
Right-of-Way Temporary Use Fees

Recommendation

That the Standing Policy Committee on Transportation recommend to City Council:

1. That the proposed fees for temporary use of the Right-of-Way be approved; and
2. That the City Solicitor be requested to prepare the appropriate bylaw amendment to Bylaw No. 7200, The Traffic Bylaw.

Topic and Purpose

The purpose of this report is to seek approval of fees for temporary use of Right-of-Way (ROW). Adding fees for temporary use of the ROW will encourage prompt use, limit the amount of time the ROW is unavailable for public use, and discourage excessive closures.

Report Highlights

1. The City does not currently charge for private use of the ROW.
2. A review of other municipalities was undertaken, concluding that all municipalities reviewed charge a fee for ROW usage.
3. A comparison was done between the proposed ROW fees for the City and those applied in other municipalities.

Strategic Goal

This report supports the Strategic Goal of Moving Around by improving safety for all road users (pedestrians, cyclists, and drivers), and optimizing the flow of people and goods in and around the city.

Background

City Council, at its meeting held on April 24, 2017, considered the report Amendments to Bylaw 7200, The Traffic Bylaw – Right-of-Way Fees and Fines and resolved, in part:

- “4. That the Administration enter into discussions with stakeholders related to the fees for Right-of-Way usage and report to the Standing Policy Committee on Transportation before the end of 2017.”

That report is attached for ease of reference (Attachment 1).

Report

The Administration has undertaken a review of other municipalities including Winnipeg, Regina, Calgary, and Edmonton to evaluate their current practices for managing the private temporary use of the public ROW (Attachment 2). All four cities charge a rental fee for private temporary use of their public ROW. The purpose of the rental or usage fee is to ensure that the space that is utilized is the least amount necessary for the

purpose intended and to encourage completion of work as quickly as possible to restore the ROW for public use.

The Cities of Winnipeg, Regina and Calgary charge by linear or square meter per day or month. The City of Edmonton arrives at the fee amount by using the area's market value. The Administration does not recommend the Edmonton approach due to the City's limited resources for providing market valuations.

The proposed fees for temporary use of ROW are outlined in Attachment 2. This attachment also presents scenarios and a comparison with the other four comparable cities.

Similar principles for charging rental fees on roadways is successfully being used to manage contractors delivering City projects, resulting in faster completion timelines and smaller work areas.

Through the Downtown Cut the Red Tape pilot project, which the Administration is currently developing, downtown development projects may be eligible for incentives that would off-set these new fees. If the pilot project is approved by City Council, it would apply to all development proposals that have come forward since its introduction at the September 5, 2017 meeting of the Standing Policy Committee on Planning, Development and Community Services.

Public and/or Stakeholder Involvement

The Administration conducted a stakeholder meeting with permit holders and the North Saskatoon Business Association (NSBA) on September 5, 2017. The material covered at this meeting was also emailed to stakeholders for those unable to attend. In general, most attending did not disagree with the proposed fees. One stakeholder had concerns about the impact of the fees upon their customers and the additional administrative effort these proposed changes require from their business. The NSBA raised concerns about potential impacts on inner-city development and to downtown business development from the additional costs. The briefing notes provided to stakeholders via email and at the stakeholder meeting are included as Attachment 3.

Communication Plan

A Frequently Asked Questions (FAQ) and responses have been developed and included as Attachment 4. The final fee structure will be shared with stakeholders and on the website saskatoon.ca.

Policy Implications

Upon approval by City Council, amendments to Bylaw No. 7200, The Traffic Bylaw will be required.

Financial Implications

Revenues generated from these new fees have not been estimated at this time. The information required to estimate revenue from past permits was not part of the old

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permit process. The new permit process and fee schedule requires the area of Right-of-Way, and the number of days the Right-of-Way will be needed at the time of application.

Once implemented, ROW fees will support increased ROW bylaw enforcement, administrative costs, and staffing to administer and issue the ROW permits.

The Administration's goal is for the proposed fee structure to be revenue neutral to balance the increased enforcement and administrative overhead of the proposed permitting process.

Other Considerations/Implications

There are no options, environmental, privacy, or CPTED considerations or implications.

Due Date for Follow-up and/or Project Completion

If approved, the bylaw update will be targeted for the end of 2017 with implementation of the new fees for May 1, 2018.

Public Notice

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

Attachments

1. Report dated April 4, 2017 – Amendments to Bylaw 7200, The Traffic Bylaw – Right-of-Way Fees and Fines
2. Proposed ROW Temporary Use Fees, Scenarios and City Comparisons
3. Right-of-Way Rental Fees – Stakeholder Meeting
4. Frequently Asked Questions

Report Approval

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