

**THE CORPORATION OF THE CITY OF WINDSOR
POLICY**

Service Area:	Office of the City Engineer	Policy No.:	
Department:	Infrastructure and Geomatics	Approval Date:	November 18, 2019
Division:	Engineering	Approved By:	CR554/2019
		Effective Date:	November 18, 2019
Subject:	Local Improvement Policy	Procedure Ref.:	
Review Date:	November 18, 2022	Pages:	Replaces: CR1215/85, CR292/2003, CR179/2005, CR621/80, CR628/92, CR8/2012, M214-2010, CR1607/89, M39/2015
Prepared By:	Janelle Coombs	Date:	

1. POLICY

In accordance with the described purpose and scope of this policy, this policy specifies cost-sharing arrangements for the construction of storm and sanitary sewers, pavements, curbs and gutters, sidewalks and street lighting as local improvements, implemented under the provisions of Ontario Regulation 586/06, made under the Municipal Act, 2001, and where:

1.1 Sewers:

- A storm and/or sanitary sewer does not exist; and
- Abutting property owners have requested in writing a storm and/or sanitary sewer be installed as a local improvement; or
- The City initiates the installation of a storm and/or sanitary sewer as a local improvement.

The abutting property owners will be assessed for:

- The full cost, per metre, for the construction of a sanitary sewer and/or a storm sewer along the property frontage;
- Any additional required services (e.g. curb and gutter, PDC, etc.) and restoration related to the original request

The City will pay:

- The remainder of the cost of sewers at intersections and road drainage;
- Seventy-five percent (75%) of the cost of the storm sewers for the first 45.72 meters (150 feet) of lot flankage;
- Any additional costs of the work

1.2 Pavements

For alley pavements or road pavements including residential or local industrial, within the City right-of-way:

The City will pay:

- The cost of pavements at intersections and road drainage;
- Seventy-five (75%) percent of the cost of the pavements for the first 45.72 metres (150 feet) of the lot flankage;
- The remainder of the total cost of the work

The abutting property owners will be assessed for:

- The full cost of concrete and/or asphalt pavements, the curb and gutter (if applicable) and the boulevard restoration up to a maximum of 1.83m (6 feet).

Pavements will be designed to such structural and geometric standards as the City Engineer determines to be appropriate, having regard for subsoil conditions, vehicular loads, and other relevant matters.

Residential pavements will be constructed to a minimum width of 8.6 metres (28.2 feet) measured face to face of curbs. Where sidewalks exist, top soil and seed or sod shall be placed on the unpaved portions of the boulevard between the curb and the sidewalk. Where no sidewalks exist, limits for boulevard restoration will be determined by the City Engineer up to a maximum of 1.83m (6 feet).

Where, at the City's option, a pavement is constructed of greater width or structural strength than is required for the abutting properties, the City shall assume the cost of the additional work. In the case of residential streets, "a greater width" will mean in excess of 8.6 metres (28.2 feet).

This policy applies only to pavements constructed on rights-of-way assumed by the City.

For the rehabilitation of badly deteriorated rural roads where the majority of the abutting properties are side lot properties, the City will be authorized to undertake the following:

- That where the percentage of side lot properties are greater than or equal to 50% of the total frontage for the street segment, to reconstruct the roadway with or without the addition of curbs and gutters at no cost to the abutting residents (local improvements will not apply)

- That where this applies, to proceed without the provisions of Ontario Regulation 586/06 for Local Improvement.
- To prioritize the reconstruction of these roads based on their inclusion in the Capital Budget as required.

* Note: The rehabilitation of badly deteriorated rural roads within 2,000 feet of a proper storm outlet must have exhausted the local improvement process before being considered for the Road Rehabilitation Capital Budget program.

1.3 Curbs and Gutters

For the construction of curbs and gutters in cases where pavement rehabilitation and reconstruction has been undertaken as local improvements under the Provisions of Ontario Regulation 586/06, made under the Municipal Act, 2001, and where:

- A paved road is currently without curbs and gutters;
- Abutting property owners have requested in writing curbs and gutters be installed or rehabilitated during the same project;
- Or,
- The City initiates the installation of curbs and gutters as a local improvement during the same project.

The abutting property owners will be assessed for:

- The full cost of concrete curbs and gutters and up to a maximum of 1.83m (6 feet) of boulevard restoration starting from the back of any new hard surface along the entire frontage of their property

The City will pay:

- The cost of concrete curbs and gutters in public right-of-way not attributable to lot frontage;
- Seventy-five percent (75%) of the cost of the concrete curbs and gutters for the first 45.72 meters (150 feet) of lot flankage;
- The cost of road drainage;
- The cost of rehabilitating or reconstructing the existing deteriorated pavement

The curbs and gutters, and rehabilitated or reconstructed pavements will be of geometric design, as the City Engineer should determine to be appropriate.

1.4 Sidewalks: Residential and Pedestrian Generator Policy Sidewalks

- In residential areas, standard sidewalks will be constructed to meet the Accessibility for Ontarians with Disabilities Act (AODA) requirements, except where the safety of pedestrians warrants a greater width.

The abutting property owners will be assessed for:

- The full cost of concrete sidewalks along the entire frontage of their property and up to a maximum of 1.83m (6 feet) of boulevard restoration

Where a residential sidewalk is constructed as per AODA requirements, the City will absorb:

- a. The cost of the sidewalk within the public right-of-way not attributable to lot frontage;
 - b. Seventy-five percent (75%) of the cost of the first 45.72m (150 feet) of lot flankage;
 - c. The remainder of the total cost of the work;
- Where a residential sidewalk is constructed wider than the standard width for pedestrian safety, the abutting property owners will be assessed for only a standard width sidewalk. The city will absorb the balance of the cost in addition to the amounts set out in 2a, 2b and 2c above.
 - Where a sidewalk meets the conditions of the Pedestrian Generator Policy or is located on a collector or arterial road, the total cost of the sidewalk will be paid by the City.
 - Where a sidewalk is constructed on a transit route, the total cost of the sidewalk will be paid by the City.

1.5 Street Lighting

- The City and property owner are each responsible for 50% of the cost of street lighting attributable to frontage costs.
- The City is responsible for 100% of the cost assessed to intersection and alley frontage.
- The City is responsible for 75% of the cost assessed to flankage lots up to 45.72 metres or 150ft.
- The property owner is responsible for 100% of the cost difference between standard street lighting and ornamental street lighting.
- **Note:** Lighting of unlit flankage (side) streets may be installed outside the provisions of Ontario Regulation 586/06, made under the Municipal Act, 2001, only if the following conditions are present:
 - The flankage street is abutted by corner lots only.

- The adjacent local frontage street is currently served by existing standard lighting in accordance to the policy; and further, that the cost of this flankage street be paid 100% by the City.
- The City is responsible for 100% of the costs of street lighting on collector and arterial roads as well as local roads that are transit routes.

1.6 Petitions in areas planned to be developed

This policy affirms the intention to circulate Local Improvement Petitions in areas that plan to be developed, and:

- That petitions for full municipal services be prepared for a block or part thereof only when the City Planner indicates that he is prepared to recommend a rezoning By-Law for said lands conditional upon full municipal services;
- That a petition prepared under the above circumstances shall state, "We, the undersigned, fully understand that a sufficiently signed petition in no way guarantees construction of the services involved. We understand that the priority for these works in the Corporation's yearly Local Improvement Program will be weighed against other petitioned-for works and other works initiated by the Corporation."

* The previous approved policy will govern for all existing approved local improvements.

* All local improvements are subject to additional fees for engineering and HST.

* All costs not covered by the City will be borne by the home owner.

2. PURPOSE

2.1 To present a cost-sharing policy setting forth special assessments for storm and sanitary sewers, street lighting, sidewalks, pavements, and curbs and gutters constructed under the provisions of the Local Improvement Regulation, O. Reg. 586/06.

2.2 To address the situation where there are no sanitary or storm sewers in an existing neighbourhood of the City. Some areas of the City are still serviced by septic tanks with no sanitary sewers. Elimination of the remaining septic tanks within the City is considered a high priority to reduce pollution and improve water quality in the municipal drainage system and receiving water body.

- 2.3** To address a street that may have a sanitary sewer and roadside ditches, but no storm sewer. In order to close the roadside ditches, the ditches would need to be replaced with a storm sewer.
- 2.4** To encourage the construction of municipal infrastructure where current municipal infrastructure is deficient and/or does not exist.
- 2.5** To consolidate the following existing Council Resolutions regarding local improvements and the correlated cost sharing policies:
- CR292/2003 (**Attachment A**) establishes the policy for the assessment of costs for construction of storm and sanitary sewers constructed as local improvements under the *Municipal Act, 2001 - Ontario Regulation 586/06*. Also, it establishes the policy for the assessment of costs for construction of pavements following Local Improvement sewer construction, providing a favourable assessment rate to property owners to encourage the construction of pavements, including curbs and gutters.
 - CR1215/85 (**Attachment B**) establishes the policy for the assessment of costs for the construction of pavements on rights-of-way serviced by full underground services and **not** serviced by full underground services. In both instances, the City absorbs the cost of intersections and drainage. In the instance of existing full underground services, the City will absorb sixty-seven percent (67%) of the remainder of the total cost of the work. In the instance of full underground services **not** existing, the City will absorb fifty percent (50%) of the remainder of the total cost of the work.
 - CR1607/89 (**Attachment C**) establishes the policy for the assessment of costs for construction street lighting constructed as local improvements under the *Municipal Act, 2001 - Ontario Regulation 586/06*.
 - CR179/2005 (**Attachment D**) establishes the policy for the assessment of cost sharing arrangements in cases where rehabilitation and reconstruction roadwork has been undertaken, and where abutting property owners have requested curbs and gutters be installed or rehabilitated during the same project.
 - M214-2010 (**Attachment E**) establishes the policy for the assessment of costs for sidewalks in residential areas where the Pedestrian Generator Policy is used and/or is a designated Transit Windsor Route. In these cases, the Corporation absorbs 100% of the costs for the construction of sidewalks.
 - CR8/2012 (**Attachment F**) establishes the policy for the assessment of costs for the rehabilitation of badly deteriorated rural roads where the majority of the abutting properties are side lot properties. Where the

percentage of side lot properties is greater than or equal to 50% of the total frontage for the street segment, the roadway shall be reconstructed with or without the addition of curbs and gutters at no cost to the abutting residents.

- CR621/80 (**Attachment G**) establishes the policy for Local Improvement Petitions in Planned Development Districts where a petition for full municipal services shall include a sanitary sewer, storm sewer, 8.54m road pavement, streetlights and a watermain.
- CR628/1992 (**Attachment H**) expands on the provisions of the Local Improvement Act in the South Cameron Planning District approved by Council Resolution 1475/88 adopted October 17, 1988 which increases the limits to include the South Windsor and Roseland Planning Districts.
- CR1406/95 (**Attachment I**) expands on the existing Street Lighting Policy which indicates the installation of ornamental street lighting on local streets be by use of the Local Improvement Act where all costs over and above the cost for the installation of standard street lighting be borne 100% by the directly abutting property owners.
- M39-2014 (**Attachment J**) expands on the existing list for Road Rehabilitation projects which ought to include roads without curb and gutter and/or that have ditches that are not within 2000 feet (2 blocks) of a proper storm outlet. In addition, for local roads that are within 2000 feet of a proper storm outlet, these roads shall only be considered for the Road Rehabilitation list after they have exhausted the Local Improvement process, both resident and City initiated.

3. **SCOPE**

- 3.1 This Policy applies to all roads and highways within the municipal boundaries of the City of Windsor.
- 3.2 This policy describes the conditions for the undertaking of local improvements as described in Section 2 and how abutting property owners will be assessed for the cost of the construction of storm and/or sanitary sewers, pavements, street lighting, sidewalks, curbs and gutters and boulevard restoration, in areas of the City that are presently without some or all of the aforementioned infrastructure to be undertaken as local improvements under the *Municipal Act, 2001 - Ontario Regulation 586/06*:
- (a) This policy applies only to municipal infrastructure constructed on assumed streets.

- (b) The cost of all private drain connections from the mainline sewer to the property line to be charged to the benefiting property owner in accordance with Section 13(2) of Ontario Regulation 586/06.
- (c) With regards to curb and gutters, this policy applies only to streets presently serviced by either: (i) separated storm and sanitary sewers, or (ii) combined sewers and/or under/over sewer systems.

4. RESPONSIBILITY

4.1 The responsibilities of the City, through City Council, the Committee of Revision, the City Engineer, the City Treasurer, the City Clerk and the abutting property owners, are enunciated in the Municipal Act, 2001 - Ontario Regulation 586/06.

4.2 The responsibilities are as follows:

4.2.1 City Council shall authorize the work be done as a local improvement by passing a Local Improvement Charges By-law for such work.

4.2.2 Once the local improvement work is completed, Council shall pass a Special Charges By-law to impose charges on abutting property owners.

4.2.3 The Committee of Revision shall hear objections to the local improvement roll and make decisions after the hearing to finalize the Local Improvement Roll.

4.2.4 The City Engineer shall implement the work as a local improvement and follow the provisions of the O. Reg. 586/06.

4.2.5 The City Treasurer shall certify the Local Improvement Roll.

4.2.6 The City Clerk shall receive petitions for or against local improvement work, appeals to the assessment notice; and shall certify the sufficiency of such petitions.

4.2.7 The abutting property owners may petition for or against a local improvement work. After the Special Charges by-law is passed, the owners are obligated to pay their share of the local improvement charges by lump sum or through their property taxes over 10 years.

4.2.8 The Local Improvement Roll, or Record of Assessment, shall be maintained by the City Treasurer.

5. GOVERNING RULES AND REGULATIONS

The Municipal Act, 2001 - Ontario Regulation 586/06 is the governing legislation.

6. RECORDS, FORMS AND ATTACHMENTS

- 6.1** The Local Improvement Roll, or Record of Assessment, shall be maintained by the City Clerk and City Treasurer. Local improvement booklets, which outline the local improvements generated in any given year, are maintained by the Clerk's office and City Engineer's office.
- 6.2** The related forms include:
- 6.2.1** The petition form;
 - 6.2.2** Notice of Local Improvement Charges By-law;
 - 6.2.3** Notice of Local Improvement Special Charges By-law.
- 6.3** Attachment A: CR292/2003
Attachment B: CR1215/85
Attachment C: CR1607/89
Attachment D: CR179/2005
Attachment E: M214-2010
Attachment F: CR8/2012
Attachment G: CR628/1992
Attachment H: CR621/1980
Attachment I: CR1406/95
Attachment J: M39-2014

LOCAL IMPROVEMENT ACT – STORM & SANITARY SEWER POLICY

CR292/2003

That **APPROVAL BE GIVEN** for the following policy for the assessment of costs of storm and sanitary sewers constructed as Local Improvements under the Municipal Act, 2001 - Ontario Regulation 119/03, to be effective immediately:

(a) That as provided for by Section 9 of Regulation 119/03, a uniform flat rate of \$140.00 per metre of frontage be used on all petitions prepared for the construction of a sanitary sewer when only one sewer is being constructed.

(b) That as provided for by Section 9 of Regulation 119/03, a uniform flat rate of \$99.00 per metre of frontage be used on all petitions prepared for the construction of a storm sewer when only one sewer is being constructed.

(c) That in the event that both storm and sanitary sewers are constructed simultaneously on a street, that the above be modified so as to further reduce the rate chargeable for the storm sewer to \$72.00 per metre.

(d) That in the event curbs and gutters and surface asphalt are constructed on a street following sewer construction, the City will absorb the following:

- The remainder of the cost of intersections and drainage.
- Seventy-five percent (75%) of the cost of the first 45.72 metres of lot flankage.
- Fifty percent (50%) of the remainder of the net cost of the work.

(e) That all outstanding Local Improvement Act sanitary sewer petitions that are returned sufficiently signed before June 1, 2003, be considered at the 2000 rates of \$130.00 per metre.

(f) That this policy apply only to sewers constructed on assumed streets.

(g) That as provided for by Section 15 of Regulation 119/03, 75% of the first 45.72 metres of lot flankage be borne on the general rate except in those cases where the property owner is connected only to the frontage sewer when it shall be 100% on the general rate.

(h) That the cost of all private drain connections from the main sewer to the property line be charged to the benefiting property in accordance with Section 10(2) of Regulation 119/03.

(i) That the above rates be evaluated within two (2) years from date of this Council Resolution.

and further, Council Resolution CR1095/2000 adopted by Council on October 16, 2000, establishing the present policy for the cost-sharing of sewers constructed under the Local Improvement Act **BE RESCINDED**.

That effective immediately the following cost-sharing policy setting forth special assessments for pavements and sidewalks constructed under the provisions of The Local Improvement Act BE APPROVED:

- A. (ii) Alley Pavements, or
- (iii) Pavements: Residential or Local Industrial - rights-of-way which are not served by full underground sewer services.

The City will absorb:

- (a) The cost of intersections and drainage
- (b) Fifty (50%) percent of the remainder of the total cost of the work
- (c) Seventy-five (75%) percent of the cost of the first 150 feet of the lot flankage

- B. Pavements: Residential and Local Industrial – on rights-of-way which are served by full underground sewer services.

The City will absorb:

- (a) The cost of intersections and drainage
- (b) Sixty-seven (67%) percent of the remainder of the total cost of the work
- (c) Seventy-five (75%) of the cost of the first 150 feet of the lot flankage

- C. (a) Pavements will have such structural and geometric design as the Commissioner of Works shall determine to be appropriate, having regard to subsoil conditions, vehicular loads, and other relevant matters.

(b) Residential pavements will be constructed to a minimum width of 28 feet measured face-to-face of curbs, and shall have top soil and seed or sod placed on unpaved portions of the boulevard between the curb and sidewalk (or where no sidewalks exist, a point in the boulevard determined by the Commissioner of Works).

(c) Where, at the City's option, a pavement is constructed of greater width or structural strength than is required for the abutting properties the City shall assume the cost of the additional work. In the case of residential streets, "a greater width" will mean in excess of 28 feet.

(d) That this policy apply only to pavements constructed on assumed street rights-of-way.

- D. Sidewalks: Residential and School Approach

- 1. In the residential areas, sidewalks will be 4 ft. wide, except where the safety of pedestrians warrants a greater width.

2. Where a 4-ft. wide residential sidewalk is constructed, the City will absorb:
 - (a) The cost of the walk at intersections.
 - (b) Seventy-five (75%) percent of the cost of the first 150 feet of lot flankage.
 - (c) Twenty-five (25%) percent of the remainder of the total cost of the work.

3. Where a residential sidewalk is constructed wider than 4 ft. for pedestrian safety, the abutting property owners will be assessed for only a 4-ft. wide walk. The City will absorb the balance of the cost in addition to the amounts set out in 2(a) and 2(b) above.

4. Where a sidewalk:
 - Is required to serve more than the abutting properties or is required on a school approach street;
 - Is required for the safety of children in the community travelling to and from school;
 - Is requested or endorsed by a School Board; and
 - Where it would be unequitable to charge the full cost of the walk to the abutting property owners;The sidewalk will be termed a „school approach sidewalk“ and the total cost therefore will be paid by the City.

And further, that Council Resolution 94/68 adopted on January 22, 1968, and that Council Resolution 305/73 adopted on April 9, 1973 setting forth a policy in respect of such Local Improvements BE RESCINDED.

THE CORPORATION OF THE CITY OF WINDSOR
POLICY

Manual:	Public Works	Policy #:	PW.A1.05
Section:	Engineering	Approval Date:	March 29, 2005
Department:	Engineering and Corporate Projects	Effective Date:	March 29, 2005
		Approved By:	CR179/2005
Subject:	Local Improvement Policy – Cost Assessments – Rehabilitation of Deteriorated Roads	<i>Pages:</i>	Replaces:
			Date:

1.0 POLICY

1.1 In accordance with the described purpose and scope of this policy, the policy specifies cost-sharing arrangements in cases where rehabilitation and reconstruction roadwork has been undertaken, and where abutting property owners have requested curbs and gutters be installed or rehabilitated during the same project.

1.1.1 The abutting property owners will be assessed for:

- the cost of curbs and gutters and boulevard restoration

The City will absorb:

- the cost of intersections not attributable to lot frontage;
- seventy-five percent (75%) of the cost of the first 45.72 meters of lot frontage;
- the cost of drainage;
- the cost of rehabilitating or reconstructing the existing deteriorated pavement;
- The curbs and gutters, and rehabilitated or reconstructed pavements will be of geometric design, as the City Engineer should determine to be appropriate.

2.0. DEFINITIONS

2.1 The definition of “deteriorated” will be as defined by the City’s Road Condition Rating System.

2.2 Section 1(1) of Ontario Regulation 119/03 defines the terminology used throughout the Regulation.

3.0. PURPOSE

3.1 The goal of the policy is to address a deficiency in the current local improvement policies with respect to deteriorated pavements without curbs and gutters, to encourage the construction of curbs and gutters and boulevard restoration at the abutting owners’ expense, while the deteriorated pavement is being rehabilitated or reconstructed by the City at its cost.

3.2 There are two policies in place for the reconstruction of pavements in established neighbourhoods as Local Improvements:

- CR292/2003 (**Attachment A**) establishes the policy for the assessment of costs for construction of pavements following Local Improvement sewer construction, providing a favourable assessment rate to property owners to encourage the construction of pavements, including curbs and gutters.
- CR1215/85 (**Attachment B**) establishes the policy for the assessment of costs for the construction of pavements on rights-of-way serviced by full underground services and **not** serviced by full underground services. In both instances, the City absorbs the cost of intersections and drainage. In the instance of full underground services existing, the City will absorb sixty-seven percent (67%) of the remainder of the total cost of the work. In the instance of full underground services **not** existing, the City will absorb fifty percent (50%) of the remainder of the total cost of the work.

Neither of the above policies addresses the situation where a pavement does not have curbs and gutters and is deteriorated to the extent that it requires rehabilitation or reconstruction at the City's cost, and where abutting property owners, or the City, wish to construct curbs and gutters and boulevard restoration at the same time as the pavement rehabilitation or reconstruction.

4.0 **SCOPE**

- 4.1** This Policy applies to all roads and highways within the Municipal Boundaries of the Corporation of the City Of Windsor.
- 4.2** This policy describes the conditions for the undertaking of local improvements as described in sec 3.1 and how abutting property owners will be assessed for the cost of the curbs and gutters and boulevard restoration.
- 4.3** This policy is for the assessment of costs for the construction of curbs and gutters and boulevard restoration on pavements which are (i) presently without curbs and gutters and (ii) deteriorated to the extent that they require rehabilitation or reconstruction, to be undertaken as Local Improvements under the *Municipal Act, 2001-Ontario Regulation 119/03*:
 - (a) That this policy applies only to curbs and gutters constructed on assumed streets.
 - (b) That this policy applies only to streets presently serviced by either (i) separated storm and sanitary sewers, or (ii) combined sewers.

5. **RESPONSIBILITY**

- 51** The responsibilities of the City, through City Council, the Court of Revision, the City Engineer, the City Treasurer, the City Clerk and the abutting property owners are enunciated in the Municipal Act, 2001-Ontario Regulation 119/03.
- 52** The local improvement role, or record of assessment, shall be maintained by the City Treasurer.

6. GOVERNING RULES AND REGULATIONS

6.1 The Municipal Act, 2001-Ontario Regulation 119/03 is the governing Regulation.

- Section 1(2) of Regulation 119/03 provides that the City may construct curbs and gutters and boulevard restoration as a local improvement.
- Section 9(1) of Regulation 119/03 provides that the City may specially assess property owners (a) abutting directly on the work according to the extent of their respective frontages by imposing an equal special charge per meter frontage, and (b) not abutting on the work but immediately benefiting by it to the extent of their respective frontages by imposing an equal special charge per meter frontage.
- Section 12(a) of Regulation 119/03 provides that the City pay the cost of drainage of a pavement.
- Section 12(b) of Regulation 119/03 provides that the City pay the cost of intersections.

The Municipal Act, 2001-Ontario Regulation 119/03 enunciates:

- The rules that apply for passing a local improvement charges by-law to undertake a proposed work.
- The required notice to be given before passing a local improvement charges by-law.
- How applications can be made to the Ontario Municipal Board to undertake a work as a local improvement.
- The requirement for and sufficiency of petitions for local improvement works.
- How local improvement costs are borne.
- The establishment and authority of a Court of Revision.
- The establishment of a local improvement role and how the role should be set out.
- Public Notices required before special local improvement charges are imposed.
- The rules that apply for passing a local improvement by-law to provide the amount to be specially charged property owners as set out in the local improvement role.

7. RECORDS, FORMS AND ATTACHMENTS

7.1 **Attachment A: CR292/2003**
Attachment B: CR1215/85

Moved by Councillor Marra, seconded by Councillor Postma,

M214-2010

WHEREAS: The use of the Local Improvement Policy is a mechanism for residents to petition City Council for local infrastructure improvements; and

WHEREAS: The Pedestrian Generator Policy is used by City Administration as it relates to assessing the need for the construction of sidewalks in any given neighbourhood; and

WHEREAS: From time to time, local improvement petitions will come from neighbourhoods that are residential in nature, and it is a designated Transit Windsor Route, and new sidewalks are required, the current policy requires that the residents of the subject neighbourhood are compelled to financially contribute towards the construction of the sidewalks; and

WHEREAS: When it comes to pedestrian and transit safety issues, the Corporation should be absorbing 100% of the costs for the construction of sidewalks;

THEREFORE BE IT RESOLVED THAT:

Administration proceed with amendments, effective immediately, to the Local Improvement Petition Policy and the Pedestrian Generator Policy in order to ensure that in these such circumstances, sidewalks deemed necessary by the City Engineer **BE CONSTRUCTED** and the cost will be fully subsidized by the Corporation's share of the infrastructure project.

Carried.

Councillor Hatfield was absent from the meeting when the votes was taken on this matter.

Local Improvement Candidate Roads with Majority Side Lot Properties Policy

CR8/2012 (Report No. 15678)

That **APPROVAL BE GIVEN** for the following policy for the rehabilitation of badly deteriorated rural roads where the majority of the abutting properties are side lot properties, to be effective immediately:

- a. That where the percentage of side lot properties is greater than or equal to 50% of the total frontage for the street segment, the City **BE AUTHORIZED** to reconstruct the roadway with or without the addition of curbs and gutters at no cost to the abutting residents.
- b. That where this policy applies, the City **BE AUTHORIZED** to proceed without the provisions of Ontario Regulation 586/06 for Local Improvement.
- c. That administration **BE AUTHORIZED** to prioritize the reconstruction of these roads based on their inclusion in the Capital Budget as required.

**THE CORPORATION OF THE CITY OF WINDSOR
POLICY**

Service Area:	Public Works	Policy No.:	
Department:	Engineering	Approval Date:	
Division:	Development and Geomatics	Approved By:	CR621/80
		Effective Date:	
Subject:	LOCAL IMPROVEMENT ACT – POLICY FOR PETITIONS IN PLANNED DEVELOPMENT DISTRICTS	Procedure Ref.:	
		Pages:	Replaces:
			Date:

1. POLICY

1.1 This policy affirms Council’s intention to circulate Local Improvement Petitions in Planned Development Areas beginning immediately, and:

- 1.1.1** That petitions for full municipal services be prepared for a block or part thereof only when the City Planner indicates that he is prepared to recommend a rezoning By-Law for said lands conditional upon full municipal services;
- 1.1.2** That a petition prepared under the above circumstances shall state, “We, the undersigned, fully understand that a sufficiently signed petition in no way guarantees construction of the services involved. We understand that the priority for these works in the Corporation’s yearly Local Improvement Program will be weighed against other petitioned-for works and other works initiated by the Corporation.”

2. SCOPE

2.1 A petition for “full municipal services” shall include:

- 2.1.1** A sanitary sewer
- 2.1.2** A storm sewer if outlet available
- 2.1.3** An 8.54 metre road pavement if a storm sewer is available; otherwise it shall be a 7.32 metre pavement with 1.52 metres asphalt shoulders and roadside ditches.
- 2.1.4** Streetlights
- 2.1.5** A water main

Provided that where, in the opinion of the City Engineer, any of these services exist and are adequate, said services shall be excluded from the petition

3. RECORDS, FORMS AND ATTACHMENTS

3.1 Records created as a result of this policy will be retained in accordance with the Records Retention By-law 21-2013.

LOCAL IMPROVEMENT ACT – SOUTH CAMERON PLANNING DISTRICT

628/92

That Council's policy with respect to the provision of local municipal services under the provisions of the Local Improvement Act in the South Cameron Planning District approved by Council Resolution 1475/88 adopted October 17, 1988, **BE EXPANDED** to include the South Windsor and Roseland Planning Districts, and further, Council Resolution 1475/88, **BE AMENDED** accordingly.

Carried.

CR1406/95

The City of Windsor Street lighting Policy requires that installation of ornamental street lighting on local streets be by use of the Local Improvement Act with all costs over and above the cost for the installation of standard street lighting borne 100 percent by the directly abutting property owners. The 800 block of Monmouth Avenue has standard street lighting existing and, therefore, the costs to replace this lighting with ornamental lighting would be borne 100 percent by the abutting owners including all administrative and debenturing costs as no standard street lighting costs are applicable.

Moved by Councillor Valentinis, seconded by Councillor Payne,

M39-2014 That **Report No. 155 of the Executive Committee of Council** of its meeting

held November 25, 2013 regarding CQ36-2013 Road Rehab Protocol Revision **BE ADOPTED**

as presented.

Carried.

Report Number **16835** SW2014

Internal Distribution

Chief Administrative Officer

Chief Financial Officer & City Treasurer

Public Works [Mario Sonego, City Engineer]

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Claire Lauzon	3165 Parkwood Avenue Windsor, ON N8W 2K6
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Abstract Budget File

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Dilkens, seconded by Councillor Marra,

THAT the City of Windsor's listing for potential Road Rehabilitation inclusion in the Capital Budget program **BE AMENDED** to include roads without curb and gutter and/or that have ditches that are not within approximately 2,000 feet (2 blocks) of a proper storm outlet; and the Road Rehab list for the 2015 budget **BE REPRIORITIZED** to include these roads; and

THAT for local roads within 2,000 feet of a proper storm outlet, roads **BE CONSIDERED** for the Road Rehabilitation Capital Budget Program **ONLY** after they have exhausted the Local Improvements process, both resident and City initiated.

Carried.

Liveline #16835, SW2013

Clerk's Note: The administrative report authored by the City Engineer dated November 15, 2013 entitled *CQ36-2013 Road Rehab Protocol Revision* is attacheJ as background information.