



CITY OF RICHMOND

REPORT TO COMMITTEE

TO: Public Works and Transportation Committee

TO PWT - JANUARY 3, 2001
DATE: November 29, 2000

FROM: Jeff Day, P. Eng.
Director, Engineering

FILE: 8060-20-7189

RE: 2000 Local Improvement Project Charges Bylaw No. 7189

STAFF RECOMMENDATION

That the Local Improvements Bylaw No. 7189, be forwarded to Council and given first, second and third readings.

Jeff Day, P. Eng.
Director, Engineering

Att.

FOR ORIGINATING DIVISION USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
City Clerk	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Law	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

STAFF REPORT
ORIGIN

At the Public Works and Transportation Committee meeting on July 20, 2000, a report was brought forward to Committee which resulted in the following recommendation from Committee:

That staff bring forward an amendment to Bylaw No. 6976, Local Improvement Project Charges Bylaw that will be based on project specific construction costs as per Option 3.

DISCUSSION

A review of several of the past local improvement projects (LIP) reveal that the City is consistently paying more than its share for LIP's. The current process for estimating improvement costs does not allow for works not identified in the schedule of unit rates or any contingency to be taken into account.

The proposed new Local Improvement Projects Charges Bylaw No. 7189 will enable staff to provide more detailed project specific construction cost estimates in the determination of the charges to be charged against the benefiting parcels. Schedule A of this new bylaw defines the current proportion of the costs to be borne by those benefiting parcels, along with the interest rate that will be used to calculate the annual charges in the instances where the charges are not commuted.

This proposed new bylaw also will not require the yearly amendment that the existing Bylaw No. 6976 requires, unless such time that Council desires to change the proportion of costs to be borne by the benefiting parcels and/or the interest rate.

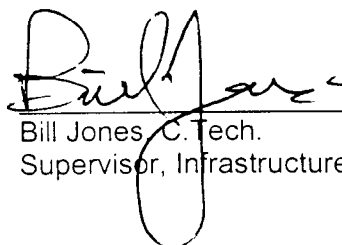
FINANCIAL IMPACT

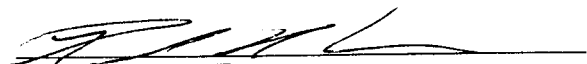
The City will not be further subsidizing LIP's, which in the past has been on the average of 20% over budget. This "savings" can then be available to support additional LIP's.

Project and site specific construction cost estimates will be utilized to prepare the charges for the petition.

CONCLUSION

Project and site specific construction cost estimating will allow staff to better estimate the cost for each individual LIP and avoid cost overruns resulting from those works whose unit rates are not included in the bylaw.


Bill Jones, C. Tech.
Supervisor, Infrastructure Planning


Paul H. Lee, P.Eng.
Manager, Engineering Planning

CITY OF RICHMOND
**LOCAL IMPROVEMENT PROJECT CHARGES
BYLAW NO. 7189**

The Council of the City of Richmond enacts as follows:

PART ONE: LOCAL IMPROVEMENT PROJECTS

1.1 Special Charges for Local Improvement Projects

1.1.1 The owner's proportion of the cost of work for a local improvement project, as set out in Schedule A, is specially charged against the **parcel** benefiting from or abutting a local improvement project.

1.1.2 Special charges for local improvement projects are payable by means of a **parcel tax**, including interest at a rate equal to the prime rate of the Bank of Canada plus 1%, levied annually for the period set out in subsection 1.2.1 or 1.2.2, whichever is applicable, unless the owner commutes the special charges in accordance with subsection 1.5.2.

1.2 Annual Special Charges

1.2.1 Subject to the provisions of subsection 1.2.2, the period for annual special charges for a local improvement project, are as follows:

- (a) 10 years for industrial and commercial properties;
- (b) 15 years for residential properties.

1.2.2 Notwithstanding the provisions of subsection 1.2.1, where a petition requests a local improvement project only for tree planting, the annual special charges will be for a period of one year.

1.2.3 Where a petition for a local improvement project requests that the annual special charges be imposed for a period of time greater than those set out in subsection 1.2.1 or 1.2.2, whichever is applicable, such petition will not be acted upon.

1.3 Construction of Sidewalk on One Side Only

1.3.1 (a) Where the construction of a sidewalk on one side only of a street is undertaken, a parcel tax will be imposed on the land abutting on the side of the street opposite to that on which the sidewalk is constructed, in the amount of one-third (1/3) of the **parcel** owner's portion of the cost of its construction.

(b) If at a subsequent time, the construction of a sidewalk on the other side of that street is undertaken, a parcel tax will be imposed:

- (i) on the land abutting on that side of the street in the amount of two-thirds (2/3) of the **parcel** owner's portion of the cost of its construction; and
- (ii) on the land abutting on the other side of the street in the amount of one-third (1/3) of the cost.

1.4 Corner Lots and Irregularly Shaped Lots

1.4.1 The taxable **frontage** of a **corner parcel** is the **frontage** plus 25% of the **flankage**.

1.4.2 Where the **frontage** of a **corner parcel**:

- (a) has previously been the subject of a local improvement project; and
 - (b) the **flankage** of such **parcel** abuts a local improvement project,
- the taxable **frontage** is 25% of the **flankage**.

1.4.3 The taxable **frontage** for an **irregularly shaped parcel** is the average of the dimension of the **frontage** and the rear width of the **parcel**.

1.5 Commuting Special Charges

1.5.1 The **City** shall send a notice to owners whose **parcels** are subject to being specially charged for a local improvement project advising that the annual special charges may be commuted.

1.5.2 The owner of a **parcel** may commute the special charges for a local improvement project by making a single payment, in cash or by certified cheque, within 30 days of the date of the notice referred to in subsection 1.5.1.

1.6 Petition for Local Improvement

1.6.1 Nothing in this bylaw is to be construed as making it mandatory for the **City** to entertain a petition to undertake work as a local improvement.

PART TWO: INTERPRETATION

2.1 In this bylaw, unless the context otherwise requires:

CITY

means the City of Richmond.

CORNER PARCEL

means a **parcel** which abuts more than one street and has **frontage** and **flankage**.

FRONTAGE

means the narrowest side of the **parcel** abutting the local improvement.

- FLANKAGE** means the longest side of the **parcel** abutting the local improvement.
- IRREGULARLY SHAPED PARCEL** means any **parcel** that is not rectangular in shape.
- PARCEL** means a lot, block, or other area in which land is held or into which land is legally subdivided.
- PARCEL TAX** means a tax imposed on the basis of the taxable **frontage** of a **parcel**.

PART THREE: PREVIOUS BYLAW REPEAL

3.1 Local Improvement Project Charges Bylaw No. 6259 (adopted March 14, 1994) and the following amendment bylaws are repealed:

<u>Amendment Bylaw</u>	<u>Date Of Adoption</u>
6414	January 23, 1995
6571	January 8, 1996
6716	May 12, 1997
6878	February 23, 1998
6976	December 21, 1998

PART FOUR: SEVERABILITY AND CITATION

- 4.1 If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.
- 4.2 This bylaw is cited as “**Local Improvement Project Charges Bylaw No. 7189**”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

MAYOR

CITY CLERK

SCHEDULE A to BYLAW NO. 7189

CLASS OF WORK	OWNERS' SHARE
Concrete Curb & Gutter	100%
Concrete Sidewalk	100%
Road Construction	100%
Extension to Pavement	100%
Lane Construction	100%
Lane Pavement	100%
Ornamental Street Lighting	100%
Storm Sewer	66-2/3%
Water main	100%
Boulevard Tree Planting	100%