

August 21, 2015

Chair and Members
Civic Works Committee

Re: Local Improvement Process

I am unable to attend the Civic Works Committee meeting as I have specific duties at my other job which I cannot avoid. Although I can express my comments/concerns when the committee report comes to council, I did want to flag them for the committee member's consideration and discussion.

During my review of Item #7 of the August 24, 2015 Civic Works Agenda with respect to the potential initiation of a local improvement process at Franklinway Crescent and Franklinway Gate, it became apparent to me that further discussion with the community should be undertaken prior to the City initiating the process. It appears based on the response to the informal survey carried out by the City, that less than 50% of the properties who would benefit from the services, have indicated an interest in receiving the services.

In the report, there are 19 properties in the local improvement area, but 4 of those already have sanitary services. So 19 could benefit from water services and 15 from both water and sanitary services. The report indicates that turnout was 79% (which is 15 of 19 homes). It further indicates that "62 percent of the properties on private septic and well and 50 percent of the properties on well have indicated an interest in obtaining municipal servicing." At best this means that only 9 of 19 have expressed an interest in the local improvement (and it is unclear which of those participating might already have municipal sanitary services). I have spoken to a number of residents and I believe there is a chance that close to half the property owners will petition against this local improvement. As the report states, 10 properties representing over 50 percent of the total assessed value for the project would need petition against it for the improvement to fail. I am concerned about a situation where 10+ petition against it but they do not represent over 50% of the assessed value (and thus the local improvements proceeds). Personally, I would have significant concerns about this result as I do not believe in using property values for this type of decision making. In other words, I do not believe a minority of property owners representing over half of the assessed value should be able to block the will of the majority (should that situation arise) for this type of local improvement.

Given this possibility, I believe that Council should not proceed with initiating this local improvement until there is (at least) a majority of properties in favour.

Therefore:

- 1) I respectfully request that the matter related to the initiation of a local improvement process for Franklinway Crescent and Franklinway Gate be referred back to the Civic Administration to undertake further public consultation with the area residents to ensure that there is a clear understanding of the implications of the proposed project, and further recommend that we do not proceed until there clear support from a majority of property owners to do so.
- 2) Further, I would suggest that the local improvement process (particularly related to informal surveys) be reviewed to improve the community outreach and set clear guidelines for the conditions under which Council will consider initiating a local improvement.
- 3) Finally, as noted above, the thresholds for moving forward with a local improvement project could potentially lead to an inequity between those who may be financial able to participate and those who are not. Specifically, one threshold is based on owners representing at least one-half

of the assessed value of the properties. I believe we should review this component of the local improvement process to ensure that the process is fair and equitable for those who are potentially impacted by the process. Should any legislative changes need to be made by the Province of Ontario I would recommend forwarding them on through the current legislative review process.

Respectfully submitted,

Josh Morgan
Councillor Ward 7