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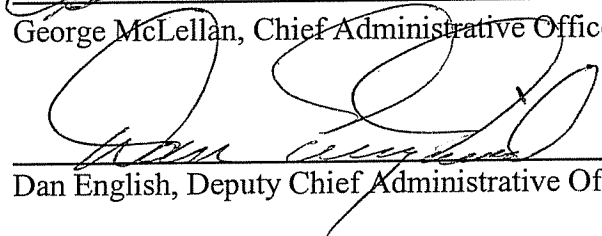
PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
September 28, 2004
October 5, 2004

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:


George McLellan, Chief Administrative Officer


Dan English, Deputy Chief Administrative Officer

DATE: September 20, 2004

SUBJECT: Rockwood Hills Drive (Private Road) Bridge - Timberlea

ORIGIN

Residents living on Hillside Drive in Timberlea have approached HRM Councillor Reg Rankin and staff for assistance in financing repairs to the existing bridge on Rockwood Hills Drive.

RECOMMENDATIONS

It is recommended that Regional Council:

1. direct staff to provide financial assistance to the residents for the rehabilitation of the existing bridge on Rockwood Hills Drive, a private road, such assistance not to exceed \$50,000.
2. approve in principle and begin the formal process for the adoption of By-Law Number L-119, Respecting Charges to Provide for the Rehabilitation of the Existing Culvert and the Construction of a Timber Bridge over the Culvert on Rockwood Hills Drive, a Private Road, and the assignment of Local Improvement Charges for full recovery of HRM's financial assistance.

BACKGROUND

At the October 2003 Private Roads Committee meeting, the Chair requested a staff report on the structural integrity of the bridge on Rockwood Hills Drive, Timberlea. In December, 2003, HRM Council directed staff to proceed with the stabilization of the Rockwood Hills Drive Bridge.

DISCUSSION

Rationale

The Halifax Regional Municipality is generally not responsible for private roads issues. Therefore, under normal circumstances any request from residents for assistance would be denied until such time as Council has reviewed its existing policy, which allows for the assumption only after the road has been upgraded to the HRM standards at full cost to the abutters and ownership transferred to HRM.

The Private Roads Committee has made certain recommendations to Regional Council regarding the continued creation of new private roads. Regional Council is awaiting a staff report in this regard.

Due to recent amendments to the Municipal Government Act, HRM is permitted to upgrade private roads and impose a property charge to recover the actual cost of the improvements.

Estimated Costs

The total estimated cost to stabilize the existing bridge is \$50,000 which includes the stabilization of the corroded sections of corrugated steel culvert with rock and the installation of new timber structure over the culvert to accommodate vehicle loads thus reducing live loads on the existing culvert.

Community participation

In June 2004, property owners beyond the bridge were canvassed with a successful petition representing 80% of the identified property located beyond the bridge. The total cost of the bridge work will be assigned to the property owners that are situated on the south side of Hillside Drive (lots 1 to 5, refer to attached plan) and the remaining 1/3 being assigned to the property owner located on the north side of Hillside Drive (lot 6). Lot 5 was excluded from the calculations as the property is not accessible via the Rockwood Hills Drive bridge. A copy of the petition is attached.

Petition Results

Out of the five properties petitioned four were returned in favour and one not returned; consequently the petition is successful with 80% of the effective properties in favour. The recommended By-Law L-119 incorporates this structure.

BUDGET IMPLICATIONS

A property charge will be levied to recover the actual cost of the bridge installation. Therefore, the net cost to the Municipality will be zero and the costs to finance this undertaking will be borne directly to those being serviced.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This memo complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

There are no recommended alternatives.

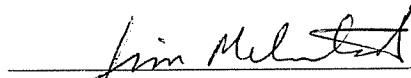
ATTACHMENTS

- 1) Plan Showing Rockwood Hills Drive, Bridge Stabilization, By-Law L-119 dated September 7, 2004.
- 2) Letter and petition to the residents in June 2004.
- 3) By-Law Number L-119 Respecting Charges for Local Improvement Projects.

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Jeff Spares, P.Eng., Senior Design Engineer, Design & Construction Services at 490-6900

Report Approved by:



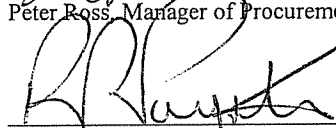
Jim McIntosh, P.Eng., A/Manager, Design & Construction Services at 490-6862

Report Approved by:



Peter Ross, Manager of Procurement at 490-6499

Report Approved by:



Rick Paynter, P.Eng., Director, Public Works and Transportation Services at 490-4855

June 20 , 2004

Petition for Stabilization of Bridge on Rockwood Hills Drive

On December 9, 2003, HRM Council directed staff to proceed with the stabilization of the Rockwood Hills Drive Bridge to allow for the normal level of fire service, subject to the following conditions:

- 1) the formation of a legal entity by the property owners to be responsible for the bridge, including future maintenance and upgrades.
- 2) the acquisition of all applicable permits.
- 3) a successful petition representing a minimum of 66 2/3% of the identified property owners located beyond the bridge, with the understanding that 2/3 of the total cost of the bridge work will be assigned to the property owners that are situated on the south side of Hillside Drive (Lots 1 through 5 - Refer to attached plan) and the remaining 1/3 being assigned to the property owner located on the north side of Hillside Drive (Lot 6). It is estimated that the total cost of the bridge work will be \$50,000, and that this cost will be 100% recovered from the property owners by way of a Local Improvement Charges, amortization not to exceed ten years.
- 4) a By-law providing for the recovery of Local Improvement Charges must be developed and approved by Regional Council prior to permitting the project to proceed.
- 5) HRM assumes no responsibility or liability.
- 6) review by Legal Services.

The estimated cost of \$50,000 is to include the stabilization of the corroded sections of the corrugated steel culvert with rock and the installation of new timber structure over the culvert to accommodate future vehicle loads and lesson the impact on the existing culvert. As the corrugated steel culvert will continue to corrode in the future, it will have to be inspected on a regular basis and will require further stabilized with rock. This maintenance and any other repairs to the culvert and the new timber structure are not included in the estimate of cost included here, and would be the responsibility of the legal entity to be formed by the property owners.

Subsequent to the Council Report dated December 9, 2003, the lot noted on the attached plan as Lot 5 will be removed from the Local Improvement calculations. The reason behind this is that the lot does not have legal access via Rockwood Hills Dr. or Hillside Dr. This is a waterfront lot with access only by water. Councillor Rankin has approved the decision.

The Local Improvement Charge amount payable, may at the option of the owner of the property, be paid in equal annual installments for a period not exceeding ten years. Installments are due on the anniversary date of the original billing, until the full debt is paid. This billing may also be paid in full at any time if the abutter so desires. The unpaid balance is subject to an interest rate based on the maximum of the prime rate as set by the Royal Bank of Canada plus 2% at time of notification. If you are in agreement to pay the estimated cost of \$8,333.50 for your lot abutting Hillside Dr. for the stabilization of the existing bridge on Rockwood Dr. please sign the agreement at the end of this letter and return by June 18, 2004 either by return mail to Ann Reid, LIC Clerk, Design Services, P. O. Box 1749, Halifax, NS B3J 3A5, or hand deliver to 21 Mount Hope Road , Dartmouth, or fax at 490-4858 or e-mail at reida@region.halifax.ns.ca. If you require further clarification please call Ann Reid @ (902) 490-6849.

I agree to pay the estimated Local Improvement Charges of up to \$8,333.50 for my lot abutting Hillside Drive for the stabilization of the bridge on Rockwood Hills Drive.

Name _____

Signature _____

Lot # _____

Street Address _____

Yours very truly,

Councillor Reg Rankin, District 22

cc: Rick Paynter P. Eng., Director Public Works and Transportation Services
Gerry Boyd, P. Eng., Manager Design and Construction Services

The Local Improvement Charge amount payable, may at the option of the owner of the property, be paid in equal annual installments for a period not exceeding ten years. Installments are due on the anniversary date of the original billing, until the full debt is paid. This billing may also be paid in full at any time if the abutter so desires. The unpaid balance is subject to an interest rate based on the maximum of the prime rate as set by the Royal Bank of Canada plus 2% at time of notification. If you are in agreement to pay the estimated cost of \$16,666 for your lot abutting Hillside Dr. for the stabilization of the existing bridge on Rockwood Dr. please sign the agreement at the end of this letter and return by June 18, 2004 either by return mail to Ann Reid, LIC Clerk, Design Services, P. O. Box 1749, Halifax, NS B3J 3A5, or hand deliver to 21 Mount Hope Road , Dartmouth, or fax at 490-4858 or e-mail at reida@region.halifax.ns.ca. If you require further clarification please call Ann Reid @ (902) 490-6849.

I agree to pay the estimated Local Improvement Charges of up to \$16,666 for my lot abutting Hillside Drive for the stabilization of the bridge on Rockwood Hills Drive.

Name _____

Signature _____

Lot # _____

Street Address _____

Yours very truly,

Councillor Reg Rankin, District 22

cc: Rick Paynter P. Eng., Director Public Works and Transportation Services
Gerry Boyd, P. Eng., Manager Design and Construction Services

PUBLIC WORKS AND TRANSPORTATION SERVICES

HALIFAX REGIONAL MUNICIPALITY

**BY-LAW NUMBER L-119
RESPECTING CHARGES FOR LOCAL IMPROVEMENT PROJECTS**

Be It Enacted by the Council for the Halifax Regional Municipality that By-Law L-100, the Local Improvement By-Law, be amended as follows:

1. Schedule "A" of By-Law L-100 is amended by adding the following:
 - (a) The project provides for the rehabilitation of the existing culvert and the construction of a timber bridge over the culvert to accommodate future vehicles loads and lesson the impact on the existing culvert on Rockwood Hills Drive, a private road, thereby allowing for the reestablishment of full fire service located within the boundaries identified on a plan entitled "Rockwood Hills Drive, a Private Road, By-Law L-119 dated September 7, 2004" as attached,
 - (b) The project will be funded by Local Improvement Charges based on the entire cost of the project,
 - (c) The Local Improvement Charge will be imposed at an interim rate of \$8,333.50 for lots 1 to 4 and \$16,666 for lot 6, refer to attached plan.
 - (d) The interim Local Improvement Charge will be adjusted at the completion of the project, and will be calculated on the basis of the total actual cost of the project at the adjustment date.

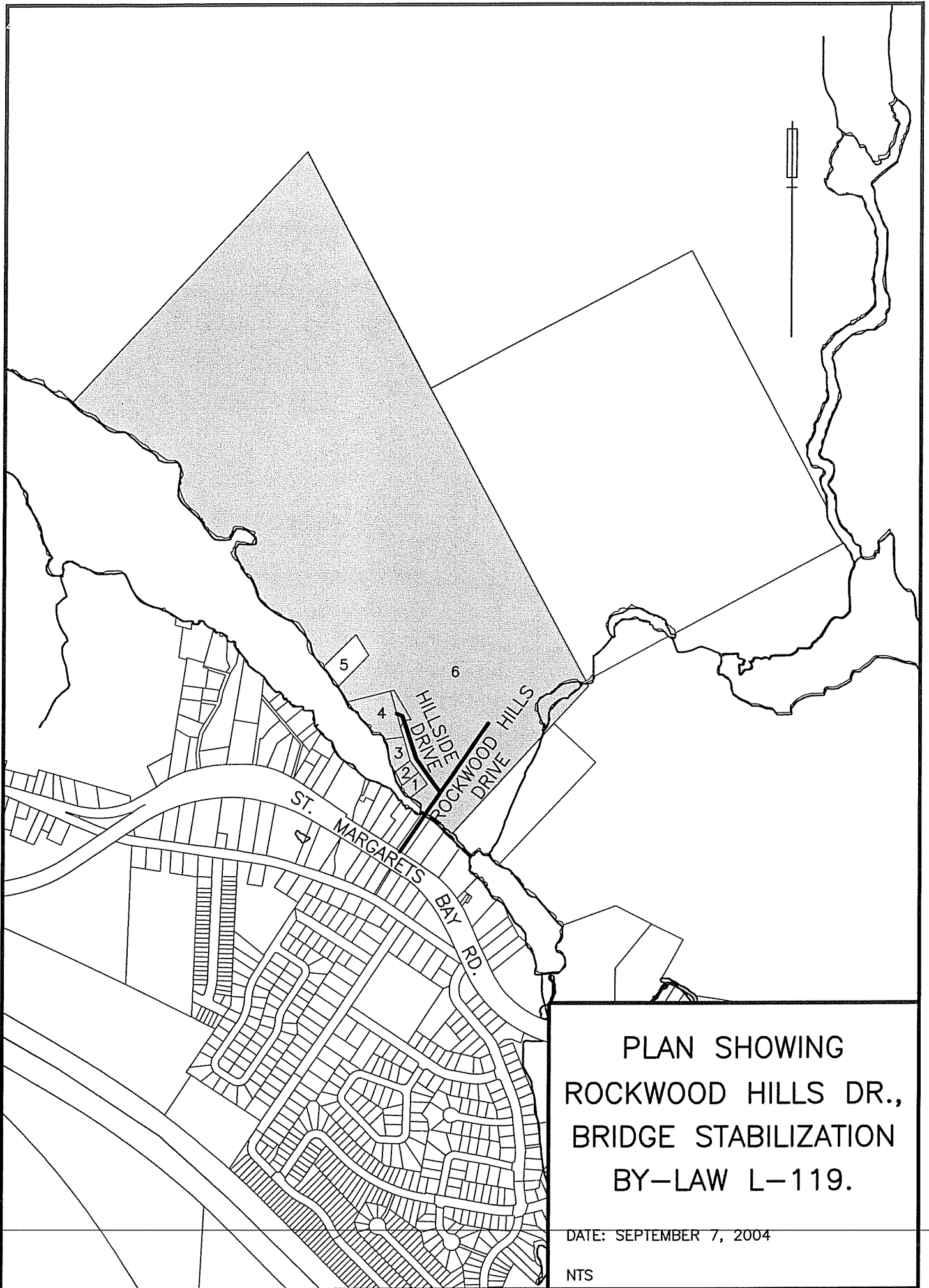
Done and passed by Council this 28th day of September, 2004.

MAYOR

MUNICIPAL CLERK

I, Jan Gibson, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above noted By-Law was passed at a meeting of the Halifax Regional Council held on 28th September, 2004.

Jan Gibson, Municipal Clerk



PLAN SHOWING
ROCKWOOD HILLS DR.,
BRIDGE STABILIZATION
BY-LAW L-119.

DATE: SEPTEMBER 7, 2004

NTS