



CORPORATION OF THE CITY OF SUMMERSIDE

BYLAW NAME: LOCAL IMPROVEMENT BYLAW

BYLAW #: # CS-26

BE IT ENACTED by the Council of the City of Summerside as follows:

1. Title

1.1. This Bylaw shall be known and cited as the "Local Improvement Bylaw".

2. Definitions

2.1. In this Bylaw:

- (a) "City" means the City of Summerside;
- (b) "Council" means the Mayor and other members of the Council of the municipality;
- (c) "Abut" means to share a common property line with a street within the City;
- (d) "Frontage" means the linear measurement of private property which abuts a street and forms the basis for the "meter of frontage" in the bylaw;
- (e) "Local Improvement" means and includes the construction, alteration or improvement of city streets, curbs, and drainage systems;
- (f) "Person" includes any individual, association, corporation, contractor, commission, public utility, firm, partnership, or organization of any kind, and includes both principal and agent in an agency situation; and
- (g) "Street" means the right-of-way conveyed to the city for the passage of persons and vehicles and which contains services and other utility infrastructure.

3. Purpose

3.1. The purpose of this Bylaw is to establish the ways and means of delivering municipal services to owners of property which abut existing and new streets for the purposes of increased public safety and upgrading of City standards.

4. Local Improvement Charge Imposed

- 4.1. Where the City undertakes a local improvement pursuant to this bylaw, Council may impose a charge upon every owner of real property which abuts thereto.
- 4.2. The amount of the charge levied pursuant to this section shall be set out in a Schedule to this bylaw.

5. Lien

- 5.1. Every charge imposed under the provisions of this bylaw shall constitute a lien upon the real property affected, collectible in the same manner as all other rates and taxes on real property within the City and shall include accrued interest and penalties.

6. Ditch In-filling Program

- 6.1. Council hereby authorizes a local improvement program whereby streets with open ditch drainage systems shall be infilled with a piped storm drainage system.
- 6.2. The ditch infilling program shall conform with the guidelines attached hereto as Schedule "A".
- 6.3. Council may, by simple resolution, amend the guidelines for the better administration of this bylaw.

7. Repeal of Existing Bylaw

- 7.1. Bylaw Number SS-16, the Summerside Local Improvement Bylaw which was adopted on July 30, 1999 is hereby repealed.

8. Effective Date

- 8.1. The effective date of this Bylaw is 18 November 2019.

First Reading:

This Bylaw, Bylaw# CS-26, was read a first time at the Council meeting held on the 22nd day of October, 2019.

This Bylaw, Bylaw# CS-26, was approved by a majority of Council members present at the Council meeting held on the 22nd day of October, 2019.

Second Reading:

This Bylaw, Bylaw# CS-26, was read a second time at the Council meeting held on the 18th day of November, 2019.

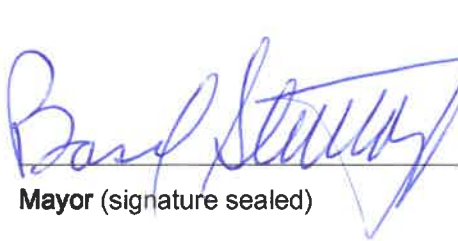
This Bylaw, Bylaw# CS-26, was approved by a majority of Council members present at the Council meeting held on the 18th day of November, 2019.

Approval and Adoption by Council:

This Bylaw, Bylaw# CS-26, was adopted by a majority of Council members present at the Council meeting held on the 18th day of November, 2019.

This Bylaw is declared to be passed on the 18th day of November, 2019.

Signatures


Mayor (signature sealed)


Chief Administrative Officer (signature sealed)

This Bylaw adopted by the Council of the City of Summerside on the 18th day of November, 2019 is certified to be a true copy.


Chief Administrative Officer Signature

22 November 2019
Date



CORPORATION OF THE CITY OF SUMMERSIDE

SCHEDULE: SCHEDULE "A"
BYLAW NAME: Local Improvement Bylaw
BYLAW #: CS-26

1. Ditch In-filling Guidelines

1.1. The ditch infilling program shall conform with the following guidelines:

(a) **"Local Streets" (System B – Attachment A)** with an open ditch drainage system shall be infilled with a piped storm sewer system.

"Collector & Arterial Streets" (System A - Attachment B) with an open ditch drainage system shall be infilled with a piped storm sewer system and the existing shoulder paved to a width of 11.5 meters and a new concrete curb installed.

Arterial Streets* are identified as:

- Water Street East
- South Drive
- Water Street West
- Heather Moyse Drive

Collector Streets* are identified as:

- Water Street (Downtown)
- Bayview Drive
- Pope Avenue
- Pope Road
- Ryan Street
- Notre Dame Street
- Harvard Street
- Central Street
- Granville Street
- MacEwen Road

- Walker Avenue
- West Drive

Local Streets* are identified as:

- All other streets within the City.

* See map Attachment 'B'

(b)

- i. Property owners of non-vacant lots shall contribute 0% of the cost of the construction for the ditch infilling program on a per-meter-of-frontage basis using the average tender prices from the previous two years to determine the per meter cost of construction. The City shall contribute the remaining 100% of the cost of construction.
- ii. Property owners of vacant lots within the City as of the date of these regulations shall contribute 0% of the cost of the construction for the ditch infilling program for a maximum of two vacant lots per property owner and shall contribute 50% of the cost of construction for the ditch infilling program for all of their remaining said vacant lots (i.e. vacant lots 3, 4, 5, etc.) until December 31, 2004 and 100% of the cost of construction for the ditch infilling program subsequent to December 31, 2004.
- iii. The vacancy of each lot shall be determined at the time of the infilling of the ditch fronting that lot.
- iv. In this section, a vacant lot means an approved lot with no residence(s) and/or business(es) located thereon; a non-vacant lot means an approved lot with residence(s) and/or business(es) located thereon.

(c) Property owners who have previously infilled their ditches shall contribute 0% towards the cost of the construction of the ditch infilling program.

(d) The charge to property owners outside the urban growth boundary or in the urban reserve zone, as defined by the Summerside Zoning Bylaw, for the ditch infilling program shall be deferred until the property is zoned for development.

- (e) Property owners who have lots with multiple street sides shall contribute 0% toward the cost of the construction for the ditch infilling program based on the per-meter-of-frontage of their longest street side only.
- Such contribution shall be made as follows: 0% of the cost per meter of frontage for their first street side improved shall be due at the time of that improvement; if that is not the longest street side of the property, then any extra per meter of frontage shall be due at the time the longer street side is improved.
- (f) Property owners who have previously paid a \$500 culvert fee shall receive a credit for same which shall reduce their contribution towards the ditch infilling program. Said credit shall decrease by \$0 per year for each year the culvert was installed prior to the year in which the ditch is infilled (\$0. in year 1, \$0. in year 2, \$0 in year 11).
- (g) Property owners on arterial and collector streets shall contribute the same amount towards the ditch infilling program per meter of frontage as property owners on local streets.
- (h) Property owners on streets that are being reconstructed to the new City standard shall contribute the same amount towards the ditch infilling program per meter of frontage as property owners on streets that are being widened and filled in.
- (i) Council may select arterial and collector streets for the ditch infilling program based upon such considerations as it deems appropriate.
- (j) Council may select local streets for the ditch infilling program based upon:
- i. equitable distribution of the ditch infilling program among electoral wards with open ditches; and
 - ii. any other considerations Council deems appropriate.
- (k) Property owners shall pay the contribution in the year the work is performed or, at their option, they shall pay for it over either five or ten years provided they sign a time payments agreement and pay interest on the outstanding balance at the City's borrowing rate plus ¼% for administration.

6/10/2015

Local Street ditch areas Residential Zoning (R1&R2) only														
STREET	From:	To:	Zoning	Average Depth of ditch in cm	Depth Rating 1-19	Flow Rating 1-10	% of Existing Infill 0-25	Total	# of Sides	Length of street (M)	Cumulative Length (m)	cost per m	Cost Estimate	Cumulative Cost
Lockwood Dr.	Corner	Valley St.	R1	77.0	2.5	6.4	2.5	11.4	2	130	130	\$ 1,350	\$ 175,500.00	\$ 175,500.00
East Dr.	R1-2	110 East Dr.	R2, 1.&C2 <2%	87.5	3.0	3.2	2.25	6.5	2	260	380	\$ 1,000	\$ 260,000.00	\$ 435,500.00
Valley St.	R1	South Dr.	R1	72.6	2.5	4.5	1.5	6.5	2	100	480	\$ 1,000	\$ 100,000.00	\$ 535,500.00
East Dr.	R1	110 East Dr.	R2,C2 <5%	80.3	2.5	2.4	2.5	7.4	2	400	880	\$ 1,000	\$ 400,000.00	\$ 935,500.00
Manon Dr.	R1	Manon Dr.	R1	76.5	2.5	1.7	2.25	6.5	2	130	1,020	\$ 1,300	\$ 169,000.00	\$ 1,104,500.00
Westchester St.	R1	Hillside Ave.	R1	81.0	2.5	1.5	2.5	6.5	2	277	1,297	\$ 1,200	\$ 332,400.00	\$ 1,436,900.00
Macwilliams Dr.	R1	Briggs St.	R1	69.2	3.0	0.9	2.5	6.4	2	200	1,497	\$ 1,100	\$ 220,000.00	\$ 1,656,900.00
Balcom Dr.	R1	116 Balcom	R2	76.5	2.5	1.9	1.75	6.2	2	140	1,637	\$ 1,200	\$ 168,000.00	\$ 1,824,900.00
Macwilliams Dr.	R1	Ruth Ave.	R1	85.2	3.0	0.6	2.5	6.1	2	250	1,887	\$ 1,100	\$ 275,000.00	\$ 2,099,900.00
Waverly Crt.	R1	Central St.	R1	100.0	3.5	0.1	2.5	6.1	2	140	2,027	\$ 1,000	\$ 140,000.00	\$ 2,239,900.00
Bay Ave.	R2	Stairford	R1	65.7	2.0	1.8	2	5.8	2	100	2,127	\$ 900	\$ 90,000.00	\$ 2,329,900.00
Hellie Dr.	R1	Westchester St	R1	61.2	2.5	1	2.25	5.8	2	230	2,357	\$ 1,200	\$ 278,000.00	\$ 2,607,900.00
Lily Cres.	R1	Corner	R1	79.7	2.5	0.6	2.5	5.8	2	180	2,537	\$ 1,000	\$ 180,000.00	\$ 2,787,900.00
Small Ave.	R1	119 Small	R1	71.2	2.5	0.6	2.5	5.8	2	162	2,699	\$ 1,000	\$ 162,000.00	\$ 2,949,900.00
Upper Dr.	R1	Leonce Arsenal	R1	84.3	3.0	0.5	2.25	5.8	2	200	2,899	\$ 1,200	\$ 240,000.00	\$ 3,189,900.00
Gumble Ave.	R2	Mid Field	R2	66.9	2.0	1.2	2.5	5.7	2	110	3,009	\$ 1,200	\$ 132,000.00	\$ 3,321,900.00
Hellie Dr.	R1	Crozier Dr.	R1	82.7	2.5	1.2	2.5	5.7	2	360	3,369	\$ 1,200	\$ 432,000.00	\$ 3,753,900.00
Manon Dr.	R1	Crozier Dr.	R1	87.6	3.0	0.4	2.25	5.7	2	370	3,738	\$ 1,200	\$ 444,000.00	\$ 4,197,900.00
Manon Dr.	R1	Saggle Ave.	R1	77.3	2.5	0.7	2.5	5.7	2	105	3,844	\$ 1,200	\$ 126,000.00	\$ 4,323,900.00
Macmillan Ave.	R1	Manon St.	R1	64.2	3.0	0.1	2.5	5.6	2	150	3,994	\$ 1,000	\$ 150,000.00	\$ 4,473,900.00
Macmillan Ave.	R1	Macmillan Ave.	R1	68.8	3.0	0.3	2.25	5.6	2	180	4,174	\$ 1,000	\$ 180,000.00	\$ 4,653,900.00
Crescent Dr.	R1	Corner	R1	76.5	2.5	0.5	2.5	5.5	2	170	4,344	\$ 1,200	\$ 204,000.00	\$ 4,857,900.00
Springe Dr.	R1	Moosa	R1	70.0	2.5	1.7	1.25	5.4	2	260	4,604	\$ 1,000	\$ 260,000.00	\$ 5,117,900.00
Darby Dr.	R1	98 Darby Dr.	R1 West side only	72.3	2.5	0.4	2.5	5.4	1	150	4,754	\$ 900	\$ 135,000.00	\$ 5,252,900.00
Kelly Dr.	R1	Corner	R1	65.5	2.0	0.9	2.5	5.4	2	140	4,894	\$ 1,200	\$ 168,000.00	\$ 5,420,900.00
Lily Cres.	R1	Corner	R1	82.0	2.5	0.4	2.5	5.4	2	250	5,144	\$ 1,000	\$ 250,000.00	\$ 5,668,900.00
Stirling St.	R1	Small	R1	80.0	2.5	0.4	2.5	5.4	2	210	5,354	\$ 900	\$ 189,000.00	\$ 5,857,900.00
Wilcon Ave.	R1	Jason James	R1	72.7	2.5	0.4	2.5	5.4	2	320	5,674	\$ 1,200	\$ 384,000.00	\$ 6,241,900.00
Flamingo Dr.	R1	Ross Dr.	R1	59.3	2.0	0.8	2.5	5.3	2	240	5,914	\$ 1,200	\$ 288,000.00	\$ 6,529,900.00
Gaugat Cres.	R1	Water St, East	R1	72.4	2.5	0.3	2.5	5.3	2	240	6,154	\$ 1,200	\$ 288,000.00	\$ 6,817,900.00
Birchwood Heights	R1	Corner East	R1	65.0	2.0	0.7	2.5	5.2	2	250	6,374	\$ 1,200	\$ 300,000.00	\$ 7,117,900.00
Gumble Ave. Ext.	R2	Pine Road	R2	71.7	2.5	0.2	2.25	5.2	2	250	6,624	\$ 1,200	\$ 300,000.00	\$ 7,417,900.00
Hillside Dr.	R1	Blalock Drive/ Phare of Water St, East	R1	72.0	2.5	0.2	2.5	5.2	1	265	6,869	\$ 800	\$ 212,000.00	\$ 7,629,900.00
Jason Dr.	R1	Tanton Dr.	R1	61.7	2.5	0.2	2.5	5.2	2	250	7,109	\$ 1,000	\$ 250,000.00	\$ 7,879,900.00
Macdonald Cres.	R1	Turn	R1	64.6	2.0	0.7	2.5	5.2	2	300	7,409	\$ 1,000	\$ 300,000.00	\$ 8,179,900.00
Baker St.	R1	Gillespie	R1	75.1	2.5	0.1	2.5	5.1	2	132	7,541	\$ 1,000	\$ 132,000.00	\$ 8,311,900.00
Adams Crt.	R1	Top of cut-de-sac	R1	75.0	2.5	0.2	2.25	5.0	2	70	7,611	\$ 1,200	\$ 84,000.00	\$ 8,395,900.00
Crescent Dr.	R1	Corner	R1	76.5	2.5	0.2	2.25	5.0	2	130	7,741	\$ 1,200	\$ 156,000.00	\$ 8,551,900.00
Glen Dr.	R1	Tanton Dr.	R1	73.5	2.5	0	2.5	5.0	2	115	7,856	\$ 1,200	\$ 138,000.00	\$ 8,689,900.00
Hellie Dr.	R1	Westchester St.	R1	76.1	2.5	0	2.5	5.0	2	310	8,166	\$ 1,200	\$ 372,000.00	\$ 9,061,900.00
Patrick Dr.	R1, R2	Turn	R1, R2	72.7	2.5	0	2.5	5.0	2	160	8,326	\$ 1,000	\$ 160,000.00	\$ 9,221,900.00
Phillips Ave.	R1	MacWilliams Dr.	R1	76.0	2.5	0.2	2.25	5.0	2	120	8,446	\$ 1,200	\$ 144,000.00	\$ 9,365,900.00
Pine Dr.	R1	Harris Ct.	R1	74.5	2.5	0	2.5	5.0	2	140	8,586	\$ 1,200	\$ 168,000.00	\$ 9,533,900.00
Upper Dr.	R1	Corner	R1	74.3	2.5	0	2.5	5.0	2	200	8,786	\$ 1,200	\$ 240,000.00	\$ 9,773,900.00
Eleanor Dr.	R1	End of cut de sac	R1	81.5	2.5	0.4	2	4.9	2	230	9,016	\$ 1,200	\$ 276,000.00	\$ 10,049,900.00
Macquarie Dr.	R1	Gaudet Cres West	R1	63.8	2.0	0.4	2.5	4.9	2	125	9,141	\$ 1,000	\$ 125,000.00	\$ 10,174,900.00
Nightingale Cres.	R1	Small Ave.	R1	66.2	2.0	0.4	2.5	4.9	2	145	9,286	\$ 1,200	\$ 174,000.00	\$ 10,348,900.00
Nightingale Cres.	R1	Corner	R1	65.3	2.0	0.4	2.5	4.9	2	145	9,431	\$ 900	\$ 130,500.00	\$ 10,479,400.00
Riehr Dr.	R1	Carroll St	R1	65.3	2.0	0.4	2.5	4.9	2	140	9,571	\$ 1,000	\$ 140,000.00	\$ 10,619,400.00
Gardiner St.	R1	cut de sac	R1	63.5	2.5	0.3	2	4.8	2	150	9,721	\$ 1,000	\$ 150,000.00	\$ 10,769,400.00
Macdonald Cres.	R1	Turn	R1	41.5	1.0	2	1.75	4.8	2	70	9,791	\$ 1,200	\$ 84,000.00	\$ 10,853,400.00

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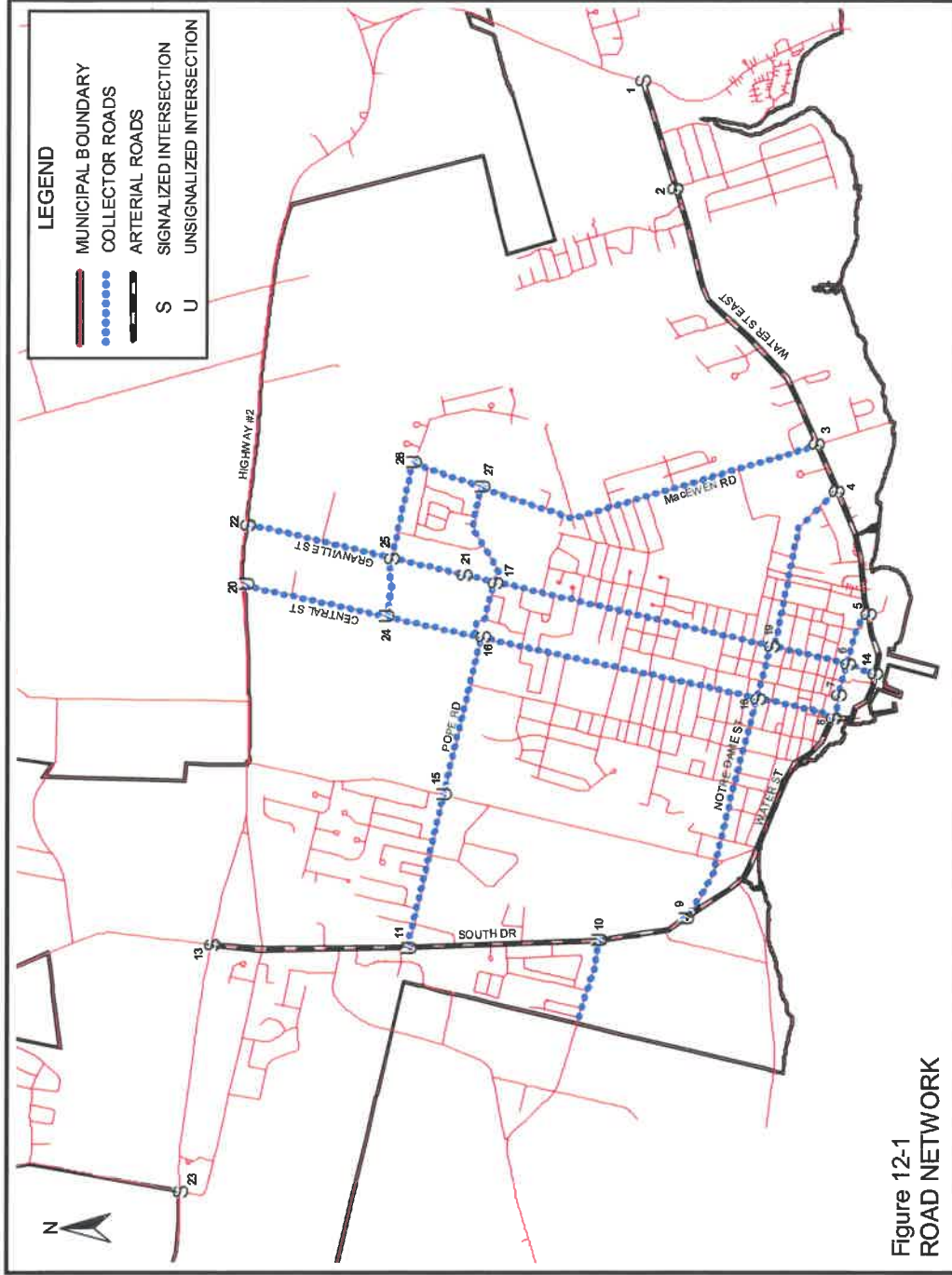


Figure 12-1
ROAD NETWORK