

Local Service Policy (Draft)

The following sets out the City’s Local Service Policy on Development Charges for services related to a highway, underground services (including stormwater, water and sanitary services), stormwater management ponds, pumping stations and parkland development. The policy provides guidelines that outline, in general terms, the size and nature of engineered infrastructure that is undertaken as a development charge project, as opposed to infrastructure considered as a local service and paid for directly by developers and landowners pursuant to a development agreement or applicable approval processes.

This policy is developed in connection with Sections 59 and 59.1 of the *Development Charges Act*, Section 51 and 53 of the *Planning Act*.

INTERPRETATION:

This policy includes principles by which City of Guelph (City) staff will be guided in considering development applications. All items listed in this policy shall be constructed to the satisfaction of the City.

The following definitions shall apply in this policy:

“Development” means development for which a development charge may be imposed pursuant to section 2(2) of the *Development Charges Act, 1997*, as amended or any successor thereto, and includes redevelopment. References to the area of a development shall have the corresponding meaning as required by the context.

“Foreseeable” means identified in City plans, studies, or included in the budgeting process and includes infrastructure and other works identified in an official plan, secondary plan, master plan, master servicing study, watershed plan or study, or similar document, or items specifically identified in the development charges background study.

“Road Allowance” has the same general meaning as it is used in the *Municipal Act, 2001*, as amended, or any successor statute thereto.

“Road” means, for the purposes of this policy, includes a common or public highway and any facilities within a municipally owned Road Allowance including, but not limited to, the following: road pavement structure and curbs; grade separation / bridge structures (for any vehicles, railways and/or pedestrians); grading, drainage and retaining wall features; culvert structures; storm water drainage systems; traffic control systems; active transportation facilities (e.g. sidewalks, bike lanes, multi-use pathways, etc.); transit lanes, stops and amenities; roadway illumination systems; boulevard and median surfaces (e.g. sod & topsoil, paving, etc.); street trees and landscaping; parking lanes and driveway entrances; noise attenuation systems; railings and safety barriers, utilities within the Road Allowance (fiber, phone, hydro, etc.), street furniture, and gateway features.

“Trail” means all transportation facilities located outside of a Road Allowance that are an integral part of accommodating pedestrian travel and the operation of active and predominantly non-motorized vehicular modes of transportation, which can include but are not limited to walking, running, hiking, cycling etc.

A. SERVICES RELATED TO A HIGHWAY

The development of Road infrastructure in Guelph encompasses all services related to a highway and is based on the concept of a ‘complete street’ accommodating the operation of all travel modes (i.e., walking, cycling, transit and motorized vehicles including trucks) and the provision of all components and features within the road allowance including intersections, in accordance with applicable City policies and design standards.

Unless otherwise specified, the cost of Road infrastructure projects will include the cost of land and the cost of the road infrastructure system. Land Acquisition is primarily provided by dedications under the Planning Act. In areas where limited or no development is anticipated or direct dedication is unlikely, the land acquisition is considered to be part of the capital cost of the related development charges project.

The responsibility for the cost of Road infrastructure and underground services as part of new developments or redevelopments will be determined by the following principles:

1. The costs of the following items shall be direct developer responsibilities as a local service:
 - a. All Roads internal to a development, including intersection improvements traffic control signals and all related infrastructure;
 - b. Improvements or alterations to existing external Roads including turning lanes and centre turn lanes, walkways, active transportation connections, traffic control systems or other improvements to intersections required to provide direct access to the development or a Road, driveway or pathway internal to the development;
 - c. New sidewalks on existing Roads that are required to connect the development to public spaces;
2. The costs of the following items shall be paid through development charges:
 - a. the cost of new Roads, or upgrades to existing Roads external to a development not specifically required for access to that development; and
 - b. Foreseeable intersection improvements, traffic signals and traffic control systems on existing Roads or on new Roads.

B. UNDERGROUND SERVICES, STORMWATER MANAGEMENT PONDS AND PUMPING STATIONS

Underground services (linear infrastructure for stormwater, water, and sanitary services) within the road allowance are not included in the cost of road infrastructure and are treated separately. The responsibility for such services as well as stormwater management ponds and pumping stations, which are undertaken as part of new developments or redevelopments, will be determined by the following principles:

1. The costs of the following items shall be direct developer responsibilities as a local service:
 - a. providing all underground services internal to the development, including storm sewers, watermains and sanitary sewers;
 - b. providing any required external service connections from existing underground services to the development;
 - c. providing new underground services or upgrading existing underground services external to the development if the services are required to service the development, and if the pipe sizes do not exceed 300mm for watermains and sanitary sewers and 900 mm for storm sewers. If external services are required by two or more developments, the developer for the first development will be responsible for the cost of the external services and may enter into cost-sharing agreements with other developers independent of the City;
 - d. providing new or upgraded stormwater management facilities (internal or external) required for a development including all associated features such as landscaping and fencing; and
 - e. minor water booster pumping stations, minor reservoir pumping stations and/or minor sanitary pumping stations serving individual developments. If external services are required by two or more developments, the developer for the first development will be responsible for the cost of the external services and may enter into cost-sharing agreements with other developers independent of the City.
2. The costs of the following items shall be paid through development charges:
 - a. Foreseeable external underground services involving pipe sizes exceeding 300mm for watermains and sanitary sewers and 900mm for storm sewers, provided that the contribution towards 'over-sizing' through development charges for pipe sizes over 300mm for watermains and sanitary sewers, and over 900mm for storm sewers shall be the total cost less the cost to construct a 300mm pipe for watermains and sanitary sewers or a 900mm pipe for storm sewers; and

- b. Foreseeable major water, major reservoir and/or major sanitary pumping stations not required for individual developments.

C. **OPEN SPACE DEVELOPMENT**

Open space shall be developed to city standards as approved by City staff and the City-approved development application plans. All open space developments shall be maintained by the developer until acceptance by the City. All lands dedicated to the City shall be conveyed free and clear of all encumbrances and shall be free of any contaminated soil and subsoil.

1. The costs of the following items shall be direct developer responsibilities as a local service:
 - a. All costs associated with all Trails, multi-use pathways and walkways to be constructed within the development that do not form part of the Guelph Trail Master Plan (GTMP) identified trails and/or Active Transportation Network (ATN) identified trails, including but not limited to: clearing and grubbing, rough grading, supply and placement of topsoil, supply and placement of engineered fill to required depths, fine grading, sodding and any other associated infrastructure (catch basins, manholes, culverts and other drainage structures, bridges and abutments, guard and hand rails, retaining walls, temporary signs, temporary and permanent perimeter fencing to City standard), Trail surfacing, permanent signs, benches, garbage cans, temporary and permanent trail barriers;
 - b. Basic Trail development for trails within the area of a development that are identified in and form part of the GTMP and/or ATN.
 - c. New trail connections not identified on the Guelph Trail Master Plan or Active Transportation Network that are required to connect the local development trails and/or pedestrian routes to ATN and/or GTMP identified existing or proposed trail locations; and
 - d. The cost of any upgrades or improvements to trails and walkways to be constructed within a development that form part of or are identified on the GTMP and/or ATN provided by a developer which are not required by the City, including any that exceed or are otherwise not required by City standards or guidelines, or exceed average service levels.
1. The costs of the following items shall be paid through development charges:
 - a. Costs other than basic trail development associated with the City's identified publicly accessible GTMP Trails and /or ATN Trails constructed within a development that do not exceed City standards, guidelines or average service levels. Developers will be encouraged to undertake such work on behalf of the

City and will be eligible to receive a credit for the work undertaken based on actual costs incurred by the developer up to an upset limit of the value of the work agreed upon prior to undertaking the work which shall not in any case exceed the actual cost of the works. In some instances the City may choose to do these works where lands are available to the City and the works can be undertaken as part of other City projects.

- b. All costs associated with the City's identified publicly accessible GTMP trails and/ or ATN trails undertaken by the City separate from and not forming part of any development.

(i) *Parkland Development*

Land for parks is generally acquired through dedications required under a by-law passed pursuant to section 42 of the Planning Act, as a condition of approval of a draft plan of subdivision under section 51.1 of the Planning Act, as a condition of a consent under section 53 of the Planning Act, or from the expenditure of funds collected in lieu of a required dedication under one of those sections. Capital costs relating to parkland development will be considered as local services or as development charges projects on the following basis:

1. The costs of the following items shall be direct developer responsibilities as a local service:
 - a. Basic parkland development of lands conveyed to the City in connection with development including, but not limited to, the following:
 - servicing – water, hydro, stormwater, sanitary, electrical, fibre/phone, meter and meter boxes connected to a point just inside the property line
 - catch basins, culverts, manholes and other drainage structures
 - clearing and grubbing;
 - topsoil stripping and stockpiling, (Topsoil or any fill or soils shall not be stockpiled on parkland without the approval of the City);
 - any other associated infrastructure (minor bridges and abutments, guard and hand rails, retaining walls)
 - rough grading, supply and placement of topsoil and engineered fill to required depths and fine grading;
 - sodding
 - temporary perimeter fencing where there is no permanent fence to prevent illegal dumping;
 - temporary park sign(s) advising future residents that the site is a future park.
 - permanent perimeter fencing to City standard to all adjacent land uses (residential and non-residential) as required by the City or other approval authority.

2. The costs of the following items shall be paid through development charges:

- a. Program facilities and all other associated site works beyond the basic parkland development standard as set out above. Upon receiving written approval from the City, developers may request to undertake such work on behalf of the City and will receive a credit for the work undertaken based on actual costs incurred by the developer up to an upset limit of the value of the work agreed upon prior to undertaking the work which shall not in any case exceed the actual cost of the works. In some instances the City may choose to do these works where lands are available to the City and the works can be undertaken as part of other City projects.

(ii) *Landscape Buffer Blocks, Features, Cul-De-Sac Islands, Round-About Islands, Berms, And Natural Heritage System (NHS), Stormwater Management Areas*

1. The costs of the following items where they are internal to the development or required as part of works external to the development for which the developer is otherwise responsible as a local service pursuant to this policy shall be direct developer responsibilities as a local service:

- a. development of all landscape buffer blocks, landscape features, cul-de-sac islands, berms and other remnant pieces of land conveyed to the City including, but not limited to, the following: clearing and grubbing, rough grading, supply and placement of topsoil (to the City's required depth), sodding and seeding, drainage structures and other infrastructure (guard and handrails, retaining walls), landscape features, temporary perimeter fencing, temporary and permanent signs, amenities and all plantings including naturalization plantings in natural heritage features and their buffers and stormwater management areas;
- b. restoration planting and landscaping requirements (as required by the City or authorities having jurisdiction), as a result of impact of the development including related restoration projects to enhance the NHS (e.g. compensation planting, stream realignment, habitat features); and
- c. permanent perimeter fencing to City standard to all adjacent land uses (residential, or non-residential) as required by the City, or other approval authority.
- d. Special landscape or built features not required by the City, or which exceed City standards or average service levels, may be permitted but must be provided by the developer as a local service. The City will not generally accept any responsibility for the costs of constructing or maintaining such features.