
TO: GENERAL COMMITTEE

SUBJECT: SANITARY AND WATER SERVICING, AND URBANIZATION FOR THE BAY LANE, COTTAGE LANE AND ROYAL OAK DRIVE AREA

PREPARED BY AND KEY CONTACT: L. BORGDORFF, P. ENG., SENIOR PROJECT ENGINEER (EXT. 4493) *LB*

SUBMITTED BY: R. S. KAHLE, M. Eng., P. Eng. DIRECTOR OF ENGINEERING *R. S. Kahle*

GENERAL MANAGER APPROVAL: R. J. FORWARD, MBA, M.Sc., P. Eng. GENERAL MANAGER OF INFRASTRUCTURE, DEVELOPMENT & CULTURE *R. J. Forward*

CHIEF ADMINISTRATIVE OFFICER APPROVAL: C. LADD CHIEF ADMINISTRATIVE OFFICER *C. Ladd*

RECOMMENDED MOTION

1. That a by-law be prepared to authorize the recovery of capital costs for the installation of sanitary servicing on Bay Lane, Cottage Lane, Gables Park, Royal Oak Drive, Forestwood Lane, Lovers Court and Tollendal Mill Road, as outlined in Staff Report ENG003-13, through the collection of a per metre frontage charge plus lateral costs for benefiting properties abutting the proposed new sections of sanitary sewer, as provided under Section 326 of the Municipal Act, with the option of payment of the sanitary charges over a 10 year period with interest.
2. That a by-law be prepared to authorize the recovery of capital costs for the installation of water servicing on Bay Lane, Cottage Lane, and Gables Park, as outlined in Staff Report ENG003-13, through the collection of a per metre frontage charge plus lateral costs for benefiting properties abutting the proposed new sections of watermain, as provided under Section 326 of the Municipal Act, with the option of payment of the water charges over a 10 year period interest free.
3. That 101-119 Bay Lane be assessed costs based on its full frontage for sanitary servicing and water servicing and on servicing the 10 houses on the lot with 10 sanitary services and 10 water services.
4. That staff be authorized to prepare construction contract drawings, including detailed design drawings for water servicing (per Staff Report ENG003-13), with a design cost of \$36,000, on Bay Lane, Cottage Lane, Gables Park and utility corridor easements. Bay Lane, Cottage Lane, Gables Park and utility corridor easements will be restored to their original condition. That this change in project scope be funded from the Water Reserve Fund (12-05-0580).
5. That staff be authorized to prepare construction contract drawings, including detailed design drawings for a two lane/8.5 metre wide urbanized roadway including storm sewer, curb and gutters, boulevard works, sidewalks and street lighting (per Staff Report ENG003-13), with a design cost of \$120,000, on Royal Oak Drive, Forestwood Lane, and Lovers Court. That this change in project scope be funded from the Tax Capital Reserve (13-04-0440).
6. That staff be authorized to prepare construction contract drawings, including detailed design drawings for a sidewalk (per Staff Report ENG003-13), on Tollendal Mill Road extending from Royal Oak Drive westerly to the sidewalk that extends from Hurst Drive on Tollendal Mill Road, with a design cost of \$5,000. That this change in project scope be funded from the Tax Capital Reserve (13-04-0440).

7. That staff in the Legal Services Department be authorized to commence acquisition of any required easements and/or property.

PURPOSE & BACKGROUND

8. The purpose of this report is to obtain permission and funding to proceed with (i) water servicing design; (ii) urbanization design; (iii) easement and property negotiations to accommodate the design; (iv) resolve the cost assessment for the unique development of 101-119 Bay Lane; and (v) recover capital costs for installing sanitary servicing and water servicing.

9. The project area is outlined in Appendix "A".

10. In the wake of the Walkerton disaster, on December 17, 2001, Council adopted Motion 01-G-541 PROVISIONS OF WATER SERVICES IN UNDER SERVICED RESIDENTIAL AREA as follows:

"That the City of Barrie implement a City front-ended local water servicing plan based on the following provisions:

- a) That the scope of the program be for water servicing needs outlined in Table 2 of the December 4, 2001 memo to the Municipal Works Committee from the Director of Municipal Works;
- b) That the plan include provisions for ten-year interest-free bridge financing by the City of Barrie for any resident who agrees to pay the water frontage charges at the time of the installation of the water services, and who agrees to connect to the water system within ten years, and who may require the bridge financing;
- c) That the bridge financing cost for the plan, estimated at approximately \$130,000 annually, be funded from the water rate;
- d) That the apportionment for the City's construction costs be funded from the water rate;
- e) That the calculation of costs be based on a metre frontage rate; and
- f) That the City of Barrie amend its policy for Local Improvements which currently exempts 100% of the cost for the first 100 feet of flankage, to provide an exemption for all water flankage costs subject to the stipulation that, if at any time in the future the property is subject to an application for a severance that would create additional lot(s), the full amount of frontage charges for the new lot(s) would be due and payable to the City of Barrie. (01-G-352) (01-MWC-76) (File: E00)."

11. On April 2, 2007, City Council adopted motion 07-G-149 regarding LOCAL IMPROVEMENT AND SECTION 326 (MUNICIPAL ACT) SERVICING COST APPORTIONMENTS as follows:

"That Appendix "A" to Staff Report FIN016-07 be adopted as the policy for apportioning costs under a local improvement petition or Section 326 of the *Municipal Act, 2001, S.O. 2001, c. 25* installations."

A copy of the Apportionment Policy is attached in Appendix "B".

12. On May 19, 2010, City Council adopted motion 10-G-200 regarding SANITARY AND WATER SERVICING FOR THE BAY LANE, COTTAGE LANE AND ROYAL OAK DRIVE AREA - MUNICIPAL CLASS EA as follows:
- “That the following alternative be endorsed as the Preferred Alternative Solution for the Sanitary and Water Servicing for the Bay Lane, Cottage Lane, and Royal Oak Drive Area Municipal Class EA:
- a) Sanitary Alternative S4 - Gravity Sewer installed by Jack and Bore (Environmentally Sensitive areas) with the remainder installed by Open Cut per the alignment identified in Appendix “B” to Staff Report ENG028-10.
 - b) Water Alternative W4 - Watermain installed by either Jack and Bore or Directional Drilling in Environmentally Sensitive areas with the remainder installed by Open Cut per the alignment identified in Appendix “B” to Staff Report ENG028 10.
 - c) That in accordance with the requirements of the Class EA process, the Engineering Department publish a Notice of Completion for this project. (ENG028-10) (File: W03-SA) (P16/10)”
13. Council, per Motions 01-G-541 and 10-G-200, approved a program to facilitate the provisions of municipal water supply services to existing residential areas within the City of Barrie that currently do not have municipal water service. Bay Lane, Cottage Lane and Gables Park do not currently receive municipal water services; therefore, it is included as part of the program.
14. Council, per Motion 10-G-200, approved a program to facilitate the provision of sanitary services to Bay Lane, Cottage Lane, and Royal Oak Drive Area. The 2012 Capital Budget included funds for design of sanitary servicing on Bay Lane, Cottage Lane, and Royal Oak Drive Area, including Gables Park, Forestwood Lane, Lovers Court and Tollendal Mill Road.
15. Royal Oak Drive, Forestwood Lane and Lovers Court have rural cross sections with gravel shoulders and ditches. The rights-of-way and roadways are at a standard width for local roads within residential areas. The lots are fully developed and the land use is not anticipated to be changed.
16. Staff hosted an Open House on November 7, 2012 in City Hall, 2nd Floor, Huronia Rooms A & B for residents and property owners within the project area. The sign-in sheet was signed by 42 attendees. The Open House shared project design information available at that time. The evening scheduled an opportunity for attendees to view the drawings from 4 p.m. to 6 p.m., and a formal presentation with a Question/Answer session from 6 p.m. to 7 p.m.

ANALYSIS

17. The need for a water distribution system on Bay Lane, and a sanitary collection system for this whole project area has already been established in previous staff reports.
- 101-119 Bay Lane
18. 101-119 Bay Lane is unique given that it is a single lot fully developed with 10 single family houses or cottages. The full frontage is 172.550 metres. The lot was developed while it was still within the Township of Innisfil.

19. Motion 07-G-149 regarding "Local Improvement and Section 326 (Municipal Act) Servicing Cost Apportionments limits the frontage of a lot assessed costs to a maximum of 30 metres, but allows that if the lot is severed in the future, the new lot will be assessed frontage costs. This recognized that a single large lot with a single house on a septic system and/or well could be severed into two or more lots for that many more residences.
20. 101-119 Bay Lane has already gained the full advantage of its development potential without severing it into 10 lots. Designing 10 independent water services and 10 independent sanitary services for this lot is consistent with industry practice. Assessing full frontage costs and the cost of 10 water services and 10 sanitary services is equitable.

Urbanizing Royal Oak Drive, Forestwood Lane and Lovers Court

21. During initial investigation work for the sanitary sewer design, it became apparent that the current local roads or roadways on Royal Oak Drive, Forestwood Lane, and Lovers Court have reached the end of their life cycle and need to be reconstructed. Approximately 40 percent of the roadways have rollover curb and gutter, and the remaining roadways have gravel shoulders and ditches. Most of the roadside ditches exhibit poor drainage, causing sections of ditches to pond.
22. The gravel shoulders continually erode and cause maintenance issues. The roadways and boulevards in this neighbourhood would benefit from a curb & gutter and a storm sewer system to efficiently convey the storm water runoff. A stormwater outfall is in place and was designed and constructed previously to alleviate some drainage problems in the area.
23. There are no sidewalks in the area and the area has a street lighting system that has reached the end of its life cycle.
24. The Engineering Department recommends that sidewalks be installed on Royal Oak Drive, Forestwood Lane and on Tollendal Mill Road (north side from Royal Oak Drive westerly to where the sidewalk extends on the north side from Hurst Drive). These proposed sidewalk works are consistent with the Engineering Department's Design Standards. Road urbanization works are required to allow for the installation of sidewalks, due to the existing rural road section.
25. Significant cost savings may be realized if the sanitary servicing, water servicing and urbanization works are completed at one time. The majority of the cost savings are attributed to the cost of mobilizing a contractor and restoring the work area/local streets/boulevards.
26. Combining the sanitary servicing, water servicing and urbanization works into one construction project minimizes the disruption to the residents and property owners compared to doing the works in multiple construction projects.
27. For future projects for installing, reconstructing or upgrading sanitary sewers, consideration will be given to other municipal infrastructure components while determining the overall scope, in order to fully realize all efficiencies available.

Easement/Property Acquisitions

28. The proposed sanitary servicing and water servicing extends from Brennan Avenue to Bay Lane through private property. A service easement was outlined in the Environmental Assessment (EA) and is required. The private property is 101-119 Bay Lane. The easement is anticipated to be between 6 and 10 m wide to accommodate both services.

29. The proposed sanitary servicing and water servicing extends from Gables Park to Royal Oak Drive through private property. A service easement was outlined in the Environmental Assessment (EA) and is required from two adjacent properties on Royal Oak Drive (24 Royal Oak Drive and 26 Royal Oak Drive). The easement is anticipated to be between 6 and 10 m wide to accommodate both services.

Project Schedule

30. The anticipated project schedule is:
- a) Sanitary Detail Design is approximately 60 percent complete in 2012. The remaining 40 percent needs to be coordinated with water and urbanization design;
 - b) Water and Urbanization Detail Design in 2013;
 - c) Easement Acquisitions in 2014;
 - d) Realignment of underground utilities, if necessary, in 2014;
 - e) Construction of Sanitary Servicing, Water Servicing and Urbanization in 2015;
 - f) Invoicing for Sanitary Servicing and Water Servicing in 2016.

Open House

31. From the Open House held on November 7, 2012 from 4:00 p.m. to 7:00 p.m., 11 comment sheets and 2 emails with comments were received. The residents/property owners who attended the Open House generally shared support for the sanitary servicing and water servicing.
32. At the Open House, the residents who attended and live on Royal Oak Drive, Forestwood Lane or Lovers Court support the urbanization of those three (3) streets. Eight of the comments received requested that sidewalk be deleted from the urbanization, and one comment received supported including sidewalks in the urbanization. During the Open House, the overall "voiced support" for sidewalk installations was approximately 50 percent.
33. Overall, those who attended the Open House were pleased with the opportunity staff offered to share and communicate the project information. The attendees felt the Open House was worthwhile.

ENVIRONMENTAL MATTERS

34. The following environmental matters have been considered in the development of the recommendation:
- a) The Lake Simcoe Protection Plan.
 - b) Protection of the natural environment in The Gables Park.
35. The City of Barrie's continued efforts in reducing phosphorus loads to Lake Simcoe through the removal of private septic systems demonstrates an environmental commitment by the City of Barrie to making a positive change within the Lake Simcoe Watershed and ensures that the City stays at the forefront of environmental issues that affect Lake Simcoe.

36. Protection of the Gables Park natural environment is supported by installing sanitary main and water main using directional drilling (trenchless) techniques through sensitive sections of the park.

ALTERNATIVES

37. The following alternative is available for consideration by General Committee:

Alternative #1 General Committee could complete the sanitary servicing and postpone urbanization of Royal Oak Drive, Forestwood Lane and Lovers Court.

This alternative is not recommended as it does not address the pedestrian safety concerns, and the drainage and maintenance concerns. This alternative also means that those roadways would be restored twice, once for sanitary servicing and once for urbanization.

FINANCIAL

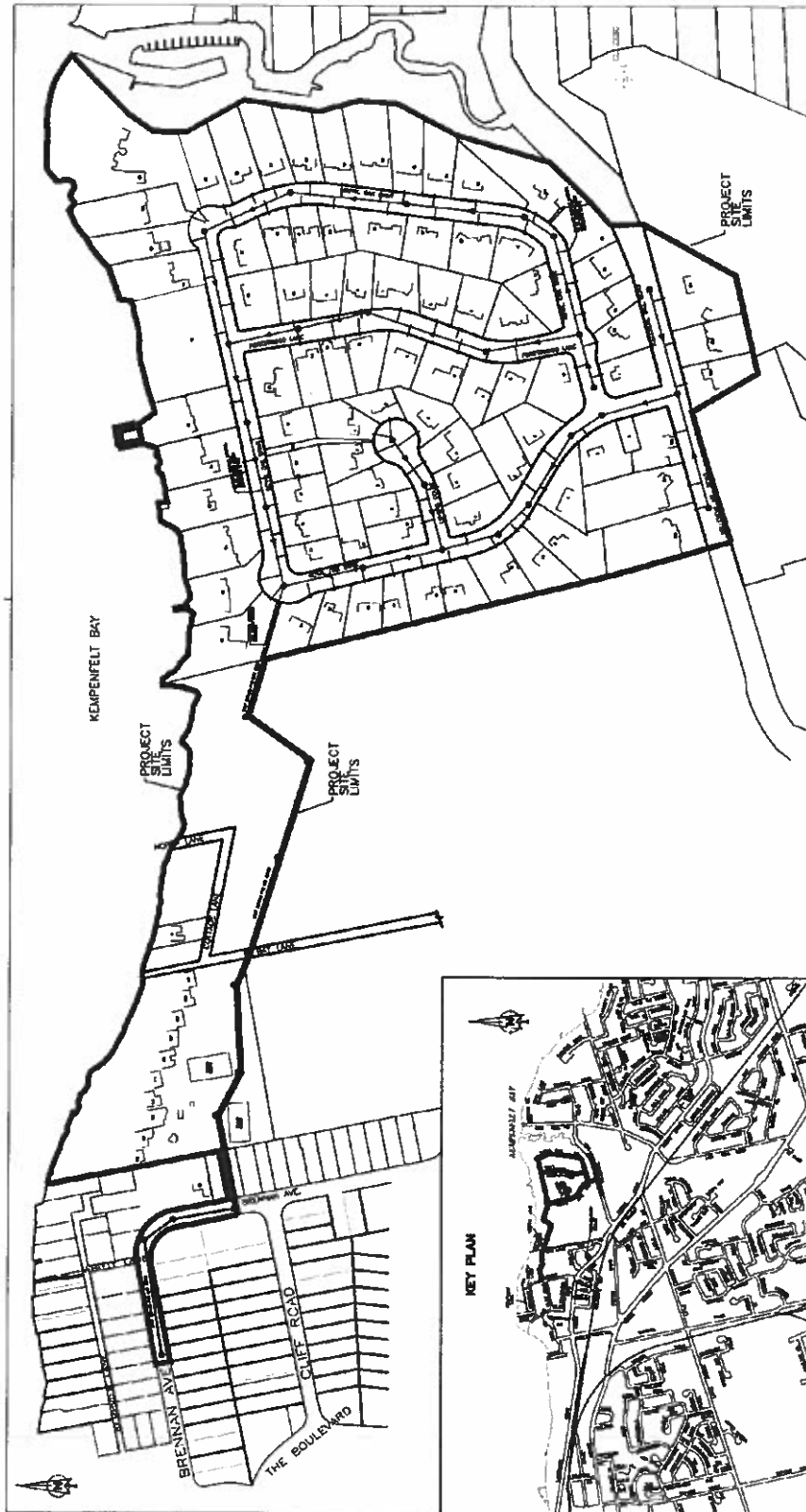
38. The costs associated with sanitary servicing design have been included in the 2012 Business Plan.
39. The estimated costs for expanding the scope of this project to include water servicing design, urbanization design and sidewalk design are:
- a) Water Servicing Design - \$36,000
 - b) Urbanization Design - \$120,000
 - c) Sidewalk Design - \$5,000
40. A letter notifying residents and property owners of the project was issued by postal mail on January 31, 2013. Council members received a copy of the letter attached to a memo dated February 4, 2013. The estimated frontage costs and lateral costs are:
- a) Sanitary: Frontage Cost = \$440.00/m; Lateral Cost = \$3,000/lateral
 - b) Water: Frontage Cost = \$320.00/m; Lateral Cost = \$2,700/lateral

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

41. The recommendation(s) included in this Staff Report support the following goals identified in the 2010-2014 City Council Strategic Plan:
- Manage Growth and Protect the Environment
42. The recommendations will provide a sanitary sewer collection system for water front properties and properties near the waterfront in the Bay Lane and Royal Oak Drive neighbourhoods, which help improve the environment of the Lake Simcoe Watershed.

APPENDIX "A"

Project Area



APPENDIX "B"

Local Improvement and Section 326 (Municipal Act) Servicing Cost Apportionment Policy

1. Lots that do not have a front and rear yard width that differ by more than 6 metres are considered regular-shaped and will be assessed their share of the costs utilizing their actual frontage on the works.
2. Triangular or irregularly-shaped lots defined as having front and rear width distances that differ by more than 6 metres are to be assessed their share of the costs by adding the front and rear width and dividing by two. This is to apportion costs on a "just and equitable basis having regard to the situation, value and area of the lot compared to other lots" as described in Ontario Regulation 586/06.
3. Lots with frontage in excess of 30 metres that will not derive any additional benefit as other lots will have their assessed frontage adjusted to the average of the frontages of regular shaped lots affected by the works. In the event the lot is severed in the future the new lot will be assessed frontage costs at the same per metre rate as the original works and such costs will be payable in full as a condition of the granting of the severance.
4. For lots where the works abut only a portion of a property frontage the property will be assessed costs based on the average of the frontages of regular shaped lots affected by the works. In situations where the property has already been assessed some portion in the past for similar type works then a reduction would be to the assessed frontage to recognize the previous charge.
5. For corner lots that are affected by works that abut both their frontage and side (flankage) yards the full amount of the flankage will be exempt from charges until such time that a severance is requested. In the event the lot is severed in the future the new lot will be assessed frontage costs at the same per metre rate as the original works and such costs will be payable in full as a condition of the granting of the severance.
6. For lots that have both their front and rear yards abut on the works then rear portion will be exempted from charges until such time that a severance is requested. In the event the lot is severed in the future the new lot will be assessed frontage costs at the same per metre rate as the original works and such costs will be payable in full as a condition of the granting of the severance.