

Utilities & Environment Division 222 3rd Ave N Saskatoon, SK S7K 0J5

saskatoon.ca tel (306) 975-7611 stormwater@saskatoon.ca

To Whom it May Concern:

<u>Re: Montgomery Place Ditch and Culvert Crossing Information Package for Private</u> <u>Residential Properties</u>

The following information package has been prepared as a guide for construction of private ditch and culvert crossings in the Montgomery Place neighbourhood. It is not intended to be a complete listing of all City of Saskatoon (City) Specification and Bylaws governing this construction.

All construction of City ditch and culvert crossings require prior approval by the Utilities and Environment (U&E) Department and must conform to City specifications. Approval is obtained when a ditch and culvert permit has been issued. The ditch and culvert application is available on the City's website here: <u>Permit Application Form</u>.

Further inquiries about ditch and culvert crossings can be directed to 306-975-7611 or <u>stormwater@saskatoon.ca</u>.

GENERAL

All crossings construction shall conform to Bylaw No. 9730 as amended, which regulates the installation of private ditch and culvert crossings in the City of Saskatoon.

It shall be the Permit Holder's responsibility to construct the crossing in accordance with the City's current standard specifications and drawings. Pertinent drawings are attached to this letter. The entire package of standard specifications and drawings are available on the City's website.

A permit, available from U&E's Saskatoon Water Department (306-975-7611), must be obtained before work may start. The current application fee is \$375, which is due following the approval of the application.

For all proposed crossings, the Owner or Contractor shall submit with the application for permit a copy of the site layout to scale showing the size and location of the crossings. For all crossings, all trees, light standards, hydrants, and catch basins (as applicable) must be shown on the plan. The drawing can either be completed by hand or using drafting software.

Construction of private ditch crossings may begin on or after May 15th and shall be terminated on or before October 1st, unless special permission is received from the City.

SITE INSPECTION

City representatives can be made available for an optional site visit prior to construction to confirm suitability of the proposed crossing, and to answer any outstanding questions of the applicant.

Additionally, a final inspection shall be made following completion of the ditch and culvert crossing. The applicant shall be responsible for notifying the City of project completion. If the crossing is substandard, the crossing will not be approved by the City and will have to be reconstructed by the Permit Holder.

Site visits and final inspections may be arranged by calling 306-975-7611 or emailing stormwater@saskatoon.ca.

When construction is being completed by a contractor, it is recommended that the payment for the crossing be held until final inspection and approval is given by the City.

PEDESTRIAN AND VEHICLE EGRESS

The Permit Holder shall provide and maintain a safe work environment with all the necessary barricades, warning lights, or any other means of protection for the safety of the general public from commencement of the project, up to the completion of the work.

PAVEMENT PATCHING

Whenever a private crossing is constructed after the street is paved, the Permit Holder shall be responsible to patch the road surface to the satisfaction of the City.

The area to be patch paved shall consist of City of Saskatoon Type 3 asphalt placed and compacted, over 20 MPa lean concrete.

TYPICAL DRAWING

<u>102-0018-009r003</u> Standard Ditch Crossing & Culvert Requirements

Please Note: The drawing provided above is applicable for most installations of a ditch and culvert driveway crossing, though it does not necessarily cover all situations. The entire list of standard drawings is available on the following City Website:

https://www.saskatoon.ca/business-development/development-regulation/specificationsstandards.

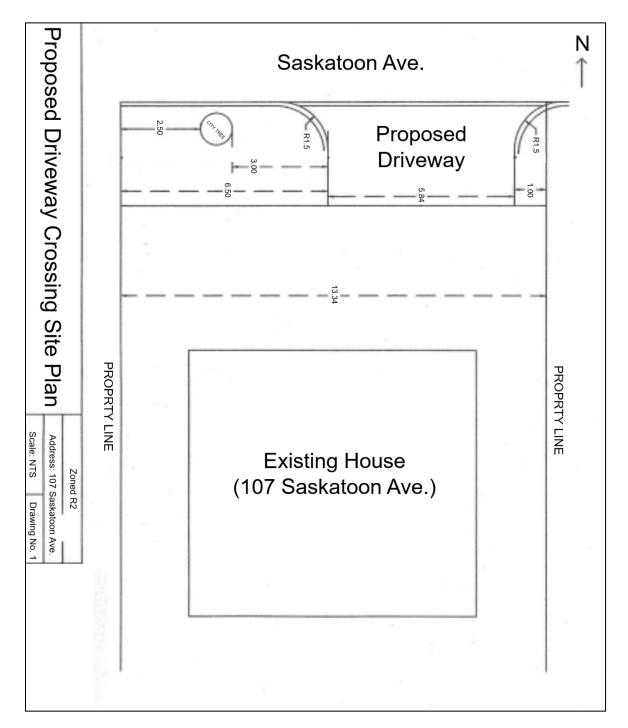
LICENSED CONTRACTORS

A list of approved licensed water and sewer contractors (which could potentially install a new ditch crossing) is available on the following City Website: <u>https://www.saskatoon.ca/business-development/development-regulation/specifications-standards/licensed-water-sewer-contractors</u>.

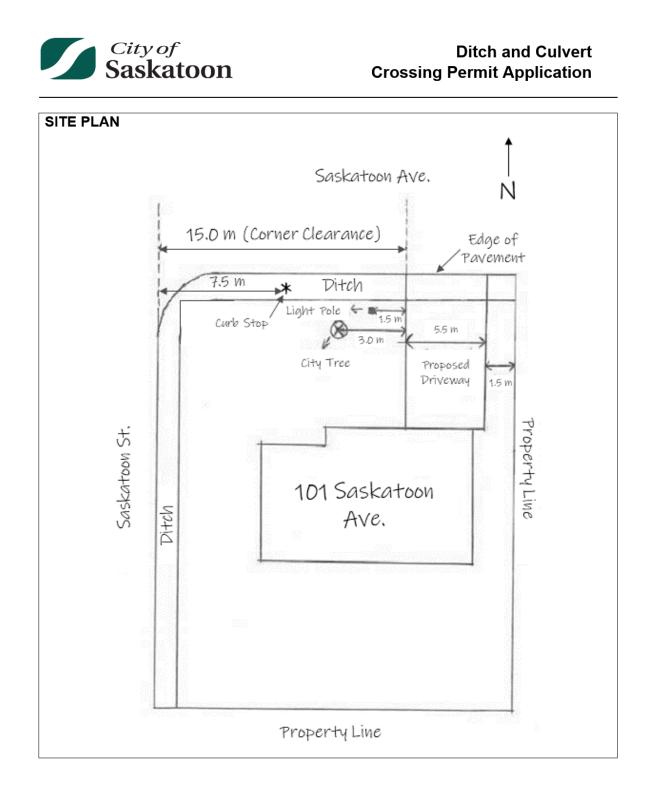
SAMPLE SITE PLANS

Examples of acceptable site plan drawings for use in the permit application are included below:

CAD Drawing:



Hand Sketch:





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DITCH AND CULVERT PRIVATE DRIVEWAY CROSSING GUIDELINES

- The maximum width for driveway crossings is 1/3 of the total property frontage or flankage, up to a maximum of 16 m. Lots where 1/3 frontage is less than 6.1 m may have a maximum total crossing width of 6.1 m.
- 2) The minimum width for driveway crossings is 3.0 metres.
- 3) The minimum distance between two driveway crossings is 3 metres. A shared driveway crossing between two properties may be permitted as long as a shared crossing agreement is in place between the owners of both properties. A copy of the agreement will be required prior to the approval of any shared driveway crossing application.
- 4) A maximum of two crossings are allowed per residence. For properties classified as exterior sites, this can include one crossing on the frontage and one crossing on the flankage (side of property), or two crossings on the frontage and zero crossings on the flankage.
- 5) A Traffic Impact Assessment (TIA) may be required if driveway crossings are requested on a roadway classified as arterial or collector. Collector and Arterial Roads (as of October 2021) in Montgomery Place are indicated below:

a. Major Arterial:

- i. 11th St W from Fairlight Dr to Crescent Blvd
- ii. 11th St W Bypass from Crescent Blvd to Dundonald Ave

b. Minor Arterial:

- i. Dundonald Ave from 11th St W to Mountbatten St
- ii. 11th St W from Chappell Dr to Fairlight Dr

c. Major Collector:

i. N/A

d. Minor Collector:

- i. Chappell Dr from 11th St W to southern terminus (Burma Rd)
- 6) Locations of proposed driveway crossings must have adequate sight distance and must not create hazardous traffic movements. Applications may be denied if the proposed driveway may be a risk to traffic safety.

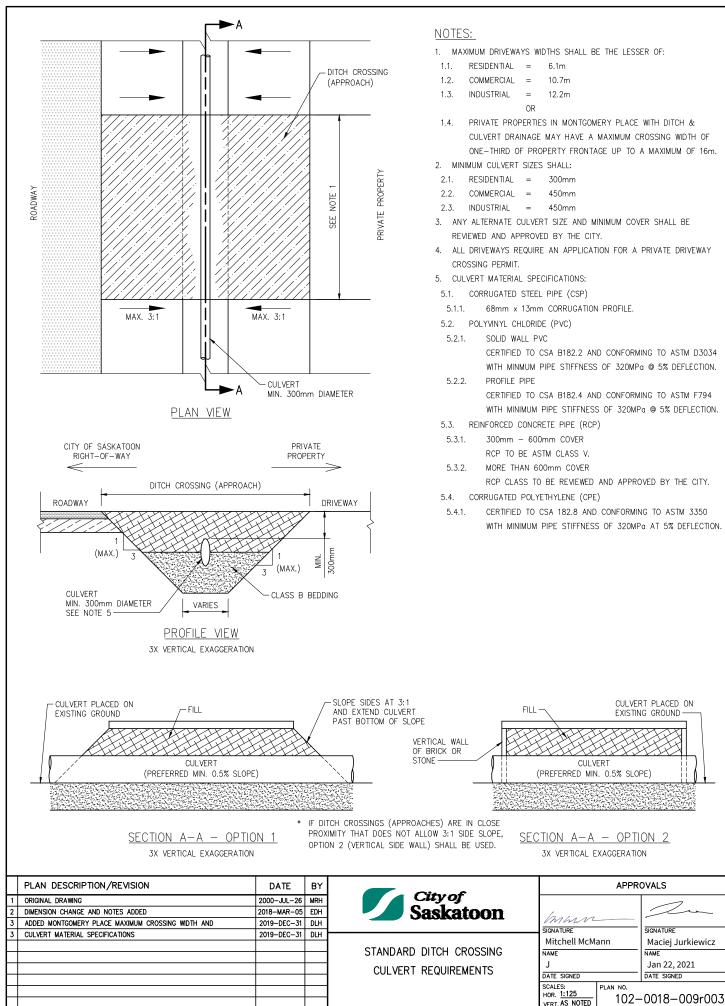
7) Driveways shall be located at a minimum distance from a street corner at an intersection. For driveways near an unsignalized intersection (i.e., intersection with no traffic lights), the minimum spacing is as follows:

Road Classification	Minimum Corner Clearance	
Arterial	30.0 m	
Collector	20.0 m	
Local	15.0 m	

- 8) No City-owned tree may be removed to accommodate installation of a private site access.
- 9) All constructed driveways must include a culvert. The following specifications must be met for all new installations:
 - Size: 300 mm diameter or larger
 - Length: Culverts shall extend out from driveway edge with side slopes at 3H:1V from driveway to culvert bottom or have a vertical wall from driveway edge to culvert bottom.
 - Material: Corrugated steel, PVC, corrugated poly, or reinforced concrete
 - **Slope:** Minimum grade of 0.5% along the length of the culvert

More information regarding the specifications of suitable culverts is available on Plan No. 102-0018-009r003.

- 10) Curb stops shall be maintained with the driveway design and construction.
- 11) The applicant shall be responsible to locate all nearby utilities and take precautions to protect them.
- 12) Construction of the driveway shall cause no resulting damage to the roadway surface.
- 13) Existing driveways which are reconstructed as part of the Montgomery Place Drainage Improvement Projects will be restored to existing width unless requested by the property owner.



SIGNATURE

DATE SIGNED

NAME Jan 22, 2021

Maciej Jurkiewicz

CERTIFIED TO CSA B182.4 AND CONFORMING TO ASTM F794

WITH MINIMUM PIPE STIFFNESS OF 320MPa @ 5% DEFLECTION.

- RCP CLASS TO BE REVIEWED AND APPROVED BY THE CITY.
- CERTIFIED TO CSA 182.8 AND CONFORMING TO ASTM 3350 WITH MINIMUM PIPE STIFFNESS OF 320MPa AT 5% DEFLECTION.



Protect Saskatoon Trees

Tree Protection Required When Working Near City Trees

Equipment and vehicles can injure tree trunks, break branches, tear bark, cause soil compaction or damage roots.

If you are planning any work near a City tree you are responsible for providing tree protection measures as determined by the Urban Forestry Section of the Parks Branch.

Any unauthorized excavation, removal, relocation, pruning, or damage of City trees may result in a fine or penalty as per City Council Policy #C09-011. Damage to City trees will be assessed on the value of the plant material as well as the cost of any removal or repairs.

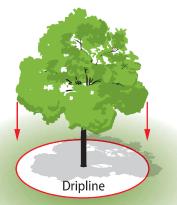
Plan Ahead - Contact Urban Forestry at **306-986-0836** before you proceed with any construction near City trees.

When working near City trees the required protective measures include the following:

Protect the tree roots

Severing tree roots, compacting soil, or changing the grade in the critical root zone of a tree can impact both the health and stability of a tree.

- You will only be permitted to excavate on one side of a tree.
- If construction takes place when soil moisture levels are high, it increases compaction within the drip zone.
- All exposed roots must be pruned with a sharp pruning tool to provide a clean severance of the root.
- Exposed roots must be protected from drying during construction and exposed roots must be backfilled as soon as possible.
- To prevent compaction 150mm (6") of woodchip mulch must be placed on any area under the drip line of a protected tree if it is not fenced off.



Provide Protective Fencing

The best way to avoid tree damage at construction sites is to set up a protective fence to act as a physical barrier to keep vehicles, equipment, and materials away from trees.

Protective fencing must be constructed of either:

 a) Solid wood frame with orange snow fencing securely stapled to the outside;

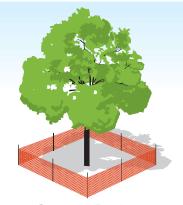
or

 b) Snow fencing fastened securely to metal stakes spaced no more than 1 meter apart.

Protective fencing must:

- Be 1.2 meters high measured from the ground;
- Not interfere with access to fire hydrants or obscure intersections or traffic signage;
- Be sturdy with vertical posts driven firmly into the ground to keep it in place;
- Stay in good repair for the duration of the demolition or construction project.

For safety reasons an underground utility check must be completed before installing the fence to ensure you do not hit any buried utilities.



Protective Fencing

Construction of the protective fencing will be inspected and must be acceptable to Urban Forestry.

Tree Protection Zone Radius Requirements

(measured from base of tree)

Trunk Diameter @ 1.2m	Good Protection	Better Protection
1 – 20 cm	2.0 m	3.0 m
21 – 50 cm	2.5 m	4.5 m
50+ cm	3.5 m	6.5 m



http://www.saskatoon.ca/go/forestry

BYLAW NO. 9730

The Private Crossings Over Ditches Bylaw, 2020

Whereas certain properties in the City of Saskatoon have non-compliant private crossings over ditches;

Whereas the City of Saskatoon intends to install or cause to be installed drainage improvements at those properties;

Whereas pursuant to section 361 of *The Cities Act,* S.S. 2002, c. C-11.1 (the "Act"), the amount due with respect to any work or service performed by a city pursuant to an agreement with any person is a lien on any land owned by the person for whom the work or service was performed and may be added to taxes owed on the land at the end of the year in which the work or services were performed;

Whereas pursuant to section 244 of the Act, a council of a city may, if it considers it equitable to do so, defer the collection of a tax with respect to a particular taxable property; and

Whereas the Council of the City of Saskatoon considers it equitable and in the best interests of the community to defer property taxes that are owing due to the City of Saskatoon mandating installation of drainage improvements.

Now therefore the Council of the City of Saskatoon enacts:

PART I Preliminary Matters

Short Title

1. This Bylaw may be cited as *The Private Crossings Over Ditches Bylaw, 2020.*

Purpose

- 2. The purpose of this Bylaw is to:
 - (a) establish requirements respecting private crossings over ditches in the City's right-of-way;
 - (b) require certain property owners to pay for the costs of drainage improvements; and

(c) establish a tax deferral program to allow property owners to pay for the costs of drainage improvements over time.

Definitions

- 3. In this Bylaw:
 - (a) **"amount due"** means the amount required to be paid by a property owner to the City for the installation of drainage improvements and includes any fee to administer the deferral program as set out in section 16;
 - (b) "City" means the City of Saskatoon;
 - (c) **"deferral program"** means the Drainage Improvements Tax Deferral Program established pursuant to section 12;
 - (d) **"deferred taxes"** means an amount due that has been added to the tax roll of a property pursuant to sections 244 and 361 of *The Cities Act*, the collection of which has been deferred pursuant to *The Cities Act* and the deferral program;
 - (e) **"drainage improvements"** means any work intended to reduce flooding and improve drainage, such as the installation of culverts and ditches, and includes any necessary driveway restoration;
 - (f) **"household income"** means the total income of all persons who live or ordinarily reside in a dwelling unit;
 - (g) **"LICO"** means the low-income cut-offs that are periodically published by Statistics Canada;
 - (h) **"principal residence"** means the primary location that a person inhabits;
 - (i) **"private crossing"** means a private driveway crossing over a ditch in the City's right-of-way;
 - (j) "property owner" or "owner" means the registered owner of a property;
 - (k) **"residential property"** means land and improvements used or intended to be used for a residential purpose;

(I) **"tax arrears"** does not include deferred taxes or any amounts the collection of which the City has deferred pursuant any other program, policy or bylaw.

The Private Crossings Bylaw, 1968

4. Bylaw No. 4785, *A bylaw to regulate the installation of private crossings in the City of Saskatoon,* does not apply to private crossings to which this Bylaw applies.

PART II General Requirements Respecting Private Crossings

Permit Required

5. No person shall install a private crossing without a permit from the City.

Minimum Construction Standards

6. Unless otherwise permitted in writing by the City, a private crossing must be constructed in accordance with the City's current standard plans, specifications, and profiles for private crossings.

Installation of Drainage Improvements

7. The City may install or cause to be installed drainage improvements in the City's right-of-way.

Costs of Drainage Improvements

- 8. (1) An owner of a property that has a non-compliant private crossing may be required to pay for the costs, or a portion of the costs, of installing drainage improvements.
 - (2) For the purposes of subsection (1), a private crossing is non-compliant where one or more of the following apply:
 - (a) it is wider than 6.1 metres;
 - (b) it does not have a culvert that:

- (i) is installed underneath the private crossing that transports overland storm water; and
- (ii) either:
 - (A) meets the City specifications that were in effect at the time the culvert was installed or replaced; or
 - (B) if no City specifications were in effect at the time the culvert was installed or replaced, meets the least onerous specifications that ever applied to the property.
- (3) A property owner may be eligible to participate in any policy or program the City may have to subsidize or share in the costs of the drainage improvements.

Maintenance by Property Owner

- 9. A property owner is responsible for maintaining any private crossing attaching to their property and the ditch and culvert under any private crossing attaching to their property, including keeping the private crossing, ditch and culvert:
 - (a) clean and clear of ice and snow; and
 - (b) in a good state of repair.

Maintenance by City

10. The City may, at the expense of the owner of the property to which a private crossing attaches, carry out any repairs or cleaning of private crossings, ditches or culverts on or under the City's right of way.

Removal

11. The City may remove, or require a property owner to remove, a private crossing at any time and at the property owner's expense.

PART III The Drainage Improvements Tax Deferral Program

Deferral Program Established

12. The Drainage Improvements Tax Deferral Program is established.

Agreement to Defer Amount Due

13. If the City installs or causes to be installed drainage improvements pursuant to section 7, an eligible property owner may, in accordance with the deferral program, enter into an agreement to pay the City the amount due over time.

Deferral Program Eligibility Requirements

- 14. (1) To qualify for the deferral program:
 - (a) the applicant must own the property;
 - (b) the property must not be in tax arrears;
 - (c) the property must be located in the community of Montgomery Place, as determined by the City; and
 - (d) the applicant must enter into an agreement with the City respecting the work performed and the amounts to be deferred.
 - (2) In addition to the requirements mentioned in subsection (1), to qualify for a ten-year deferral:
 - (a) the property owner must be an individual;
 - (b) the property must be a residential property;
 - (c) the property must be the principal residence of the property owner; and
 - (d) the property owner's:
 - (i) annual household income must be below the applicable LICO income threshold; or
 - (ii) amount due must be \$10,000.00 or more.

Deferral

- 15. Payment of deferred taxes shall be as follows:
 - (a) for a one-year deferral, the entire amount of the deferred taxes becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property;
 - (b) for a three-year deferral, one third of the deferred taxes becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property, with one of the remaining thirds becoming due and payable on June 30 of each of the subsequent two calendar years;
 - (c) for a five-year deferral, one fifth of the deferred taxes becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property, with one of the remaining fifths becoming due and payable on June 30 of each of the subsequent four calendar years;
 - (d) for a ten-year deferral, other than a ten-year deferral resulting from an election made pursuant to clause (e), one tenth of the deferred taxes becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property, with one of the remaining tenths becoming due and payable on June 30 of each of the subsequent nine calendar years;
 - (e) in cases where the deferred taxes exceed \$5,000.00 but are less than \$10,000.00, a property owner may elect the following deferral option:
 - \$1,000.00 becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property, with \$1,000.00 becoming due and payable on June 30 of each of the subsequent calendar years; and
 - (ii) once the amount owing falls below \$1,000.00, the remaining amount owing shall become due and payable on June 30 of the year following the final payment of \$1,000.00.

Administrative Fee

- 16. The amount due includes the following administrative fee:
 - (a) for a one-year deferral, \$0;

- (b) for a three-year deferral, \$190.00;
- (c) for a five-year deferral, \$240.00;
- (d) for a six-year, seven-year or eight-year deferral, \$300.00;
- (e) for a nine-year or ten-year deferral, \$365.00.

Amount Due Added to Taxes

- 17. (1) If the drainage improvements are installed on or before September 30, the amount due, if unpaid, may be added to the tax roll of the property and form part of the taxes on January 1 of the next calendar year.
 - (2) If the drainage improvements are installed after September 30, the amount due, if unpaid, may be added to the tax roll of the property and form part of the taxes on January 1 of the year following the next calendar year.
 - (3) Prior to adding the amount due to the tax roll of the property, the City may record the amount due as a pending liability.

Lien

18. The amount due is a lien on the property.

Registration of Lien

- 19. (1) In order to ensure repayment of the deferred taxes under the deferral program, the City may register a lien against the property.
 - (2) The lien shall remain on the title of the property for as long as there are deferred taxes unpaid with respect to the property.
 - (3) The lien shall be removed by the City upon repayment of the deferred taxes.

Early Repayment of Deferred Taxes

- 20. Notwithstanding section 15, the total outstanding amount of the deferred taxes shall be repaid to the City upon:
 - (a) failure to pay the deferred taxes as required by section 15;

- (b) the property falling into tax arrears;
- (c) the death of the property owner; or
- (d) sale of the property.

Duty to Notify City of Sale or Death

- 21. (1) A property owner who sells a property that is subject to a tax deferral under the deferral program shall, within 60 days of the sale:
 - (a) notify the City that the property has been sold; and
 - (b) provide the City with the property owner's new address and contact information.
 - (2) If a property owner dies, a representative of the property owner's estate shall, within 60 days of the property owner's death, notify the City that the property owner is deceased.

Notice to Repay Taxes

- 22. (1) Upon the City becoming aware of the existence of one or more of the circumstances mentioned in section 20, the City shall notify the property owner, the property owner's estate or, in the case of a property sale, the new owner of the property of the amount of the deferred taxes that remains outstanding.
 - (2) The deferred taxes shall be due and payable to the City 30 days after the date of the notification mentioned in subsection (1).
 - (3) If the deferred taxes remain unpaid after the expiration of the period mentioned in subsection (2), the City may impose penalties on the taxes outstanding at the rates established by Bylaw No. 6673, *A bylaw of the City of Saskatoon to provide for the payment of taxes and the application of discounts and penalties thereto.*

Voluntary Repayment

23. A property owner may, at any time, repay the deferred taxes without penalty.

PART IV Offences and Penalties

Offences and Penalties

- 24. (1) No person shall:
 - (a) furnish the City with false or misleading information on an application under the deferral program;
 - (b) fail to notify the City of the death of a property owner;
 - (c) fail to notify the City of the sale of a property or fail to provide the City with the property owner's new address and contact information;
 - (d) fail to make any payment that is required to be made pursuant to section 8, 10, 11, 15, 20, 22 or 25;
 - (e) fail to maintain a private crossing attaching to their property or the ditch or culvert under that private crossing;
 - (f) fail to obtain a permit when required to do so pursuant to section 5;
 - (g) fail to construct a private crossing in accordance with section 6; or
 - (h) contravene any other provision of this Bylaw.
 - (2) Every person who contravenes subsection (1) is guilty of an offence and liable on summary conviction:
 - (a) in the case of a first offence, to a fine of not less than \$100.00 and not more than \$500.00; and
 - (b) in the case of a second or subsequent offence, to a fine of not less than \$200.00 and not more than \$1,000.00.

Repayment Upon Conviction

25. (1) If a person is convicted of an offence under this Bylaw, in addition to any fine imposed, the deferred taxes become immediately due and payable to the City within 30 days after the date of conviction.

(2) If the deferred taxes remain unpaid after the expiration of the period mentioned in subsection (1), the City may impose penalties on the taxes outstanding at the rates established by Bylaw No. 6673, *A bylaw of the City of Saskatoon to provide for the payment of taxes and the application of discounts and penalties thereto*.

Administration and Enforcement of Bylaw

- 26. (1) The administration and enforcement of this Bylaw is hereby delegated to the Chief Financial Officer or their designate.
 - (2) The Chief Financial Officer or their designate is authorized to further delegate the administration and enforcement of this Bylaw, in whole or in part, to other employees of the City.

Coming Into Force

27. This Bylaw comes into force on the day of its final passing.

Read a first time this 21st day of December, 2020.

Read a second time this 21st day of December, 2020.

Read a third time and passed this 21st day of December, 2020.

"Charlie Clark""Sarah Sliva""SEAL"MayorA/City Clerk