



Administration Office
Mailing address
Email
Phone

1024 Hurlwood Lane, Severn
PO Box 159, Orillia, Ontario L3V 6J3
info@severn.ca
705-325-2315

Municipal Consent Guidelines

Public Works Department

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Table of Contents

Table of Contents	2
General	4
Introduction.....	4
Order of Precedence.....	5
Applicable Legislation.....	5
Definitions	6
Work Permitted Without MC	7
Emergency Work	7
Service Drops.....	7
Road Occupancy Permit (ROP)	8
Identification of Capital Work and Planning.....	8
Municipal Consent Application	9
Submission Package Requirements.....	9
Application Drawings Requirements	9
Pre-Application Review	10
Changes to the Permit.....	10
Projects with Multiple Drawings	11
Cancelled Projects.....	11
Incomplete or Non-Approved Applications	11
Circulation and Sign-Offs	11
Application Review Period	12



Approval Procedures	12
New Road Surfaces	12
Disputes	13
Design Guidelines.....	13
Alignments.....	13
Roadway Crossing.....	13
Clearances	14
Depth of Cover	15
Structures with Surface Access	16
Common Trenches.....	16
Above-Ground Plant	16
Lands Other than ROW's	17
Abandoned / Decommissioned Plant	17
Pole Replacement	18
Inspection	18
Non-Compliant Installations.....	18
Documents Required On-Site	18
Trenchless Installations	19
Other Considerations	19
As-built Records	20

General

A Municipal Consent is the municipal authorization for a utility company to occupy a specific location within the Severn Right-of-Way's (ROW). Standard utility corridors and alignments have been established to avoid conflicts in the planning of projects by various utilities occupying the ROW and to minimize the impact of proposed work on the adjacent infrastructure.

Municipal Consents are only issued to utility companies, commissions, agencies and private Applicants who have the authority to construct, operate and maintain their infrastructure within the ROW as established through legislation or terms of a Municipal Access Agreement (MAA) or Franchise Agreement (FA).

All utility work, with a few exceptions, within ROW requires Municipal Consent (MC) from the Public Works Department and a Road Occupancy Permit (ROP) with the exception of Emergency Works. ROP for utility works will not be granted until MC is approved.

The approval of a MC is valid for a period of one (1) year from the date of issuance. If the work is not completed in its entirety within the one (1) year period, the Applicant must reapply for consent to locate the remaining work within the ROW.

Introduction

The objective of the Municipal Consent Guidelines (MCG) is to provide guidance for the efficient review of MC applications and to protect the interests of the community and permitted utility companies occupying ROW within Severn.

In the event of a non-standard installation being the only reasonable alternative, the Applicant shall ensure that these MCM are adhered to as close as possible and shall notify Severn in writing of any changes.

This document applies to all utility companies, commissions, agencies, boards, associations, and private stakeholders making application for MC to install Plant within the ROW.

Order of Precedence

In the event of any inconsistency or conflict in the contents of the following documents, such documents shall take precedence and govern in the following order:

- Federal and Provincial legislation, including Municipal Access Agreements (MAA) and Franchise Agreements
- Bylaws
- Municipal Consent Permit
- Municipal Consent Requirements (MCM)

Applicable Legislation

Nothing in this guideline is meant to limit the obligations that any party has to comply with any other applicable law, including but not limited to the latest versions of:

- Municipal Act, RSO 2001
- The Building Broadband Faster Act, 2021 (BBFA)
- The Ontario Energy Board Act, 1998 (OEBA)
- Ontario Regulation 22/04 (Electrical Distribution Safety) made pursuant to the Electricity Act, 1998
- Canadian Standards Association C22.3 No. 1-15 for Electrical Distribution Safety regulation overhead distribution lines as amended from time to time
- Canadian Standards Association C22.3 No. 7-15 for Electrical Distribution Safety regulation underground systems as amended from time to time
- Occupational Health and Safety Act (OHSA) and Regulations
- Ontario Regulation 164/99 (Electrical Safety Code) made pursuant to the Electricity Act, 1998 (“Ontario Electrical Safety Code” or “OESC”)

- Ontario Underground Infrastructure Notification System Act, 2012 (One Call Act)

Definitions

“Applicant” means any utility company, commission, agency, or private party applying for MC to gain approval for the placement of plant within the right-of-way.

“As-built drawings” means documents prepared from information gathered during construction and revised from design drawings by someone other than an engineering practitioner or someone under their supervision. These documents should be marked as "As-built Documents" and not sealed.

“Emergency Work” means work that must be completed immediately because health, safety or the provision of essential services is endangered. This emergency work could result from a broken watermain, gas main break or damaged hydro lines etc.

“Municipal Consent” means the permission to install Plant within a specific location in the rights- of-way. The process involves a formal drawing submission on the placement of apparatus which has been approved by Severn’s Public Works Department

“Plant” means any poles, cables, pipes, conduits, pedestals, antennas, vaults, support structures or any other similar Plant or structures.

“Right-of-way (ROW)” means the surface of, as well as the spaces above and below public right-of ways.

“Road Occupancy Permit (ROP)” means a permit issued by the Public Works Department for the purpose of authorizing the commencement of all work taking place within the Right-of-way.

“Service Drop” means a section of Plant that by its design, capacity and relationship to the overall Plant can be reasonably considered to be for the sole purpose of connecting the Plant to not more than a single customer or building point but shall not include Plant designed to extend to multiple customers.

“Work” means the installation, maintenance, repair, replacement, extension or operation of any Plant in the Right-of-way.

Work Permitted Without MC

The following types of work require only a ROP:

- Emergency work required to maintain or restore existing service;
- Repair of existing Plant (same horizontal and vertical location);
- Exploratory work to investigate existing Plant condition;
- Any service drop not requiring the removal, relocation or alteration of any adjacent infrastructure. Service drops crossing the pavement structure shall conform to the requirements of a long service drop.

All other types of work require both a MC and a Road Occupancy Permit (ROP) including:

- installing new Plant
- making additions or upgrades/alterations to existing Plant
- excavating, directional boring and/or drilling within the ROW

Emergency Work

Emergency work is permitted prior to submission of a Road Occupancy Permit (ROP) Application as outlined in ROP By-law. The completed ROP Application must be submitted to the Public Works Department on the same day the work is commenced, or if Severn offices are closed, no later than the start of the next working day. If the installation of new or additional Plant is required for the emergency repair, a MC Application must be submitted to the Public Works Department within 5 business days of the work commencement.

Service Drops

A ROP must be obtained from the Public Works Department prior to installing any service drop. Wherever possible, services and service connection to property line shall be designed and constructed directly in front of the customer being serviced,



perpendicular to the roadway. Gas service size shall be no greater than 2" (50.8mm) diameter or MC will be required.

Road Occupancy Permit (ROP)

Prior to the commencement of work on the ROW, a ROP is to be obtained from the Public Works Department. To apply for a ROP permit, please visit www.severn.ca

Identification of Capital Work and Planning

All utility companies, commissions, agencies and private applicants which have the authority to construct, operate and maintain Plant within the ROW shall submit a forecasted capital projects schedule on an annual basis to the Public Works Department.

Municipal Consent Application

Applications for MC shall be made on the standard MC Application Form. The MC Application Form shall be completed in its entirety and be submitted as part of the submission package to municipalconsents@severn.ca. These forms are available on Severn's website at www.severn.ca.

Submission Package Requirements

The submission package shall include:

- application form completed in its entirety.
- detailed design drawings, prepared in accordance with the requirements identified in this document.
- Payment of the MC application fee in accordance with the current Fees and Charges By-law.

The fee for applications that do not meet the requirements as set out within this document are not refundable.

Application Drawings Requirements

The following information shall be accurately shown on the application drawings:

- Direction North Arrow, Legend, and Scale;
- Street Names and Municipal Address;
- Property Lines, ROW Limits and Easement Limits;
- Driveways, Edge of Pavement, and Curbs;
- Guide Rail or Cable, Sidewalks, Fencing, Mature Trees with Dripline;
- Outlines of adjacent surface and subsurface structures. For the purpose of preparing the application drawings, "adjacent surface and subsurface structures" and "adjacent Plant" shall mean infrastructure that may be impacted by the proposed work or is located less than the minimum clearance distances;

- Location and Depth of Ditches;
- Description, Location and Dimensions of Existing Adjacent Plant
- Description, Location and Dimensions of Proposed Plant;
- All references to utility depths shall be based on geodetic elevations (See Control Monumentation Map);
- Sign off by the other Utilities with respect to existing location of their Plant, location of proposed Plant by the Applicant and no conflict with future undertakings;
- All dimensions pertaining to the location existing and proposed Plant shall be referenced to the current and/or proposed property lines or ROW limits;
- The drawing shall be greyscale with bold distinct line types to distinguish between types of proposed Plant.

Where required under the guidelines established by the Professional Engineers of Ontario, application drawings shall be signed and sealed by a Professional Engineer.

Pre-Application Review

To avoid the need for redesigns and resubmissions, and to reduce review time, the reviewer will, if necessary, within a reasonable time and at no cost to the Applicant, attend one site meeting and conduct a preliminary review of the proposal before the Applicant finalizes the design and submits the MC Application.

Changes to the Permit

Any request for changes to an approved MC drawing must be reviewed and approved by the Public Works Department. Depending on the nature and extent of the requested change, the Applicant may be required to:

- meet with the Public Works Department in the field to review the proposed change
- submit, in writing, an explanation of the proposed change
- submit a revised drawing highlighting the proposed change

- obtain sign-off from adjacent owners of affected above ground Plant (if applicable)

Projects with Multiple Drawings

The Applicant may choose to 'bundle' several drawings together as a single application for projects which involve continuous Plant installation over large distances. In the absence of any specific instructions, the application will be reviewed as a whole with all drawings being approved simultaneously or all drawings being declined.

Cancelled Projects

The Public Works Department must be notified of any cancelled projects for which a MC Application has been submitted or a MC has been issued.

Incomplete or Non-Approved Applications

If an MC Application does not meet the requirements of the MCM, it will not be approved. The Public Works Department will contact the Applicant via e-mail to the address specified on the application and notify them of the deficiencies. The Applicant must address the deficiencies within a reasonable time, or the application form will be returned, and the MC fee will be forfeited.

Circulation and Sign-Offs

Prior to applying, the Applicant is advised to contact all utility companies, agencies and commissions that may be impacted by the work and provide them with drawings of their proposed work. The Applicant should ask whether the utilities have marked up their drawing or provided an up-to-date location certificate of their infrastructure within the limits of the proposed work. They should also ask whether the utilities have communicated all their requirements, object to the proposed work, or decline a joint-build venture. Additionally, the Applicant should consider performing a Subsurface Utility Exploration to identify any unknown existing utilities that may be impacted by their proposed work.

Application Review Period

Applications shall be submitted to the Public Works Department at least 30 business days prior to the planned date of commencing the work. The date of application will be the date on which the complete and compliant application is received by the Public Works Department.

Applications will normally be processed within 10 business days for proposed Plant extending less than 30 km's in length and 15 business days for Plant extending greater than 30 km's in length. The time required for review will vary depending on the nature, size and complexity of the proposed work and the completeness and clarity of the application form and drawings. The response time is intended to meet the requirements of Table 4: Performance Timelines for Buried Route on Municipal Rights of Way - [Building Broadband Faster in Ontario, November 2021](#).

Approval Procedures

Upon completion of the MC application review, a copy of the Municipal Consent will be emailed to the Applicant. The issuance of a MC by Severn does not relieve the Applicant of the responsibility to ensure that the notification requirements are properly carried out and that the appropriate locates and clearances are obtained prior to commencing the installation of the proposed work.

New Road Surfaces

To ensure the long-term sustainability of Severn's infrastructure and to minimize the disruptions and inconvenience to the public resulting from repeated construction activity; work proposed in or under new or recently reconstructed road surfaces are reviewed with an additional lens.

In the event an application is received for work in or under any infrastructure that is 3 years old or less, the Public Works Department will undertake a comprehensive review of the proposed working area, type and methods of construction to mitigate the potential negative impacts. This includes construction or reconstruction of roads, curbs, sidewalks, and boulevards, full resurfacing of streets including base



repairs. The comprehensive review may include a meeting with the Applicant to discuss the following:

- alternative means of meeting the Applicant’s servicing objectives by investigating alternate routes, evaluation of existing conduit capacity, reactivation of abandoned Plant, utilization of abandoned conduits, trenchless technologies, etc.;
- provide justification for proposed methods of installation if deemed harmful to the new pavement structure;
- roadway restoration details.

Disputes

In the event of any dispute regarding the review of a specific application, the Director of Public Works shall make the final determination.

Design Guidelines

Alignments

Installation of Plant shall follow the alignments shown in Severn Standard Drawings.

Severn, in its sole discretion, may direct the Applicant to propose an alternate alignment if, in the opinion of the Public Works Department, the proposed alignment is not in the best interests of the efficient and organized usage of the ROW.

Roadway Crossing

Wherever possible, proposed roadway crossing shall be perpendicular to the roadway.

Roadway crossings within intersections should be avoided. All roadway crossings shall be in conduit adequately sized for future anticipated growth.

Clearances

Applicants must meet minimum horizontal and vertical clearances from existing Plant as outlined below in the *Vertical and Horizontal Clearance Guidelines*. These clearances must be measured from the outermost edge of the existing Plant to the outermost edge of the proposed plant. Any encasement, steel plating or other non-excavatable material must be taken into consideration when measuring clearance. Exemptions from the minimum clearances may be approved by the affected plant owners and the Public Works Department. Written consent from the affected plant owners is required, and a scaled detailed drawing of the existing and proposed plant clearances may be requested.

Utility / Object Type	Vertical	Horizontal
Hydro One Infrastructure	1000	1000
Severn Streetlight / Traffic Signal Conduits / Cables	300	600
Severn Streetlight / Traffic Signal Peds, Poles, and Vaults	**	1000
Enbridge Gas NPS 12 300mm and less – Open Cut	300	600
Enbridge Gas Vital Mains – Open Cut	600	1000
Enbridge Gas All Pipelines – Trenchless	1000	1000
Severn Pavement Structure, Curbs, and Sidewalks	1000	500
Severn Catchbasins, Maintenance Holes	**	500
Streetline / Property Line	**	300
Telecommunication Conduit and Cable (Bell, Rogers, Eastlink, Cogeco, Etc.)	300	600
Telecommunication Vital Main (Conc. Encased Conduit) (Bell, Rogers, Eastlink, Cogeco, Etc.)	600	600

Telecommunication Pedestals, Vaults and Maintenance Holes (Bell, Rogers, Eastlink, Cogeco, Etc.)	1000	1000
Railway Tracks and Related Infrastructure	1000	500
Water Distribution Pipes and Valves	300	750
Water Distribution Service Laterals and Curb Stops	150	600
Fire Hydrants Above Grade Plant	**	1200
Fire Hydrants Below Grade Plant	400	1500
Wastewater Collection Pipe and Maintenance Holes	300	750
Wastewater Collection Service Laterals and Cleanouts	150	600
Wastewater Collection Forcemain Pipe	500	900
Natural Watercourse / Large Diameter Culverts	**	900

Depth of Cover

All installations within the boulevard must be buried at least 1.0 metre below the lowest elevation of either the centreline of trench or the centreline of roadway. Installations within the pavement structure must be buried at least 1.2 metres below the lowest elevation of either the centreline of trench or the centreline of roadway. These depths are minimums and additional depth of cover may be required if necessary. Exceptions may be approved on a case-by-case basis if the Applicant is unable to meet the depth requirements, however, they must contact the Public Works Department prior to submitting the MC Application.

Plant may not be installed shallower than the minimum depths indicated without written consent from the Public Works Department.



All buried structures, such as vaults and chambers, must meet the minimum depth requirements, and any access must be designed so that only the access protrudes to the surface.

Structures with Surface Access

Any new buried structures which have surface access, with the exception of vaults where the structure roof is monolithic with the sidewalk or flush with the surrounding finish grade shall be constructed with the ability for fine adjustment of their elevation to accommodate future changes to surface grading and structurally designed for highway traffic loading.

Common Trenches

To make effective use of the limited space in the ROW, the Corporate Asset Management Department may request that utility companies planning installations in close proximity to one another, or to service the same customer, enter into an agreement to share a common trench.

Where the parties have agreed to construct in a common trench, one of the utility companies shall be designated as the Applicant for purposes of obtaining a MC, adherence to permit conditions, completion of restoration, billing process, and submission of as-constructed drawings. Common trenches shall be clearly identified, including the names of all participating utility companies, on both the application and the drawings.

Above-Ground Plant

Applications for work that include an above-ground Plant shall include consideration to reducing the negative visual impact to passing motorists, pedestrians and adjacent property owners while still allowing the Applicant to freely access and properly service the Plant and provide its services to its customers.



Applications shall describe the proposed aesthetic treatment which will be reviewed by the Public Works Department for suitability and potential impact. Examples of aesthetic treatments include but are not limited to: placement in locations of minimal visual impact; landscaping around the Plant; painting the Plant; decorative covers; placement of Plant behind existing physical features. The Applicant shall be responsible for the maintenance of any material aesthetic treatment such as paint or coverings to the satisfaction of Severn.

If the proposed location of the above ground Plant falls within the boundaries of the Business Improvement Area (BIA), the Applicant shall notify the BIA, in writing, and outline the nature of the work, clearly describing the size, appearance and location of the proposed above ground Plant. The notification must also include the Applicant's contact information. The Applicant is to ensure that any objections regarding the proposed Plant and its location are addressed prior to submitting the application. A copy of the notification shall be submitted with the application.

Lands Other than ROW's

Installations on Severn owned land other than ROW's require the prior approval of the department that has jurisdiction over that land. Any easement documents or licenses that may be required by Severn for work in these locations shall be submitted with the application.

Abandoned / Decommissioned Plant

The Applicant shall clearly identify all proposed removal or abandonment of Plant on the drawing. The utility company shall continue to be responsible and liable for all abandoned Plant and any issues that arise because of that abandoned Plant until such time that it has been completely removed from the ROW to the satisfaction of Severn. This responsibility shall include, but not be limited to, providing all available information for any abandoned or decommissioned Plant as part of the Applicant's response to any request for information by Severn.

During Severn reconstruction projects, Severn, in its sole discretion, may direct the Applicant to specify complete removal of all existing Plant and to be replaced in coordination with the project.

Pole Replacement

To ensure the timely removal of redundant poles, any application for the installation of a new pole which is intended to replace an existing pole shall clearly identify all poles to be removed.

The maximum time- period from the installation of the new pole until removal of existing pole and completion of restoration shall not exceed the term of the MC (12 months).

Inspection

The Applicant shall contact the designated inspector specified by Severn ROP prior to the start of works.

Non-Compliant Installations

Should any construction begin that is not in strict compliance with the conditions of the permit and this document the permit may be cancelled at the sole discretion of Severn.

Depending on the severity of the infraction, the issuance of new permits for some or all work by the same Applicant may be withheld or delayed, until the infraction has been addressed by the Applicant to the satisfaction of Severn.

Where a Plant is found to be installed without a valid permit and/or in a location other than that approved by the Public Works Department, the Applicant may be required to remove the Plant immediately, at its own expense.

Documents Required On-Site

The Applicant shall ensure that, as a minimum, copies of the following documents are kept onsite at all times and shall make these documents available for viewing immediately upon being requested to do so by to the Public Works Department or Municipal Law Enforcement:

- Approved MC and Approved Drawing('s)
- Road Occupancy Permit (ROP)

- Notification to BIA, where applicable
- Any documents required to be kept on-site under legislation

Trenchless Installations

Where the work is being undertaken using trenchless installation methods, preservation and protection of existing Plant shall be according to Ontario Provincial Standard Specifications.

Minimum horizontal and vertical clearances to existing Plant shall be maintained. Clearances shall be measured from the nearest edge of the largest back reamer required to the nearest edge of the facility being paralleled or crossed.

Existing underground Plant shall be exposed to verify its horizontal and vertical locations when the bore path comes within 1.0 m horizontally or vertically of the existing facility. Existing Plant shall be exposed by non-destructive methods. The number of pilot holes required to monitor

work progress and the proposed location of such pilot holes should be clearly depicted on the application drawing. All pilot holes and any other damage to the ROW infrastructure shall be restored as per the requirements of ROP By-Law.

Other Considerations

When the proposed works involves the removal or the replacement of a utility pole that is being utilized for Severn infrastructure including but not limited to street-lighting, traffic signals, parking signs, and public information signs, the Applicant shall coordinate with the Public Works Department for removal and replacement of Severn Owned infrastructure prior to submitting the application. The Applicant shall identify all Severn owned infrastructures being removed or relocated on the application drawing.



As-built Records

As-built Records shall ensure that all construction additions, deletions, and changes are accurately reflected in the final drawing. The records must be signed by a qualified person that is responsible for records accuracy. As-built Records must be submitted within 60 days of the completion of the work. The Applicant shall submit As-built Records electronically to municipalconsent@severn.ca

If the Applicant does not submit a compliant As-built Records within 60 days of project completion, Severn may, in its sole discretion, arrange for a locator and survey crew to identify, locate and prepare a drawing accurately depicting the location of the Applicant's infrastructure. All costs associated with this work shall be charged to the Applicant. The issuance of new permits may be withheld or delayed until the required As-built Records have been submitted.

The submitted As-built Records may be used for management of the ROW and for future designs. If the constructed Plant location differs from that shown on the As-built Records, the Applicant will be held 100 percent responsible, and shall absolve all other occupiers of the ROW of any responsibility for all damages, liabilities, relocation costs, redesign costs and subsequent delay costs resulting from the Applicant's failure to provide an accurate location certificate.