



Local Servicing – Oversizing Policy

Revised October 2023

Goal Statement

To provide guidelines for oversizing of infrastructure related to new development project and development charge projects.

Objective

This policy outlines, in general terms, the size and nature of engineered infrastructure that is included in the development charges background study as a development charge project, versus infrastructure that is considered as a local service, to be designed and installed separately by landowners & developers, pursuant to a development agreement. It also provides guidelines for cost recovery related to development charge projects and cost-sharing projects.

Application

This policy applies to all new development projects, including those that may have a cost-sharing component not funded through development charges, who have submitted an application under the *Planning Act* and all development charge funded projects within the Municipality of Strathroy-Caradoc.

Definitions

“Complete street”, is a right of way that is designed and constructed in accordance with the Municipality of Strathroy-Caradoc’s Servicing Standards. The cross section is determined by the type and classification of the road.

“Road”, includes a common of public highway and any facilities within a municipally owned road allowance including but not limited to road pavement structure and curbs; grade separation/bridge structures (for any vehicles, railways and/or pedestrians); grading, drainage and retaining wall features; culvert structures; stormwater drainage systems; utilities (gas, telephone, hydro, cable, etc.); traffic control systems; signage; gateway features; street furniture; active transportation facilities (e.g. sidewalks, bike lanes, multi-use trails which interconnect the transportation network, etc.); transit lanes and lay-bys; roadway illumination systems; boulevard and median surfaces (e.g. sod and topsoil, paving, etc.); street trees and landscaping; wildlife crossings; parking lanes and lay-bys; driveway entrances; noise attenuation systems; railings and safety barriers.

“Arterial Road, Major Collector Road, Minor Collector Road and Local Road”, have a corresponding meaning with reference to the road hierarchy defined in the Strathroy-Caradoc Official Plan.

“Basic Parkland Development”, means the work required to ensure lands are suitable for development for park and other public recreational purposes, including but not limited to, grading, topsoil, grass, services (including utilities), drainage, lighting to the satisfaction of the Municipality in accordance with the Municipality of Strathroy-Caradoc’s Design Standards and any other applicable standards.

“Urban trail Multi use path”, paved, concrete surface or other surface, a minimum of 3 metres in width, as defined in the municipality’s Trails Master Plan

“Adjacent Undeveloped Lands”, lands directly abutting a subject development site including those lands that are separated by a road or other authority owned lands (i.e. railway, hydro corridor, conservation lands, etc.).

Administration and Enforcement

This policy is developed in connection with Sections 59 and 59.1 of the *Development Charges Act.*, and Sections 41, 51 and 53 of the *Planning Act.*

Policy

This policy includes principles by which Municipality of Strathroy-Caradoc staff will be guided by when considering development applications. However, each application will be considered, in the context of these policy guidelines as subsection 59 (2) of the Development Charges Act, 1997, on its own merits having regard to, among other factors, the nature, type and location of the development and any existing and proposed development in the surrounding area, as well as the location and type of services required and their relationship to the proposed development and to existing and proposed development in the area.

All infrastructure described below to be constructed by developers must be designed and constructed in accordance with the Municipality of Strathroy-Caradoc’s Servicing Standards (“Servicing Standards”) and parkland/trail standards and guidelines, and any other applicable specifications and standards.

The following policy will also be used as a basis for cost sharing of works, that may be identified by the municipality, that are not identified as a development charge funded project in the development charges background study.

All works considered for payment by development charges must be included in a development charges background study.

1.0 Local Servicing

1.1 Local, Minor Collector and Rural Roads

The costs and construction of the following items shall be a direct developer responsibility and considered as a local service:

- Local, minor collector and rural roads internal to the development, inclusive of all land and associated infrastructure. All associated infrastructure shall include all assets required for a complete cross section as defined in the Servicing Standards.
- Minor Collector and rural roads external to development, inclusive of all land and associated infrastructure, required to support a development or required to link with the area to which the plan relates.

The costs of the following shall be payable through development charges, if identified in a development charges background study and in accordance to the identified growth-related proportion of costs in the background study:

- Minor Collector Roads external to a development that are not required for direct access (included in development charges background study)

1.2 Major Collector and Arterial Roads

The costs and construction of the following items shall be a direct developer responsibility and considered as a local service:

- Land acquisition for major collector and arterial roads on existing right-of-way to achieve a complete street, dedication under the *Planning Act* through development lands; and
- Land acquisition for major collector and arterial roads on new right-of-way to achieve a complete street, dedication, where possible, under the *Planning Act* through development lands up to the right of way specified in the Official Plan.

The costs of the following shall be payable through development charges, if identified in a development charges background study and in accordance to the identified growth-related proportion of costs in the background study:

- New, widened, extended or upgraded major collector and arterial roads, inclusive of all associated infrastructure;
- Land acquisition for major collector and arterial road on existing right-of-way to achieve a complete street in areas with limited development; and

- Land acquisition beyond normal dedication requirements to achieve transportation corridors as services related to highways including grade separation infrastructure for the movement of pedestrians, cyclists, public transit and/or railway vehicles.

1.3 Traffic control systems and intersection improvements

The costs and construction of the following items shall be a direct developer responsibility and considered as a local service:

- On any roads or entrances related to a specific development unless identified in a development charges background study.

The costs of the following shall be payable through development charges, if identified in a development charges background study and in accordance to the identified growth-related proportion of costs in the background study:

- On any roads unrelated to a specific development;
- Intersection improvements, including roundabouts, and area traffic studies for highways attributed to growth and unrelated to a specific development.

1.4 Streetlights

The costs and construction of the following items shall be a direct developer responsibility and considered as a local service:

- Streetlights on any roads or walkways internal to development; and
- Streetlights on any roads or walkways external to development, needed to support a specific development or required to link with the area to which the plan relates.

The costs of the following shall be payable through development charges, if identified in a development charges background study and in accordance to the identified growth-related proportion of costs in the background study:

- Streetlights on any roads external to development and not needed to support a specific development or not required to link with the area to which the plan relates.

1.5 Transportation related pedestrian and cycling facilities

The costs and construction of the following items shall be a direct developer responsibility and considered as a local service:

- Sidewalks, multi-use trails and bike lanes, inclusive of all required infrastructure, located within or linking to road corridors internal to development; and
- Sidewalks, multi-use trails and bike lanes, inclusive of all required infrastructure, located within road corridors external to development and needed to support a specific development or required to link with the area to which the plan relates (within 500m of the development site).

The costs of the following shall be payable through development charges, if identified in a development charges background study and in accordance to the identified growth-related proportion of costs in the background study:

- Sidewalks, Urban trail Multi use paths and bike lanes, inclusive of all required infrastructure, located within roads external to the development, not needed to support a specific development or not required to link with the area to which the plan relates, including county roads and provincial highway corridors; and
- Urban trail Multi use paths (not associated with a road) inclusive of all land and required infrastructure, that go beyond the function of a recreational trail and form part of the municipality's active transportation network for cycling and/or walking.

1.6 Noise abatement measures

The costs and construction of the following items shall be a direct developer responsibility and considered as a local service:

- Measures external and internal to development where it is related to, or a requirement of a specific development.

The costs of the following shall be payable through development charges, if identified in a development charges background study and in accordance to the identified growth-related proportion of costs in the background study:

- Only applicable if identified in a Development Charges Background Study.

1.7 Recreational Trails

The costs and construction of the following items shall be a direct developer responsibility and considered as a local service:

- Recreational trails and associated infrastructure (landscaping, bridges, trail surfaces, etc.) internal to the development and where applicable,

connecting to external trails (within 500m of the development site) and transportation infrastructure including, but not limited to, cycling facilities, sidewalks, multi-use trails, and walkways in accordance with the Trails Master Plan.

The costs of the following shall be payable through development charges, if identified in a development charges background study and in accordance to the identified growth-related proportion of costs in the background study:

- Recreational trails and associated infrastructure (landscaping, bridges, trail surfaces, boardwalks, etc.) external to a specific development in accordance with the Trails Master Plan.

1.8 Parkland

The costs and construction of the following items shall be a direct developer responsibility and considered as a local service:

- Land for parks is generally acquired through dedications required under a by-law passed pursuant to sections 41 and 42 of the *Planning Act*, as a condition of approval of a draft plan of subdivision under section 51.1 of the *Planning Act*, as a condition of a consent under section 53 of the *Planning Act*, or from the expenditure of funds collected in lieu of a required dedication under one of those sections;
- Basic Parkland Development of lands conveyed, or to be conveyed, to the Municipality for park or other public recreational purposes in connection with Development; and
- Perimeter fencing around the entire parkland, except for area abutting a municipal right of way;
- Optional over-dedication of parklands comprised of land still meeting the municipality's specification for parkland use internal or external to the development.

The costs of the following shall be payable through development charges, if identified in a development charges background study and in accordance to the identified growth-related proportion of costs in the background study:

- Design and implementation of facilities and all other associated site works exceeding Basic Parkland Development.

1.9 Landscape buffer blocks, features, berms, grade transition areas, gateway features, walkway connections, open space

The costs and construction of the following items shall be a direct developer responsibility and considered as a local service:

- Development of all landscape buffer blocks, landscape features, gateway features, berms, grade transition areas, retaining walls, walkway connections, open space and other remnant pieces of land conveyed to the municipality, including, but not limited to, clearing and grubbing, pre-grading, sodding or seeding, supply and installation of amended topsoil, landscape features, perimeter fencing, amenities and all planting, and related municipal or hydro services;
- Perimeter fencing on public or private lands as directed by the Municipality

The costs of the following shall be payable through development charges, if identified in a development charges background study and in accordance to the identified growth-related proportion of costs in the background study:

- Not applicable.

1.10 Natural Heritage System

The costs and construction of the following items shall be a direct developer responsibility and considered as a local service:

- Riparian planting and landscaping requirements (as required by the municipality, the conservation authority or other authorities having jurisdiction) as a result of creation of, or construction near the natural heritage system and associated buffers; and
- Perimeter fencing, ~~without gates or access points,~~ around the natural heritage system located on public or private property side of any adjacent land uses, to the satisfaction of the Municipality.
- Water balancing infrastructure that may be required to minimize the impact to a natural heritage system.

The costs of the following shall be payable through development charges, if identified in a development charges background study and in accordance to the identified growth-related proportion of costs in the background study:

- Not applicable.

1.11 Stormwater Management

The costs and construction of the following items shall be a direct developer responsibility and considered as a local service:

- Provide stormwater management facilities, including quality and quantity management and downstream erosion works, related to a development application, inclusive of land and all infrastructure such as landscaping and fencing;
- Construction of road side ditches, swales, and overland flow routes;
- Erosion works, inclusive of all restoration requirements, related to a development application;
- Dedication of all lands required for stormwater management facilities including any lands deemed necessary by the Municipality to provide adequate buffering and for oversizing capacity;
- Oversizing of capacity for Adjacent Undeveloped Lands within the settlement boundary based on future contributing flows, unless such infrastructure or facility is identified in a development charges background study;
- Capacity for adjoining existing lands or infrastructure whose conveyance or capacity may be impacted, removed or relocated as part of the development;
- Monitoring required by the Municipality, conservation authority or other regulatory body where applicable.

The costs of the following shall be payable through development charges, if identified in a development charges background study and in accordance to the identified growth-related proportion of costs in the background study:

- Oversizing of pond capacity, outlet structures based on future contributing flows, to accommodate runoff from new, widened, extended or upgraded roads that are funded as a development charge project, but excluding cost or dedication of land;
- Oversizing of pond capacity, outlet structures based on future contributing flows, to accommodate runoff from Adjacent Undeveloped Lands within the settlement boundary only if such project is identified in a development charges background study.

1.12 Underground Services

Underground services (linear infrastructure for stormwater, water and sanitary) within the road allowance are not included in the cost of road infrastructure and are treated separately. The responsibility for underground linear services, as well as pumping stations, which are undertaken as part of new developments or redevelopments, will be determined by the following principles:

The costs and construction of the following items shall be a direct developer responsibility and considered as a local service:

- All underground services internal to the development, including storm, water and sanitary;
 - Oversizing of internal underground services may be required for Adjacent Undeveloped Lands, in which local services will be defined as 300mm for water and sanitary and 1050 mm for storm or the size required to service the internal development, whichever is greater. The developer may enter into cost-sharing agreements with other developers independent of the Municipality unless oversizing is identified in a development charges background study.
- Service connections from existing services to the development;
- Capacity for adjoining existing lands or infrastructure whose outlet may be impacted, removed or relocated as part of the development.
- Providing new underground services or upgrading existing external to the development if the services are required to service the development, and if the pipe sizes do not exceed 300 mm for water and sanitary and 1050 mm for storm. If external services are required by two or more developments, the developer for the first development will be responsible for the cost of external services and may enter into cost-sharing agreements with other developers independent of the Municipality;
- Temporary or permanent water booster station, reservoir pumping stations and/or sanitary pumping stations serving individual developments; and
- Dedication of all lands required for pumping stations, including any lands deemed necessary by the Municipality to provide adequate buffering.

The costs of the following shall be payable through development charges, if identified in a development charges background study and in accordance to the identified growth-related proportion of costs in the background study:

- External services involving trunk infrastructure exceeding 300 mm for water and sanitary and 1050 mm for storm, provided that the oversizing is required to service existing external upstream lands and provided that the contribution towards oversizing through development charges shall be the total cost less the cost to construct a 300 mm pipe for water and sanitary or a 1050 mm pipe for storm; and
- Pumping stations not required for an individual development.

2.0 Administration

The following shall apply to all projects identified as a development charge funded project in the municipality's development charges background studies, as amended or replaced:

- In cases where local servicing is required for a development and is to be constructed as part of a development charges project undertaken by the municipality, the developer shall enter into a cost-sharing agreement with the municipality. Cost sharing amounts shall be based on the local servicing defined in this policy and shall include costs for design, approvals, legal and construction.
- The municipality is under no obligation to proceed with a development charge identified project earlier than identified in the background study. A developer may wish to undertake the project at an earlier time, in which case the municipality would consider entering into a front-ending agreement or similar cost-sharing agreement. Front-ending and cost-sharing agreements require Council approval.
- The developer(s) will convey easements associated with municipal works included in the agreement prior to the award of tender, unless otherwise specified.
- The developer(s) will convey all lands associated with growth and non-growth works included in the agreement at the time of registration of plan(s) of subdivision, unless otherwise specified.
- Development charge credits for growth components and/or reimbursements for non-growth components will be based on actual construction costs up to the amounts identified in the development charges background study to the development charges by-law, as indexed. Costs exceeding these amounts will require Council approval prior to the award of tender. The municipality reserves the right to cancel or cap municipal works costs, which does not preclude the developer(s) from continuing with the works.

3.0 Design, approval, tendering and construction of works

The design, tendering, inspection and contract administration of all works included in the development charges project will be undertaken by a consultant or team of consultants, retained by the municipality unless the developer has entered into an agreement with the municipality. If the developer has entered into a front ending-agreement or similar cost-sharing agreement of any kind (including those not related to a development charges funded project), the following shall apply:

- All works are to be designed in accordance with approved supporting studies and all applicable municipal and other standards, policies and best practices.
- All works are to be reviewed and approved by the municipality (or designated alternate) and applicable reviewing agencies prior to the commencement of construction.
- Engineering costs for oversized service shall stipulate a 15% maximum, which include inspection services, design services, as well as contract administration. Under no circumstances will more than 15% be paid for such oversizing.
- Tendering of construction works is by the developer(s) following approval of the tender package by the municipality. Tendering is to follow the municipality's Purchasing & Procurement Policy in effect at the time of tendering and is to be a public tender and follow industry best practices.
- Award of construction works is to be to lowest overall compliant bid, unless otherwise approved by the municipality, as per the Purchasing & Procurement Policy in effect at the time of tendering, following review of the submitted tenders by the municipality. The municipality will make all best efforts to complete the review within five (5) business days of receiving full tender submissions packages.
- Construction inspection and contract administration of the works is to be completed by a consultant, or team of consultants, in accordance with the municipality and other standards, policies and best practices.
- On a monthly basis (or alternate schedule as set out in the agreement), invoices detailing the municipality's share of work are to be submitted to the municipality. All invoices pertaining to the fiscal year shall be submitted no later than ten (10) business days following the end of the calendar year.
- Any extras (works not identified in the approved tender) that may arise throughout the duration of the project shall be approved by the municipality prior to commencement of the extra work. If extra work is undertaken without first receiving written approval from the municipality, the municipality will not be responsible for funding of the extra.