

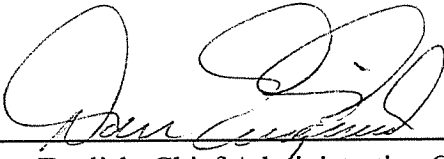
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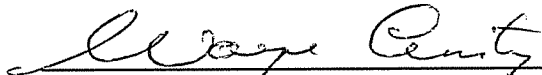


PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

Halifax Regional Council  
December 13, 2005  
*January 10, 2006*

**TO:** Mayor Kelly and Members of Halifax Regional Council

**SUBMITTED BY:**   
\_\_\_\_\_  
Dan English, Chief Administrative Officer

  
\_\_\_\_\_  
Wayne Anstey, Acting Deputy Chief Administrative Officer

**DATE:** December 2, 2005

**SUBJECT:** By-Law S-419 Respecting Local Improvement Charges, New Paving  
Projects Outside the Core Area - 2004

**ORIGIN**

CAO Report - Approved July 22, 2004.

**RECOMMENDATION**

It is recommended that Council approve in principle and begin the formal process for the adoption of By-Law S-419 Respecting Charges for Street Improvements.

**BACKGROUND**

The New Paving Projects of Subdivision Streets Outside the Core Area - 2004 were approved by Council in the Approved 2004/05 Capital Budget. These projects are subject to Local Improvement Charges (LIC).

**DISCUSSION**

These particular projects were identified in the CAO Report dated July 22, 2004, as LIC projects under the Aid-to Municipalities Program with Nova Scotia Department of Transportation and Public Works (NSDOT & PW). Under this program, 50% of the cost will be shared by NSDOT & PW and 50% by HRM. The total HRM share will be recovered by levying LIC's to abutting properties on these streets on a frontage basis. The approved estimated amount identified in the CAO Report was \$517,800.

The streets paved under this program (Greenough Drive, Inverary Court and Ellen Crescent) were surveyed in 2004 at an estimated cost of \$30.00 per foot of frontage.

HRM's share of the paving project is \$201,081.87 plus net HST for a total of \$207,976.97. The total recoverable frontage is 12,062.24 feet. Therefore, the proposed frontage rate of \$17.24 per foot will provide the funding necessary to recover HRM's share of the project cost.

**BUDGET IMPLICATIONS**

The paving projects are approved under Capital Account No. CXU00585, New Paving of Subdivision Streets Outside the Core Area, in the amount of \$415,953.94, with \$207,976.97 (50%) in cost being paid by NSDOT & PW, and \$207,976.97 (50%) by HRM fully recoverable through Local Improvement Charges, thus having no net cost to HRM. The budget availability has been approved by Financial Services.

**Budget Summary:      Capital Account No. CXU00585, New Paving of Subdivision Streets Outside the Core Area**

Cumulative Unspent Budget	\$1,342,925
Less: Total Project Cost	<u>\$415,953.94*</u>
	\$926,971.06

* Cost Breakdown:	50% NSDOT & PW	\$207,976.97
	50% Recoverable from LIC's	\$207,976.97
	Net Cost to HRM	<u>\$ 0.00</u>
		\$415,953.94

**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**

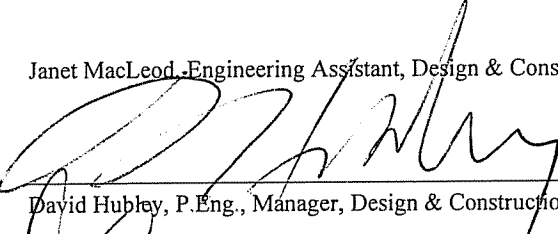
There are no recommended alternatives.


**ATTACHMENTS**

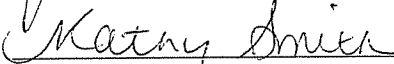
By-Law S-419  
Sample Letter Sent to all Streets

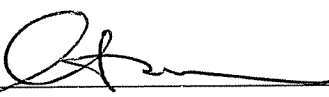
Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Janet MacLeod, Engineering Assistant, Design & Construction Services at 490-6839

Report Approved by:   
David Hubley, P.Eng., Manager, Design & Construction Services at 490-4845

Report Approved by:   
Mike Labrecque, P.Eng., Director, Transportation & Public Works Services at 490-4851

Report Approved by:   
Kathy Smith, Financial Consultant at 490-6193 6153

Report Approved by:   
Catherine Sanderson, Senior Manager, Financial Services at 490-1562

JMC:cf

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**By-Law:** Number S-419  
**By-Law Name:** Respecting Charges for Street Improvements, New Paving Projects Outside the Core Area - 2004".

**Objective:** The proposed By-Law is to establish the Local Improvement Charges to properties on Ellen Crescent, Greenough Drive and Inverary Court.

**By-Law:** **BE IT ENACTED** by the Council of the Halifax Regional Municipality that By-Law Number S-400, the By-Law Respecting Charges for Street Improvements, Section 2 is hereby amended as follows:

1. Section 2 of By-Law S-400 is amended by adding as Subsection (10) the following:

"Notwithstanding Subsections (1), (2) and (3) a charge is hereby imposed on those areas listed in Schedule " H " as is more particularly set out in that Schedule."

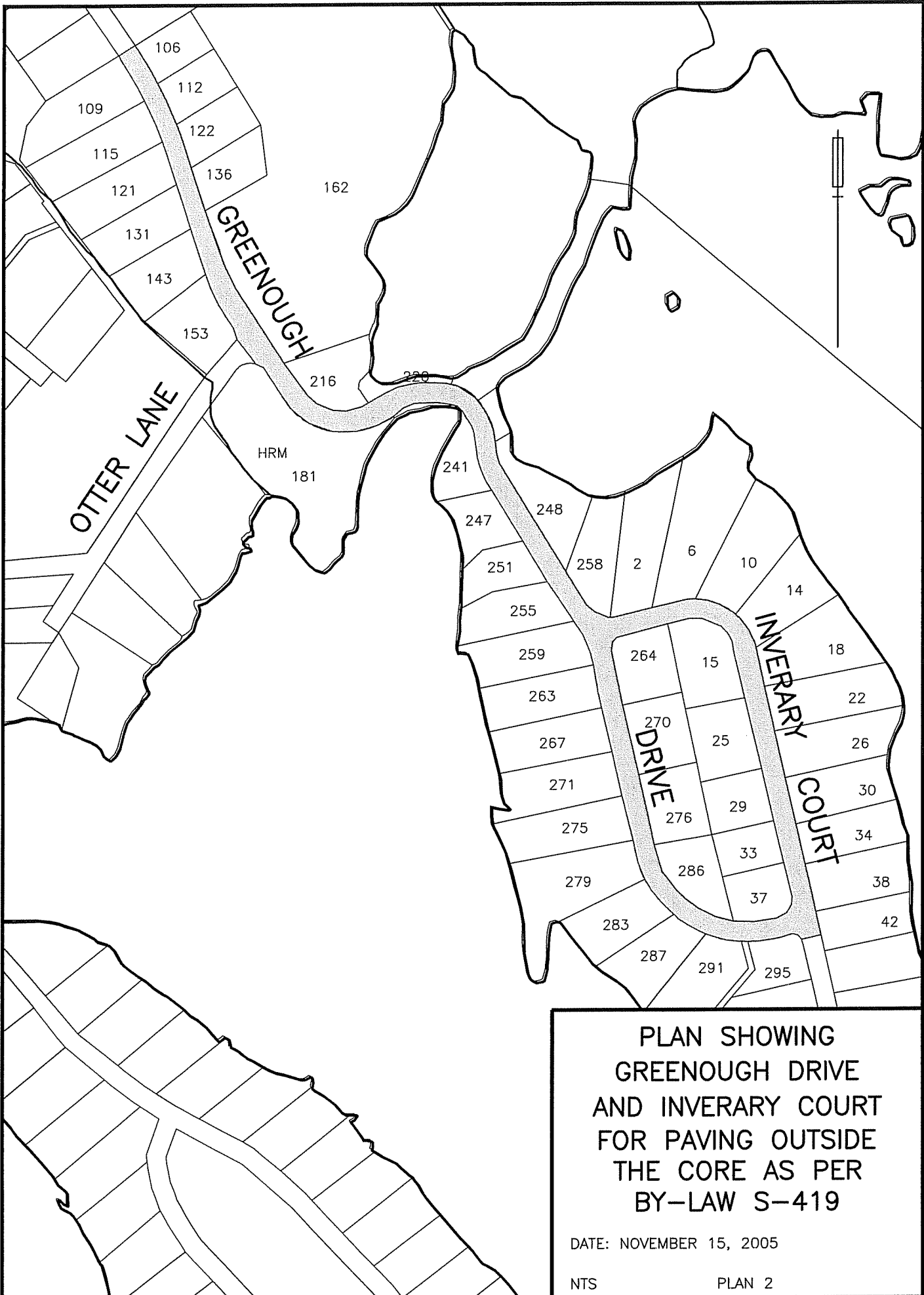
**SCHEDULE "H"**

2. The Local Improvement Charges for properties fronting or abutting in whole or in part, on Ellen Crescent in the area identified on the "Plan Showing Ellen Crescent, Plan No. 1, dated November 15, 2005," attached hereto, shall be \$17.24 per foot.
3. The Local Improvement Charges for properties fronting or abutting in whole or in part, Greenough Drive & Inverary Court, in the area identified on the "Plan Showing Greenough Drive & Inverary Court, Plan No. 2, dated November 15, 2005" attached hereto, shall be \$17.24 per foot.
4. The Local Improvement Charges imposed under this Schedule may be paid over a 10-year period with interest. Notwithstanding Section 4 of By-Law Number S-400, 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.

Done and passed by Council this      day of                      , 2005.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MUNICIPAL CLERK

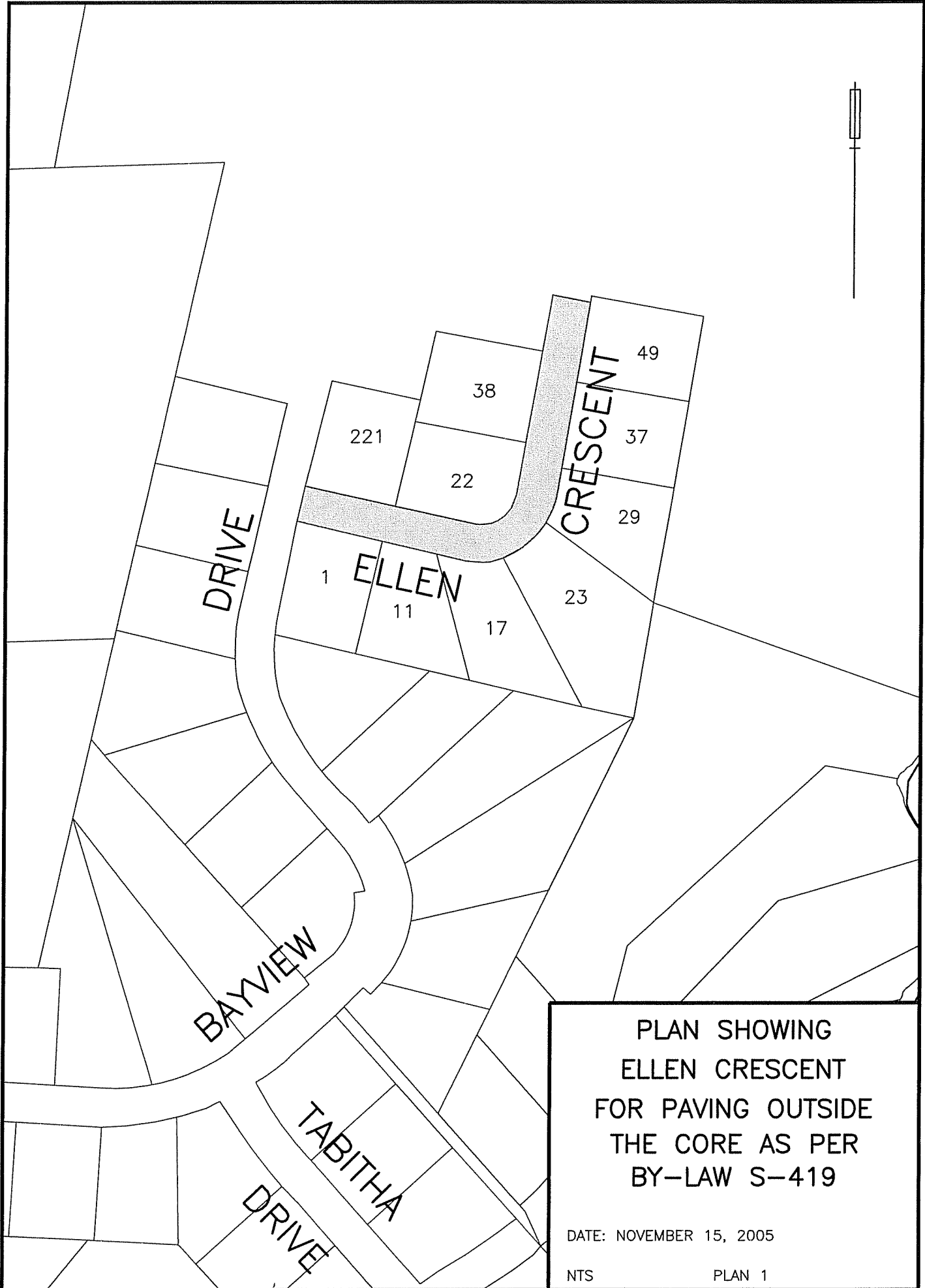


**PLAN SHOWING  
GREENOUGH DRIVE  
AND INVERARY COURT  
FOR PAVING OUTSIDE  
THE CORE AS PER  
BY-LAW S-419**

DATE: NOVEMBER 15, 2005

NTS

PLAN 2



PLAN SHOWING  
ELLEN CRESCENT  
FOR PAVING OUTSIDE  
THE CORE AS PER  
BY-LAW S-419

DATE: NOVEMBER 15, 2005

NTS PLAN 1

January 15, 2004

Dear Sir/Madam:

**Re: Paving -Your Street  
Sample Letter sent to All Streets**

To facilitate the process of determining which streets are to be included in the 2004 Aid-To-Municipality Programs for the consideration of Nova Scotia Department of Transportation and Public Works (NSDOT&PW), along with HRM Council, we would like to get a survey of the wishes of the local residents regarding the proposed paving of your street. The street was successfully petitioned in 2000, but due to the increase in the cost of paving it is necessary to repetition at a new rate of \$30.00 per linear foot. If HRM Council and the NSDOT&PW approves this project, paving is subject to Local Improvement Charges as stated in By-Law Number S-400.

Approval from property owners receiving the Local Improvement, who collectively own a minimum of 50% of the total recoverable frontage, is required prior to a project going to tender. In the determination of the percentage, frontages from Municipal-owned properties and parklands and road rights-of-way, will not be included in the calculation. In the event of less than 50% support or a balance of support for and against Local Improvement charges, Council may initiate or proceed with this project without the approval of the property owners. If Council determines the Local Improvement is required based on consideration of HRM's best interests, the Local Improvement Charges will apply.

The Local Improvement Charges will be based on 50% of the actual cost invoiced from NSDOT&PW. Therefore the frontage charge will vary from year-to-year. At the present time, the proposed cost is set at \$30.00 per linear foot for the paving. This will give you an idea of the magnitude of the cost involved.

Final billings for all Local Improvement Projects are payable over a 10-year period, with the first installment due 30 days after the billing date. 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 up to \$30.00 per linear foot frontage of your property for paving, please sign below and return this letter, by March 5, 2004 to ***Ann Reid, LIC Clerk, Design & Construction Services, P. O. Box 1749, Halifax, NS B3J 3A5, or hand deliver to 21 Mount Hope Avenue, 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.

Yours very truly,

Gerry Boyd, P.Eng.,  
Manager, Design & Construction Services

Councillor for the area  
District X

cc Rick Paynter , P.Eng. Director Public Works & Transportation Services

**AGREEMENT:**

I agree to pay the proposed Local Improvement Charges of up to \$30.00 per linear foot frontage of my property for paving.

Name \_\_\_\_\_ Signature \_\_\_\_\_

Lot # \_\_\_\_\_ Street Address \_\_\_\_\_