

<b>POLICY NO:</b>	PD 003
<b>POLICY TITLE:</b>	ACCESS ROADS
<b>DEPARTMENT:</b>	PLANNING & DEVELOPMENT
<b>APPROVAL DATE:</b>	23-02-99 (February 9, 1999)
<b>REVISION DATE:</b>	11-05-01; 14-01-12; 57-03-12; 75-06-13; 48-02-15 ( February 24, 2015) ; 2016-04-05
<b>REVIEW DATE:</b>	(April 12, 2016)

**Policy Statement:**

The County of Vermilion River considers planning for the immediate and long term future of roads in the County a priority. Road widening and/or upgrading of a specific road may not seem imminent or likely for the foreseeable future. However, the County has a responsibility to its current and future ratepayers to ensure that adequate infrastructure is in place to service their needs. The County of Vermilion River does recognize the burden placed on the initiating developer for road upgrades and the County will endeavour to assist developers recover costs for road upgrades where appropriate.

**Purpose**

To provide a safe, efficient and effective road network.

**Policy:**

Whereas current legislation makes provision for a municipality to require a Developer to provide road widening and/or upgrading at no cost to the County's ratepayers.

The County of Vermilion River may require road widening and/or upgrading as a condition of subdivision or development approval which is provided under Section 650 and/or Section 651, Section 661 and 662 of the *Municipal Government Act (MGA)*. Where current legislation makes provision for the Developer to provide road widening and/or upgrading at no cost to the County's ratepayers. Many existing conventional right-of-ways in the County are 20 m (66 ft) which are insufficient in common situations. Further it is the County's long-term objective to ensure all developed and undeveloped road allowances, when identified, are widened to be consistent with the County's Policy PD-014 being the General Municipal Servicing Standards (GMSS).

The County is not obligated to provide, build or upgrade an access road to any parcel or ¼ section of land.

Where this policy states that: “a Developer shall be responsible for the provision of upgrades to road infrastructure as required by the County, at no cost to the County” it may be implied that where feasible and appropriate, the County will endeavor to assist in the recovery of a portion of infrastructure costs incurred by the developer at the sole discretion of Council.

1. In order to facilitate the acquisition of land for future road widening and ensure that roads comply with the current road specifications, at the least possible cost to county ratepayers, it is prudent to assess the need to require road dedication, widening and/or upgrading under the following circumstances:
  - a. the Subdivision Authority approves a subdivision application; or
  - b. the Development Authority approves a development permit application.
2. Over time, as subdivision and development permit applications are approved, in compliance with the County’s Municipal Development Plan and Land Use Bylaw, along adjacent road right-of-way, the requirement for road widening and/or upgrading for each application will ultimately facilitate the road dedication/widening to be consistent with the County’s GMSS (PD-014) including widths and specifications. Where land(s) for road widening have not been acquired along the entire length of the road allowance identified for improvement, the developer at his/her cost will be required to acquire the necessary lands to complete the road improvement.
3. The County may endeavour to assist the developer required to pay for road upgrade costs, in their entirety, by holding an agreement on a defined road. All other applicants required to contribute to the original cost of the upgrade will not have a claim for any reimbursement of their contribution. The agreement will state:
  - a. When a subsequent or new development requires the use of all or a portion of a road which is subject to an endeavour to assist clause, the County will endeavour to assist the initiating developer to recover a portion of the costs:
    - i there will be no depreciation of the road cost over time; and
    - ii at the end of fifteen (15) years of road’s completion there will be no cost recovery for the initiating developer; and
    - iii the County will not be responsible for any recovery that has not materialized due to lack of development during the specified cost recovery period.
  - b. For the purposes of this agreement, development shall only entail an application that will substantiate the ‘main use’ (as defined in the current County of Vermilion River Land Use Bylaw) of the land, an application for a change in use that will produce additional traffic on the existing roadway OR subdivision of lands that will access the roadway.
  - c. Each application for development shall be assessed on a case-by-case basis by the County in order to determine the additional traffic impact associated with the development and the portion of cost to be reimbursed as approved by the Development Authority.
  - d. The developer shall be required to provide surety as outlined in the County’s policy AD-021 and accompanied by a development agreement.
4. The Subdivision or Development Authority may also require additional information in order to assess the conformity of the proposed subdivision or development as granted to them under Municipal, Provincial and Federal regulations. The Additional information may be associated

with determining costs for construction or improving of municipal infrastructure required to service the proposed subdivision or development.

The County of Vermilion River shall determine the source of funding (cost share) for all or portion of any approved endeavour to assist projects, at the time the project is considered.