



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Engineering Services Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	June 17, 2020
SUBJECT/REPORT NO:	Cost Recovery Using Funding Methodology for Municipal Infrastructure Extensions Policy - Owner Initiated Sanitary Sewer on Hopkins Court, Hamilton (PW20021) (Ward 13)
WARD(S) AFFECTED:	Ward 13
PREPARED BY:	Taufeek Ameer (905) 546-2424 Ext. 1234
SUBMITTED BY:	Gord McGuire Director, Engineering Services Public Works Department
SIGNATURE:	

RECOMMENDATION

- (a) That pursuant to the City of Hamilton's "Funding Methodology for Municipal Infrastructure Extensions Policy", a full cost recovery mechanism be implemented in order to recover, for the City of Hamilton ("City"), at an estimated cost of \$215,131.09 for the construction of a municipal sanitary sewer on the following terms and conditions:
- (i) The cost of the construction of the municipal sanitary sewer is to be collected from the benefitting property owners in Appendix "B" to Report PW20021 and shall be payable immediately following the completion of construction;
 - (ii) The municipal sanitary sewer will be constructed on Hopkins Court from York Road to Ernest Street;
 - (iii) The cost of the construction of the sanitary sewer will include the cost of main sewer and one (1) sanitary lateral to each benefitting property from the sanitary sewer to the property line;

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Cost Recovery Using Funding Methodology for Municipal Infrastructure Extensions Policy - Owner Initiated Sanitary Sewer on Hopkins Court, Hamilton (PW20021) (Ward 13) - Page 2 of 5

- (b) That the General Manager of Finance and Corporate Services be authorized and directed to prepare the necessary full cost recovery by-law to implement subsection;
- (c) That the City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as the City Solicitor considers reasonable;
- (d) That the Mayor and City Clerk be authorized and directed to execute all necessary documents, in a form satisfactory to the City Solicitor.

EXECUTIVE SUMMARY

This report seeks authorization for the preparation of a full cost recovery by-law, under the Funding Methodology for Municipal Infrastructure Extensions Policy, for the construction cost (Appendix “B” to Report PW20021) of a new municipal sanitary sewer on lands known as Hopkins Court, from York Road to Ernest Street in the City of Hamilton, (Appendix “A” to Report PW20021). This cost includes the cost of main sewer and one (1) sanitary lateral from the main sewer to the property line to each benefitting property.

Alternatives for Consideration – See Page 4

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The full estimated cost of \$215,131,09 for this report referred to in Appendix “B” to Report PW20021 will be collected from benefitting property owners, immediately following the completion of construction of the sanitary sewer on Hopkins Court, as per the “Funding Methodology for Municipal Infrastructure Extensions Policy” approved by Council.

Staffing: No additional staffing is required.

Legal: The lands which comprise Hopkins Court are public road owned by the City of Hamilton.

HISTORICAL BACKGROUND

In accordance with interest from property owners on Hopkins Court for the construction of a sanitary sewer, an Owner Initiated Municipal Act sanitary sewer extension petition

SUBJECT: Cost Recovery Using Funding Methodology for Municipal Infrastructure Extensions Policy - Owner Initiated Sanitary Sewer on Hopkins Court, Hamilton (PW20021) (Ward 13) - Page 3 of 5

was prepared and distributed to all the property owners including the total estimated cost for the project.

The petition was “Sufficiently Petitioned For” under the Municipal Act, 2001 and the City of Hamilton Funding Methodology for Municipal Infrastructure Extensions Policy by the City Clerk’s Office on January 24, 2020.

As a result, there is no financial risk to the City of Hamilton.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The recommendation is consistent with the Municipal Act, 2001. A by-law must be passed to install sanitary sewer on Hopkins Court in accordance with the Municipal Act, 2001.

RELEVANT CONSULTATION

A meeting was held with the petition requester on October 3, 2019 to discuss the petition process for sanitary sewer construction on Hopkins Court. The petition documents including the construction cost were provided to the property owners.

A sanitary sewer petition was “Sufficiently Petitioned For” under the Municipal Act, 2001 and the City of Hamilton Funding Methodology for Municipal Infrastructure Extensions Policy by the City Clerk’s Office on January 24, 2020.

Technical consultation with City staff was conducted to prepare this report.

Planning and Economic Development:

- Was contacted for guidance on special service agreements.

Corporate Services (Capital Budgets):

- Was consulted with for the preparation of the full cost recovery by-law as per the Recommendation in this report.

Corporate Services (City Clerk’s Office):

- Was consulted to prepare the sufficiency memorandum (Appendix “C” to Report PW20021).

ANALYSIS AND RATIONALE FOR RECOMMENDATION

This project provides the opportunity for all eight properties along Hopkins Court from York Road to Ernest Street to connect to the new sanitary sewer. As per this project, one 150mm sanitary sewer lateral per property will be provided. The current estimated cost per owner is \$26,891.39.

Any additional sewer laterals and upgrade sizes requested by a property owner shall be paid for by the property owner prior to construction and will be installed solely at the risk of the property owner. It will be made clear to the property owner that the City is making no representations whatsoever about the likelihood of any future development application.

As per the owner initiated “Sufficiently Petitioned For” Municipal Act project, the sanitary sewer and associated sanitary sewer laterals will be constructed on Hopkins Court.

Approval of the recommendations contained in this report will enable the City to recover the full as-constructed costs from the benefitting property owners for this project, upon the completion of the construction of the project. The property owners will be responsible for the construction of the sanitary sewer laterals on their own private property.

ALTERNATIVES FOR CONSIDERATION

The alternate would be that the City pays for the construction of the sanitary sewer and laterals without recovering money from the benefitting property owners. This is not in accordance with the Council approved procedure.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

**SUBJECT: Cost Recovery Using Funding Methodology for Municipal
Infrastructure Extensions Policy - Owner Initiated Sanitary Sewer on
Hopkins Court, Hamilton (PW20021) (Ward 13) - Page 5 of 5**

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PW20021: Location Map

Appendix "B" to Report PW20021: Municipal Act Cost

Appendix "C" to Report PW20021: Sufficiency Certification – City Clerk