Agenda – Executive Policy Committee – December 9, 2020

REPORTS

Item No. 11 Results of the September 22, 2020 Advertisement of the Proposed Asphaltic Concrete Lane Pavement Local Improvement Project (St. James Ward)

COMMUNITY COMMITTEE RECOMMENDATION:

On November 25, 2020, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service, and recommended to the Executive Policy Committee:

1. That the following Local Improvement Project must not proceed as part of the Local Improvement Program which is funded 50/50 through the Local Improvement Program and the Public Works Granular Roads Capital account, namely:

Local Improvement	***Location***
Asphaltic Concrete Lane Pavement 16’ x 5”	On all lanes in the block bounded by Ness Avenue, Bruce Avenue, Ainslie Street and Rita Street, including the east-west lane north of Sinawik Bay

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

DECISION MAKING HISTORY:

COMMUNITY COMMITTEE RECOMMENDATION:

On November 25, 2020, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee.

COUNCIL DECISION:

On May 6, 2020, Council concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and adopted the following:

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

Local Improvement	**Location**
Asphaltic Concrete Lane Pavement	Approximately 16 feet wide (5 inches thick) on all lanes in the block bounded by Ness Avenue, Bruce Avenue, Ainslie Street and Rita Street, including the east-west lane north of Sinawik Bay

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.

ADMINISTRATIVE REPORT

Title: Results of the September 22, 2020 advertisement of the proposed Asphaltic Concrete Lane Pavement local improvement project

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

AUTHORIZATION

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

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.

The proposed local improvement project for asphaltic concrete lane pavement has received sufficient objections to defeat the project and therefore the local improvement is considered by the Public Service to be unsuccessful.

As the project has been defeated, the same or a similar local improvement benefiting the same real property must not be proposed again for a period of two years after the date of the original advertisement.

In accordance with the City of Winnipeg Charter the proposed local improvement project must not 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 Project must **not proceed** as part of the Local Improvement Program which is funded 50/50 through the Local Improvement Program and the Public Works Granular Roads Capital account, namely:

Local Improvement	*Location*
Asphaltic Concrete Lane Pavement 16' x 5"	On all lanes in the block bounded by Ness Avenue, Bruce Avenue, Ainslie Street and Rita Street, including the east-west lane north of Sinawik Bay

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 the proposed Local Improvement Project falls within the Assiniboia Community and St. James Ward boundary, the Public Service is notifying the Assiniboia Community Committee that the proposed local improvement project for asphaltic concrete lane pavement has received sufficient objections to defeat the project. Therefore, the local improvement is considered by the Public Service to be unsuccessful and that the local improvement must not proceed in accordance with Section 411 of the *City of Winnipeg Charter*.

IMPLICATIONS OF THE RECOMMENDATIONS

There is no financial impact to the City of Winnipeg as an organization as the proposed local
improvement project received sufficient number of objections to defeat the project. As the proposed local improvement has been defeated the project cannot proceed in accordance with Section 411 of the *City of Winnipeg Charter*.

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 expiring in 2024, 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 sewer 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 16' x 5"

Approximately 16 feet wide (5 inches thick) on all lanes in the block bounded by Ness Avenue, Bruce Avenue, Ainslie Street and Rita Street, including the east-west lane north of Sinawik Bay. (Please see appendix 1 for a map of the area)

On March 3, 2020, the Assiniboia Community Committee in accordance of Section 408(a) of the *City of Winnipeg Charter* passed a motion requesting that Council initiate a proposed local improvement. The following was recommended to the Standing Policy Committee on Infrastructure Renewal and Public Works:

1. That the following local improvements be initiated pursuant to Section 408(a) of the City of Winnipeg Charter, as follows:

Local Improvement	Location
Asphaltic Concrete Lane Pavement	Approximately 16 feet wide (5 inches thick) on all lanes in the block bounded by Ness Avenue, Bruce Avenue, Ainslie Street and Rita Street, including the east-west lane north of Sinawik Bay

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.

On April 21, 2020, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

On April 28, 2020, 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.

On May 6, 2020, City Council concurred with the recommendation of the Executive Policy Committee and authorized the advertisement of the Asphaltic Concrete Lane Pavement.

On September 22, 2020, the Assessment and Taxation Department advertised this proposed local improvement project 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 October 22, 2020 was published for objections to this proposed Local Improvement Project.

Subsequent to the advertisement, on September 30, 2020, a *"Notice of Objection"* was released to John F & Beverley A Bristow who reside at 419 Ainslie Street.

The City Clerk's Department received the signed *"Notice of Objection"* on October 13, 2020 and has confirmed that no other objections were received prior to the October 22nd objection period.

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 83.0% of the total assessable frontage, as summarized below:

Total Assessable Frontage	4,958.10 Feet
Less City Share (Flankage)	0.0 Feet
Total Assessable Frontage (Flankage Factored Out)	4,958.10 Feet
Petitioners Object Represent	4,119.90 Feet
Percentage Signed	***83.0%***

Given the result of 83.0%, 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 the local improvement must **not proceed** as part of the Local Improvement Program in conjunction with the City of Winnipeg's pilot project for Asphalt Lane Pavement.

A local improvement for the same or similar local improvement benefitting the same real property must not be proposed again for a period of two years after the day public notice was given. Therefore, a back lane local improvement may not be requested for this area until September 23, 2022.

FINANCIAL IMPACT

Financial Impact Statement

Date: October 23, 2020

Project Name:

Results of the September 22, 2020 advertisement of the proposed Asphaltic Concrete Lane Pavement local improvement project

COMMENTS:

There is no financial impact to the City of Winnipeg as an organization as the proposed local improvement projects received sufficient amount of objections to defeat the project. As the proposed local improvement has been defeated the project cannot proceed in accordance with Section 411 of the City of Winnipeg Charter.

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 Department
Division: Taxation and Finance
Prepared by: T. Austin
Date: October 23, 2020
File No:
Attachments:

Appendix 1

Map of the Proposed Local Improvement

