Minutes – Executive Policy Committee – March 18, 2025

REPORTS

Item No. 5 Local Improvements – Result of the November 5, 2024 Advertisement of the Proposed Asphaltic Concrete Lane Pavement Local Improvement Project - Project 1420219422 (Fort Rouge-East Fort Garry Ward)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and recommended to Council:

1. That the following Local Improvement project 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 14' x 5"	Approximately 14 Feet wide (5 inches thick) on all lanes in the block bounded by Windemere Avenue, Somerville Avenue, Point Road, and Riverside Drive.

2. That a by-law be enacted to authorize the proposed local improvement outlined in the 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 forgoing.

DECISION MAKING HISTORY:

Moved by Councillor Lukes,

That the recommendation of the City Centre Community Committee be concurred in and forwarded to Council.

Carried

David Grant submitted a communication in support of the matter.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 24, 2025, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Result of the November 5, 2024 advertisement of the proposed Asphaltic Concrete Lane Pavement local improvement project. Project 1420219422

Critical Path: City Centre Community Committee - Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
T. Yanchishyn	T. Austin	T. Graham	

EXECUTIVE SUMMARY

This Administration Report provides information regarding the local improvement advertisement and subsequent objections that have been returned to the City of Winnipeg by property owners.

This report outlines the proposed local improvement and provides the results of the local improvement advertisement to the area councilors. The level of objection received for the proposed local improvement project has not meet the threshold required to defeat the project. As such, the Public Service considers the petition to be successful.

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

RECOMMENDATIONS

1. That the following Local Improvement project 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 14' x 5"	Approximately 14 Feet wide (5 inches thick) on all lanes in the block bounded by Windemere Avenue, Somerville Avenue, Point Road, and Riverside Drive.

2. That City Council enact a by-law to authorize the proposed local improvement outlined in the 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 forgoing.

REASON FOR THE REPORT

Since the proposed Local Improvement Project is within the Fort Rouge – East Fort Garry Ward, the City Centre Community Committee is request to specifically review the proposed local improvement project and provide a recommendation to Council as to whether the said local improvement project should proceed.

A by-law to authorize the proposed local improvement project is required in order for the said local improvement project 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.

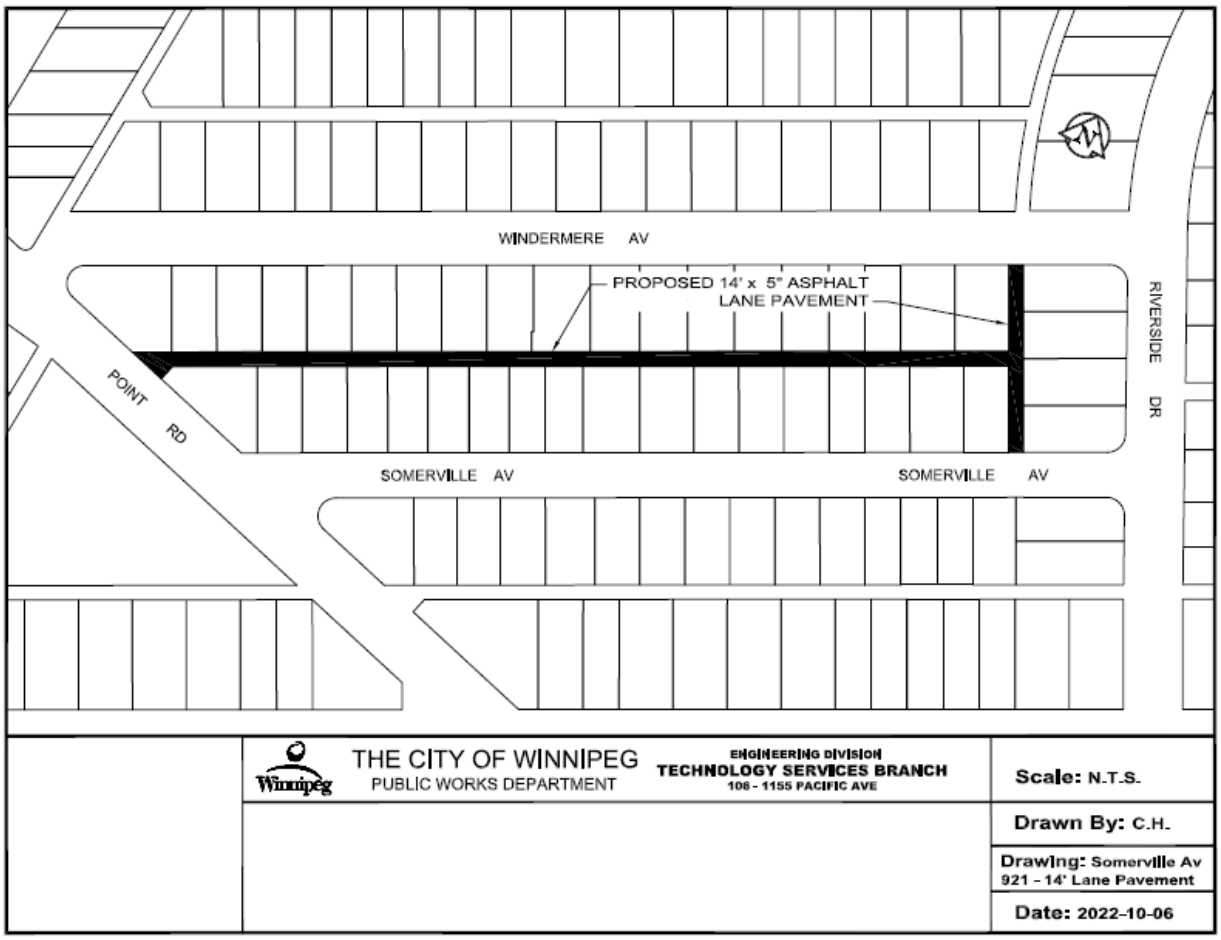
HISTORY/DISCUSSION

On 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 2025, 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 lanes in the block bounded by Windermere Avenue, Somerville Avenue, Point Road and Riverside Drive.

On Monday June 10, 2024, a "Petition For" was issued to Jason Reimer who resides at 921 Somerville Avenue, for a proposed Asphaltic Concrete Lane Pavement Local Improvement Project within the City Centre Community boundary which is depicted in the following drawing**.**



A filling date of September 6, 2024 was determined for the original “Petition For” form to be returned to the City Clerk’s Department (90 days after the first signature is dated on the application).

The City Clerk’s Department received the signed “Petition For” form on July 23, 2024. As the petition was signed by the registered owners representing 71% of the total assessable frontage, it was recommended that this project proceed to be advertised.

On September 5, 2024, the City Centre Committee concurred with the recommendation of the Winnipeg Public Service and received as information that the Asphaltic Concrete Lane Pavement Project proceed to be advertised.

On November 5, 2024, 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 filled at least 30 days after the notice is published. A deadline of December 5, 2024 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, a letter of objection was received by the City Clerk’s Department.

The City Clerk's Department received the signed *"Letter of Objection"* before the advertisement deadline December 5, 2024.

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 *"Letter of Objections"* represent 2% of the total assessable frontage, as summarized below:

Total Assessable Frontage	2280.6 Feet
Less City Share	192 Feet
Total Assessable Frontage (City Share Factored Out)	2088.6 Feet
Objections Represent	40 Feet
Percentage Signed	***2%***

In analysis it has been noted that one property owner a submitted letter of objection, representing 40 total frontage feet. The Public Service has considered all objections received in the calculation of the percentage during the advertisement period.

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 proceed.

Given the result of 2%, and that the 3/5 threshold has not been met, 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 $710,000.00 of which 36.94% is to be recovered from the registered property owners' share.

FINANCIAL IMPACT

Financial Impact Statement

Date: January 20, 2025

Project Name:

First Year of Program **2025**

Result of the November 5th 2024 advertisement of the proposed Asphaltic Concrete Lane Pavement local improvement project. Project 1420219422

	2025	2026	2027	2028	2029
Capital					
Capital Expenditures Required	$ 733,075	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	733,075	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs		$ 75,030	$ 75,030	$ 75,030	$ 75,030
Less: Incremental Revenue/Recovery	23,075	36,358	36,358	36,358	36,358
Net Cost/(Benefit)	$ (23,075)	$ 38,672	$ 38,672	$ 38,672	$ 38,672
Less: Existing Budget Amounts	(23,075)	38,672	38,672	38,672	38,672
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

1. Capital expenditures required represent the estimated construction cost for this local improvement which will be funded by the 2024 Local Improvement Program and the 2025 Local Street Program.
2. The costs to be recovered from the registered property owners is 36.94%. Note that this project has 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 2026. Recovery from property owners is $36,358 per year using the Local Improvement Financing Rates of 4.75% plus 1% administration fee. The Recovery from property owners beyond 2029 is $218,149.
3. Annual Debt & Finance Charges are calculated at 4.75% interest per annum over the term of each local improvement. The Debt & Finance charges beyond 2029 is $450,180.
4. Incremental Revenue/Recovery in year 2025 represents the corporate administration and interest overheads.

original signed by Tanis Yanchishyn

Tanis Yanchishyn, CPA, CA
Manager of Taxation and Finance

CONSULTATION

This Report has been prepared in consultation with: Legal Services as to by-law preparation

OURWINNIPEG POLICY ALIGNMENT

The Local Improvement process is generally aligned with the policies provided for in OurWinnipeg 2045, specifically policy 6.7 Fiscally Sustainable Growth of the goal City Building.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Climate Action Plan (CAP), and it was determined that the CAP is not applicable to this specific report.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Poverty Reduction Strategy (PRS), and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department: Assessment and Taxation Department
Division: Taxation and Finance
Prepared by: Tanis Yanchishyn
Date: February 6, 2025

Schedule A

THE CITY OF WINNIPEG

BY-LAW NO. /2025

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

"Asphalt Lane Pavement Pilot Project" means the City's pilot project approved by Council on November 20, 2013 whereby the total expenses for material and land drainage required to implement asphalt local improvements are to be funded 50% through the Granular Lane Improvement Capital Account and 50% through the Local Improvement Float;

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

"Council" means the council of the City;

"Granular Lane Improvement Capital Account" means the amount budgeted for the City's Public Works Department's Granular Lane Improvement Program in the City's Capital Budget for the year in which the Local Improvement Projects were initiated;

"Local Improvement Project" means the following local improvement project in the City Centre Community:

(a) **Asphaltic Concrete Lane Pavement** – Approximately 14 Feet wide (5 inches thick) on all lanes in the block bounded by Windemere Avenue, Somerville Avenue, Point Road, and Riverside Drive.

TOTAL ESTIMATED COST **$710,000.00**

Authorization

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

Funding

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

DONE AND PASSED this day of , 2025.

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Mayor

_____

City Clerk

Approved as to content:

_____

Director of Assessment and Taxation

and City Assessor

Legally reviewed and certified as to form:

_____

for Director of Legal Services

and City Solicitor