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Item No. 10.1.3

Halifax Regional Council
March 24, 2009

TO: Mayor Kelly and Members of Halifax Regional Council

Wayne Anstey

SUBMITTED BY: _____
Wayne Anstey, Acting Chief Administrative Officer

DATE: March 11, 2009

SUBJECT: **By-Law S-427 , Respecting Charges for Street Improvements**

ORIGIN

This report originates from HRM staff.

RECOMMENDATIONS:

It is recommended that Council:

1. approve the 2008 Local Improvement Charges as outlined on the attached Schedule "A";
2. approve in principle the adoption of By-Law S-427, Respecting Charges for Street Improvements as attached, and also give notice of motion to begin the formal adoption process; and,
3. apply the new charges to all completed 2008 Capital Projects where such apply.

BACKGROUND

By-Law Number S-400 deals with the recovery of costs where Council undertakes a project to install new street paving, new sidewalks, and new concrete curb and gutter. This By-Law provides the authority to impose a levy on property owners that receive a benefit from the new infrastructure as described in By-Law S-400.

DISCUSSION

The approved Council policy for Local Improvement Charges (LIC) for new sidewalk, new concrete curb and gutter, and paving of gravel road projects is based on the total construction costs of all such projects divided by the total recoverable frontage. As per the policy, staff reviewed construction costs of new sidewalk, new concrete curb and gutter, and paving of gravel road projects from the 2008/09 capital program, and as a result, have determined the charges for 2008 as outlined in Schedule A and By-Law S-427 of this report. The proposed By-Law S-427, Respecting Charges for Street Improvements, is an amendment of By-Law S-400, The Street Improvement By-Law, and will enable HRM to levy Local Improvement Charges for new street improvement projects. As a note pursuant to Administrative Order 32, a public hearing is not required on the enactment or amendment of a By-law unless specifically directed by Council.

BUDGET IMPLICATIONS

Upon Council's approval of By-Law S-427, the Local Improvement Charges for the applicable 2008/09 Capital Projects will be levied. By ensuring that the charges reflect the actual cost of the projects, the revenue collected from LICs will offset the cost of the projects so that there is no net impact on the Approved Operating and Capital Budgets.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report 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

Council may choose not to adopt the new charges for 2008/2009 completed capital projects. However, staff does not recommend this alternative as the previous rates would not represent the appropriate level of cost recovery.

ATTACHMENTS

By-Law Number S-427, Respecting Charges For Street Improvements.

Schedule "A".

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax at 490-4208.

Report Prepared by: Bruce Colborne, P.Eng., Construction Supervisor, Design & Construction Services at 490-4896

Report Approved by:



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AR/rcm

HALIFAX REGIONAL MUNICIPALITY

BY-LAW S-427

RESPECTING CHARGES FOR STREET IMPROVEMENTS

BE IT ENACTED by the Council of the Halifax Regional Municipality that By-Law S-400, The Street Improvement By-Law, is hereby amended as follows:

1. Schedule "A" of By-Law S-400 is amended by adding the following:

For all projects approved after January 1, 2008, the charges shall be as follows:

For **new** concrete sidewalk the charge per foot of frontage to be applied to both sides of the streets shall be \$34.94 plus \$3.49 for the engineering fee for a total charge of \$38.43.

For **new** concrete curb and gutter, the charge per foot of frontage to be applied to both sides of the street shall be \$32.24 plus \$3.22 for the engineering fee for a total charge of \$35.46.

For **new** asphalt paving, the charge per foot of frontage to be applied to both sides of the street shall be \$26.29 plus \$1.31 for the engineering fee for a total charge of \$27.60.

Done and passed by Council this day of , A.D. 2009.

Mayor

Acting Municipal Clerk

I, Julia Horncastle, Acting Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Halifax Regional Council held on ,2009.

Julia Horncastle
Acting Municipal Clerk

Schedule "A"

**Local Improvement Charges, By-Law S-427
Completed 2008/09 Capital Projects**

| LIC Project | 50% Construction Cost to Residents | Cost per foot to Residents | Engineering Fee Revenue | Engineering Fees per foot | LIC + Eng Fees |
|-----------------------|---|-----------------------------------|--------------------------------|----------------------------------|-----------------------|
| New Sidewalk | \$957,775.32 | \$34.94 | \$95,777.53 | \$3.49 | \$38.43 |
| Curb & Gutter | \$272,258.53 | \$32.24 | \$27,225.85 | \$3.22 | \$35.46 |
| New Paving | \$1,371,363.87 | \$26.29 | \$68,568.19 | \$1.31 | \$27.60 |
| TOTAL RECOVERY | \$2,601,397.72 | | \$191,571.58 | | \$2,792,969.30 |