 19, 2017

Project Name:

First Year of Program **2017**

Results of the March 21, 2017 advertisement of the proposed Asphaltic Concrete Lane Pavement local improvement projects

	2017	2018	2019	2020	2021
Capital					
Capital Expenditures Required	$ 1,026,305	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	1,026,305	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ 427,600	$ -	$ -	$ -	$ -
Debt - External	393,444	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Cash to Capital	205,261	-	-	-	-
Total Funding	$ 1,026,305	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ 821,044				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ 113,038	$ 113,038	$ 113,038
Less: Incremental Revenue/Recovery	-	-	49,723	49,723	49,723
Net Cost/(Benefit)	$ -	$ -	$ 63,315	$ 63,315	$ 63,315
Less: Existing Budget Amounts	-	-	63,315	63,315	63,315
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

1. The estimated construction cost for these four local improvements (which excludes advertising fees) is $1,026,305. The costs to be recovered from the registered property owners is 38.3%. Note that these projects have a local improvement term of 10 years and therefore the recoverable amount will be fully included on the property tax bills of the respective property owners in the year of tax imposition; expected to start in 2019. Recovery from property owners is $49,723 per year using the Local Improvement Financing Rates of 3.50% plus 1% administration fee. The Recovery from property owners beyond 2021 is $348,061.
2. Annual Debt & Finance Charges are calculated at 6.28% interest per annum over the term of each local improvement. The Debt & Finance charges beyond 2021 is $791,267.
3. Capital Cost of Proposed Projects includes 3.25% Corporate Finance Administration Charges and all applicable taxes.

original signed by
Ramona Hodges
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services Department (By-law preparation)

OURWINNIPEG POLICY ALIGNMENT

The Local Improvement process is generally aligned with the enabling strategies provided for in OurWinnipeg Policy 01-1a: Direction 3.

SUBMITTED BY

Department: Assessment and Taxation
Division: Taxation and Finance
Prepared by: Tim Austin, Manager of Taxation and Finance Services
Date: May 10, 2017
File No: N/A

Attachments:

1. **Schedule "A" – Draft By-law**



Schedule A - LI Authorization By-law

SCHEDULE "A" – DRAFT BY-LAW

THE CITY OF WINNIPEG

BY-LAW NO. /2017

A By-law of THE CITY OF WINNIPEG to authorize the undertaking of certain local improvements.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Definitions

1 In this By-law

"**City**" means The City of Winnipeg continued under section 8 of the Charter;

"**Council**" means the council of the City;

"**Local Improvement Projects**" means the following local improvement projects in the Riel Community:

(a) **Asphaltic Concrete Lane Pavement** – 16 feet wide (5 inches thick) and 14 feet wide (5 inches thick) on the east-west lane outlet to Lloyd Street north of Lyndale Drive and on the first north-south lane east of Gauvin Street from Coniston Street to Lyndale Drive.

TOTAL ESTIMATED COST **$315,000.00**

(b) **Asphaltic Concrete Lane Pavement** – 16 feet wide (5 inches thick) on all lanes in the block bounded by Coniston Street, Lyndale Drive, Crawford Avenue and Taché Avenue.

TOTAL ESTIMATED COST **$248,000.00**

(c) **Asphaltic Concrete Lane Pavement** – 16 feet wide (5 inches thick) on the north-south lane in the block bounded by Highfield Street, Coniston Street, Ferndale Avenue and Lawndale Avenue.

TOTAL ESTIMATED COST **$198,000.00**

(d) **Asphaltic Concrete Lane Pavement** – 16 feet wide (5 inches thick) on all lanes in the block bounded by Notre Dame Street, Dumoulin Street, Archibald Street and LaFleche Street.

TOTAL ESTIMATED COST **$233,000.00**

Authorization

2 The Local Improvement Projects are hereby authorized to be undertaken.

DRAFT

Funding

3 The Local Improvement Projects shall be funded in accordance with the Asphalt Lane Pavement Pilot Project.

DONE AND PASSED this day of , 2017.

_____
Mayor

_____
City Clerk

Approved as to content:

_____
Director of Assessment and Taxation
and City Assessor

Approved as to form:

_____
for Director of Legal Services
and City Solicitor

DRAFT