

Community and Operations Services Committee – June 10, 2024

Updating the Roadway Restoration By-law 12-82 (All Wards)

That the Community and Operations Services Committee recommend to City Council:

Whereas the Roadway Restoration By-law 12-82, as amended (“Roadway Restoration By-law”) regulates the crossing of curbing, sidewalks or paved boulevards by vehicles delivering or removing materials from abutting lands; and,

Whereas the Roadway Restoration By-law requires that a property owner provide the City with a financial security deposit whenever work is being undertaken on or over the boulevard where there is potential to negatively impact City infrastructure such as curb, sidewalk or paved boulevard; and,

Whereas the existing Roadway Restoration By-law only applies when a building permit is required and is applied to by the property owner (“Applicant”), such as when a structure is being erected, altered, repaired or demolished and exempts the construction of an “attached or detached garages and carports for houses”; and,

Whereas the City collects annually an average of 78 deposits through the building permit process to secure funding for any repairs of damaged infrastructure; and,

Whereas the security deposits require extensive administration processing and multiple inspections; and,

Whereas any security deposits that are not applied to repairs to damaged infrastructure are refunded back to the Applicant; and,

Whereas City staff have recognized an opportunity to streamline the process and improve service efficiency by replacing the deposit collection with a non-refundable application fee of \$150; and,

Whereas amendments to the Roadway Restoration By-law are also needed to include other types of infrastructure, including ditches and the entire boulevard, to ensure the protection of City infrastructure; and,

Whereas City staff are proposing amendments to the Roadway Restoration By-law regarding the removal of exemptions of the “attached or detached garages and carports for houses” given the risk in damaging infrastructure; and,

Therefore, be it resolved that pursuant to Item CO-24-38:

1. That Council pass a by-law, to further amend the Roadway Restoration By-law 12-82, as amended, to establish a non-refundable fee and the removal of the security deposit as well as technical amendments as detailed in Item CO-24-38

and in a final form and content acceptable to Legal Services and the Commissioner, Community and Operations Services; and,

2. That the General Fees and Charges By-law 13-2003, as amended, be further amended to add the new "Roadway Restoration Application Fee" of \$150.