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# Corporate Report

Clerk's Files

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**DATE:** December 2, 2010

**TO:** Chair and Members of Budget Committee  
Meeting Date: December 13 , 2010

**FROM:** Martin Powell, P.Eng.  
Commissioner of Transportation and Works

**SUBJECT:** **Road Occupancy, Lot Grading and Municipal Services Protection  
Deposit By-law**

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**RECOMMENDATION:** That a new Road Occupancy, Lot Grading and Municipal Services Protection Deposits by-law be enacted for the City of Mississauga in accordance with the report to Budget Committee from the Transportation and Works Department dated December 2, 2010, and that this By-law be effective as of January 1, 2011, and that the previous By-law 0401-09 be repealed.

**BACKGROUND:** Each year, the Transportation and Works Department undertakes a review of its refundable deposits. A review of the deposits as set out in By-law 0401-09 has now taken place.

On December 9, 2009, Council enacted the Road Occupancy, Lot Grading and Municipal Services Protection Deposit By-law 0401-09 implementing the 2010 deposits.

**COMMENTS:**

Engineering and Works has introduced a new deposit for shoring and tie-backs within the municipal right-of-way, as part of the Road Occupancy Permit, Special Provision (Complex Construction).

With the increase of high rise construction within the City, more developers are required to use a portion of the existing right-of-way for their projects. As a result, the Engineering and Works Division requires that, as part of the Road Occupancy Permit approval process, the developer provide the City with a shoring and tie-back (reinforcement) deposit for works to protect the City in the event of a failure such as a collapse of the excavation or if the development is postponed or cancelled due to economic reasons. In those situations, the City will have to fill in the excavated area to ensure public safety and protection of City infrastructure. This deposit amount is based on a cost per square metre and is calculated by taking the linear metres of works within the right-of-way and multiplying this amount by the depth of excavation to arrive at a square metre value. This value is multiplied by a set unit rate. The proposed unit rate for 2011 is \$50.00 per square metre (\$4.65 per sq.ft.). It is further proposed that the unit rate increases to \$65.00 in 2012 (\$6.05 per sq.ft.); \$80.00 in 2013 (\$7.44 per sq.ft.) and to \$100.00 in 2014 (\$9.30 per sq.ft.). The 2014 proposed unit rate is in line with the amount that neighbouring municipalities charge.

This deposit will be returned to the developer once the excavated area has been backfilled, the required tie-backs have been de-stressed and the developer's Environmental Engineer provides the City with a certificate indicating that lands within the municipal right-of-way have been compacted in accordance with City Standards and/or the conditions set out in the road occupancy permit.

A reference to Road Occupancy Permit – Mobile Crane Annual Permit Deposit has been removed as annual permits are not issued for Mobile Cranes.

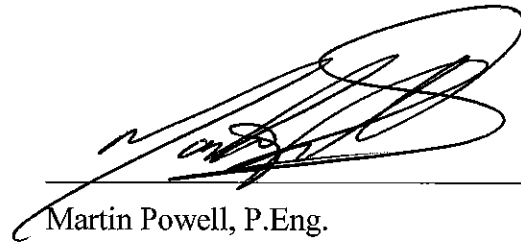
**FINANCIAL IMPACT:**

There will be no impact on the 2011 budget with the proposed changes to the Road Occupancy, Lot Grading and Municipal Services Protection Deposit By-law.

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**CONCLUSION:** The annual review of the City of Mississauga Road Occupancy, Lot Grading and Municipal Services Protection Deposit By-law has resulted in one new deposit for shoring and tie-backs within the municipal right-of-way.

**ATTACHMENTS:** Appendix 1: Amendments to Schedule 'A' of the Transportation and Works Road Occupancy, Lot Grading and Municipal Services Protection Deposit By-law



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Martin Powell, P.Eng.  
Commissioner of Transportation and Works

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**APPENDIX 1  
2011 PROPOSED CHANGES  
ROAD OCCUPANCY, LOT GRADING, MUNICIPAL SERVICES PROTECTION  
DEPOSIT BY-LAW**

**DEPARTMENT:** Transportation & Works  
**DIVISION:** Engineering and Works - Development Construction

BUDGET COMMITTEE  
**DEC 13 2010**

Deposit Name	Existing or New Deposit	Description of Change/Justification	Current Deposit	Proposed Deposit	Deposit Increase \$	Deposit Increase %	Est. \$ Impact (+/-)
Road Occupancy Permit - Special Provision Shoring and Tie Back Deposit for works within ROW  Total deposit is calculated as follows: linear metres of works within the right-of-way multiplied by the depth of the excavation multiplied by the deposit amount per square metre.	New	To ensure public safety and to protect City infrastructure in case of failure or delay/cancellation of project	n.a.	\$50.00 per square metre	New	New	no impact
Road Occupancy Permit - Mobile Cranes Annual Permit Deposit \$5,000.00	House Keeping	Deposit removed for Annual Permit, no longer in use	n.a.	n.a.	n.a.	n.a.	no impact

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