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Responsible Department:	Department of Public Works

PURPOSE

The purpose of this policy is to establish a systematic process for the provision of access to a parcel of land from a developed municipal road within the Municipal District of Fairview No. 136 (the “Municipality”). This policy will:

- Establish standards for the construction of approaches;
- Prescribe who will bear the costs of construction, upgrading, relocation or removal of approaches;
- Ensure that provision of access does not impede municipal surface water management networks; and,
- Aim to provide adequate access to parcels of land in a fiscally responsible, and equitable manner.

SCOPE

This policy applies to access approaches from rural developed gravel roads within the boundaries and jurisdiction of the Municipal District of Fairview No. 136. It does not apply to private driveways or accesses from municipal roadways or alleys within the boundaries of the Hamlets of Bluesky and Whitelaw.

DEFINITIONS

Council: means the duly elected Council members of the Municipal District of Fairview No. 136.

Municipality: means the Municipal District of Fairview No. 136.

1.0 Approach Installation

1.1 The Municipality will approve and install one (1) approach from a developed municipal road per parcel or part thereof, if the parcel is severed by a topographical feature, or by a developed municipal road.

2.0 Additional Approaches

2.1 A landowner may submit a written request to the Municipality for the construction of an approach in addition to the approach(es) constructed by the Municipality pursuant to section 1.1 herein.

2.2 Following receipt of a request for an additional approach, the Department of Public Works shall, in consultation with the Development Authority:

- (a) Inspect the proposed site to assess site suitability and determine scope of work, and
- (b) Approve or deny the request for an additional approach.

2.3 The Department of Public Works shall not approve a request for an additional approach if the approach:

- (a) Is unnecessary (ie. there is alternate means of access),
- (b) Has the potential to impede municipal surface water management,
- (c) Has the potential to impede maintenance of municipal infrastructure or impact the integrity of municipal infrastructure,
- (d) May pose a risk to public safety.

2.4 Due to operational and budgetary constraints, the Municipality will not be responsible for the construction of additional approaches. If the Department of Public Works approves an additional approach, the landowner shall be responsible for construction of the additional approach in conformance with municipal standards and shall be subject to section 8.0 herein.

3.0 Approach Standards

- 3.1 All new approaches constructed in Municipal road allowances shall conform to Municipal standards, unless otherwise approved by the Department of Public Works.
- 3.2 Approaches shall be constructed in accordance with the following:
- (a) Approaches must have a finished top 12 metres in width.
 - (b) The turning radius on shoulders shall be 15 metres.
 - (c) Approaches must be constructed to the same standard as the adjoining developed municipal roadway, with approaches having a minimum of 3:1 side slopes.
 - (d) Approaches must be constructed perpendicular (90° angle) to the adjoining developed municipal roadway.
 - (e) The length of culvert, if necessary, is dependent on the depth of the ditch and the width of the approach, taking into consideration the requirement to have a minimum of 3:1 side slopes.
 - (f) Approaches adjoining a developed municipal graveled roadway must be overlaid with a minimum of 13 tonnes of gravel, the specification of which is at the discretion of the Department of Public Works.
 - (g) Approaches shall meet minimum setback requirements from curves, bridges, intersections and other approaches as determined by the Municipality's Land Use Bylaw No. 876.
 - (h) Where deemed appropriate and beneficial, a shared access to agricultural lands shall be encouraged.
- 3.3 In addition to the requirements stated in section 3.2 herein, approaches shall be constructed in accordance with any specifications deemed necessary by the Department of Public Works.

4.0 Substandard Approaches

- 4.1 For existing approaches not conforming to Municipal standards, the landowner may submit a written request to the Municipality to upgrade the approach.
- 4.1.1 Requests to increase the width of an approach to the standard width specified in section 3 herein shall not be accepted by the Municipality.
- 4.2 Upon receipt of a written request to upgrade an approach to Municipal standards, the Department of Public Works shall:
- (a) Inspect the approach to assess its service life and determine scope of work,
 - (b) Approve or deny the request to upgrade the approach, and
 - (c) If approved, assign the approach a priority based on consideration of relevant factors including, but not limited to: life expectancy of the culvert (if any); surface water management; frequency of use; type of use; existence of alternative means of access; and, risk (if any) to health, safety or property.
- 4.3 Upgrading of approaches by the Municipality will be completed in accordance to assigned priority and will be subject to the operational and budgetary constraints of the Municipality.
- 4.4 In the event that the landowner undertakes the upgrading of an approach to conform to municipal standards, the landowner shall be subject to section 8.0 herein.

5.0 Relocation of Approaches

- 5.1 The Municipality, in its sole discretion, reserves the right to relocate an approach, for any reason whatsoever, including temporary approaches.

- 5.2 A landowner may submit a written request to relocate an approach. Upon receipt of a written request to relocate an approach, the Department of Public Works shall:
- (a) Inspect the approach and proposed relocation site to assess site suitability and determine scope of work, and
 - (b) Approve or deny the request to relocate the approach.
- 5.3 If a request for an approach relocation is approved by the Department of Public Works, the landowner shall be responsible for the construction of the approach at the approved location. The landowner shall ensure that the relocated approach is in conformance with Municipal standards and shall be subject to section 8.0 herein.

6.0 Temporary Approaches

- 6.1 A landowner, or other requestor, may submit a written request to the Municipality for the construction of a temporary approach.
- 6.2 Following receipt of a request for a temporary approach, the Department of Public Works shall:
- (a) Inspect the proposed site to assess site suitability and determine scope of work, and
 - (b) Approve or deny the request for the temporary approach.
- 6.3 The Municipality will not be responsible for the construction of temporary approaches. If the Department of Public Works approves a temporary approach, the landowner shall be responsible for construction of the approach in conformance with municipal standards and shall be subject to section 8.0 herein.
- 6.4 Temporary approaches shall not transfer ownership to the Municipality, or transfer to the control or authority of the Municipality except whereas explicitly agreed to by the Municipality, in writing.
- 6.5 The maintenance of temporary approaches shall be the responsibility of the owner of the approach, except maintenance undertaken by the Municipality for the purposes of surface water management or protection of municipal infrastructure. In such instances, the owner of the approach may be required by the Municipality to bear any and all costs incurred by the Municipality relating to maintenance performed.

7.0 Development and Subdivision Approaches

- 7.1 Pursuant to the provisions of the Municipality's Land Use Bylaw No. 876 and the authority of the Development Officer, a landowner may be required to:
- (a) Construct an approach (or upgrade an existing approach) to a development in accordance with an issued Development Permit or an executed Development Agreement; or,
 - (b) Construct an approach (or upgrade an existing approach) to a subdivision and to the balance the quarter.
- 7.2 In such instances, the landowner shall be responsible for construction of or upgrading of approach(es) to conform with municipal standards and shall be subject to section 8.0 herein.
- 7.3 The Municipality will not install or approve the installation of any approach to a parcel deemed to have unauthorized development occurring within its boundaries.

8.0 Approaches Constructed by Landowner

- 8.1 For all approaches constructed, upgraded or relocated by a landowner in a Municipal road allowance, the following shall apply:
- (a) Prior written approval shall be obtained by the landowner from the Department of Public Works.
 - (b) No approval shall be given without the landowner having provided evidence of adequate and current Worker's Compensation Board Coverage and Comprehensive General Liability Insurance coverage in an amount not less than two million dollars (\$2,000,000.00).

- (c) Work shall not be commenced without the landowner having obtained all necessary utility locates and applicable approvals from third parties and submitted the same to the Municipality.
- (d) All associated costs shall be assumed by the landowner including, but not limited to: culvert (at the width, length and specification determined by the Department of Public Works), material, equipment and manpower.
- (e) Upon completion, the Department of Public Works shall inspect the approach to ensure that the approach conforms to Municipal standards. If in conformance to Municipal standards, the approach will transfer to the authority and control of the Municipality (with the exception of temporary installations). If not in conformance, the landowner shall be required, at the Municipality's direction, to perform the necessary work required to ensure conformance.

9.0 Unapproved Approaches

- 9.1 The Municipality, in its sole discretion, reserves the right to remove unapproved approaches.
- 9.2 Proposed removal of unapproved approaches shall be referred to Council for approval.
- 9.3 Landowners may be required to bear any and all costs incurred by the Municipality in the removal of unapproved approaches and subsequent restoration of Municipal road allowance.

10.0 Removal of Approaches

- 10.1 The Municipality in its sole discretion, reserves the right to remove an approved approach that:
 - (a) is unnecessary;
 - (b) impedes surface water management;
 - (e) poses a risk to public safety; or,
 - (f) impedes the maintenance of or integrity of municipal infrastructure.
- 10.2 It is within the authority of the Department of Public Works to approve the removal of an approach pursuant to section 10.1 herein.
- 10.3 In the event that an approach is removed pursuant to section 10.1 herein, the Municipality shall be responsible for any and all costs associated with removal and subsequent restoration of the Municipal road allowance, if deemed necessary.

DOCUMENT HISTORY

Action	Date
Renamed and Revised as Policy TRN04 - Approaches	December 12, 2023
Approved as Policy #32-A-2 – “Approach Policy”	January 28, 2014