

**Deputy City Manager's Office Report to
Gas, Power and Telecommunications
2018 February 23**

**ISC: UNRESTRICTED
GPT2018-0152
Page 1 of 2**

Municipal Rights of Way Bylaw Amendment

EXECUTIVE SUMMARY

The Municipal Rights of Way Bylaw 17M2016 (“the Bylaw”) was adopted by City Council on 2016 November 28 and came into force on 2018 January 1. It has come to the attention of Administration that two of the definitions found in Section 3 (1) under Definitions and Interpretation needs to be amended to provide additional clarity for utility providers accessing the service corridors.

ADMINISTRATION RECOMMENDATION:

That Council:

1. Give three readings to the proposed Amending Bylaw as set out in the Attachment; and
2. Receive this report for information.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2016 November 28, Council adopted the recommendations of the Gas, Power and Telecommunications Committee (GPT2016-0717) to adopt the Municipal Rights of Way Bylaw (17M2016) with an effective date of 2018 January 1.

On 2017 September 11, Council adopted the recommendations of the Gas, Power and Telecommunications Committee (GP2017-0645) to adopt Bylaw 41M2017 to amend the Municipal Rights of Way Bylaw.

BACKGROUND

The purpose of the Bylaw is to address the requirements of The City (safety, environmental, financial) when utility providers access municipal rights of way. The Bylaw requires that any utility provider who is undertaking “work” (as defined in the Bylaw) within a service corridor or City structure must obtain a utility alignment permit prior to commencing the work and must provide as-built drawings upon completion of that work. This complete picture of the infrastructure within the rights of way supports the future planning requirements of The City and uses an updated approach for the management of municipal rights of way to efficiently allocate space in this limited resource for additional infrastructure for the benefit of all users.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The current wording of the definitions of “service corridor” and “utility provider” require additional clarity to provide certainty regarding the Bylaw’s application which, if left unchanged, may lead to delays in processing permit applications made by utility providers.

Stakeholder Engagement, Research and Communication

No stakeholder engagement needed as this is an administrative change to bring the wording of the definitions in line with current practices.

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Page 2 of 2

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Strategic Alignment

These amendments to the Municipal Rights of Way Bylaw aligns with Council priority of a well-run city by being open and responsive to the needs of industry while ensuring the safety of Calgary's citizens and the efficient use of the rights of way.

Social, Environmental, Economic (External)

There are no impacts to any of these categories as this is an administrative change to clarify the application of the Bylaw.

Financial Capacity

Current and Future Operating Budget:

There are no impacts to current or future operating budgets.

Current and Future Capital Budget:

There are no impacts to current or future capital budgets.

Risk Assessment

As the amendments are to align the definitions with current practice, the risk to not making the change could create a misalignment which may delay, rather than facilitate, work by utility providers.

REASON(S) FOR RECOMMENDATION(S):

The proposed changes to the definitions of "service corridor" and "utility provider" brings alignment between the definitions and current practice.

ATTACHMENT(S)

Draft Amending Bylaw (Proposed Text)