

THE CORPORATION OF THE CITY OF WINDSOR POLICY

Service Area:	Office of the City Engineer	Policy No.:	
Department:	Engineering	Approval Date:	
Division:	Design and Development	Approved By:	
		Effective Date:	IMMEDIATE
Subject:	Local Improvement Policy Consolidation	Procedure Ref.:	
Review Date:		Pages:	Replaces: CR1215/85, CR292/2003, CR179/2005, CR8/2012, M214-2010, CR1607/89, M39/2014
Prepared By:	Janelle Coombs/Adam Mourad		Date: June 8, 2020

1. PURPOSE

- 1.1** To present a cost-sharing policy setting forth special assessments for municipal infrastructure such as storm and sanitary sewers, street lighting, sidewalks, pavements, curbs and gutters and private drain connections constructed under the provisions of the Local Improvement Regulation, O. Reg. 586/06.
- 1.2** 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 environmental issues and improve water quality in the municipal drainage system and receiving water bodies.
- 1.3** To address streets 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.
- 1.4** To consolidate and replace the following existing Council Resolutions regarding local improvements and the correlated cost sharing policies (Appendix A):
- CR292/2003 - Storm and Sanitary Sewer Policy
 - CR1215/85 - Pavement and Sidewalk Cost-Sharing Policy
 - CR1607/89 - Cost-Sharing for Street Lighting
 - CR179/2005 - Cost-Sharing for Rehabilitation of Deteriorated Roads
 - M214-2010 - Pedestrian Generator Policy
 - CR8/2012 - Local Improvements of Majority Side Lot Properties Policy
 - CR1406/95 - Ornamental Street Lighting
 - M39-2014 - Road Rehabilitation of Rural Cross section roads not within 2000 feet of a storm outlet

- 1.5 To encourage the construction of municipal infrastructure where current municipal infrastructure is deficient.

2. **SCOPE**

This Policy applies to all roads and highways within the municipal boundaries of the City of Windsor. This policy does not apply to lands without any municipal infrastructure such as greenfield developments.

3. **DEFINITIONS**

- 3.1 **Approved Rate** – for the purpose of this policy, refers to the rate set out in the Fees and Charges By-law 392-2002 for a 250mm diameter sanitary sewer and a 300mm diameter storm sewer.
- 3.2 **Oversizing** – for the purpose of this policy, refers to any sewer larger than a 250mm diameter sanitary sewer and a 300mm diameter storm sewer
- 3.3 **Frontage** – the property line along or abutting the municipal roadway. On a corner lot, the frontage shall be considered to be the shorter of the property lines regardless of the direction the building on the property faces.
- 3.4 **Flankage** – for the purpose of this policy, refers to the longest dimension of the corner lot that abuts the local improvement, typically the full depth of the lot.
- 3.5 **Private Drain Connection** – for the purpose of this policy, refers to the sewer pipe length from the centre line of the right-of-way to the private property line.
- 3.6 **Boulevard Restoration** – for the purpose of this policy, means the installation of sod (or seed if approved) and topsoil up to a maximum of 2 metres from the back of curb or edge of pavement. Property owners will be assessed for the full frontage of the lot. Any additional restoration is to be paid by the City.

3.7 **GENERAL ASSESSMENTS**

- 3.7.1 All local improvements are subject to applicable fees for engineering, project administration, interest charges, and applicable taxes.
- 3.7.2 All existing approved local improvements will be governed by the policy in place at the time of their approval.

- 3.7.3** The costs for abutting property owners will be based on the assessable property frontage which excludes intersections and City owned properties.
- 3.7.4** Unless noted for lot flankage (side lot), all costs are assessed according to the property frontage (front or rear yard width) adjacent to the works.
- 3.7.5** In the case of irregular shaped lots, adjustments to the assessment are made on a case-by-case basis to mitigate over/under assessing an irregular lot.

4. POLICY

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

4.1 SEWERS

Where:

- 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 cost at the approved rate, per metre of frontage, of a new storm and/or sanitary sewer;
- The full cost for the construction of a private drain connection and cleanout extending from the centre line of the right-of-way to the property line of the benefiting property;
- 100% of the cost for boulevard restoration.

In addition, where flankage properties exist, those property owners will be assessed for:

- 25% of the approved rate, per metre of flankage, for the construction of a storm sewer and boulevard restoration for the first 45 metres of lot flankage;
- 100% of the cost for any remaining works over and above the first 45 metres of lot flankage, at the approved rate.

The City will pay:

- The remainder of the total cost of the work, as outlined in section 4.6.

4.2 PAVEMENTS

Where:

- Unpaved alleys or roads, including residential or local industrial roads, exist within the City right-of-way; and
- Abutting property owners have requested in writing these unpaved alleys and/or roads be paved; or
- The City initiates the installation of road pavement as a local improvement

The abutting property owners will be assessed for:

- 100% of the cost, per metre of frontage, for the construction of the road base and asphalt and/or concrete pavement up to 8.6 metres in width;
- 100% of the cost for the construction of curb and gutter, if applicable;
- 100% of the cost for boulevard restoration.

In addition, where flankage properties exist, those property owners will be assessed for:

- 25% of the cost, per metre of flankage, for construction of the road base and pavement for the first 45 metres of lot flankage;
- 25% of the cost for boulevard restoration for the first 45 metres of lot flankage;
- 100% of the cost for any remaining works over and above the first 45 metres of lot flankage.

The City will pay:

- The remainder of the total cost of the work, as outlined in section 4.6.

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 measured face to face of curbs.

Where, at the City's option, a pavement is constructed of greater width or structural strength than is required, 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.

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

4.2.1 RURAL PAVED ROADS

For the rehabilitation of badly deteriorated rural paved roads where the majority of the abutting properties are side lot properties, the City may 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, 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, proceed without the provisions of Ontario Regulation 586/06 for Local Improvements.

4.3 CURBS AND GUTTERS

Where:

- A paved road is currently without curbs and gutters; and,
- Pavement rehabilitation/reconstruction is to be undertaken by the City; and
- Abutting property owners have requested in writing curbs and gutters be installed; or
- The City initiates the installation of curbs and gutters as a local improvement in conjunction with a pavement rehabilitation project

The abutting property owners will be assessed for:

- 100% of the cost, per metre of frontage, for the construction of concrete curbs and gutters;
- 100% of the cost for boulevard restoration.

In addition, where flankage properties exist, those property owners will be assessed for:

- 25% of the cost, per metre of flankage, for the construction of concrete curbs and gutters and boulevard restoration for the first 45 metres of lot flankage;
- 100% of the cost for any remaining works over and above the first 45 metres of lot flankage.

The City will pay:

- The remainder of the total cost of the work, as outlined in section 4.6.

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

4.4 SIDEWALKS: RESIDENTIAL AND PEDESTRIAN GENERATOR POLICY

Where:

- A paved road is currently without sidewalks; and,
- Abutting property owners have requested in writing sidewalks be installed; or
- The City initiates the installation of sidewalks as a local improvement

The abutting property owners will be assessed for:

- 100% of the cost, per metre of frontage, for the construction of concrete sidewalks;
- 100% of the cost for boulevard restoration.

In addition, where flankage properties exist, those property owners will be assessed for:

- 25% of the cost, per metre of flankage, for the construction of sidewalks and boulevard restoration for the first 45 metres of lot flankage;
- 100% of the cost for any remaining works over and above the first 45 metres of lot flankage.

The City will pay:

- The remainder of the total cost of the work, as outlined in section 4.6.

New 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, or the City Engineer determines a greater width is necessary and/or desirable.

Where a residential sidewalk is constructed wider than the AODA standard, the abutting property owners will only be assessed for a standard AODA width sidewalk. The City will pay the balance of the cost in addition to the amounts set out above.

Where a sidewalk meets the conditions of the Pedestrian Generator Policy, the total cost of the sidewalk and boulevard restoration will be paid by the City.

Where a sidewalk is constructed on a transit route, the total cost of the sidewalk and boulevard restoration will be paid by the City.

4.5 STREET LIGHTING

Where:

- A municipal right-of-way is currently without street lighting; and,
- Abutting property owners have requested in writing street lighting be installed; or
- The City initiates the installation of street lights as a local improvement

The abutting property owners will be assessed for:

- 50% of the cost for standard street lighting;
- 50% of the cost for boulevard restoration.

In addition, where flankage properties exist, those property owners will be assessed for:

- 25% of the cost for street lighting and boulevard restoration along the first 45 metres of lot flankage;
- 100% of the cost of any remaining works over and above the first 45 metres of lot flankage.

The City will pay:

- The remainder of the total cost of the work, as outlined in section 4.6.

If ornamental street lighting is requested by the property owners, then the owners will be responsible for 100% of the cost difference between standard street lighting and ornamental street lighting.

4.6 CITY'S SHARE FOR LOCAL IMPROVEMENT WORK

For all local improvement work implemented under this policy, the City's share of the cost will consist of the following:

- The cost for the work at intersections;
- The cost for the work in front of city owned property and alleys;
- The cost related to road drainage;
- The cost of additional road width greater than 8.6 metres;

- The cost of oversizing sewers larger than the diameter set out in the approved rate;
- The remainder of the total cost that is not defined in the assessable local improvement work under this policy.

5. RESPONSIBILITY

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

5.2 The responsibilities are as follows:

- 5.2.1** City Council may authorize the work be done as a local improvement by passing a Local Improvement Charges By-law for such work.
- 5.2.2** Once the local improvement work is completed, Council shall pass a Special Charges By-law to impose charges on abutting property owners.
- 5.2.3** The Committee of Revision shall hear objections to the local improvement roll and make decisions to finalize the Local Improvement Roll.
- 5.2.4** The City Engineer shall implement the work as a local improvement and follow the provisions of the O. Reg. 586/06.
- 5.2.5** The City Treasurer shall certify the Local Improvement Roll.
- 5.2.6** 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.
- 5.2.7** 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.
- 5.2.8** The Local Improvement Roll, or Record of Assessment, shall be maintained by the City Clerk office and City Treasurer.

6. GOVERNING RULES AND REGULATIONS

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

7. RECORDS, FORMS AND ATTACHMENTS

7.1 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 and the statement of the work costs, are maintained by the Clerk's office and City Engineer's office.

7.2 The related forms include:

The petition form;
Notice of Local Improvement Charges By-law;
Notice of Local Improvement Special Charges By-law.

7.3 Appendix A:

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: CR1406/95
Attachment H: 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.

SCHEDULE "B"
TO
COUNCIL MINUTES

1215
/jr
November 27, 1989

Toth/Wilson

C/Wks
C/Fin

1607/89 That the policy regarding the provision of lighting under the Local Improvement Act as set forth in Council Resolution 982/82 adopted on August 16, 1982 **BE AMENDED** in Clause C(1) to read as follows:

C. Costs

1. Local and Minor Collector Streets - (Types I, II, III)

(c) Street lighting as defined above shall be installed on existing unlit local and minor collector streets under the provisions of the Local Improvement Act wherein the cost of:

- (i) Lighting of intersections with standard lighting;
- (ii) Fifty percent (50%) of the remaining cost of standard lighting;
- (iii) Seventy-Five percent (75%) of the first 45.72 metres of directly abutting lot flankage will be charged to the General Rate;
- (iv) All remaining costs will be assessed to the benefitting owners;
- (v) Note: Lighting of unlit flankage (side) streets may be installed outside the provisions of The Local Improvement Act only if the following conditions are present:
 - (a) the flankage street is abutted by corner lots only;
 - (b) the adjacent mainline local and minor collector streets are currently served by existing standard lighting in accordance to policy;

and further, that the cost of this flankage street **BE CHARGED** One Hundred (100%) to the General Rate.

Carried. SL/89 mq 1

Toth/Wilson

C/Wks
C/So1

1608/89 That the actions of the Landfill #3 Advisory Committee to ban industrially and commercially generated potentially recyclable old corrugated cardboard, that is not municipally collected, effective January 1, 1990 **BE ENDORSED** and the Commissioner of Works **BE AUTHORIZED** to limit the collection of old corrugated cardboard to those commercial and industrial businesses that presently receive collection services by the City forces and at the same time urge those businesses to take all necessary steps to reduce the quantities of old corrugated cardboard through recycling; and that the City Solicitor **BE REQUESTED** to prepare the necessary by-law for this purpose.

Carried. SWL-L/89 mq 2

Toth/Wilson

C/Wks
C/So1

1609/89 That a ban of industrially and commercially generated potentially recyclable old corrugated cardboard, that is not municipally collected from being disposed of at the City's Transfer Station **BE IMPLEMENTED** effective January 1, 1990 and that the City Solicitor **BE REQUESTED** to prepare the necessary by-law for this purpose.

Carried. SWL-L/89 mq 2

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**

- 5.1 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.
- 5.2 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.

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 Sonogo, City Engineer]

External Distribution

Claire Lauzon	3165 Parkwood Avenue Windsor, ON N8W 2K6
Mark Rivest	3473 Turner Road Windsor, ON N8W 3M6

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.

Livelihood #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 **attached** as background information.