

ADOPTED by Council at its meeting held February 21, 2012 [M99-2012]

/AA

Windsor, Ontario February 21, 2012

**REPORT NO. 49** of the  
**ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE**  
of its meeting held January 25, 2012

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**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Payne, seconded by Councillor Sleiman,

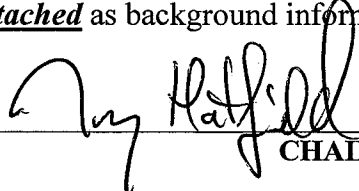
That Council **ADOPT** By-law 25-2012 for the construction of curbs and gutters, and boulevard restoration on St. Rose Avenue from Isabelle Place to Lauzon Road as a Local Improvement in accordance with Section 5 of Ontario Regulation 586/06, made under Municipal Act 2001.


Carried.

Councillor Valentinis was absent when the vote was taken

**LIVELINK #15596 SW/11123**

*Clerk's Note:* The administrative report authored by the Engineer I dated November 30, 2011 entitled "A By-law for the Construction of Curbs and Gutters, and Boulevard Restoration on St. Rose Avenue from Isabelle Place to Lauzon Road as a Local Improvement" is attached as background information.

  
\_\_\_\_\_  
CHAIRPERSON

  
\_\_\_\_\_  
DEPUTY CLERK

NOTIFICATION:				
Name	Address	Email Address	Telephone	FAX



**THE CORPORATION OF THE CITY OF WINDSOR**  
**Environment & Transportation Standing Committee - Administrative Report**

**MISSION STATEMENT:**

*"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"*

<b>LiveLink REPORT #: 15596 SW/11123</b>	<b>Report Date:</b> November 30, 2011 (#3193-11/30/11:ebr)
<b>Author's Name: Patrick Winters</b>	<b>Date to Standing Committee: January 25, 2012</b>
<b>Author's Phone: 519 6257-6257 ext. 6734</b>	<b>Classification #:</b>
<b>Author's E-mail: pwinters@city.windsor.on.ca</b>	

**To: Environment & Transportation Standing Committee**

**Subject: A By-law for the Construction of Curbs and Gutters, and Boulevard Restoration on St. Rose Avenue from Isabelle Place to Lauzon Road as a Local Improvement**

**1. RECOMMENDATION: City Wide: \_\_\_\_\_ Ward(s): 6**

That Council **ADOPT** By-law \_\_\_/2012 for the construction of curbs and gutters, and boulevard restoration on St. Rose Avenue from Isabelle Place to Lauzon Road as a Local Improvement in accordance with Section 5 of Ontario Regulation 586/06, made under Municipal Act 2001.

**EXECUTIVE SUMMARY: N/A**

**2. BACKGROUND:**

On August 8, 2011, Council adopted ETSC15/11, a report of the City Engineer, which addressed the requirements of Section 6 of Ontario Regulation 586/06 with respect to the proposed construction of concrete curbs and gutters, and boulevard restoration on St. Rose Avenue from Isabelle Place to Lauzon Road as a local improvement work.

A notice to the general public with respect to the local improvement work on St. Rose Avenue from Isabelle Place to Lauzon Road was published in the Windsor Star on September 3, 2011. Letters of notification to the owners of the lots liable to the special charges were sent by mail during the week of September 3, 2011.

If, within 30 days after the notice with respect to the work is given to the public under Section 6 of Ontario Regulation 586/06, a sufficiently signed petition against undertaking the work as a local improvement is not received by City Administration, then the work can be undertaken as a local improvement.

### 3. DISCUSSION:

City Administration has followed the requirements set in the Ontario Regulation 586/06 with respect to undertaking the local improvement work on St. Rose Avenue from Isabelle Place to Lauzon Road. There have been no filed petitions against undertaking the proposed work since the date of public notice was advertised, September 3, 2011.

### 4. FINANCIAL MATTERS:

It is the intention of Administration to carry out the Local Improvement Project in conjunction with pavement rehabilitation on St. Rose Avenue from Isabelle Place to Lauzon road. Funding is currently available for the Local Improvement Project; however, the request for pavement rehabilitation will be brought forward by the Public Works Operations Department in the 2012 Capital Budget Plan.

The table below provides summary of the estimated total costs and funding sources:

Nature of Work	Estimated Gross City Cost <sup>(*)</sup>	Estimated Homeowner's share of Local Improvement Costs <sup>(*)</sup>	Estimated Net City Cost <sup>(*)</sup>	Project #	Funds Approved by Council	Funding Source
Local Improvement- Construction of Curbs & Gutters & Boulevard restoration	\$ 109,154.34	\$ 85,742.54	\$ 23,411.80	7111012	\$ 300,000.00	Reserve Funds - approved in 2011 Capital Budget
Pavement Rehabilitation	\$ 660,845.66	\$ -	\$ 660,845.66	City Wide Road Rehabilitation Program	\$ -	Request to be brought forward in 2012 Capital Budget
Total	\$ 770,000.00	\$ 85,742.54	\$ 684,257.46		\$ 300,000.00	

The estimated costs to the City and the abutting lots for the local improvement portion of work on St. Rose Avenue from Isabelle Place to Lauzon Road was outlined in attached Schedule 'A' in the previous report to Council which was adopted on August 8, 2011 (ETSC15/11), and it is still in effect without changes.

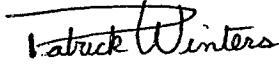
The financial matters relative to the tendering of the works will be discussed in a separate Council report after approval of the subject local improvement by-law.

### 5. CONSULTATIONS:

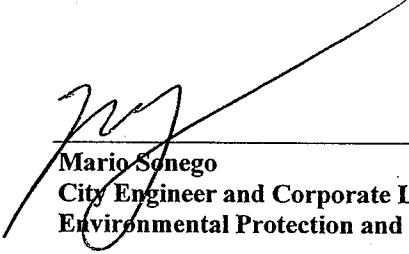
N/A

**6. CONCLUSION:**

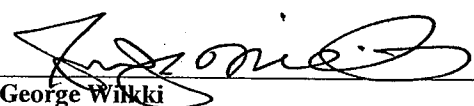
This Department recommends that City Council pass the required by-law to undertake the construction of concrete curbs and gutters, and boulevard restoration on St. Rose Avenue from Isabelle Place to Lauzon Road as a local improvement work under the Ontario Regulation 586/2006, made under the Municipal Act 2001.



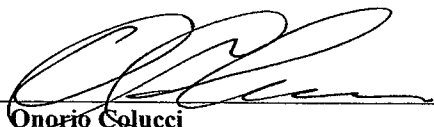
Patrick Winters  
Engineer I



Mario Sonogo  
City Engineer and Corporate Leader  
Environmental Protection and Transportation



George Winkki  
City Solicitor and Corporate Leader  
Economic Development and Public Safety



Onorio Colucci  
Chief Financial Officer/City Treasurer and  
Corporate Leader Finance and Technology

**APPENDICES: Draft By-law and Schedule "A"**

**DEPARTMENTS/OTHERS CONSULTED:**  
Name: Phone #: 519 ext.

**NOTIFICATION:**

Name	Address	Email Address	Telephone	FAX
Jo-Anne Gignac - Ward 6		joagignac@city.windsor.on.ca	519-945-4434	

BY-LAW NUMBER \_\_\_\_\_

A BY-LAW TO AUTHORIZE THE  
CONSTRUCTION OF CONCRETE CURBS AND  
GUTTERS, AND BOULEVARD RESTORATION  
ON ST. ROSE AVENUE FROM ISABELLE  
PLACE TO LAUZON ROAD, IN THE CITY OF  
WINDSOR, AS A LOCAL IMPROVEMENT

Passed the \_\_\_\_\_ day of \_\_\_\_\_, 2012

**WHEREAS** it is deemed desirable to construct concrete curbs and gutters, and boulevard restoration on St. Rose Avenue from Isabelle Place to Lauzon Road, pursuant to the Ontario Regulation 586/06, made under Municipal Act 2001, at an estimated cost of \$109,154.34;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That the construction of concrete curbs and gutters and boulevard restoration on St. Rose Avenue from Isabelle Place to Lauzon Road at an estimated cost set out in Schedule "A" attached hereto and forming part of this bylaw is hereby authorized as a local improvement under the provisions of the Ontario Regulation 586/06, Municipal Act 2001.
2. That the work shall be carried out and executed under the provisions and according to the directions and orders of the City Engineer.
3. That the Corporation's share of the cost of the said work shall be charged against all of the lands in the City of Windsor.
4. This by-law shall come into force and take effect on the day of the final passing thereof.

\_\_\_\_\_  
EDDIE FRANCIS, MAYOR

\_\_\_\_\_  
CLERK

First Reading -  
Second Reading -  
Third Reading -

**SCHEDULE 'A'**

**Construction of Curbs and Gutters, and Boulevard Restoration  
On St. Rose Avenue  
From Isabelle Place to Lauzon Road  
Ontario Regulation 586/06 Local Improvement Special Charges  
Cost Breakdown  
(HST Excluded)**

DESCRIPTION	TOTAL ESTIMATED COST	OWNER'S COST	CITY'S COST	COMMUTED COST PER METRE OF ASSESSABLE FRONTAGE OR PER CONNECTION	ANNUAL COST PER METRE OR PER CONNECTION FOR TEN YEARS
Installation of concrete curbs and gutters, and boulevard restoration on St. Rose Avenue from Isabelle Place to Lauzon Road.	\$109,154.34*	\$85,742.54	\$23,411.80	\$76.00	\$9.90**

\* Local Improvement component only. Total cost of the work is \$770,000.00 (excluding watermain), including the reconstruction of the pavement, including curbs and gutters and boulevard restoration.

The balance of the cost is for the above-noted reconstruction, will be a charge to the 2012 Capital Works Budget.

\*\* 4.07% interest rate is applied over the ten years of annual payment period.

MEMORANDUM

TO : [Illegible]

FROM : [Illegible]

SUBJECT: [Illegible]

