

**CITY OF WHITEHORSE
COUNCIL POLICY**



POLICY

SERVICING STANDARDS

Policy Number:	2016-04
Approved by:	Council
Effective date:	June, 2016
Next revision due:	2020
Department:	Engineering Services

PURPOSE

The purpose of this policy is to:

- adopt Servicing Standards that provide guidance through the engineering drawing review;
- establish expectations for developers, contractors, consultants, utility companies and the City in the design, repair and construction of municipal infrastructure; and
- authorize a standardized process for the administrative review and amendment of the corresponding Servicing Standards Manual.

The Servicing Standards Policy should be read in conjunction with the City's Servicing Standards Manual and applicable acts, bylaws, policies, guidelines, procedures and supporting references.

AUTHORITY Council Resolution #**2016-13-05** dated **July 11, 2016**

POLICY STATEMENT

The City of Whitehorse depends on its assets to deliver vital services to the public and has an obligation to protect employees and the public, preserve the availability of assets, and assure the continued delivery of services in an effective, safe and sustainable manner.

No person shall design, repair or construct municipal infrastructure in the City of Whitehorse except in compliance with the provisions of this policy, the applicable bylaws, and related guidelines.

Compliance with this policy or the servicing standards manual does not remove the obligation to conform to other municipal, territorial, or federal legislation, servicing standards, policies or any caveats, covenants, or easements that may be attached to a site.

SCOPE

This policy applies to City staff in the administration of the Servicing Standards Manual as it relates to the design, repair and construction of municipal infrastructure that will be owned and maintained by the City, and to private infrastructure tied to existing municipal infrastructure.

Consequence of Non-Compliance

No exceptions have been made.

DEFINITIONS

“**ACT**” means *Yukon Municipal Act* (S.Y. 2002) as amended from time to time.

“**APPLICANT**” means a person or persons applying for the approval of a subdivision pursuant to the provisions of the *Municipal Act*, or a person applying for development other than subdivision, whether as the owner of the property proposed to be subdivided or developed or as agent for the owner or his contractor.

“**BYLAW**” means a bylaw lawfully enacted by the City of Whitehorse.

“**CITY ADMINISTRATION**” means the City Manager, Directors, Managers, Supervisors or any other persons who are in a position of authority in the administration of the Act.

“**CITY**” means the City of Whitehorse or the area with the municipal boundaries thereof as the context may require.

“**CITY ENGINEER**” means the Engineer, or his designate, as appointed by the City Manager of the City of Whitehorse.

“**CITY OF WHITEHORSE SERVICING STANDARDS MANUAL**” means the 2007 issue and amendments thereto. Any word or words found in this manual that are not referenced in this section shall be deemed to have the same meaning specified in the City of Whitehorse Zoning Bylaw as amended from time to time.

“**CONSULTANT**” means a practicing professional engineer, engineers, or person retained or appointed by the Developer to be responsible for the design, layout, site supervision, and construction supervision as set out in these procedures.

“**COUNCIL**” means the duly elected municipal council of the City of Whitehorse.

“**DELEGATION**” means that Council may delegate to one or more officers or employees of the Department of Engineering Services the power granted to the Council or duty vested in that body in terms of policy development and evaluation under section 177 (b) of the Act regarding the administrative review and amendment of the Servicing Standards Manual .

“**DEVELOPER**” means a person, company or government undertaking the development of land.

“**DEVELOPMENT AGREEMENT**” means the written agreement between the City of Whitehorse and the Developer with respect of the standards of development of a particular parcel or parcels of land within the boundaries of the City of Whitehorse.

“**ENGINEER**” means the professional Engineer or Engineers employed or retained by the City of Whitehorse, the City Engineer, or the person designated as such by the City Engineer.

OBJECTIVES

1. The City of Whitehorse is committed to working with stakeholders to ensure that the design, repair and construction of municipal infrastructure meets or exceeds the minimum industry standards. The City has the following objectives:
 - (1) Ensuring a standardized process to review and amend the Servicing Standards Manual in a timely and cost effective manner that includes input from both internal and external stakeholders;
 - (2) Promoting adaptability in a rapidly changing infrastructure development environment; and
 - (3) Fostering a fair process for dispute resolution between parties to this servicing standards arrangement with the City.

Ensuring standardized process:

2. City Council commits to the standardized process for review and amendment of the Servicing Standards Manual outlined in this policy.
 - (1) In accordance with the authority to delegate set out under section 177(b) of the *Municipal Act*, Council hereby delegates to one or more officers or employees of the Engineering Services Department of the City of Whitehorse the authority to make administrative changes to the Servicing Standards Manual from time to time. In effect the periodic revisions of the Servicing Standards Manual by City Engineering Services will no longer require Council approval.
 - (2) The City will subject the public to normal, reasonable and tolerable responsibilities and costs for repair and maintenance of municipal infrastructure to ensure that municipal improvements and systems as designed will be robust and perform reliably in all circumstances upon acceptance by the City.
 - (3) The City will establish and encourage conformance to criteria for servicing standards of minor and major developments to acceptable levels of service.
 - (4) The City shall not be responsible or liable for any unauthorized costs of the owner associated with the development.

Promoting Adaptability:

- (5) The City will promote periodic updates in a manner that is flexible and adaptable and in keeping with City policies and strategic direction as well as in changing industry standards and regulations.

Fostering a fair appeal process for disputes:

- (6) The City will foster an independent review of decisions made by the Engineering Services Department under this policy and/or the Servicing Standards Manual with respect to the application and assessment process.

RESPONSIBILITIES

City Council

3. Council may request review of the amendments made to the Servicing Standards Manual if it deems it appropriate. The City Engineer shall upon such request provide the required information in a timely manner.

The City ensures

4. Clarity and accessibility of the planning assessment documentation, and that information shall be available in multiple formats to ensure equal access.
5. The principle of proportionality in the assessment and processing of applications for service contracts. The content of each assessment will be:
 - (1) Necessary to inform the decision;
 - (2) Relevant to the development proposal; and
 - (3) Proportionate to the scale and complexity of likely impacts arising.

CITY ENGINEERING SERVICES

6. The City Engineering Department shall take the lead role in maintaining the Services Standards Manual consistent with industry and best practices.
7. The City Engineering Department reserves the right to decline an application or stop progress on an approved project in the interest of public safety;

City Engineer

8. Pursuant to the provisions of this policy, the City Engineer or delegate shall ensure that changes in the industry for material supplies and construction procedures are included in the Servicing Standards Manual in a timely fashion.
9. The City Engineer shall ensure that updates and completion of revisions to the Servicing Standards Manual are part of the department's annual work plan and budget accordingly.
10. The City Engineer shall receive all submissions, appeals, and revisions to submitted technical drawings and facilitate the approval process.

Department of Development Services [Engineering Services]

11. The head of the department, the City Engineer, may delegate primary responsibility for:

- (1) Reviewing and updating the Service Standards Manual at least every two years.
- (2) Coordinating the revision process which shall include the following steps:
 - (a) Conduct process revision request using the form developed for that purpose. Internal and external stakeholders shall use the same form for requested changes.
 - (b) Prioritize submitted revision request forms according to published criteria established by Engineering Services
 - (c) If a request requires an immediate update to the Standards, then an 'Amendment Notice' shall be posted on the website and communicated to the development community.
 - (d) Convene bi-annual Servicing Standards Manual meetings with representation from relevant City Departments to review requested changes and to draft proposed updates.
 - (e) Hold meeting with external stakeholders to review the bi-annual proposed changes.
 - (f) Provide Senior Management with a briefing of sensitive changes; specifying any financial, operational and strategic implications they might have.
 - (g) Following Senior Management briefing, Engineering Services shall publish the updated sections of the Standards on the City website and notify external stakeholders of such changes.

Developers, Engineers, Contractors and Consultants

12. The cooperation and support of all developers, engineers, contractors, consultants and designers is critical to the success of the Servicing Standards Policy. Developers and designers are responsible for:
 - (1) Taking on board the core principles set out in the servicing standards policy and servicing standards manual and amendments.
 - (2) Carrying out appraisals of the site and its context and forming a conceptual strategy which can be developed into a detailed design. Both the urban design and street layout will need to be considered as part of this. The design of a new development will therefore be informed by the standards in the servicing manuals and amendments (including consideration for local characteristics, topography and setting, and this should result in a development which has a distinctive identity).
 - (3) Involving discussions with both planning and roads units at key points, starting before the detailed design is reached. A design audit which confirms how this process has been followed, and how this has influenced the resulting design, should be available upon request.

- (4) Design and layout of new residential areas that create complete streets and incorporate winter city design principles.
- (5) Taking into account the needs of people using the street who have visual impairment or restrictions on mobility.

REPEAL OF EXISTING POLICY

- 13. The Servicing Standards Policy adopted in 2007, including all amendments thereto, is hereby repealed.

■ June 2016

SUPPORTING REFERENCES

Please note that some of the items below may not be publicly available.

Related Council Policies, bylaws and other applicable Acts and Regulations

Yukon Government *Area Development Act and Regulation* (RSY 2002, c.10)

Building Standards Act (RSY 2002, c.19)

Housing Development Act (RSY 2002, c.115)

Contact Department of Engineering Services for additional applicable Procedures, Bylaws 2007-03-13; 2012-20, Acts and/or supporting references.

HISTORY OF AMENDMENTS

<u>Date of Council Decision</u>	<u>Reference (Resolution #)</u>	<u>Description</u>
September 9, 1991	<u>#91-27-33</u>	Initial Policy Adopted
April 24, 1995	<u>#95-11-29</u>	Policy Updated
February 12, 2007	<u>#2007-03-13</u>	Initial Policy Replaced
July 11, 2016	<u>#2016-13-05</u>	New Policy Adopted