

Authority: Public Works and Infrastructure Committee Item 31.1,  
adopted as amended, by City of Toronto Council on March 31 and April 1, 2010  
Enacted by Council: April 1, 2010

## CITY OF TORONTO

### BY-LAW No. 358-2010

**To amend City of Toronto Municipal Code Chapter 441, Fees and Charges, to amend and establish the payment of certain cost recovery fees as part of the utility cut management process.**

WHEREAS City Council has authorized amendments to Chapter 441, Fees and Charges, to amend and establish certain cost recovery fees payable for the issuance of a permit under the utility cut management process for City streets, effective June 1, 2010; and

WHEREAS the *City of Toronto Act, 2006* authorizes City Council to establish regulations for the use of City property, including establishing a system of permits for such use and requiring persons to do things in respect of such use; and

WHEREAS the *City of Toronto Act, 2006* also authorizes City Council to establish fees and charges for activities or services done by the City and the use of City property, for the recovery of costs incurred by the City, including costs for administration, enforcement and the acquisition or replacement of capital assets;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Appendix "C" of Chapter 441, Fees and Charges, of The City of Toronto Municipal Code is amended by:

- A. Adding the following entry to Schedule 1 (Technical Services):

Service	Fee Description	Fee Basis	Fee Amount	Annual Adjustment
Design and Construction – Linear Infrastructure	Full Stream Utility Cut Application Fee – To review application and monitor work.	Per Application (For excavation of up to 1 kilometre)	\$600.00 (Payable upon application)	No

- B. Adding the following entry to Schedule 2 (Transportation Services):

Service	Fee Description	Fee Basis	Fee Amount			Annual Adjustment
Traffic Planning/ Right of Way Management	Pavement Degradation Fee –Pavement reconstruction, resurfacing and repair costs.	Per square metre of proposed excavation based on pavement type, pavement age and road type.	<u>Flexible Pavement</u>			No
			<u>Pavement Age</u>	<u>Arterial Road</u>	<u>Local/Collector Road</u>	
				(\$/m <sup>2</sup> )	(\$/m)	
			0 – 15	40	34	
			16 – 30	32	27	
			31 – 45	24	20	
			46 – 55	18	14	
			56 – 70	11	9	
			70+	0	0	
			<u>Composite Pavement</u>			

			<u>Pavement Age</u>	<u>Arterial Road</u>	<u>Local/Collector</u>
				<u>Road</u>	<u>Road</u>
				(\$/m <sup>2</sup> )	(\$/m)
			0 – 15	33	29
			16 – 30	26	23
			31 – 40	19	17
			41 – 55	15	14
			56 – 65	12	10
			66 - 80	9	8
			80+	0	0
			<p><u>NOTE:</u> Pavement degradation fee is waived if affected pavement is scheduled for reconstruction in the five-year capital program.</p> <p>This fee is payable upon completion of the permanent restoration and shall be invoiced at the same time as the Utility Cut Billing Fee.</p>		

C. Amending Schedule 2 (Transportation Services) by increasing the amount of the Utility Cut Billing Fee to 22.5%.

2. Section 1 of this by-law shall come into force on June 1, 2010.

ENACTED AND PASSED this 1st day of April, A.D. 2010.

SANDRA BUSSIN,  
Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)