Agenda – Council – November 26, 2020

Report – Executive Policy Committee – November 18, 2020

Item No. 3 Proposed Asphaltic Concrete Lane Pavement Local Improvement (Fort Rouge-East Fort Garry Ward)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 18, 2020, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the following to Council:

1. That Council be requested to initiate a local improvement pursuant to Section 408(a) of the City of Winnipeg Charter, as follows:

Local Improvement	***Location***
Asphaltic Concrete Lane Pavement 14' x 5"	On all east-west lane bounded by Byng Place, Windermere Avenue, Riverside Drive, and Pembina Highway, and the first north-south outlet lane west of Riverside Drive from Byng Place to Windermere Avenue.

2. That the process as outlined in the City of Winnipeg Charter with respect to a local improvement initiated by the City be undertaken.

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

Report – Executive Policy Committee – November 18, 2020

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 18, 2020, the Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 2, 2020, the City Centre Community Committee recommended to the Executive Policy Committee:

1. That Council be requested to initiate a local improvement pursuant to Section 408(a) of the City of Winnipeg Charter, as follows:

Local Improvement	***Location***
Asphaltic Concrete Lane Pavement 14' x 5"	On all east-west lane bounded by Byng Place, Windermere Avenue, Riverside Drive, and Pembina Highway, and the first north-south outlet lane west of Riverside Drive from Byng Place to Windermere Avenue.

2. That the process as outlined in the City of Winnipeg Charter with respect to a local improvement initiated by the City be undertaken.

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

COMMUNITY COMMITTEE DECISION:

On November 2, 2020, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service that the local improvement initiated by a petition pursuant to Section 408(b) of the City of Winnipeg Charter not proceed.

Report – Executive Policy Committee – November 18, 2020

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION:

On October 7, 2020, the City Centre Community Committee laid the matter over to its meeting on November 2, 2020.

ADMINISTRATIVE REPORT

Title: Petition for results of the proposed asphaltic concrete lane pavement local improvement – not to proceed to advertisement

Critical Path: City Centre Community Committee

AUTHORIZATION

Author	Department Head	CFO	CAO
T. Austin	K. Shields	P. Olafson, Interim CFO	N/A

EXECUTIVE SUMMARY

This Administration Report provides information regarding the local improvement petition that has been returned to the City of Winnipeg by a property owner.

This report addresses the proposed local improvement and communicates the results of this local improvement petition to the area Councilors. The proposed local improvement in this report has not met the required 3/5 and is not considered successful and therefore the Public Service is recommending that this local improvement project not proceed.

RECOMMENDATIONS

1. That the following proposed Local Improvement Project **not proceed**, namely:

Local Improvement	***Location***	***Petition For Result***
Asphaltic Concrete Lane Pavement 14’ x 5”	On all east-west lane bounded by Byng Place, Windermere Avenue, Riverside Drive, and Pembina Highway, and the first north-south outlet lane west of Riverside Drive from Byng Place to Windermere Avenue.	58.01%

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 this proposed Local Improvement Project is within the City Centre Community and Fort Rouge–East Fort Garry boundary, the City Centre Community Committee is requested to specifically review and authorize the Public Service not to proceed with this Local Improvement Project.

IMPLICATIONS OF THE RECOMMENDATIONS

The local improvement project contained herein will not proceed.

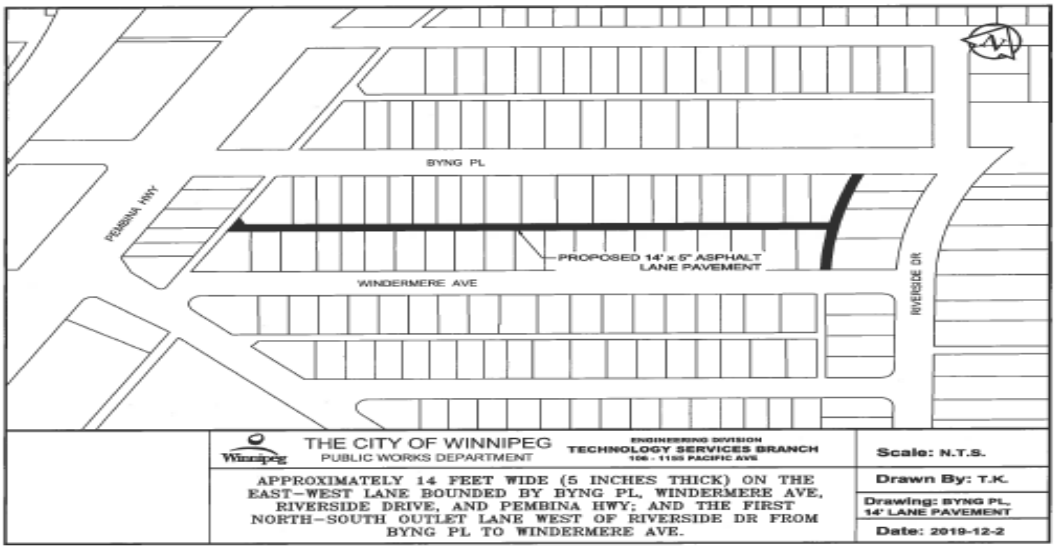
HISTORY/DISCUSSION

On July 19, 2018, City Council, adopted the recommendation that the Granular Lane Improvement program be extended for resident-initiated Local Improvements to pave granular lanes with asphaltic concrete based on a first come, first serve basis.

Council further directed that the current Local Improvement process be amended by extending the pilot project, adopted by Council on November 20, 2013, for an additional six years whereby the City of Winnipeg will finance asphalt local improvements to the maximum of 50% of the total costs for asphaltic concrete pavement and consistent with current practice, the City will finance the cost of land drainage sewers required to implement the Local Improvement, and that the $1,000,000 Granular Lane Improvement Program Fund (2018 Adopted Capital Budget 2-23) and the $500,000 Land Drainage Sewers fund (2018 Adopted Capital Budget 2-231) continue to be utilized as a funding source for the City's share of the amended Local Improvement Program.

Asphaltic Concrete Lane Pavement 14' x 5"
Approximately 14 feet wide (5 inches thick) on all east-west lane bounded by Byng Place, Windermere Avenue, Riverside Drive, and Pembina Highway, and the first north-south outlet lane west of Riverside Drive from Byng Place to Windermere Avenue.

On June 2, 2020, a “Petition For” was issued to Corolie Rear who resides at 946 Byng Place for a proposed Asphaltic Concrete Lane Pavement Local Improvement Project within the City Centre Community and Fort Rouge-East Fort Garry Ward boundary which is depicted in the following drawing:



A Filing Deadline of August 31, 2020 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 31, 2020.

In compliance with Section 124(2) 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 the *“Petition For”* form represent ***58.01%*** of the total assessable frontage, as summarized below:

Total Assessable Frontage	2,441.9 Feet
Less City Share	223.5 Feet
Total Assessable Frontage (City Share Factored Out)	2,218.4 Feet
Petitioners For Represent	1,287.0 Feet
Percentage Signed	***58.01%***

Therefore, as this petition was signed by the registered property owners representing 58.01% of the total assessable frontage (an amount less than the required 3/5 or 60%), it will not be necessary to advertise this proposed local improvement project.

The Winnipeg Public Service recommends that this project **not proceed** in compliance with the *Charter.*

FINANCIAL IMPACT

Financial Impact Statement **Date:** September 14, 2020

Project Name:

Petition for results of the proposed asphaltic concrete lane pavement local improvement – not to proceed to advertisement

COMMENTS:

There is no financial impact as the petition for the local improvement has not met the City of Winnipeg Charter Act requirements to proceed to advertising.

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

CONSULTATION

This Report has been prepared in consultation with:

OURWINNIPEG POLICY ALIGNMENT

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

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

SUBMITTED BY

Department: Assessment and Taxation
Division: Taxation and Finance
Prepared by: Tim Austin, Manager of Taxation and Finance Services
Date: September 21, 2020
File No: N/A

Attachments: