



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: October 19, 2006
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RTS No.: 6332
VanRIMS No.: 08-2000-50
Meeting Date: November 7, 2006

TO: Vancouver City Council
FROM: General Manager of Engineering Services
SUBJECT: Local Improvement Subsequent Procedure - November 7, 2006

RECOMMENDATION

- A. THAT the projects by "Petition" in Court #623 be approved.
- B. THAT the projects by "Initiative Principle" in Court #624 be approved except for Defeated Items #19, #20, #24, #28, #30, #31 and #37.
- C. THAT Special Item in Court #624, Item #33, be approved as described in this report.
- D. THAT Council approve the formal Special Grounds Resolution for a sidewalk on Collingwood Street, West Side, from the lane south of 14th Avenue to 15th Avenue, Court #624, Item #19, attached as Appendix 1.
- E. THAT Council approve the formal Special Grounds Resolution for a sidewalk on Fleming Street, West Side, from 20th Avenue to 21st Avenue, Court #624, Item #20, attached as Appendix 2.
- F. THAT Council approve the formal Special Grounds Resolution for a sidewalk on Kootenay Street, East Side, from Yale Street to the lane south of Trinity Street, Court #624, Item #24, attached as Appendix 3.
- G. THAT Council approve the formal Special Grounds Resolution for a sidewalk on Wallace Street, West Side, from 24th Avenue to King Edward Avenue, Court #624, Item #28, attached as Appendix 4.
- H. THAT Council approve the formal Special Grounds Resolution for a sidewalk on Yale Street, South Side, from Kootenay Street to Boundary Road, Court #624, Item #30, attached as Appendix 5.
- I. THAT Council approve the formal Special Grounds Resolution for a sidewalk on Yew Street, West Side, from 36th Avenue to the lane south of 36th Avenue, Court #624, Item #31, attached as Appendix 6.

- J. THAT Council approve the formal Special Grounds Resolution for a sidewalk on 64th Avenue, North Side, from Angus Drive to the CPR Right-of-way, Court #624, Item #37, attached as Appendix 7.

COUNCIL POLICY

Policies governing the Local Improvement process are set out in the Vancouver Charter and Local Improvement Procedure By-law. Under the Vancouver Charter and Local Improvement By-law, Council may undertake sidewalk improvement projects under Special Grounds.

The Transportation Plan designates pedestrians as the top priority. On April 8, 2004, Council established an objective of completing the sidewalk network.

PURPOSE

Projects by Petition and on the Initiative Principle have been advanced under the provisions of the Local Improvement Procedure By-law and will come before a Court of Revision on November 7, 2006. Certain sidewalk projects identified in this report are being recommended to proceed on Special Grounds.

The projects are identified as follows:

| Petition | Item | | Type |
|------------|-------|----------------------|-------------------------------------|
| Court #623 | 1-2 | | Pavement & Curbs, Local Residential |
| | 3-11 | | Lane Pavement, Local Residential |
| | 12-15 | | Speed Humps |
| | 16-17 | | Pedestrian Collector Sidewalks |
| | 18 | | Traffic Circle |
| | 19-24 | | Lane Lighting |
| Initiative | Item | Items Defeated | Type |
| Court #624 | 1-2 | | Pavement & Curbs, Higher Zoned |
| | 3-9 | | Pavement & Curbs, Local Residential |
| | 10-12 | | Lane Pavement, Higher Zoned |
| | 13-14 | | Lane Pavement, Local Residential |
| | 15-18 | | Speed Humps |
| | 19-37 | 19,20,24,28,30,31,37 | Pedestrian Collector Sidewalks |
| | 38 | | Sidewalk Reconstruction |
| | 39 | | Lane Lighting |

SPECIAL ITEMS

CHANGE OF SCOPE

Court #624, Item #33, Pedestrian Collector Sidewalk
29th Avenue, North Side, from King Edward Avenue to Kevin Place

Three properties which complete the sidewalk to the adjacent school were not assessed in the original scope due to a clerical error. All owners have been advised of the change of scope and allotted the appropriate time to respond. Therefore, the project description has been amended to 29th Avenue, North Side, from King Edward Avenue to 255 feet east of Kevin Place.

SIDEWALKS TO PROCEED ON SPECIAL GROUNDS

At its meeting on Sept. 12, 2006, Council approved initiating 18 sidewalk projects that respond to Council's top two priorities for transportation improvements, pedestrians and transit as identified by The Central Area Plan (1991), City Plan (1995), Transportation Plan (1997), Downtown Transportation Plan (2002) and the report of the Sidewalk Task Force (2002).

All the projects are for pedestrian collector sidewalks in response to complaints received. These projects would provide access to bus routes, schools and seniors homes etc.

Of the 18 sidewalk projects being initiated by the City, 7 have been opposed in writing by a majority of adjacent owners even with the reduced property owner share approved by Council.

Normally when a project is defeated by a majority of owners, the results are reported to Council and the project does not proceed. However, in this case we are recommending that Council proceed with the projects under Special Grounds. Without taking this step, it will not be possible to meet the goals for completing the sidewalk network as outlined by the Sidewalk Task Force.

When an initiative project has been formally defeated by the adjacent owners, Council has the ability to proceed with the project under Special Grounds as stated in Section 506 (3) and 506 (3ii) of the Vancouver Charter.

FINANCIAL IMPLICATIONS

Capital Funds

Funds for the City's share of the projects are available from existing Engineering Department Basic Capital Accounts or are subject to approval of the 2007 Basic Capital Budget.

* * * * *

RESOLUTION

MOVED BY COUNCILLOR _____

SECONDED BY COUNCILLOR _____

WHEREAS it is hereby declared that it is necessary in the public interest that a 1.5 metre wide concrete sidewalk be constructed on the west side of Collingwood Street from the lane south of 14th Avenue to 15th Avenue.

AND WHEREAS the Council deems that the said concrete sidewalk will specially benefit the real property fronting or abutting on the said portion of Collingwood Street.

AND WHEREAS the Council may by authority contained in section 506 of the Vancouver Charter by resolution passed by two-thirds of all its members undertake and carry out construction of the said concrete sidewalk and assess the cost thereof against the real property so deemed to be specially benefited as a local improvement.

AND THEREFORE BE IT RESOLVED that a concrete sidewalk together with all necessary and incidental work in connection therewith be constructed on the west side of Collingwood Street from the lane south of 14th Avenue to 15th Avenue.

AND BE IT FURTHER RESOLVED that the cost of the construction of the said concrete sidewalk and all other necessary and incidental work in connection therewith be assessed against the real property fronting and abutting thereon as a local improvement upon the basis provided in By-law No. 3614, being the Local Improvement Procedure By-law, subject however to the limitation prescribed in the Vancouver Charter aforesaid.

AND BE IT FURTHER RESOLVED that the proportion of the cost of the construction of the said concrete sidewalk and all other necessary and incidental work in connection therewith to be borne by the City pursuant to the Local Improvement Procedure By-law and the Vancouver Charter aforesaid, be assumed by the City and be paid out of the general revenue of the City or out of the capital funds raised by the issue of debentures upon the general revenue of the City.

NOTE: EIGHT AFFIRMATIVE VOTES REQUIRED

I, Syd Baxter, City Clerk of the City of Vancouver, hereby certify the foregoing to be a true and correct copy of a resolution passed by the Council of the City of Vancouver on the ___ day of _____ 2006.

City Clerk

RESOLUTION

MOVED BY COUNCILLOR _____

SECONDED BY COUNCILLOR _____

WHEREAS it is hereby declared that it is necessary in the public interest that a 1.5 metre wide concrete sidewalk be constructed on the west side of Fleming Street from 20th Avenue to 21st Avenue.

AND WHEREAS the Council deems that the said concrete sidewalk will specially benefit the real property fronting or abutting on the said portion of Fleming Street.

AND WHEREAS the Council may by authority contained in section 506 of the Vancouver Charter by resolution passed by two-thirds of all its members undertake and carry out construction of the said concrete sidewalk and assess the cost thereof against the real property so deemed to be specially benefited as a local improvement.

AND THEREFORE BE IT RESOLVED that a concrete sidewalk together with all necessary and incidental work in connection therewith be constructed on the west side of Fleming Street from 20th Avenue to 21st Avenue.

AND BE IT FURTHER RESOLVED that the cost of the construction of the said concrete sidewalk and all other necessary and incidental work in connection therewith be assessed against the real property fronting and abutting thereon as a local improvement upon the basis provided in By-law No. 3614, being the Local Improvement Procedure By-law, subject however to the limitation prescribed in the Vancouver Charter aforesaid.

AND BE IT FURTHER RESOLVED that the proportion of the cost of the construction of the said concrete sidewalk and all other necessary and incidental work in connection therewith to be borne by the City pursuant to the Local Improvement Procedure By-law and the Vancouver Charter aforesaid, be assumed by the City and be paid out of the general revenue of the City or out of the capital funds raised by the issue of debentures upon the general revenue of the City.

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City Clerk

RESOLUTION

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SECONDED BY COUNCILLOR _____

WHEREAS it is hereby declared that it is necessary in the public interest that a 1.5 metre wide concrete sidewalk be constructed on the east side of Kootenay Street from Yale Street to Trinity Street.

AND WHEREAS the Council deems that the said concrete sidewalk will specially benefit the real property fronting or abutting on the said portion of Kootenay Street.

AND WHEREAS the Council may by authority contained in section 506 of the Vancouver Charter by resolution passed by two-thirds of all its members undertake and carry out construction of the said concrete sidewalk and assess the cost thereof against the real property so deemed to be specially benefited as a local improvement.

AND THEREFORE BE IT RESOLVED that a concrete sidewalk together with all necessary and incidental work in connection therewith be constructed on the east side of Kootenay Street from Yale Street to Trinity Street.

AND BE IT FURTHER RESOLVED that the cost of the construction of the said concrete sidewalk and all other necessary and incidental work in connection therewith be assessed against the real property fronting and abutting thereon as a local improvement upon the basis provided in By-law No. 3614, being the Local Improvement Procedure By-law, subject however to the limitation prescribed in the Vancouver Charter aforesaid.

AND BE IT FURTHER RESOLVED that the proportion of the cost of the construction of the said concrete sidewalk and all other necessary and incidental work in connection therewith to be borne by the City pursuant to the Local Improvement Procedure By-law and the Vancouver Charter aforesaid, be assumed by the City and be paid out of the general revenue of the City or out of the capital funds raised by the issue of debentures upon the general revenue of the City.

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WHEREAS it is hereby declared that it is necessary in the public interest that a 1.5 metre wide concrete sidewalk be constructed on the west side of Wallace Street from 24th Avenue to King Edward Avenue.

AND WHEREAS the Council deems that the said concrete sidewalk will specially benefit the real property fronting or abutting on the said portion of Wallace Street.

AND WHEREAS the Council may by authority contained in section 506 of the Vancouver Charter by resolution passed by two-thirds of all its members undertake and carry out construction of the said concrete sidewalk and assess the cost thereof against the real property so deemed to be specially benefited as a local improvement.

AND THEREFORE BE IT RESOLVED that a concrete sidewalk together with all necessary and incidental work in connection therewith be constructed on the west side of Wallace Street from 24th Avenue to King Edward Avenue.

AND BE IT FURTHER RESOLVED that the cost of the construction of the said concrete sidewalk and all other necessary and incidental work in connection therewith be assessed against the real property fronting and abutting thereon as a local improvement upon the basis provided in By-law No. 3614, being the Local Improvement Procedure By-law, subject however to the limitation prescribed in the Vancouver Charter aforesaid.

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City Clerk

RESOLUTION

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SECONDED BY COUNCILLOR _____

WHEREAS it is hereby declared that it is necessary in the public interest that a 1.5 metre wide concrete sidewalk be constructed on the south side of Yale Street from Kootenay Street to Boundary Road.

AND WHEREAS the Council deems that the said concrete sidewalk will specially benefit the real property fronting or abutting on the said portion of Yale Street.

AND WHEREAS the Council may by authority contained in section 506 of the Vancouver Charter by resolution passed by two-thirds of all its members undertake and carry out construction of the said concrete sidewalk and assess the cost thereof against the real property so deemed to be specially benefited as a local improvement.

AND THEREFORE BE IT RESOLVED that a concrete sidewalk together with all necessary and incidental work in connection therewith be constructed on the south side of Yale Street from Kootenay Street to Boundary Road.

AND BE IT FURTHER RESOLVED that the cost of the construction of the said concrete sidewalk and all other necessary and incidental work in connection therewith be assessed against the real property fronting and abutting thereon as a local improvement upon the basis provided in By-law No. 3614, being the Local Improvement Procedure By-law, subject however to the limitation prescribed in the Vancouver Charter aforesaid.

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WHEREAS it is hereby declared that it is necessary in the public interest that a 1.5 metre wide concrete sidewalk be constructed on the west side of Yew Street from 36th Avenue to the lane south of 36th Avenue.

AND WHEREAS the Council deems that the said concrete sidewalk will specially benefit the real property fronting or abutting on the said portion of Yew Street.

AND WHEREAS the Council may by authority contained in section 506 of the Vancouver Charter by resolution passed by two-thirds of all its members undertake and carry out construction of the said concrete sidewalk and assess the cost thereof against the real property so deemed to be specially benefited as a local improvement.

AND THEREFORE BE IT RESOLVED that a concrete sidewalk together with all necessary and incidental work in connection therewith be constructed on the west side of Yew Street from 36th Avenue to the lane south of 36th Avenue.

AND BE IT FURTHER RESOLVED that the cost of the construction of the said concrete sidewalk and all other necessary and incidental work in connection therewith be assessed against the real property fronting and abutting thereon as a local improvement upon the basis provided in By-law No. 3614, being the Local Improvement Procedure By-law, subject however to the limitation prescribed in the Vancouver Charter aforesaid.

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MOVED BY COUNCILLOR _____

SECONDED BY COUNCILLOR _____

WHEREAS it is hereby declared that it is necessary in the public interest that a 1.5 metre wide concrete sidewalk be constructed on the north side of 64th Avenue from Angus Drive to CPR Right-of-way.

AND WHEREAS the Council deems that the said concrete sidewalk will specially benefit the real property fronting or abutting on the said portion of 64th Avenue.

AND WHEREAS the Council may by authority contained in section 506 of the Vancouver Charter by resolution passed by two-thirds of all its members undertake and carry out construction of the said concrete sidewalk and assess the cost thereof against the real property so deemed to be specially benefited as a local improvement.

AND THEREFORE BE IT RESOLVED that a concrete sidewalk together with all necessary and incidental work in connection therewith be constructed on the north side of 64th Avenue from Angus Drive to CPR Right-of-way.

AND BE IT FURTHER RESOLVED that the cost of the construction of the said concrete sidewalk and all other necessary and incidental work in connection therewith be assessed against the real property fronting and abutting thereon as a local improvement upon the basis provided in By-law No. 3614, being the Local Improvement Procedure By-law, subject however to the limitation prescribed in the Vancouver Charter aforesaid.

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