

The Private Crossings Over Ditches Amendment Bylaw, 2023

ISSUE

This report submits Bylaw No. 9895, *The Private Crossings Over Ditches Amendment Bylaw, 2023* (“Bylaw”) for City Council’s consideration. The Bylaw amends *The Private Crossings Over Ditches Bylaw, 2020* to enable cost sharing and deferral of costs in respect to crossings in commercial and industrial areas. The Bylaw also expands the requirement to obtain permits.

RECOMMENDATION

That City Council consider Bylaw No. 9895, *The Private Crossings Over Ditches Amendment Bylaw, 2023*.

BACKGROUND

At its [April 26, 2023 Regular Business Meeting](#), City Council considered a report of the General Manager, Utilities and Environment dated April 4, 2023, and resolved:

1. That the proposed amendments to Bylaw No. 9730, *The Private Crossings Over Ditches Bylaw, 2020*, as outlined in the report of the Utilities and Environment Division, be approved; and
2. That the City Solicitor be requested to prepare the appropriate amendments to Bylaw No. 9730, *The Private Crossings Over Ditches Bylaw, 2020*.

DISCUSSION/ANALYSIS

In accordance with City Council’s instructions, we are pleased to submit Bylaw No. 9895, *The Private Crossings Over Ditches Amendment Bylaw, 2023* for City Council’s consideration.

While the whereas clauses have been repealed, references to sections 244 and 361 of *The Cities Act* have been left unchanged, since the new section 361.1 of *The Cities Act* only applies to work occurring on private property, whereas *The Private Crossings Over Ditches Bylaw, 2020* deals with work occurring in the City’s right of way.

As a housekeeping amendment, the definition of “City” was repealed. It has additionally been clarified that in the case of certain corner residential lots with two crossings, the cumulative width of the crossings may be up to 9.75 metres; for all other residential properties, the permitted width remains at 6.1 metres.

APPENDICES

1. Proposed Bylaw No. 9895, *The Private Crossings Over Ditches Amendment Bylaw, 2023*

Report Approval

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Reviewed by: Cindy Yelland, City Solicitor

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