



## ADMINISTRATIVE REPORT

Report Date: April 4, 2016  
Contact: Dane Doleman  
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RTS No.: 11409  
VanRIMS No.: 08-2000-20  
Meeting Date: May 3, 2016

TO: Vancouver City Council  
FROM: General Manager of Engineering Services  
SUBJECT: First and Second Step Report, Local Improvements by Petition,  
Court of Revision May 31, 2016

### ***RECOMMENDATION***

- A. THAT the two petition projects, one traffic circle project and one laneway speed hump project, listed in Appendix I as the first step, be advanced as Local Improvements and be brought before a Court of Revision on May 31, 2016.
- B. THAT the funding strategy for these projects, comprised of 100% external funding from the adjacent and benefitting property owners be adopted.

### ***REPORT SUMMARY***

A Court of Revision is scheduled for May 31, 2016 to review a traffic circle project and a laneway speed hump project that have been advanced through the Local Improvement petition process. The purpose of this report is to begin the formal Local Improvement process by advancing these projects to the Court of Revision (first step) and to report on the financial arrangements for funding these proposed projects (second step). Approval of this report does not commit Council to undertake these projects. If approved through the Local Improvement process, both of these projects would be 100% funded by the adjacent, benefiting property owners and be brought to Council for final approval.

### ***COUNCIL AUTHORITY/PREVIOUS DECISIONS***

Policies governing the Local Improvement process are set out in Part XXIV of the Vancouver Charter and in the Local Improvement Procedure By-law #3614.

## ***CITY MANAGER'S/GENERAL MANAGER'S COMMENTS***

The City Manager recommends approval of the foregoing.

## ***REPORT***

### ***Background/Context***

The Local Improvement process is an opportunity for property owners to work with the City to make improvements to streets, lanes and sidewalks. This process is managed through the Vancouver Charter and the Local Improvement Procedures By-law #3614 which outlines the various steps by which owners can vote on improvements in their neighbourhood and the associated sharing of costs between the owners and the City. Projects typically undertaken through the Local Improvement Process include:

- Street and Lane Lighting Projects: provide new lights for City streets or lanes. Street light standard projects are typically 85%-100% funded by the property owners, whereas lane lighting projects are 100% funded by the property owners. Lane lighting projects use LED light fixtures that are attached to new or existing poles in the lane.
- Street Improvement Projects: provide for a combination of the following; new pavements, new curb and gutters, bulges with infiltrating catch basins, curb ramps and new street trees. These projects are undertaken on a cost-share basis with the property owners typically funding 60%-90% of the costs.
- Lane Improvement Projects: provide new pavement structure and necessary drainage improvements. These projects are undertaken on a cost-share basis with the property owners typically funding 70%-90% of the costs.
- Sidewalk Improvement Projects: provide new pedestrian sidewalks and curb ramps. These projects are undertaken on a cost-share basis with the property owners typically funding 25-35% of the costs.
- Lane Speed Hump Projects: provide speed humps in a residential or commercial lane to control vehicle speeds. These projects are 100% funded by property owners.
- Traffic circles: installed at residential street intersections to calm traffic. These projects are 100% funded by property owners.

Local Improvement projects can be advanced in three ways:

- By Petition: When residents would like an improvement project undertaken, they obtain a Local Improvement Petition form from the City and then gather signatures of support for the project. If a majority of the abutting property owners sign the petition (at least two thirds of the properties representing at least 50% of the property value) the project is advanced to Council for approval at a Court of Revision.
- By Initiative: When the City determines that there is a desire for an improvement project to be undertaken, Council approves the initiation of a project and then the

City ballots the abutting property owners. As long as a majority of owners do not register objections (more than 50% of the properties representing more than 50% of the property value) the project is advanced to Council for approval at a Court of Revision.

- On Special Grounds: When the City determines that there is a need for an improvement project that would normally be advanced as a Local Improvement project and that, due to the benefits to the greater community, should be undertaken even if there is not sufficient support from the abutting property owners. These projects are advanced to Council for approval at a Court of Revision.

For additional detailed information regarding the Local Improvement process please see Appendix III.

## ***Strategic Analysis***

### **First Step**

As required by the Local Improvement Procedure By-law, projects shown on the attached schedule (Appendix I) are advanced to Council by Petition for review at a Court of Revision which will be held at 6:00 p.m. on Tuesday, May 31, 2016.

### **Second Step**

The Director of Finance reports as follows:

In accordance with the Local Improvement Procedure By-law, attached is the City Engineer's "Local Improvements Detailed Second Step Report" (Appendix II). The total estimated cost of these projects is \$70,438. The property owners' share of the projects is \$70,438. The City's share is zero.

## ***Implications/Related Issues/Risk (if applicable)***

### ***Financial***

The total cost of the proposed Local Improvements is estimated at \$70,438 and is funded 100% by the adjacent, benefiting property owners.

## ***CONCLUSION***

Approval of this report will allow the traffic circle and laneway speed hump petition projects to be advanced to a Court of Revision on May 31, 2016. At least 2/3 of the affected property owners have signed the respective petitions in favour of the projects. If approved through the Local Improvement process, both of these projects would be 100% funded by the adjacent, benefiting property owners.

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COURT OF REVISION - May 31, 2016

PETITION PROJECT - COURT #636

I. TRAFFIC CIRCLE

1. Pender Street from 137 feet west of Glen Drive to Vernon Drive and Glen Drive from Hastings Street to Keefer Street (traffic circle in the intersection of Pender Street and Glen Drive)

II. SPEED HUMPS

2. Lane east of Rhodes Street from 38<sup>th</sup> Avenue to 41<sup>st</sup> Avenue)

CITY OF VANCOUVER - LOCAL IMPROVEMENTS DETAILED SECOND STEP REPORT  
Summary of Estimated Costs and Certificates to the Attached Local Improvements Estimates  
Advanced on the Petition Principle for a Court of Revision on May 31, 2016

Court#636

CATEGORY	ITEM NUMBER	TYPE OF PROJECT	P.O. SHARE	CITY'S SHARE	TOTAL SHARE	SOURCE OF FUNDS
I	1	Traffic Circle	\$ 55,038	\$ 0	\$ 55,038	-
II	2	Speed Humps	\$ 15,400	\$ 0	\$ 15,400	-
		<b>TOTAL</b>	<b>\$ 70,438</b>	<b>\$ 0</b>	<b>\$ 70,438</b>	-

The estimated costs provide for necessary incidental work. The cost of the property owners' share of the above noted project and interest is repayable over 5 years for the traffic circle and over 15 years for the speed humps.

Certified correct as to measurements

\_\_\_\_\_  
Collector of Taxes

\_\_\_\_\_  
Director of Finance

\_\_\_\_\_  
City Engineer

Certified adopted by the City Council on \_\_\_\_\_

\_\_\_\_\_  
City Clerk

## *Local Improvements FAQ's*

### **Q - What is the Local Improvement process?**

A - The Local Improvement process provides an opportunity for property owners to work with the City to make improvements to streets, lanes and sidewalks. This process is authorized and managed through the Vancouver Charter and the Local Improvement Procedures By-law #3614 which outline the various steps by which owners can participate in approving improvements in their neighbourhood and the associated sharing of costs between the owners and the City.

### **Q - What types of projects does the Local Improvement process typically include?**

A - Projects typically undertaken through the Local Improvement process include:

- Pavement & Curbs - full-width asphalt pavement and concrete curb and gutter on streets. These projects may also include the planting of trees and/or installation of corner bulges.
- Sidewalks - concrete sidewalks usually on City streets. May include curb ramps to facilitate accessibility.
- Lane Paving - asphalt paving of back lanes. Typically a centre-strip design in residential lanes and full-width paving in higher-zoned lanes. There is also an option for 'Country Lane' in residential lanes.
- Speed humps - in paved back lanes to reduce traffic speeds (does not include speed humps on streets).
- Street lighting - this could include standard lighting, decorative lighting or pedestrian lighting.
- Lane lighting - typically this involves installation of lighting on existing utility poles in back lanes.
- Traffic circles - typically at the intersection of two streets.
- Other less common projects may include beautifications, undergrounding of power lines, corner bulges, parks, community centres and collective parking facilities.

### **Q - How are Local Improvement projects funded?**

A - Most types of Local improvement projects are funded by the adjacent/benefitting property owners and the City of Vancouver.

- Pavement & Curbs - projects are undertaken on a cost-share basis with the property owners funding 60% of the costs for residential streets and 90% of the costs for higher-zoned streets. The City may contribute a greater portion if there are unusually shaped or situated lots involved.
- Sidewalk - projects are undertaken on a cost-share basis with the property owners funding 25-35% of the costs. The City may contribute a greater portion if there are unusually shaped or situated lots involved.
- Lane Paving - projects are undertaken on a cost-share basis with the property owners funding 70% of the costs for residential lanes and 90% of the costs for higher-zoned lanes. The City may contribute a greater portion if there are unusually shaped or situated lots involved.
- Speed Humps in lanes - projects are 100% funded by property owners.

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- Street and Lane Lighting Projects - lighting projects are undertaken on a cost-share basis with the property owners funding 85%-100% of the costs. The City may contribute a greater portion if there are unusually shaped or situated lots involved. The City is in the process of converting to the use of LED fixtures to reduce energy consumption and reduction in long-term maintenance costs.
  - The majority of other types of projects such as traffic circles and corner bulges are 100% funded by property owners.

### **Q - How are Local Improvement projects advanced or promoted?**

A - Local Improvement projects can be advanced in three ways:

- By Petition: When residents would like an improvement project undertaken, they obtain a Local Improvement Petition form from the City and then gather signatures of support for the project. If a majority of the affected property owners sign the petition (at least two thirds of the properties representing at least 50% of the property value), the project is advanced to Council for consideration at a Court of Revision;
- By Initiative: When the City determines that there is a desire for an improvement project to be undertaken, Council approves the initiation of a project and then the City notifies and ballots the affected property owners. As long as a majority of owners do not register objections (more than 50% of the properties representing more than 50% of the property value), the project is advanced to Council for consideration at a Court of Revision;
- On Special Grounds: When the City determines that there is a need for an improvement project that would normally be advanced as a Local Improvement project and that, due to the benefits to the greater community, should be undertaken even if there is not sufficient support from the affected property owners, these projects are advanced to Council for consideration at a Court of Revision.

### **Q - How are Local Improvement projects brought before Council for consideration?**

A - Projects are presented to Council for consideration at a Court of Revision. Prior to the Court of Revision several steps must be taken to inform Council and the affected property owners about the projects.

- Information such as the type of project, location, estimated costs and funding sources are presented to Council for approval in the 1<sup>st</sup> and 2<sup>nd</sup> Step Report.
- After the 1<sup>st</sup> and 2<sup>nd</sup> Step Report is approved, the affected property owners are notified in writing regarding the Court of Revision date and time and the project information.
- Other information in the notification includes individual property cost estimates, how to object to the project, how to register to speak to Council at the Court of Revision meeting and how to contact City staff for further information.

**Q - What is a Court of Revision?**

A - A Court of Revision takes place at a special Council meeting. There are several steps involved at this meeting:

- The meeting begins much in the same way as a regular Council meeting.
- Council then resolves itself into a Court of Revision. The purpose of the Court of Revision is to hear from the affected property owners and City staff regarding errors and/or omissions in the assessment roll for the projects being considered. Council will then provide direction to staff if any errors or omissions are brought forward. The report from the Collector of Taxes is then adopted and the Court is adjourned.
- The Council meeting is then reconvened and the report from the Court of Revision is accepted. At this point, Council will hear from speakers regarding the individual projects and determine the outcome of those individual projects and may give direction to staff depending on the outcome. Projects that have no speakers are normally approved.

**Q - When are Courts of Revision held?**

A - There are normally two Courts of Revisions in each calendar year. One in the spring (May/June) and one in the fall (October/November). Current policy is to begin the meeting at 6:00 PM. Individuals that wish to speak to Council at the meeting must register between 5:00 and 5:45 PM that evening.

**Q - What actions can Council take at the Court of Revision meeting?**

A - Council can approve or defeat a project, reduce its scope or provide direction to staff.

- Approval: If there are no speakers against a project, the project is normally approved. If there are speakers, Council will consider the submission(s) from the speaker(s), may hear from staff and then vote to approve or defeat/cancel the project.
- Reduction of scope: Council has the authority to reduce the scope of a project at the Court of Revision prior to approval. Council also has the authority to reduce the scope of an approved project after the Court of Revision. The reasons for a reduction in scope may include unforeseen circumstances, changes beyond the City's control or financial implications for the affected property owners or the City.
- Defeat or Cancellation of projects: Council has the authority to defeat or cancel a project at the Court of Revision. Council also has the authority to cancel an approved project after the Court of Revision for reasons similar to the those listed in reduction of scope above.
- Direction to staff: Council may defer their decision to a later date. Council may give direction to staff to report back to Council with further information. An example of this may be that staff conduct a re-ballot of a petition project that no longer has two-thirds support from the property owners that originally signed the petition.



**Q - How and when are Local Improvement projects built or installed?**

A - The construction or installation of Local Improvement projects may occur in a number of ways.

- By whom: Local Improvement projects may be installed or constructed by City crews, private contractors or utility agencies or any combination thereof depending on the type of work and resources available.
- Timing: Typically construction of most Local Improvement projects is scheduled as soon as possible after Council approval. Delays may result due to coordination with other projects, crew scheduling conflicts and/or financial or budgetary considerations. Projects may be delayed for a number of years.

**Q - How do the property owners pay their share of the costs of a project?**

A - The billing of the affected property owners for their share of the costs of a project is the final step in the Local Improvement process.

- When - The billing of property owners for their share happens after the project has been completed. Council must approve the billing rates through an averaging process referred to as flat rating. The billing normally takes place in March of the year following completion of the project.
- How much - The owners are billed based on rates derived from the actual costs for material and labour, contract costs, overhead and interest during the construction period. Costs for all similar types of projects are combined to produce a common cost per frontage foot for all owners on similar projects. This process must be approved by Council through the Local Improvement Flat Rate Report.
- Cost limitations - The amounts billed to property owners cannot exceed the estimates approved by Council at the Court of Revision by more than ten percent (10%) as mandated by the Vancouver Charter.
- Payment options: Each property owner is given two payment options. A single lump-sum payment for their share of the costs or spreading payments over a number of years with interest and having this amount included with their annual property tax statement. The number of years depends on the type of project and the interest rate is determined by the City's Director of Finance.