



SUBJECT: Municipal Consent Bylaw Update

TO: Environment, Infrastructure & Community Services Cttee.

FROM: Engineering Services Department

Report Number: ES-14-21

Wards Affected: All

File Numbers: 570.02-1009

Date to Committee: November 15, 2021

Date to Council: November 23, 2021

Recommendation:

Approve the Municipal Consent Bylaw XX-2021, attached as Appendix A to engineering services department report ES-14-21.

PURPOSE:

Vision to Focus Alignment:

- Support sustainable infrastructure and a resilient environment

Background and Discussion:

A Municipal Consent (MC) is the municipality's authorization for a utility or private infrastructure to occupy a specific location within the City's rights of way. The permit allows for installations to occur within standard utility corridors and alignments that are established to avoid conflicts between existing, proposed and future utility and municipal infrastructure. MC's are only issued to companies or persons who have the authority to construct, operate and maintain their infrastructure within the right of way.

The objective of the bylaw is to provide for the efficient review of applications for third party installations within the City of Burlington right of way to ensure that the City receives the information necessary to effectively fulfill its responsibilities. Standards and

processes for the design and construction within the municipal right of way ensure that required safety criteria and procedures are being followed and adhered to, clearances and separations are maintained, and that physical space is optimally utilized.

Adherence to these requirements will protect the interests of the City of Burlington, the community and utilities occupying the right of way.

Strategy/process

All applications are reviewed with consideration to their impact on the physical and social environment and the City's infrastructure. It is important that these objectives are taken into consideration in the planning and design of all work being proposed and carried out within the streets.

The impact on the physical and social environment is controlled through the establishment of pedestrian and vehicular traffic restrictions, setting out the timing and physical extent of the work, and the strict enforcement of the City's bylaws.

Protection of the surface infrastructure is achieved through implementation and enforcement of the pavement cut repair standards established by the City and review and mitigation of potential impacts to trees. Protection of the underground infrastructure is achieved through the implementation and enforcement of drawing and construction standards established by the City through circulation of drawings for planned construction to all affected stakeholders and adherence to minimum clearances and depths.

This bylaw applies to all utility companies, commissions, agencies, boards, associations and private stakeholder applicants proposing to undertake work within City of Burlington right of way.

Financial Matters:

Total Financial Impact

There is no financial impact on the corporation as all costs and fees are recovered through this permit.

Source of Funding

Not Applicable

Other Resource Impacts

Not Applicable

Climate Implications

Through the Municipal Consent process staff can better schedule and protect for construction in the public right of way by external parties to ensure that the roadway and city assets are not unnecessarily removed and replaced before their end of life cycle thus reducing the amount of waste generated from construction within Burlington. As well proposed works are reviewed to minimize impacts to trees within the right of way. Right of way trees are an important component of the city's natural infrastructure providing many benefits including mitigating the heat island effects from road surfaces and enhancing the streetscape design.

Engagement Matters:

Staff have reviewed and discussed the proposed updated Bylaw with neighboring municipalities to ensure alignment with industry practices.

Conclusion:

The proposed Municipal Consent Bylaw will formalize the required details and set out the roles, responsibilities and obligations of the parties for all work carried out in the City owned right of way.

Respectfully submitted,

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Director of Engineering Services

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Appendices:

- A. Municipal Consent Bylaw XX-2021

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.