


Item No. 10.1.8

Halifax Regional Council

April 17, 2012

April 24, 2012

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original signed by 
Richard Butts, Chief Administrative Officer

Original Signed by 
Mike Labrecque, Deputy Chief Administrative Officer

DATE: March 15, 2012

SUBJECT: **Proposed By-Law S-435, an Amendment to By-Law S-400 Respecting Charges for Street Improvements**

ORIGIN

This report originates from staff.

RECOMMENDATIONS:

It is recommended that Council:

1. Approve the 2011 Local Improvement Charges as outlined on the attached Schedule "A";
2. Approve in principle the adoption of By-Law Number S-435, 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 2011/12 capital projects where such charges apply.

BACKGROUND

By-Law S-400 deals with the recovery of costs where Council undertakes a project to construct new street paving, new sidewalks, and new concrete curb and gutter. This By-Law provides the authority to impose a levy on property owners to recover those construction costs as described in By-Law S-400 and the Local Improvement Policy.

DISCUSSION

The approved Council policy for Local Improvement Charges (LIC) for new sidewalk, new concrete curb and gutter, and paving of gravel roads is based on the total construction costs of all such projects divided by the total recoverable frontage. HRM is responsible to cover 50% of the construction costs while the remaining 50% is to be paid by the property owners. As per the procedure, staff reviewed the construction costs of new sidewalk, new concrete curb and gutter, and paving of gravel roads from the 2011/12 capital program, and determined the charges for 2011/12 as outlined in attached Schedule A and Bylaw S-435 of this report. The proposed By-Law S-435, Respecting Charges for Street Improvements, is an amendment of By-Law S-400, The Street Improvement By-Law, and will enable HRM to charge LIC's 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 Bylaw unless specifically directed by Council.

Included in the 2011/12 capital projects was the chip sealing of Frederick Street in District 21, and MacIntosh Road in District 19. Both streets had been successfully surveyed for chip sealing. The LIC's for MacIntosh Road will be recovered via a frontage charge to each property. Frederick Street LIC's will be recovered via a lot charge to each of the 10 properties addressed off Frederick Street, and included in this number are four properties that are on the private section of the road. The private section of the road was not chipsealed; however, access to the private section requires vehicular traffic to travel on the portion of Frederick Street that was chip sealed

Cedarcrest Drive and Kenda View Drive (Districts 23 and 2, respectively) were included in the 2011/12 capital program for new paving. Both streets were successfully surveyed for paving, and the LIC will be recovered via a frontage charge.

With respect to the installation of new concrete sidewalks and concrete curb and gutter, the following table outlines the locations as per the 2011/12 capital program:

Street Name	Limits	District	Method of LIC Recovery	Type of Project
Old Sackville Rd.	Lucasville Rd. to Claudia Cres.	19	Area rate to be applied to a mapped area of district 19 approved by District Councillor	New Concrete Sidewalk and New Concrete Curb & Gutter
Akerley Blvd.	Isnor Dr. to Joseph Zatzman Dr.	9	Area rate to be applied to mapped area of Burnside Park approved by District	New Concrete Sidewalk

			Councillor	
Cockburn Dr.	McDougall Ave. to Mayfair Ave.	20	Total district area rate approved by District Councillor	New Concrete Sidewalk
Mayfair Ave.	Raymond Dr. to Raymond Dr.	20	Total district area rate approved by District Councillor	New Concrete Sidewalk
Kelly St.	Alton Dr. to Halef Crt.	17	Frontage rate approved by District Councillor; the two properties owners have been notified	New Concrete Sidewalk

BUDGET IMPLICATIONS

Upon Council's approval of Bylaw S-435, the Local Improvement Charges for the applicable 2011/12 capital projects will be levied to the relevant property owners. By ensuring that the charges reflect the actual cost of the projects, the revenue collected 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, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

As per the procedure, surveys were distributed to residents on Frederick Street, MacIntosh Road, Cedarcrest Drive and Kenda View Drive, and the results were in favour of moving forward with the road surface upgrades. Generally speaking surveys are not conducted for new sidewalk installations where the LIC recovery method is based on a mapped area or district wide area. New sidewalk installations that require LIC recovery via frontage charges are generally surveyed. Residents on Kelly Street were notified of the proposed new sidewalk installation.

ALTERNATIVES

Council may choose not to adopt the new charges for 2011/12; however, staff does not recommend this alternative as the previous rates would not represent the appropriate level of cost recovery.

ATTACHMENTS

A1 By-Law Number S-435, Respecting Changes to Street Improvements

A2 Attachment "B" By-Law S-435

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

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

Report Approved by: _____
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Procurement Review: _____
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Report Approved by: _____
Ken Reashor, Director, Transportation and Public Works at 490-4855

BC/pm

By-Law Number S-435 A-1

HALIFAX REGIONAL MUNICIPALITY

BY-LAW NUMBER S-435

RESPECTING CHARGES FOR STREET IMPROVEMENTS

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

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

For all projects approved and completed between January 1, 2011 to December 31, 2011, 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 \$34.71 plus \$3.47 for the engineering fee for a total charge of \$38.18.

For **new** concrete curb and gutter, the charge per foot of frontage to be applied to both sides of the street shall be \$34.91 plus \$3.49 for the engineering fee for a total charge of \$38.40.

For **new** asphalt paving, the charge per foot of frontage to be applied to both sides of the street shall be \$20.94 plus \$1.05 for the engineering fee for a total charge of \$21.99.

For **new** chip sealing of gravel roads, the charge per foot of frontage to be applied to both sides of the street shall be \$11.77 plus \$0.59 for the engineering fee for a total charge of \$12.36.

Done and passed by Council this 17th day of April, A.D. 2012.

Mayor

I, Cathy Mellett, 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 April 17th, 2012.

Cathy Mellett
Municipal Clerk

Local Improvement Rate By-Law S-435
 Projects Completed 2011

LIC Project	50% Construction Cost to Residents	Cost per foot to Residents	Engineering Fee Revenue	Engineering Fees per foot	LIC + Eng Fees
New Sidewalk	\$ 265,794.31	\$ 34.71	\$ 26,579.43	\$ 3.47	\$ 38.18
Curb & Gutter	\$ 106,617.11	\$ 34.91	\$ 10,661.71	\$ 3.49	\$ 38.40
New Paving	\$ 44,705.19	\$ 20.94	\$ 2,235.26	\$ 1.05	\$ 21.99
Chip Seal Gravel Roads	\$ 26,262.02	\$ 11.77	\$ 1,313.10	\$ 0.59	\$ 12.36
TOTAL RECOVERY	\$ 443,378.63		\$ 40,789.50		\$ 484,168.13