Minute No. 277
Report – Standing Policy Committee on Infrastructure Renewal and Public Works – February 27, 2018

Item No. 1 Results of the November 15, 2017 Advertisement of the Proposed Asphaltic Concrete Lane Pavement Local Improvement Projects

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and adopted the following:

1. That the following Local Improvement Projects proceed as part of the Local Improvement Program which is in conjunction with the City of Winnipeg's pilot project for Asphalt Lane Pavement funded 50/50 through the Local Improvement Float and Public Work's Granular Roads Capital Account, namely:

Local Improvement	***Location***
Asphaltic Concrete Lane Pavement 16' x 5"	On all lanes in the block bounded by Coniston Street, Lyndale Drive, Monck Avenue and Claremont Avenue.
Asphaltic Concrete Lane Pavement 14' x 5" and 16' x 5"	On the east-west lane bounded by Bronstone Boulevard, West Fernwood Avenue and St. Mary's Road including the north-south outlet lane to Bronstone Boulevard; and on the north-south outlet lane to West Fernwood Avenue. Important Note: Local Improvement taxes will be calculated using a weighted average of the costs of the 16 feet wide and 14 feet wide sections in order to provide a uniform rate assessed on all properties benefited by this local improvement.
Asphaltic Concrete Lane Pavement 16' x 5"	On the east-west lane in the block bounded by Dumoulin Street, Provencher Boulevard, LaFleche Street and Nadeau Street.
Asphaltic Concrete Lane Pavement 16' x 5"	On the lane in the block bounded by Highfield Street, Coniston Street, Chandos Avenue and Crawford Avenue.
Asphaltic Concrete Lane Pavement 16' x 5"	On all lanes in the block bounded by Coniston Street, Lyndale Drive, Claremont Avenue and Ferndale Avenue.
Asphaltic Concrete Lane Pavement 16' x 5"	On all lanes in the block bounded by Walmer Street, Kirkdale Street, Lawndale Avenue and Birchdale Avenue.

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COUNCIL DECISION (continued):

2. That a by-law to authorize the proposed local improvements outlined in Recommendation 1 of this Report, be enacted (draft by-law is attached as Schedule ‘A’).

3. 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 Morantz,

That the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 7, 2018, 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 February 27, 2018, 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 February 5, 2018, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Infrastructure Renewal and Public Works.

ADMINISTRATIVE REPORT

Title: Results of the November 15, 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	Mike 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 improvement projects and communicates the results of the local improvement advertisements to the area Councilors. The petitions for the local improvement projects proposed by this report have not received sufficient objections to defeat the said local improvement projects and therefore are considered by the Public Service to be successful.

The Public Service recommends that the proposed local improvement projects proceed as part of the Local Improvement program in conjunction with the City of Winnipeg's pilot project for Asphalt Lane Pavement.

RECOMMENDATIONS

1. That the following Local Improvement Projects **proceed** as part of the Local Improvement Program which is in conjunction with the City of Winnipeg's pilot project for Asphalt Lane Pavement funded 50/50 through the Local Improvement Float and Public Work's Granular Roads Capital Account, namely:

Local Improvement	***Location***
Asphaltic Concrete Lane Pavement 16' x 5"	On all lanes in the block bounded by Coniston Street, Lyndale Drive, Monck Avenue and Claremont Avenue.
Asphaltic Concrete Lane Pavement 14' x 5" and 16' x 5"	On the east-west lane bounded by Bronstone Boulevard, West Fernwood Avenue and St. Mary's Road including the north-south outlet lane to Bronstone Boulevard; and on the north-south outlet lane to West Fernwood Avenue. Important Note: Local Improvement taxes will be calculated using a weighted average of the costs of the 16 feet wide and 14 feet wide sections in order to provide a uniform rate assessed on all properties benefited by this local improvement.
Asphaltic Concrete Lane Pavement 16' x 5"	On the east-west lane in the block bounded by Dumoulin Street, Provencher Boulevard, LaFleche Street and Nadeau Street.
Asphaltic Concrete Lane Pavement 16' x 5"	On the lane in the block bounded by Highfield Street, Coniston Street, Chandos Avenue and Crawford Avenue.
Asphaltic Concrete Lane Pavement 16' x 5"	On all lanes in the block bounded by Coniston Street, Lyndale Drive, Claremont Avenue and Ferndale Avenue.
Asphaltic Concrete Lane Pavement 16' x 5"	On all lanes in the block bounded by Walmer Street, Kirkdale Street, Lawndale Avenue and Birchdale Avenue.

2. That City Council enact a by-law to authorize the proposed local improvements outlined in recommendation 1 of this Report (draft by-law is attached as Schedule 'A').

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 and St. Vital Ward boundary, the Public Service requests that the Riel Community Committee review the proposed local improvement projects and provide a recommendation to Council as to whether the said local improvement projects should proceed.

A by-law to authorize the proposed local improvements projects is required in order for the said local improvement projects to proceed, and only Council may enact a by-law.

IMPLICATIONS OF THE RECOMMENDATIONS

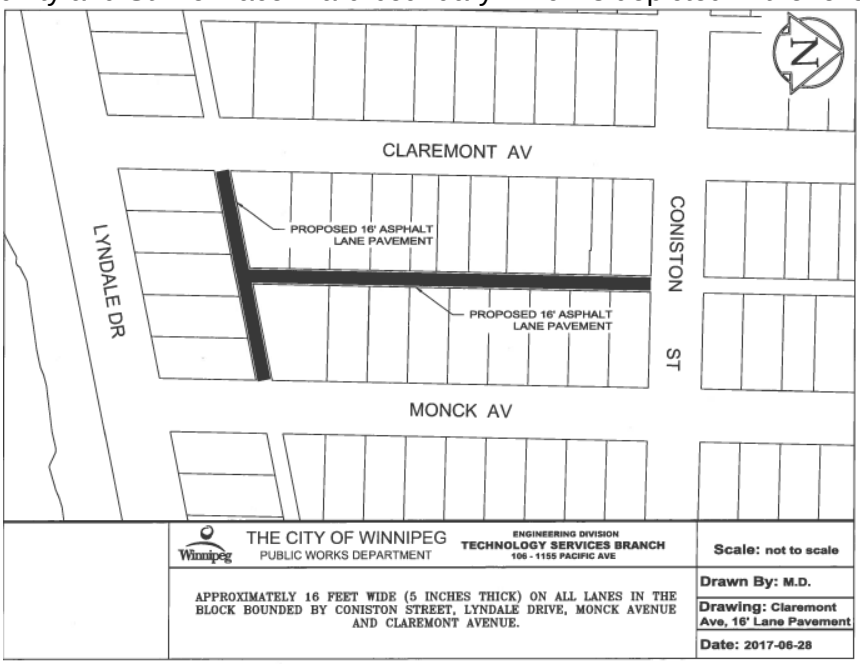
Budget for the proposed local improvement projects is within the local improvement capital budget and the Public Works Granular Road capital accounts.

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 16' x 5"
Approximately 16 feet wide (5 inches thick) on all lanes in the block bounded by Coniston Street, Lyndale Drive, Monck Avenue and Claremont Avenue.

On July 25, 2017, a "Petition For" was issued to Paul W. Memka who resides at 42 Claremont 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 October 23, 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 September 15, 2017. As the petition was signed by the registered owners representing 68.16% of the total assessable frontage, it was recommended that this project proceed to be advertised.

On, October 2, 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 November 15, 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 December 15, 2017 was published for this proposed Local Improvement Project.

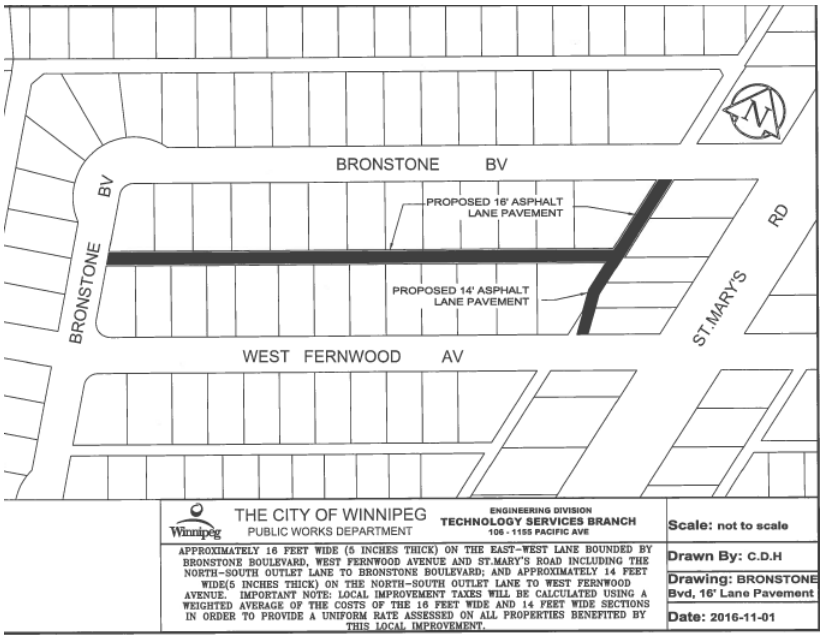
Subsequent to the advertisement, the Manager of Taxation and Finance confirmed that a "*Notice of Objection"* was not requested and there were no letters of objection received by the City Clerk's Department.

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

It is estimated that the total cost of the project is $300,000.00 of which 33.49% 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 14' x 5" and 16' x 5"
Approximately 16 feet wide (5 inches thick) on the east-west lane bounded by Bronstone Boulevard, West Fernwood Avenue and St. Mary's Road including the north-south outlet lane to Bronstone Boulevard; and approximately 14 feet wide (5 inches thick) on the north-south outlet lane to West Fernwood Avenue. Important Note: Local Improvement taxes will be calculated using a weighted average of the costs of the 16 feet wide and 14 feet wide sections in order to provide a uniform rate assessed on all properties benefited by this local improvement.



On April 19, 2017, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee and recommended the following to Council:

1. That a local improvement be initiated pursuant to Section 408(a) of the City of Winnipeg Charter:

Asphaltic Concrete Lane Pavement	Approximately 16 feet wide (5 inches thick) on the east-west lane bounded by Bronstone Boulevard, West Fernwood Avenue and St. Mary's Road including the north-south outlet lane to Bronstone Boulevard; and approximately 14 feet wide (5 inches thick) on the north-south outlet lane to West Fernwood Avenue. Important Note: Local Improvement taxes will be calculated using a weighted average of the costs of the 16 feet wide and 14 feet wide sections in order to provide a uniform rate assessed on all properties benefited by this local improvement.

On April 26, 2017, City Council concurred with the recommendation of the Executive Policy Committee and authorized the advertisement of the Asphaltic Concrete Lane Pavement.

On November 15, 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 December 15, 2017 was published for this proposed Local Improvement Project.

Subsequent to the advertisement, on November 20, 2017, a *"Notice of Objection"* was released to Guy A. J. Aquin who resides at 43 West Fernwood Avenue.

The City Clerk's Department received the signed *"Notice of Objection"* on December 15, 2017.

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 *"Notice of Objection"* form represent 40.20% of the total assessable frontage, as summarized below:

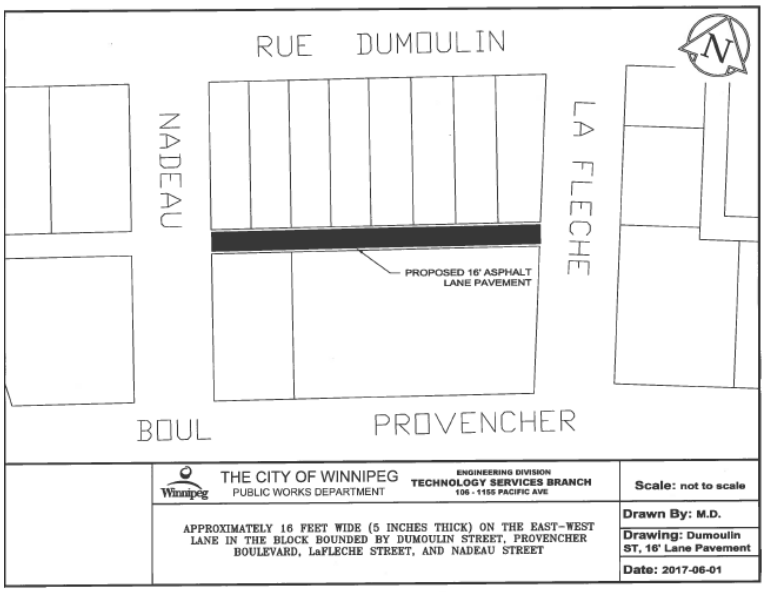
Total Assessable Frontage	1839.3 Feet
Less City Share (Flankage)	210.4 Feet
Total Assessable Frontage (Flankage Factored Out)	1628.9 Feet
Petitioners Object Represent	654.8 Feet
Percentage Signed	***40.20%***

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 40.20%, 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 $375,000.00 of which 39.09% is to be recovered from the registered property owners' share.

Asphaltic Concrete Lane Pavement 16' x 5"
Approximately 16 feet wide (5 inches thick) on the east-west lane in the block bounded by Dumoulin Street, Provencher Boulevard, LaFleche Street and Nadeau Street.

On June 13, 2017, a "Petition For" was issued to Madeleine Lepine who resides at 464 Dumoulin 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 September 11, 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 August 3, 2017. As the petition was signed by the registered owners representing 87.80% of the total assessable frontage, it was recommended that this project proceed to be advertised.

On, October 2, 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 November 15, 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 December 15, 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.

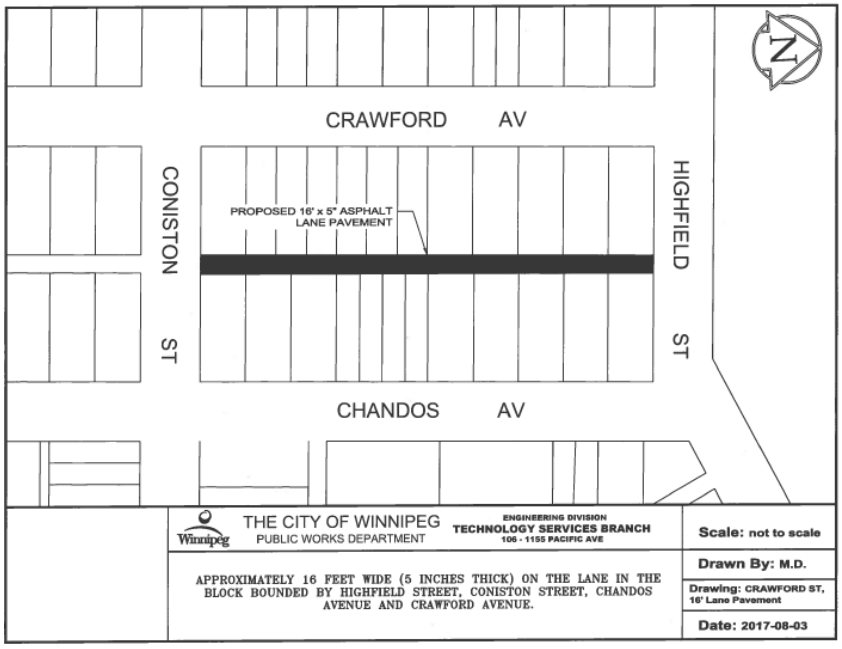
Therefore, no objections were filed against this proposed local improvement project.

It is estimated that the total cost of the project is $105,000.00 of which 41.27% 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"
Approximately 16 feet wide (5 inches thick) on the lane in the block bounded by Highfield Street, Coniston Street, Chandos Avenue and Crawford Avenue.

On August 25, 2017, a "Petition For" was issued to Cindy L. Farrer and Andrew S. Farrer who reside at 112 Crawford 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 November 23, 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 September 5, 2017. As the petition was signed by the registered owners representing 73.30% of the total assessable frontage, it was recommended that this project proceed to be advertised.

On, October 2, 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 November 15, 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 December 15, 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.

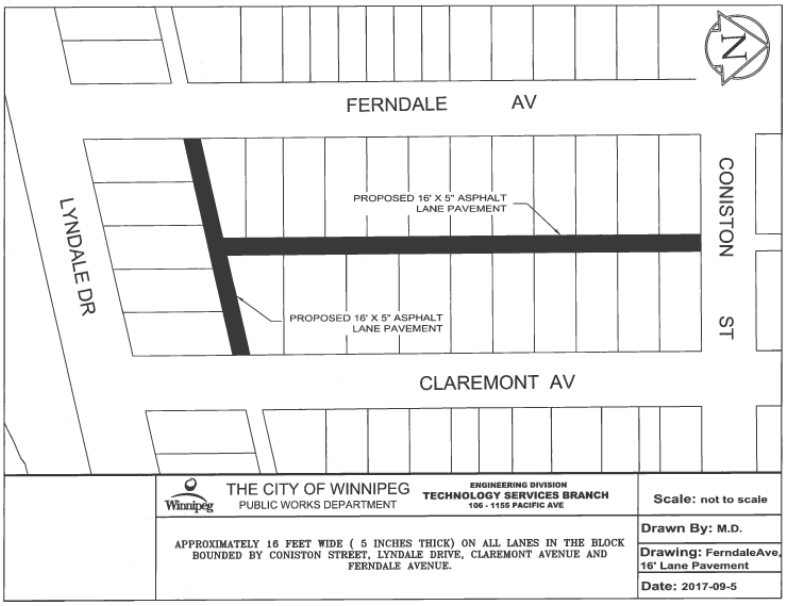
Therefore, no objections were filed against this proposed local improvement project.

It is estimated that the total cost of the project is $190,000.00 of which 42.11% 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"
Approximately 16 feet wide (5 inches thick) on all lanes in the block bounded by Coniston Street, Lyndale Drive, Claremont Avenue and Ferndale Avenue.

On September 13, 2017, a "Petition For" was issued to Robert T. St. Mars who resides at 44 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 December 12, 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 October 20, 2017. As the petition was signed by the registered owners representing 70.79% of the total assessable frontage, it was recommended that this project proceed to be advertised.

On, November 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 November 15, 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 December 15, 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.

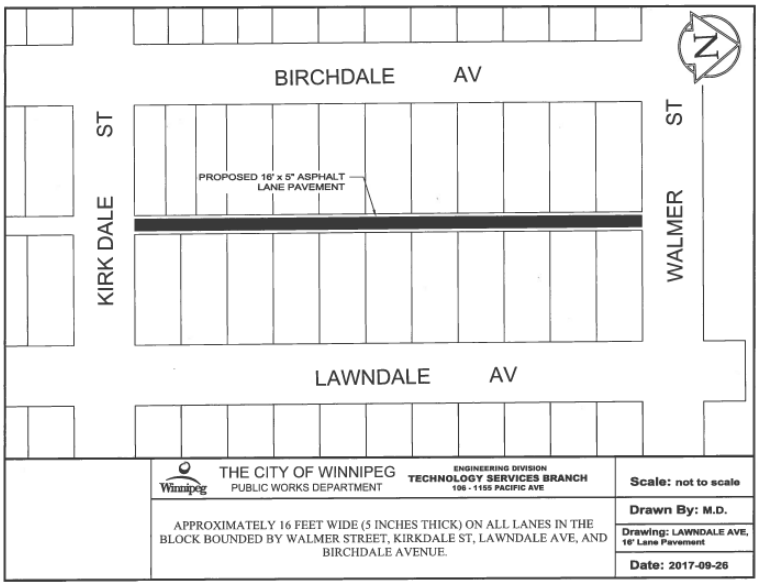
Therefore, no objections were filed against this proposed local improvement project.

It is estimated that the total cost of the project is $323,000.00 of which 34.75% 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"
Approximately 16 feet wide (5 inches thick) on all lanes in the block bounded by Walmer Street, Kirkdale Street, Lawndale Avenue and Birchdale Avenue.

On October 4, 2017, a "Petition For" was issued to Garry W. Bennett who resides at 175 Lawndale 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 2, 2018 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 October 16, 2017. As the petition was signed by the registered owners representing 60.55% of the total assessable frontage, it was recommended that this project proceed to be advertised.

On, November 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 November 15, 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 December 15, 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 $215,000.00 of which 40.93% 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.

FINANCIAL IMPACT

Financial Impact Statement

Date: January 8, 2018

Project Name:

First Year of Program **2018**

Results of the November 15, 2017 advertisement of the proposed Asphalt Lane local improvement projects

	2018	2019	2020	2021	2022
Capital					
Capital Expenditures Required	$ 1,557,010	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	1,557,010	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt External - Non Recovery	$ 656,420	$ -	$ -	$ -	$ -
Debt External - Recovery from Property Owners	589,188	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Cash to Capital	311,402	-	-	-	-
Total Funding	$ 1,557,010	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ 1,245,608				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ 171,490	$ 171,490	$ 171,490
Less: Incremental Revenue/Recovery	-	-	74,461	74,461	74,461
Net Cost/(Benefit)	$ -	$ -	$ 97,029	$ 97,029	$ 97,029
Less: Existing Budget Amounts	-	-	97,029	97,029	97,029
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

1. The estimated construction cost for these six local improvements (which excludes advertising fees) is $1,557,010. The costs to be recovered from the registered property owners is 37.8%. 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 2020. Recovery from property owners is $74,461 per year using the Local Improvement Financing Rates of 3.50% plus 1% administration fee. The Recovery from property owners beyond 2022 is $521,226.
2. Annual Debt & Finance Charges are calculated at 7.28% interest per annum over the term of each local improvement. The Debt & Finance charges beyond 2022 is $1,200,433.
3. Capital Cost of Proposed Projects includes 3.25% Corporate Finance Administration Charges and all applicable taxes.

original signed by T. Yanchishyn
Tanis Yanchishyn
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services, as to legal issues

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: January 8, 2018
File No: N/A

Attachments:

1. **Schedule "A" – Draft Authorization By-law**