

RE: INSTALLATION OF SERVICES 7131 HALIFAX STREET
SUBDIVISION REFERENCE NO. 113/87
REZONING REFERENCE NO. 22/87

ITEM 5
MANAGER'S REPORT NO. 10
COUNCIL MEETING 88/02/08

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Engineering be adopted.

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TO: MUNICIPAL MANAGER 1988 FEBRUARY 02

FROM: DIRECTOR ENGINEERING

**SUBJECT: 7131 HALIFAX STREET - SUBDIVISION REFERENCE #113/87,
REZONING REFERENCE #22/87 - SERVICING INSTALLATIONS**

RECOMMENDATION:

THAT this report be received for information purposes.

R E P O R T

Council at its meeting of 1988 February 01 raised an enquiry regarding the installation of utility services to the subject property.

On 1987 September 28, Council gave First Reading to a rezoning bylaw amending the zoning of the property at 7131 Halifax Street from R4 Residential District to R9 Residential District. Second Reading was granted on 1987 October 26. One of the conditions of this rezoning was the satisfaction of all subdivision requirements. The Approving Officer issued a letter of Tentative Approval of the subdivision on 1987 December 21. Included in the conditions governing the subdivision was "The payments listed on the attached Director Engineering's report dated 1987 December 15 must be made directly to the Engineering Department by cheque or cash.". That report of December 15 listed the servicing requirements which included installation of water, sanitary sewer and storm sewer connections. The applicant was additionally advised that "The rezoning application will be advanced to Third Reading when we have received the fully executed set of subdivision plans. The application will be forwarded to Final Adoption when all other subdivision conditions are completely satisfied.". Applicants will usually make the necessary payments for servicing works following third reading and just before the rezoning bylaw is ready for final adoption; however in this instance the applicant chose to submit the funds prior to the bylaw being considered for third reading.

On 1988 January 25 Council defeated Third Reading of the rezoning application. The applicant had chosen to make payment for the Engineering Department servicing requirements on 1988 January 05. Work Orders were subsequently issued for installation of these services. Standard procedures did not require special instruction to be issued whereby the work would be delayed until Final Adoption of the Rezoning Bylaw. The installation of the services was scheduled to commence on Monday, 1988 January 25. It was recognized that the work of service installation was of low priority (i.e. not urgent). Where possible we deliberately scheduled low priority work for Monday mornings because it is not uncommon that emergency problems occurring on the weekend (e.g. watermain breaks/sewer blockages) give rise to the necessity to cancel previously scheduled work. In this instance the work proceeded on schedule and the water service and sanitary sewer connection were installed on January 25. It is our practice,

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in the interests of efficiency, to excavate for both the water and sewer services at the same time while equipment is on site.

Procedures have now been implemented which will preclude installation of subdivision servicing until such time as rezoning has been finalized. In view of the rezoning bylaw having been defeated in this present instance, arrangements would be made for a full refund of the applicant's servicing costs.

The Planning and Building Inspection Department advises that inasmuch as these refund arrangements can be made, there is no reason for Council to consider that it is obligated or committed in any way in connection with the rezoning application.


DIRECTOR ENGINEERING

WCS:dp

cc: Director Planning & Building Inspection
Director Finance
Municipal Solicitor