

HALIFAX

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 14.1.3
Halifax Regional Council
April 24, 2018

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by



SUBMITTED BY:

Bruce Zvaniga, P.Eng., Acting Chief Administrative Officer

DATE: March 13, 2018

SUBJECT: Local Improvement Charges - 51 Sandy Point Road

ORIGIN

Councillor Hendsbee tabled the following motion at the February 7, 2017, Regional Council meeting: "THAT Council request a staff report to determine whether the balance remaining on the Local Improvement Charge, for paving at 51 Sandy Point Road in Porters Lake, can be waived."

LEGISLATIVE AUTHORITY

By-law S-400 Street Improvement By-law; By-law S-434, an amendment to By-law S-400 Respecting Local Improvement Charges, New Paving Projects Outside Core Area 2010, Joan Elizabeth Way, Mannette Court and Sandy Point Road.

RECOMMENDATION

It is recommended that Halifax Regional Council continue to charge the Local Improvement Charge for civic 51 Sandy Point Road for the reasons outlined in this report.

BACKGROUND

Sandy Point Road is located next to Highway 107 and Inspiration Drive, Porters Lake. In 2010, Sandy Point Road, Mannede Court and Joan Elizabeth Way were paved under the provincial Aid to Municipality Program. The Aid to Municipality Program is an agreement between NSTIR and Nova Scotia municipalities (including HRM) to upgrade provincially owned and maintained gravel roads to asphalt or chipseal. Under this program, the Province is responsible to design, tender and provide contract administration and inspection during construction while HRM's role is to identify the streets to be paved and to facilitate the Local Improvement Charge (LIC) process pursuant to By-law S-400 and the Local Improvement Policy 1997. The program is cost-shared between the Province and the Municipality, each contributing 50% of the total construction costs. HRM's portion is recovered in its entirety by levying an LIC to the abutting properties on the relevant streets as described in By-law S-400.

Sandy Point Road, Mannede Court and Joan Elizabeth Way were gravel roads prior to the asphalt upgrade in 2010. However, there was a paved section on Sandy Point Road that had been previously part of the former highway alignment that abutted civic numbers 37, 41, 45, 49 and a portion of civic 51. Prior to 2010, the total frontage of civic 51 Sandy Point Road was approximately 294 feet with 236 feet being asphalt and the remaining 58 feet gravel. It is noted the Province repaved (at their expense) the former highway alignment that abutted civic numbers 37, 41, 45, 49 and a portion of civic 51 in 2010.

As part of the LIC procedure, the property owners on Sandy Point Road, Mannede Court and Joan Elizabeth Way were surveyed for paving with an estimated LIC frontage rate of \$35.00 per foot. The results of the survey indicated the residents were in support of the paving, and as a result the project was advanced to the Aid to Municipality Program. However, through the process to establish the LIC rate Council approved the LIC recovery based on a lot charge of \$3,705.29 to 44 properties which included civic 51 Sandy Point Road. The rationale to modify the LIC from a frontage charge to a lot charge was premised on a more equitable solution. The frontages varied significantly, and it was believed applying the same lot charge to each property would be a more reasonable approach. The attached supplementary report dated July 10, 2012 provides background information.

To add further context, prior to approving the LIC recovery rate based on 44 properties, Council was considering a recovery from 48 lots. Council decided the 4 properties (civic numbers 37, 41, 45, and 49 Sandy Point Road) had existing pavement along their frontage as noted above. As a result of reducing the number of lots for consideration from 48 to 44, there was a shortfall of \$14,821.16 (4 lots x \$3,705.29). Council made the decision to recover this shortfall from the Paving of HRM Owned Subdivision Streets account (refer to Regional Council meeting dated July 10, 2012).

During the Bylaw process, the property owners at civic 51 Sandy Point Road advised they believed the gravel portion in front of their property had been at one time paved and converted to gravel when construction of surrounding residential streets occurred. As a result, they requested that their property be exempt from paying LIC's. HRM staff reviewed this claim with the Province and concluded there was no evidence to support this. The property owners at civic 51 Sandy Point Road were also requesting that their portion of property that had fronted existing asphalt (236 feet) be exempt, similar to the other four properties on Sandy Point Road (civic numbers 37, 41, 45, and 49), and that only the gravel portion in front of their property (58 feet) be considered for an LIC. This was not an option as HRM Regional Council was approving the Bylaw based on a lot charge, and a portion of road in front of civic 51 Sandy Point Road was gravel prior to 2010.

DISCUSSION

In 2017, the property owners requested, through the local councillor, that the balance remaining on their LIC for paving at civic 51 Sandy Point Road be waived. It is staff's understanding the rationale to make this request is based on the property owners' belief that the portion of gravel road along civic 51 Sandy Point Road had been previously paved. Since Sandy Point Road is provincially owned, HRM staff contacted the

Province again to review this claim. Based on a response from the Province, a portion of Sandy Point Road had at one time represented the alignment of the former highway 107. After the construction of the new highway, a portion of the old highway was severed leaving a remaining paved section of road that later became known as Sandy Point Road. At the time of the highway realignment, there were no existing homes on this severed portion of road. The detached paved section connected east to the Porters Lake Connector, and was extended in a westerly direction as a gravel road.

According to the Province, when house construction began on Sandy Point Road, the property at civic 51 had a portion of its property fronting asphalt, and from their driveway heading west the property fronted the gravel portion of Sandy Point Road. The asphalt pavement did not extend past the driveway at civic 51 once the road became Sandy Point Road, and not until it was paved under the Aid to Municipality program in 2010.

FINANCIAL IMPLICATIONS

Based on the above noted recommendation, there are no financial implications at this time. If Council chooses Alternative No. 1 (outlined below), the outstanding LIC balance would have to be paid from another HRM funding source.

RISK CONSIDERATION

There are no significant risks associated with the recommendation in this report. The risks considered rate low.

COMMUNITY ENGAGEMENT

There was no requirement to conduct public engagement based on the recommendation outlined above.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

ALTERNATIVES

Council may amend By-law S-400 to remove any outstanding LIC for the property located at 51 Sandy Point Road. Initially the residents were surveyed based on a frontage charge, however, this was modified to a lot charge. As noted above, civic numbers 37, 41, 45, and 49 Sandy Point Road had existing pavement along their frontage prior to the 2010 Aid to Municipality program. Council originally contemplated applying the LIC's for these 4 properties but decided to exempt them. Council could follow the same approach and decide to exempt 51 Sandy Cove Road from any further LIC charges. In doing so, HRM staff would require direction from Council to determine a funding source for the remaining lot charge. A suitable funding source could be from the Paving of HRM Owned Subdivision Streets Account No. CR000002. This account currently has sufficient funding to cover the remaining balance on civic 51 Sandy Point Road. Staff is not recommending this option as Council already decided in 2012 to impose a lot charge for all 44 properties, including 51 Sandy Point Road. If Council was to select this option Council could pass the following motion:

That Halifax Regional Council direct staff:

- (1) to prepare amendments to By-law A-400, the *Streets Improvement By-law*, to exempt 51 Sandy Point Road from any further charges arising from Schedule Q of the By-law and return to Council for consideration of the resulting amendments; and

- (2) fund the remaining balance of the charge for 51 Sandy Point Road arising from Schedule Q of the By-law from the Paving of the HRM owned Subdivision Streets Account CR000002.

ATTACHMENTS

- A Supplementary Report By-law S-434 dated June 28, 2012
- B Map illustrating a portion of Sandy Point Road

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: David Hubley, P.Eng., Manager, Project Planning and Design, (902) 490-4845



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 11.1.5 (i)
Halifax Regional Council
July 10, 2012

TO: Mayor Kelly and Members of Halifax Regional Council

Original Signed by 

SUBMITTED BY:

Mike Labrecque, Acting Chief Administrative Officer

DATE: June 28, 2012

SUBJECT: Approval of By-Law S-434, an Amendment to By-Law S-400
Respecting Local Improvement Charges, New Paving Projects
Outside Core Area 2010, Joan Elizabeth Way, Mannette Court and
Sandy Point Road

SUPPLEMENTARY REPORT

ORIGIN

This report originates from the motion at Halifax Regional Council on January 10, 2012.

“MOVED by Councillor Hendsbee, seconded by Councillor Dalrymple that Halifax Regional Council refer the matter of new paving of subdivision streets outside the core area - 2010 for Joan Elizabeth Way, Mannette Court and Sandy Point Road to staff for a Supplementary Report on the impact of having the Local Improvement Charge recovered by a uniform lot charge of \$3,705.29 for the 44 properties located on the above noted streets, referenced on the map attached to the October 18, 2011 staff report, and; that HRM cover the remaining \$14,821.14 for total recovery of \$177,853.64 net HST included.”

RECOMMENDATION

It is recommended that Halifax Regional Council approve the recovery of the \$14,821.14 from the 44 lots as per By-Law S-434, an amendment to By-Law S-400 (Respecting Charges for Street Improvements), relating to New Paving of Subdivision Streets Outside the Core Area – 2010 for Joan Elizabeth Way, Mannette Court and Sandy Point Road. The Local Improvement Charges (LIC) to be recovered via a uniform lot charge from the above noted streets equates to \$4,042.13 per lot. The total amount of recovery for these roads is \$177,853.64 (net HST included).

BACKGROUND

At the January 10, 2012 Regional Council meeting, a Public Hearing for the attached By-Law S-434 has held. A number of questions were raised during the meeting including the above noted motion. This supplementary report provides relevant answers to the questions raised at Council on January 10, 2012, recommendations from staff and additional information to aid Council in making a decision regarding the LIC recovery amount from properties located on Mannette Court, Sandy Point Road, and Joan Elizabeth Way.

DISCUSSION

Questions/Comments From Council

1. "Councillor Smith requested that the staff report provide clarity on the petition that was made to the residents of Mannette Court in regard to the amount per linear foot of frontage and what the implications of that original petition:"

Staff Response: Mannette Court was successfully surveyed in February/March 2009 at the estimated rate of \$35.00 per linear foot. The survey was submitted to HRM, and the results concluded that property owners owning 71% of total recoverable frontage were in favour of the paving. On February 8, 2010, letters were distributed to the property owners on Mannette Court, Sandy Point Road and Joan Elizabeth Way indicating that these streets were submitted to NSTIR for consideration in the 2010 Aid to Municipality Paving Program. As a note, Joan Elizabeth Way is owned by HRM; however, given its proximity to Mannette Court and Sandy Point Road, HRM staff requested that this street be included in the Aid to Municipality tender in order to take advantage of cost efficiencies, and to minimize disruption to the local residents. Council approved this in the 2010/11 Capital Budget.

On June 30, 2010, letters were again distributed to the property owners indicating that HRM had received confirmation from NSTIR that Mannette Court, Sandy Point Road, and Joan Elizabeth Way had been approved by NSTIR for paving in the 2010 program. These letters also informed the property owners that the local Councillor had requested the LIC be recovered via a lot charge per street, and not on the original per linear foot basis. Some feedback was provided by specific residents requesting clarification as to why the recovery method was modified from the per linear foot charge to the lot charge. The local Councillor recommended the change due to the wide range in frontages, and believed this to be a more equitable method. It is noted at a later date the Councillor requested that one uniform lot charge apply to all relevant properties on the three streets.

As identified in a letter dated June 30, 2010 to residents on Mannette Court, the estimated frontage charges based on \$35 per linear foot ranged from \$1,139 to \$6,620. The estimated lot charge was \$4,497. Based on the actual rate of \$34.07 per linear foot (as approved by Council in By-Law S-432), the frontage charge ranges from \$1,022.10 to \$6,814.00. The actual lot charge is \$4,457.61.

2. "Councillor Hum expressed concern with the process and requested that staff clarify the process. She questioned what would occur if staff's response was that they could not find the remaining amount in the budget."

Staff Response: Typically a street is surveyed to ascertain if there is interest to pave a street. One of three decisions is normally derived from the results of the survey. If property owners who own more than 50% of the total recoverable frontage are in favour of the paving upgrade, the project will be added to the capital program (subject to the prioritization criteria). If it receives less than 50% of the total recoverable frontage, the project will be removed from the capital list for consideration to pave. In some cases though (and based on past practices), the Councillor for the district has the right to suspend the survey process with Council's approval. Notwithstanding the decision, all property owners are notified in writing as to the results of the survey and the method of recovery. The actual rate and method of recovery are identified in the By-Law for Council's approval.

Regarding the budget question refer to below under "Response to Motion".

3. "Councillor Johns commented that HRM would cover the cost of repaving any other road through the capital works budget; therefore, the cost for repaving the four lots (approximately \$14,821.14) would come from the capital works budget."

Staff Response: The section of Sandy Point Road (where the four lots were removed in By-Law S-433) is a Provincially owned street, and had been paved for many years. Since it was an existing paved road, the cost to repave it is the full responsibility of the Province, not HRM. The asphalt was in poor condition, and since the abutting gravel road sections were being paved under the Aid to Municipality Program, HRM requested that this section of Sandy Point Road be repaved, and paid 100% by the Province. HRM received an invoice in April 2011 confirming that NSTIR paid the full amount (\$47,018.59) to pave this portion of Sandy Point Road. Since the 4 lots on the existing paved section of Sandy Point Road are removed from the LIC calculation (See By-Law History below), the uniform lot charge is \$4,042.13. If the 48 lots were to be included in the overall calculation, the lot charge would be \$3,705.29. By holding the lot charge at \$3,705.29, and multiplying by the 44 lots, the total cost would be \$163,032.76 (a reduction of \$14,821.14).

4. "Councillor Walker noted that HRM should not be paving any Provincial roads in the capital budget. He requested that the report include information on what the charges would have been at \$35 per linear foot as per the original petition and whether or not the total cost included insurance."

Staff Response: The charges for Mannette Court are outlined above. The following describes the comparisons for Joan Elizabeth Way and Sandy Point Road:

- As identified in a letter dated June 30, 2010 to residents on Joan Elizabeth Way the estimated frontage charges based on \$35 per linear foot ranged from \$1,050 to \$6,926. The estimated lot charge was \$3,664. Based on the actual rate of \$34.07 per linear foot, the frontage charge ranges from \$1,026.19 to \$6,808.89. The actual lot charge is \$3,500.33.

- As identified in letters dated June 30, 2010 and August 3, 2010 to residents on Sandy Point Road, the estimated frontage charges based on \$35 per linear foot ranged from \$2,030 to \$7,684. The estimated lot charge was \$4,813.55. Based on the actual rate of \$34.07 per linear foot, the frontage charge ranges from \$1,976 to \$7,480. The actual lot charge is \$4,582.02.

With respect to the question regarding insurance, since the Province tendered the work the contractor must adhere to their specifications. The Province confirmed the contractor is responsible to address damages to private properties, and that the tender requires a 1 year warranty on the workmanship, 2 years on product failure, and 3 years on the center joint.

In summary all three streets were originally surveyed at an estimated cost of \$35 per linear foot. In the summer of 2010 the local Councillor requested that a separate lot charge be levied for each street. The requested recovery method has since been modified to apply one uniform lot charge for all properties on the three streets. The total number of lots is 48; however, based on the outcome of the October 4, 2011 Public Hearing, the four lots on the existing paved portion of Sandy Point Road have been removed from the LIC process. It should be noted that these property owners were not included in the survey process.

Response to Motion:

Regarding the motion outlined above, the following provides an overview of the impacts of having the LIC recovered by a uniform lot charge of \$3,705.29 for the 44 properties on Mannette Court, Joan Elizabeth Way and Sandy Point Road. Firstly, HRM would be required to pay the shortfall of \$14,821.14 in order to recover the total LIC amount of \$177,853.64. To date, the Aid to Municipality Program for the paving of Provincially owned streets has been a net zero cost to HRM. If HRM pays the shortfall it may set a precedent. The \$177,853.64 is the total cost of the LIC recovery to pave the gravel portions of Sandy Point Road, Mannette Court and Joan Elizabeth Way only, and the 44 properties on these streets received the greatest benefit of the paving.

Secondly Council would be required to approve the payment of \$14,821.14 from an HRM capital account. An account that could be considered is the Paving of HRM Owned Subdivision Streets. It is a similar program to the Aid to Municipality Program in that it is utilized to pave gravel roads; however, the difference is that it traditionally has been applied to HRM owned streets only. The approved 2012 Paving of HRM Owned Subdivision Streets account has 14 streets identified on the main list for paving at an estimated cost of \$1,456,000. The total budget in this account is \$1,500,000. There is also one shopping list project in the 2012 program at an estimated cost of \$180,000. The 14 streets have been tendered and based on the tender price there are sufficient funds to move forward with the shopping list project as well as cover the \$14,821.14.

By-Law History

July 5, 2011 – By-Law S-432 – A report and by-law were submitted to Regional Council to set the LIC rate for the 2010 paving completed under the Aid to Municipality Program (at a rate of \$34.07 per linear foot). Councillor Hendsbee requested that Mannette Court, Sandy Point Road,

and Joan Elizabeth Way be deferred from this By-Law pending the results of a public meeting which was held on July 19, 2011. Motion was put and passed.

August 16, 2011 – By-Law S-433 - Staff revised the LIC By-Law report to address the motion from the July 5, 2011 Council meeting, and resubmitted to Regional Council for consideration. The recommendation to Council was to approve in principle By-Law S-433 with individual lot charges applying to Mannette Court, Joan Elizabeth Way and Sandy Point Road as identified in Appendix A of that report. As a note, Appendix A applied to a total of 43 lots. An alternative Appendix B was attached to this report suggesting that Council could choose to approve the LIC rate from 48 lots at a uniform lot charge of \$3,705.29. The recommendation associated with Appendix A was put and passed.

September 13, 2011 - By-Law S-433 – First reading of this by-law was held. It was “moved by Councillor Hendsbee, seconded by Councillor McCluskey that Halifax Regional Council give First Reading of By-Law S-433, an amendment to By-Law S-400 as outlined in Appendix B of the August 4, 2011 staff report, Respecting Charges for Street Improvements, relating to new paving of Subdivision Streets Outside the Core Area – 2010 for Joan Elizabeth Way, Mannette Court, and Sandy Point Road and set a date for a Public Hearing.” Motion was put and passed.

October 4, 2011 – Public Hearing – A public meeting was held at Regional Council to discuss the recommendations in By-Law S-433 including the motion from September 13, 2011 to charge \$3,705.29 to the 48 properties. This motion was put and defeated. In the end the 4 lots on the existing paved portion of Sandy Point Road were removed from the LIC calculation leaving a total of 44 lots to be included in the recovery of the LIC. Since By-Law S-433 was defeated a new By-Law S-434 had to be created.

November 22, 2011 - By-Law S-434 - It was “moved by Councillor Hendsbee, seconded by Deputy Mayor Karsten that Halifax Regional Council:

1. Give First Reading to By-Law S-434, an amendment to By-Law S-400 (Respecting Charges for Street Improvements), relating to New Paving of Subdivision Streets Outside the Core Area-2010 for Joan Elizabeth Way, Mannette Court and Sandy Point Road. The Local Improvement Charges are to be recovered via a uniform lot charge of \$4,042.13 to the 44 properties located at the above noted streets (refer to the plan attached to the staff report dated October 18, 2011). The total amount of recovery for the these roads is \$177,853.64 (net HST included); and,
2. Schedule a Public Hearing for January 10, 2012.”

Motion was put and passed.

January 10, 2012 - Public Hearing - A Public Hearing was held at Regional Council. At the meeting it was “Moved by Councillor Hendsbee, seconded by Councillor Dalrymple that Halifax Regional Council refer the matter of new paving of subdivision streets outside the core area - 2010 for Joan Elizabeth Way, Mannette Court and Sandy Point Road to staff for a Supplementary Report on the impact of having the Local Improvement Charge recovered by a uniform lot charge of \$3,705.29 for the 44 properties located on the above noted streets,

referenced in the map attached to the October 18, 2011 staff report; and, that HRM cover the remaining \$14,821.14 for total recovery of \$177,853.64 net HST included." Motion of deferral was put and passed, and staff was requested to submit a supplementary report.

BUDGET IMPLICATIONS

HRM's share of the total project cost for the streets owned by NSTIR is 100% recoverable from LICs. HRM has reimbursed the Province for the amount billed in April 2011 as they were responsible for completing the work. This includes 50% of the cost of paving the Provincially owned streets (recoverable through LICs), and 100% of the cost for the paving of the HRM owned streets (50% recoverable through LICs). Should Council decide not to recover the \$14,821.14 from the 44 lots, the amount would have to be paid from another HRM funding source.

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.

ENVIRONMENTAL IMPLICATIONS

Implications not identified.

COMMUNITY ENGAGEMENT

See attached letters to property owners.

ALTERNATIVE

It is staff's recommendation to recover the full LIC amount of \$177,853.64 (net HST included) from the 44 properties for the reasons identified above. The uniform lot charge under this option is \$4,042.13. However pursuant to the motion from January 10, 2012 Council could choose to recover the LIC via a uniform lot charge of \$3,705.29 from each of the 44 properties (for a total recovery of \$163,032.76), and have HRM cover the remaining \$14,821.14. In the January 10, 2012 Council meeting, Councillor Hendsbee expressed concern that the four properties in question were never assessed for an LIC, and that in the interest of fairness all 48 properties should have been included in the calculations for the paving project (refer to attached minutes of January 10, 2012). Since Council agreed to remove the four properties upon conclusion of the October 4, 2011 Public Hearing, Councillor Hendsbee is requesting that the 44 lots pay the same lot charge that would have applied to the 48 lots (\$3,705.29), thus creating the shortfall of \$14,821.14. If this alternative is chosen, staff will require direction from Council to determine a

funding source for the \$14,821.14. As outlined above, a possible funding source could be from the Paving of HRM Owned Subdivision Streets account. Sufficient funds are available in this account to cover the \$14,821.14. Furthermore an amendment to By-Law S-434 will be required to modify the lot charge from \$4,042.13 to \$3,705.29 per lot.

ATTACHMENTS

- (A) By-Law S-434 (and Map) – A1
- (B) Letters to Property Owners – A2

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 490-4208.

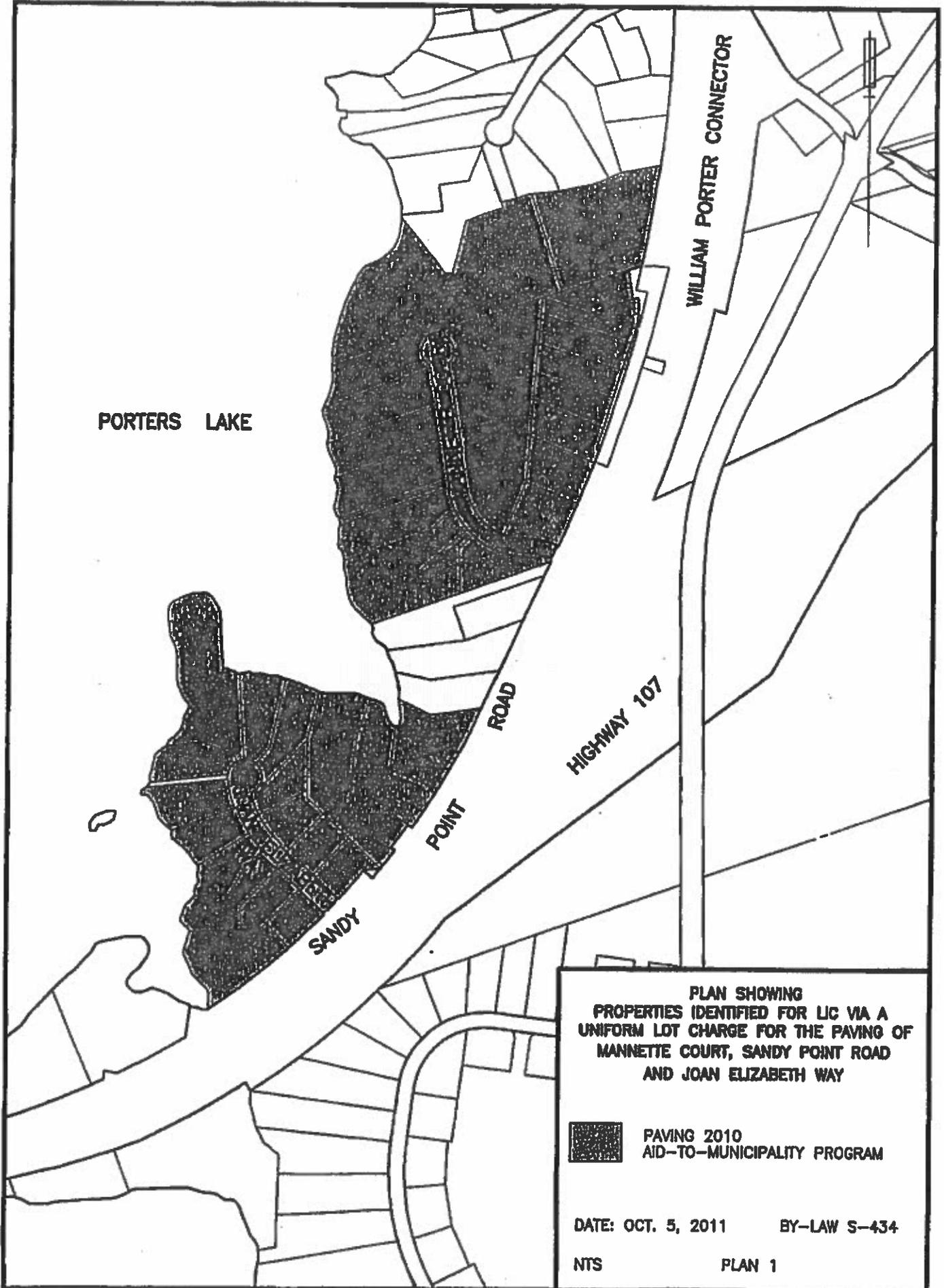
Report Prepared by: Ann Reid, LIC Technician Design & Construction Services, 490-6849

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

Finance Review: _____
Greg Keefe, A/Director of Finance, 490-6308

Report Approved by: _____
Ken Reastor, P.Eng., Director, Transportation and Public Works at 490-4855

DH/pm



PORTERS LAKE

WILLIAM PORTER CONNECTOR

HIGHWAY 107

SANDY POINT ROAD

SANDY

PLAN SHOWING
PROPERTIES IDENTIFIED FOR LIC VIA A
UNIFORM LOT CHARGE FOR THE PAVING OF
MANNETTE COURT, SANDY POINT ROAD
AND JOAN ELIZABETH WAY

 PAVING 2010
AID-TO-MUNICIPALITY PROGRAM

DATE: OCT. 5, 2011 BY-LAW S-434

NTS PLAN 1

February 8, 2010

Dear Sir/Madam:

Re: Paving - Mannette Court, Sandy Point Road, Joan Elizabeth Way - Porters Lake

On March 3, 2009, Halifax Regional Council approved a three-year Construction Agreement 2009-012 between Nova Scotia Department of Transportation and Infrastructure Renewal (NSTIR) and Halifax Regional Municipality (HRM). This agreement is for the paving of "J" Class gravel roads under the Aid to Municipality Program. On January 28, 2010 HRM submitted a list of streets for consideration for the 2010 Aid to Municipality Paving Program. Included in the list are the above noted streets: Mannette Court, Sandy Point Road from civic 1 to civic 31, and Joan Elizabeth Way which were successfully surveyed at the estimated rate of \$35.00 per linear foot. Sandy Point Road from civic 51 to civic 14, Joan Elizabeth Way was not surveyed. Joan Elizabeth Way is owned by HRM, so to ensure that all the streets located within a geographic area are paved at the same time, HRM has requested that NSTIR include Joan Elizabeth Way in their tender. Under the Aid to Municipality cost sharing program, the actual rate will be calculated on one half of the total cost of the paving tender divided by the recoverable frontage.

Pursuant to HRM Local Improvement Policy, Councillor Hendsbee has decided not to survey the property owners on the section of Sandy Point Road, as he has received requests from the residents to have the roads paved as soon as possible. The abutting property owners will be responsible for paying the Local Improvement Charges associated with installation of the new paving. The actual rate will be set once HRM receives the final invoice from NSTIR.

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, without interest penalty, 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.

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If you have any questions or concerns pertaining to this matter, please do not hesitate to call Ann Reid at 490-6849 or e-mail: reida@halifax.ca.

Respectfully,

Original Signed

Clary White
Supervisor Drafting and Plan Records,
Design & Construction Services

CW/cf

cc: Councillor David Hendsbee, District 3
Phil Townsend, Director Infrastructure & Asset Management
David Hubley, P. Eng., Manager Design & Construction Services

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June 30, 2010

Dear Sir/Madam:

Paving Upgrade of - Joan Elizabeth Way - Porters Lake, District 3

Halifax Regional Municipality (HRM) received a letter from the Minister of Transportation and Infrastructure Renewal on June 9, 2010, confirming that all the streets submitted by HRM for paving in the 2010 Aid to Municipality Cost Sharing Program have been approved. Under this program, the Province designs, tenders and facilitates the construction of this work. HRM's responsibility is to select the streets for consideration and to recover local improvement charges (LIC). The Province covers 50% of the construction costs and HRM recovers the remaining 50% from the residents through the LIC process.

Joan Elizabeth Way was successfully surveyed for paving at the estimated LIC rate of \$35 per foot. Since the frontages range from 30 ft to 197.91 ft which would be a LIC ranging from \$1,050 to \$6,926, Councillor Hendsbee feels that the only fair way to assess the LIC is via a lot charge. Therefore, he has requested that the LIC be recovered via a lot charge assessed to the 16 properties which have direct access to the street. The estimated lot charge based on \$35 per foot would be approximately \$3,664 and is payable over ten years. The actual rate will be set once HRM receives the final invoice from NSTIR in April of 2011. The paving will take place this fall, work to be completed by October 31, 2010.

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, without interest penalty, if the abutter so desires. The unpaid balance is subject to an interest charge at the rate of 2% above the Municipality's Bankers Prime Rate of Interest at the time the project is approved by Halifax Regional Council.

If you have any question or concerns pertaining to this matter, please do not hesitate to call Ann Reid at 490-6849 or e-mail: reidn@halifax.ca.

Respectfully,

Original Signed

Clary White
Supervisor Drafting and Plan Records,
Design & Construction Services

CW/

cc: Councillor David Hendsbee, District 3
Phil Townsend Director Infrastructure & Asset Management
David Hubley, P. Eng., Manager Design & Construction Services

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June 30, 2010

Dear Sir/Madam:

Paving Upgrade of - Mannette Court - Porters Lake, District 3

Halifax Regional Municipality (HRM) received a letter from the Minister of Transportation and Infrastructure Renewal on June 9, 2010, confirming that all the streets submitted by HRM for paving in the 2010 Aid to Municipality Cost Sharing Program have been approved. Under this program, the Province designs, tenders and facilitates the construction of this work. HRM's responsibility is to select the streets for consideration and to recover local improvement charges (LIC). The Province covers 50% of the construction costs and HRM recovers the remaining 50% from the residents through the LIC process.

Mannette Court was successfully surveyed for paving at the estimated LIC rate of \$35 per foot. Since the frontages range from 32 ft to 178 feet which would be a LIC ranging from \$1,139 to \$6,260, Councillor Hendsbee feels that the only fair way to assess the LIC is via a lot charge. Therefore, he has requested that the LIC be recovered via a lot charge assessed to the 15 properties which have direct access to the street. The estimated lot charge based on \$35 per foot would be approximately \$4,947 and is payable over ten years. The actual rate will be set once HRM receives the final invoice from NSTIR in April of 2011. The paving will take place this fall, work to be completed by October 31, 2010.

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, without interest penalty, if the abutter so desires. The unpaid balance is subject to an interest charge at the rate of 2% above the Municipality's Bankers Prime Rate of Interest at the time the project is approved by Halifax Regional Council.

If you have any question or concerns pertaining to this matter, please do not hesitate to call Ann Reid at 490-6849 or e-mail: reida@halifax.ca.

Respectfully,

Original Signed

Clary White
Supervisor Drafting and Plan Records,
Design & Construction Services

CW/pm

cc: Councillor David Hendsbee, District 3
Phil Townsend Director Infrastructure & Asset Management
David Huble, P. Eng., Manager Design & Construction Services

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August 3, 2010

Dear Sir/Madam:

Revised Paving Upgrade of - Sandy Point Road - Porters Lake, District 3

Halifax Regional Municipality (HRM) received a letter from the Minister of Transportation and Infrastructure Renewal on June 9, 2010, confirming that all the streets submitted by HRM for paving in the 2010 Aid to Municipality Cost Sharing Program have been approved. Under this program, the Province designs, tenders and facilitates the construction of this work. HRM's responsibility is to select the streets for consideration and to recover local improvement charges (LIC). The Province covers 50% of the construction costs and HRM recovers the remaining 50% from the residents through the LIC process.

There was an error in the calculation for the lot charges in the letter dated June 30, 2010. There are two gravel sections on Sandy Point Road Civic 1 to Civic 27 and Civic 51 to Civic 14 Joan Elizabeth Way, Councillor Hendsbee feels that the only fair way to assess the LIC is via a lot charge. Therefore, he has requested that the LIC be recovered via a lot charge assessed to the 12 properties which have direct access to the street. The estimated lot charge based on \$35 per foot would be approximately \$4,813.55 and is payable over ten years. The actual rate will be set once HRM receives the final invoice from NSTIR in April of 2011. The paving will take place this fall, work to be completed by October 31, 2010.

HRM and Councillor Hendsbee have requested on behalf of the residents that the paved section of Sandy Point Road be re-paved. Sandy Point Road is owned by NSTIR; therefore, the re-paving is 100% their cost and responsibility. To date HRM has not received confirmation from NSTIR that the re-paving will be tendered this year.

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, without interest penalty, if the abutter so desires. The unpaid balance is subject to an interest charge at the rate of 2% above the Municipality's Bankers Prime Rate of Interest at the time the project is approved by Halifax Regional Council.

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Sandy Point Road
August 3, 2010
Page 2

If you have any question or concerns pertaining to this matter, please do not hesitate to call Ann Reid at 490-6849 or e-mail: reida@halifax.ca.

Respectfully,

Original Signed

Clary White
Supervisor Drafting and Plan Records,
Design & Construction Services

DH/pm

cc: Councillor David Hendsbee, District 3
Phil Townsend Director Infrastructure & Asset Management
David Hubley, P. Eng., Manager Design & Construction Services

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June 30, 2010

Dear Sir/Madam:

Paving Upgrade of - Sandy Point Road Civic 1 to 27 - Porters Lake, District 3

Halifax Regional Municipality (HRM) received a letter from the Minister of Transportation and Infrastructure Renewal on June 9, 2010, confirming that all the streets submitted by HRM for paving in the 2010 Aid to Municipality Cost Sharing Program have been approved. Under this program, the Province designs, tenders and facilitates the construction of this work. HRM's responsibility is to select the streets for consideration and to recover local improvement charges (LIC). The Province covers 50% of the construction costs and HRM recovers the remaining 50% from the residents through the LIC process.

Sandy Point Road was successfully surveyed for paving at the estimated LIC rate of \$35 per foot. Since the frontages range from 125 ft to 199.49 ft which would be a LIC ranging from \$4,375 to \$6,982, Councillor Hendsbee feels that the only fair way to assess the LIC is via a lot charge. Therefore, he has requested that the LIC be recovered via a lot charge assessed to the 7 properties which have direct access to the street. The estimated lot charge based on \$35 per foot would be approximately \$5,259 and is payable over ten years. The actual rate will be set once HRM receives the final invoice from NSTIR in April of 2011. The paving will take place this fall, work to be completed by October 31, 2010.

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, without interest penalty, if the abutter so desires. The unpaid balance is subject to an interest charge at the rate of 2% above the Municipality's Bankers Prime Rate of Interest at the time the project is approved by Halifax Regional Council.

If you have any question or concerns pertaining to this matter, please do not hesitate to call Ann Reid at 490-6849 or e-mail: reida@halifax.ca.

Respectfully,

Original Signed

Clary White
Supervisor Drafting and Plan Records,
Design & Construction Services

CW/pm

cc: Councillor David Hendsbee, District 3
Phil Townsend Director Infrastructure & Asset Management
David Hubley, P. Eng., Manager Design & Construction Services

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June 30, 2010

Dear Sir/Madam:

Paving Upgrade of Sandy Point Road - Porter's Lake, District 3

Halifax Regional Municipality (HRM) received a letter from the Minister of Transportation and Infrastructure Renewal on June 9, 2010, confirming that all the streets submitted by HRM for paving in the 2010 Aid to Municipality Cost Sharing Program have been approved. Under this program, the Province designs, tenders and facilitates the construction of this work. HRM's responsibility is to select the streets for consideration and to recover local improvement charges (LIC). The Province covers 50% of the construction costs and HRM recovers the remaining 50% from the residents through the LIC process. Sandy Point Road was on that list, and Councillor Hendsbee has recommended moving forward with the paving pursuant to the HRM Local Improvement Policy.

Councillor Hendsbee has requested that the LIC be recovered via a lot charge assessed to the 5 properties which have frontage abutting Sandy Point Road. The estimated lot charge based on \$35 per foot would be approximately \$4,189 and is payable over ten years. The actual rate will be set once HRM receives the final invoice from NSTIR in April of 2011. The paving will take place this fall, work to be completed by October 31, 2010.

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, without interest penalty, if the abutter so desires. The unpaid balance is subject to an interest charge at the rate of 2% above the Municipality's Bankers Prime Rate of Interest at the time the project is approved by Halifax Regional Council.

If you have any question or concerns pertaining to this matter, please do not hesitate to call Ann Reid at 490-6849 or e-mail: reida@halifax.ca.

Respectfully,

Original Signed

Clary White
Supervisor Drafting and Plan Records,
Design & Construction Services

CW/pm

cc: Councillor David Hendsbee, District 3
Phil Townsend Director Infrastructure & Asset Management
David Hubley, P. Eng., Manager Design & Construction Services

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ATTACHMENT B

