

File #: 4025-01 WSW-LIC

ADMINISTRATIVE REPORT

TO:	Development Services Committee
FROM:	Administration
DATE:	December 05, 2016
RE:	Public Hearing Report – Local Improvement Wheeler Street Reconstruction

ISSUE

Report on the Public Hearing regarding Local Improvement Bylaw 2016-39 proposed for the Wheeler Street Reconstruction project.

REFERENCE

<i>Municipal Act</i>	Bylaw 2016-39
Whitehorse Sustainability Plan	Schedule A – Local Improvement Charges
Local Improvement Charge Policy	Sketch of Concept Design

HISTORY

Wheeler Street is identified as one of 15 areas in the downtown core requiring road and utility reconstruction. The Engineering Services Department has received several requests from property owners to proceed with reconstructing the street. In response, two public meetings and a survey occurred in summer 2016 to collect preliminary feedback from property owners and residents on design preferences.

Approximately 30 people attended the meetings and 20 people responded to the survey. While strong support has been expressed for the project, some opposition has also been indicated and a petition was received with 7 signatures voicing concerns which generally relate to the cost of charges and that other streets should be prioritized first.

A Public Hearing for the Wheeler Street West Local Improvement Charge (LIC) was held on November 21, 2016 and one delegate appeared to speak in support of the project.

Notice of the Wheeler St LIC and 57 ballots were mailed to all benefitting property owners the week of October 24th, 2016 and the vote closed on December 1, 2016. The following results of the ballots received before the closing date are:

- Against 12 votes (21%)
- In Favour 25 votes (44%)
- Did not Submit 20 (35%)

Section 269(3) of the *Municipal Act*, states that “If the majority of the benefitting property owners object to a local improvement, the council cannot proceed with the local improvement and no further proposals for the same local improvement can be made for a period of one year.” With only 21% of the votes objecting to the local improvement, Council may proceed with the bylaw.

The Engineer’s estimate to complete this project is \$5,150,000. Approximately \$660,000 would be contributed through a Local Improvement Charge applied to properties fronting the street. The bulk of the costs is proposed to be funded from Federal Build Canada

(Clean Water & Wastewater) funding. Approval from the Federal and Yukon governments is pending, but is anticipated in 2017. Construction contracts will not be awarded until these approvals are received. The earliest potential date for construction is spring 2017.

ALTERNATIVES

1. Approve the Wheeler Street West Local Improvement Charges Bylaw
2. Do not approve the Local Improvement Charges Bylaw

ANALYSIS

There is clear support for this Local Improvement project from the Downtown Residents Association and the majority of the property owners on Wheeler Street.

The 2016-2019 budget includes funds for the design of the project funded through reserves.

ADMINISTRATIVE RECOMMENDATION

THAT Council direct that Bylaw 2016-39, a bylaw to provide for a Local Improvement Charge with respect to the Wheeler Street reconstruction project, be brought forward for 2nd and 3rd Reading under the bylaw process.