

Motion C22(350): Paving Petition Report

Planning Advisory Committee

March 19, 2024

Planning & Development Department



EAST HANTS

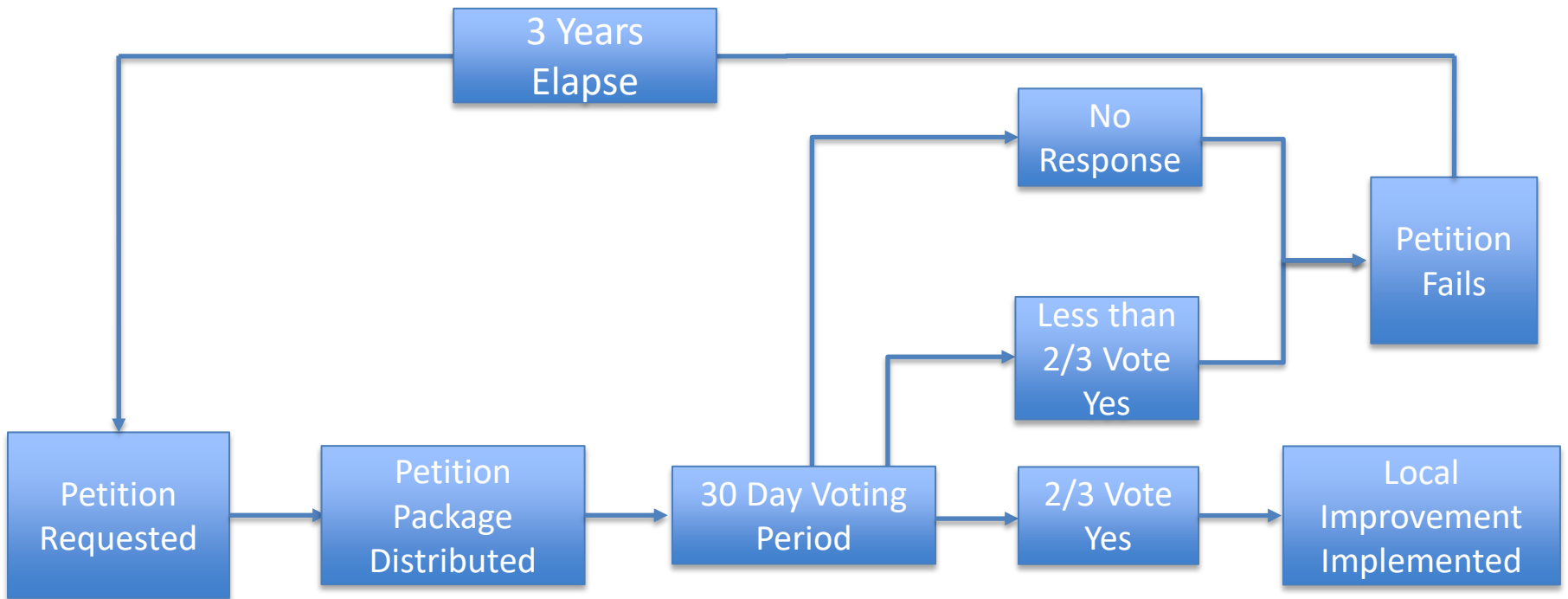
Background

- In October 2022, Council considered a report from Staff on whether Developers should continue to be permitted to construct public gravel roads.
- Council opted not to amend the Subdivision Bylaw, and passed motion C22(350) “..that Council authorize staff to bring a report reviewing the paving petition policy and possible incentives options for both developers and residents to pave their current public gravel roads.”
- Currently Bylaw F-100-8, Local Improvement Charges Bylaw requires a paving petition be initiated by two or more residents on a gravel road.
- Many times, these petitions fail and the Local Improvement does not occur. Other Municipalities in the province have different methods for paving public gravel roads.

Discussion

- Current procedure under Bylaw F-100-8 begins with at least two owners of properties subject to the petition requesting one, or a motion from Council directing Staff to initiate a petition.
- The request must include a description of the proposed local improvement, method of charge, and charge area.
- A petition package is then prepared with the request, the total estimated cost, the cost per property, the financing options, and a letter explaining the local improvement process giving each property owner the opportunity to vote yes or not for the local improvement.
- After 30 days, if at least 2/3 of the total properties are in favour of the local improvement then it is considered a successful petition and the Local Improvement is implemented. If the petition is not successful, the road cannot be petitioned again for 3 years.

Paving Petition Flow Chart



Jurisdictional Scan

- Some municipalities in Nova Scotia take a different approach regarding the paving of public roads.
- In the District of Lunenburg, as of 2017 the requirement of a paving petition has been removed from their road improvement policy and the new policy allows Council to directly invest in paving municipal gravel roads through a prioritization process. It was unclear the amount that the residents pays.
- Their policy has retained the option of a petition if property owners on a gravel road wish to advance a municipal or provincially cost-shared road for improvement.

Jurisdictional Scan

- In the Halifax Regional Municipality, a gravel road paving program is under evaluation by Municipal Staff.
- In 2016, revisions to the Local Improvement Charge Policy resulted in the elimination of the petition requirement, and lowered the Local Improvement Charge for residents from 50% to 33.33%, leaving 66.66% to the Municipality.
- HRM Staff submit to Council a prioritized list out of the remaining gravel roads based on criteria such as traffic volume, existing road condition, and the cost-benefit of paving.
- HRM has a significantly larger inventory of Municipal gravel roads (63 as of 2017) and has paved 15 of them since 2017 under this program.

Discussion

- There is a framework set by the Road Gap Paving Project that could be applied to paving existing public gravel roads in East Hants.
- Each year, there is \$20,000 set aside in the Transportation - Paving reserve. After the Road Gap Paving Project is complete, there will be \$200,000 remaining in the reserve.
- The same charge models, where property owners are charged based on three categories based on their access to the subject road, could be applicable.

Discussion

- Three draft motion options are provided with this report. The first two options propose removing the paving petition requirement and to create a road prioritization list. The ability to undertake a Paving Petitions is proposed to be maintained, where a gravel road is not proposed to be paved that year. The amount of municipal contribution and recommended financial amount to be added to the reserve budget is different in both options and is summarized as follows:

Option 1:

- Amend the municipal contribution for road paving from 10% to 20%; and
- Pending a successful bylaw change, increase paving reserve budget in future fiscal years from \$20,000 to \$120,000.

Option 2:

- Amend the municipal contribution amount for road paving from 10% to 30%; and
- Pending a successful bylaw change, increase paving reserve budget in future fiscal years from \$20,000 to \$200,000.

Discussion

Option 3:

- To maintain the current Local Improvement Charges Bylaw.

Analysis

- There are 8 public gravel roads in East Hants with no current plans for paving by property owners or developers. The length of these roads total 4.85 km.
- These roads are both fully Municipal, and partially Municipal with Provincially owned sections. Roads with partial ownership would be eligible for the cost sharing agreement with Provincial Public Works pending funding.
- The approximate total cost of paving all existing Municipal gravel roads would be 3.92 million dollars, based on a cost estimate from the Road Gap Paving Project.
- Under the current 10% Municipal contribution model, the approximate cost per property owner ranges between \$9,636 and \$26,148. The total Municipal cost would be approximately \$391,468.
- All current public gravel roads are outside of the serviced area, which makes the per property cost very expensive due to the larger frontages.

Analysis

- In February 2024, Council passed a motion to maintain Developers' ability to construct new Municipal gravel roads outside GMA's and GRA's. The municipality bears the future cost of maintaining these roads.
- Following the jurisdictional scan, staff analyzed what a 66.6% contribution by the municipality of paving municipal gravel roads would look like.
- If the municipality pays the lion's share of the cost of paving, this will discourage developers from constructing paved roads and would push the costs of development onto the general tax rate.
- For the information of PAC, an analysis of the municipality contributing 66.6% of the paving costs (the same as in HRM) has been included in the staff report, but staff do not recommend this approach.

Analysis

- If the municipal contribution remains at 10%, it would cost the municipality approximately \$400,000 to pave current gravel roads. This could be achieved over 5 years by adding \$40,000 to the reserves per year in addition to the existing paving reserve.
- If Council selects option 1, paving the gravel roads would the municipality cost close to \$800,000. This could be achieved over 5 years by adding \$120,000 to the reserves per year in addition to the existing paving reserve. The amount of increase to reserves in the draft motion is for a time period longer than 5 years.
- If Council selects option 2, paving the gravel roads would cost the municipality close to \$1,200,000. This could be achieved by adding \$200,000 to the reserves per year in addition to the existing paving reserve. The amount of increase to reserves in the draft motion is for a time period longer than 5 years.
- The reserve amounts per year could be reduced by increasing the time period of the project from 5 years.

Analysis - 10% Contribution

Road	Length km	Approximate Frontage m	Cost per Metre	Cost per Metre Resident	Total Cost	Municipal 10%	Resident 90%	Cost per Resident
Bell Court (Civic 1 to 39, 53)	0.919	949	440	396	417,560.00	41,756.00	375,804.00	9,636.00
Edmund Road (Civic 83 to 91)	0.122	245	440	396	107,800.00	10,780.00	97,020.00	16,170.00
Jorphie Drive	0.477	850	440	396	374,000.00	37,400.00	336,600.00	16,028.57
Matheson Court	0.335	696	440	396	306,240.00	30,624.00	275,616.00	25,056.00
McKenzie Lane (Civic 70+)	0.26	575	440	396	253,000.00	25,300.00	227,700.00	15,180.00
Pine Court	0.452	974	440	396	428,560.00	42,856.00	385,704.00	17,532.00
Thomas Street (Civic 1 to 241?)	1.195	2429	440	396	1,068,760.00	106,876.00	961,884.00	21,375.20
Whitney Maurice Drive (Civic 14 to 119)	1.096	2179	440	396	958,760.00	95,876.00	862,884.00	26,148.00
Totals:	4.856				3,914,680.00	391,468.00	3,523,212.00	

Analysis - 20% Contribution

Road	Length km	Approximate Frontage m	Cost per Metre	Cost per Metre Resident	Total Cost	Municipal 20%	Resident 80%	Cost per Resident
Bell Court (Civic 1 to 39, 53)	0.919	949	440	352	417,560.00	83,512.00	334,048.00	8,565.33
Edmund Road (Civic 83 to 91)	0.122	245	440	352	107,800.00	21,560.00	86,240.00	14,373.33
Jorphie Drive	0.477	850	440	352	374,000.00	74,800.00	299,200.00	14,247.62
Matheson Court	0.335	696	440	352	306,240.00	61,248.00	244,992.00	22,272.00
McKenzie Lane (Civic 70+)	0.26	575	440	352	253,000.00	50,600.00	202,400.00	13,493.33
Pine Court	0.452	974	440	352	428,560.00	85,712.00	342,848.00	15,584.00
Thomas Street (Civic 1 to 241?)	1.195	2429	440	352	1,068,760.00	213,752.00	855,008.00	19,000.18
Whitney Maurice Drive (Civic 14 to 119)	1.096	2179	440	352	958,760.00	191,752.00	767,008.00	23,242.67
Totals:	4.856				3,914,680.00	782,936.00	3,131,744.00	

Analysis - 30% Contribution

Road	Length km	Approximate Frontage m	Cost per Metre	Cost per Metre Resident	Total Cost	Municipal 30%	Resident 70%	Cost per Resident
Bell Court (Civic 1 to 39, 53)	0.919	949	440	308	417,560.00	125,268.00	292,292.00	7,494.67
Edmund Road (Civic 83 to 91)	0.122	245	440	308	107,800.00	32,340.00	75,460.00	12,576.67
Jorphie Drive	0.477	850	440	308	374,000.00	112,200.00	261,800.00	12,466.67
Matheson Court	0.335	696	440	308	306,240.00	91,872.00	214,368.00	19,488.00
McKenzie Lane (Civic 70+)	0.26	575	440	308	253,000.00	75,900.00	177,100.00	11,806.67
Pine Court	0.452	974	440	308	428,560.00	128,568.00	299,992.00	13,636.00
Thomas Street (Civic 1 to 241?)	1.195	2429	440	308	1,068,760.00	320,628.00	748,132.00	16,625.16
Whitney Maurice Drive (Civic 14 to 119)	1.096	2179	440	308	958,760.00	287,628.00	671,132.00	20,337.33
Totals:	4.856				3,914,680.00	1,174,404.00	2,740,276.00	



Recommendation

That direction be given to staff based on one of the three options outlined in the report.

Draft Motion Options

Option 1:

The Planning Advisory Committee recommends to Council that Council:

- *Authorize staff to begin the process of amending the Local Improvement Charges Bylaw to allow for an increased Municipal contribution amount for road paving from 10% to 20% and remove the paving petition requirement but maintain an option for a petition if a gravel road is not listed to be paved that year; and*
- *Pending a successful bylaw change, Increase paving reserve budget in future fiscal years from \$20,000 to \$120,000; and*
- *Direct Staff to prepare a road prioritization list for direct investment from paving reserves.*

Option 2:

That Planning Advisory Committee recommends to Council that Council:

- *Authorize staff to begin the process of amending the Local Improvement Charges Bylaw to allow for an increased Municipal contribution amount for road paving from 10% to 30% and remove the paving petition requirement but maintain an option for a petition if a gravel road is not listed to be paved that year; and*
- *Pending a successful bylaw change, Increase paving reserve budget in future fiscal years from \$20,000 to \$200,000; and*
- *Direct Staff to prepare a road prioritization list for direct investment from paving reserves.*

Draft Motion Options

Option 3:

The Planning Advisory Committee recommends to Council that Council maintain the current Local Improvement Charges Bylaw