

THE CORPORATION OF THE MUNICIPALITY OF SOUTH BRUCE BY-LAW 2021-60

BEING A BY-LAW to adopt an Entrance Policy and Permit to provide for entrances onto Municipal Roads and Streets in the Municipality of South Bruce.

WHEREAS Section 102, of the Municipal Act, RSO 1990, as amended, directs Councils of Municipalities to pass by-laws and make such regulations for the health, safety, and welfare of the inhabitants of the municipality in matters not specifically provided for by this Act;

AND WHEREAS the Council of the Municipality of South Bruce deems it expedient to adopt a policy that would provide for the safe and sound entrances on its municipal roads and streets;

NOW THEREFORE the Council of the Municipality of South Bruce enacts as follows:

1. That the Policy attached as Schedule "A" be adopted and becomes part of this by-law;
2. That the "ENTRANCE PERMIT" attached forms part of this by-law;
3. That this by-law hereby repeals By-law #2001-32; and
4. That this by-law be cited as the "Entrance Permit By-law" and comes into force and effect upon passing.

THAT THIS BY LAW BE ENACTED, SIGNED AND SEALED THIS 13th DAY OF July, 2021.

Original Signed

Robert Buckle, Mayor

Original Signed

Leanne Martin, CAO/Clerk

SEAL.



MUNICIPALITY OF SOUTH BRUCE

Entrance Policy

Department: Public Works

Prepared by: Jamie Morgan, Operations Manager

Management Review: Leanne Martin, CAO/Clerk

Council Approval: July 13, 2021

Revised:

Purpose:

The safe use of Municipal roads requires control of the construction of entrances onto Municipal roads. The following policy governs as a guideline to control the safety and efficiency of access onto Municipal roads.

The Public Works Department shall consider the following criteria when reviewing all applications for new entrances or alterations to entrances:

- a) All entrances onto Municipal roads shall be under the control of the Public Works Department. New installations and alterations shall conform to this policy and be completed according to standards. All costs shall be borne by the owners.
- b) Protection of the public through the orderly control of traffic movements onto and from Municipal roads.
- c) Maintenance of the traffic carrying capacity of the Municipal road network.
- d) Protection of the public investment in Municipal road facilities.
- e) Minimizing Municipal expenditures on maintenance of private entranceways.
- f) Providing legal access onto Municipal roads from adjacent private property.

Entrance Permits are Required for:

- Construction of a new entrance
- Changing the design of an existing entrance
- Changing the location of an entrance
- Construction of a temporary entrance

Entrance Classifications:

Field Entrance – Provide access to agricultural fields.

Farm Entrance – Provide access to farm buildings and agricultural lands.

Residential Entrance – Provide access to residential facilities of four units or less.

Commercial/Industrial/Institutional Entrance – Provides access to a business where goods or services are manufactured or sold to the public and includes residential facilities of five or more units.

Temporary Entrance – Provide access to properties for a limited period not to exceed one year for the purpose of construction, repairs or improvement on that property or to facilitate a staged development.

Emergency Access – Provide access to subdivision, commercial, industrial developments for emergency vehicles ONLY, in the event that the main access to the development is not passable as requested by emergency services. Adequate measures are to be incorporated in the emergency access to prevent (adequately discourage) use by private residents, delivery vehicles or pedestrians.

Public Entrance – Provide access onto a Municipal road from a registered subdivision by means of a public road or street.

Alteration – When the resident proposes changes to their existing entrance, such as to be widened.

Building Permits:

No building permits shall be issued by the Chief Building Official for a new or relocated building or structure prior to receiving a copy of the approved permit.

Location of Accesses:

The proposed access location is to be clearly illustrated on a sketch which is to accompany the application for an access permit. The sketch must provide appropriate information to enable staff to locate it in the field (i.e. dimensions to buildings and/or landmarks like fences, hedgerows and tree lines, etc.). The proposed location must be identified with stakes.

The Municipality may restrict the placement of an access onto the Municipal road in the interest of public safety. New accesses must be located as to provide, in the opinion of the Operations Manager:

- a) No undue interference with the safe movement of public traffic, pedestrians or other users of the highway.
- b) Favourable vision, grade and alignment conditions for all traffic using the proposed access to the Municipal road.

Entrances **will not be permitted** at the following locations:

- a) Where access can reasonably be gained via a Town, Village or Municipal right-of-way.
- b) Along a lane which is identified for the purpose of an exclusive vehicular turning movement.
- c) In close proximity to intersections and bridges.
- d) No access will be permitted on truck climbing, acceleration or deceleration lanes.
- e) Where the following minimum sight distance requirements are not met:

Posted Speed (km/hr)	Minimum Sight Distance (m)
50	120
60	140
70	160
80	180

Sight distance shall be measured from eye height of 1.05 metres measured 3.0 metres from outer edge of the traffic lane to an object height of 1.3 metres above the roadway surface.

An entrance adjacent to a bridge or other structure which may interfere with the clear vision of traffic using the entrance must be located as follows:

- a) A Commercial entrance in an area where the speed limit is 80 km/hr or more must be located at least 145 metres (475 feet) from the end of the deck of the bridge or from the nearest part of the structure which actually interferes with the clear vision of traffic using that entrance.
- b) A Residential, Farm or Field entrance in an area where the speed limit is 80 km/hr or more must be located at least 30 metres (100 feet) from the end of the deck of the bridge or from the nearest part of the structure which actually interferes with the clear vision of the traffic using that entrance.

In areas where the speed limit is less than 80 km/hr, the Operations Manager may restrict the location of an entrance to that distance from the bridge or other structure as deemed advisable.

Sign Requirements:

If in the opinion of the Road Authority a sign such as hidden driveway or concealed driveway is required for new entrances, all costs associated with the purchase and erection of such sign shall be the responsibility of the owner, and may be deducted from the deposit.

Number and Width of Accesses:

It will be the policy of the Public Works Department to:

- a) Limit the width of accesses to discourage the construction of entrances wider than that required for the safe and reasonable use of the entrance. Typically, Residential, Farm or Field entrances will have a maximum width of 9.0 metres and Commercial entrances will have a maximum width of 11.0 metres.
- b) Limit the number of accesses to a property to the number required for the safe and reasonable access to the Municipal road and in general conformity with the following, at the discretion of the Operations Manager:
 - Residences – One per property
 - Farm Buildings – One per farm
 - Farm Entrance – Minimum one field entrance per farm with additional field entrances where natural obstructions within the field prevent reasonable access across the field.
 - Commercial/Industrial Entrances – Maximum two with a minimum spacing of 30 metres between entrances and/or subject to County official plan.

Construction Requirements:

a) Entrance Grade

The finished surface of the access must drop away from the edge of the roadway driving surface to the end of the shoulder rounding at a rate equal to the slope of the shoulder. For a distance of 5.0 metres beyond the shoulder rounding, the slope of the access is not to exceed 3%.

b) Field Entrance

Shall be surfaced with at least 150 mm (6") crushed gravel or Granular "A" and where a culvert is required, its length must be sufficient to provide a 2:1 slope up from the ditch invert to an entrance width of 6.0 metres. A minimum cover on the culvert is to be 300 mm (12").

c) Farm or Residential Entrance

Shall be surfaced with a minimum of 150 mm (6") crushed gravel or Granular "A". Where a culvert is required, its length must be sufficient to provide a 2:1 slope up from the ditch invert to an entrance width of 9.0 metres. A minimum cover on the culvert is to be 300 mm (12").

d) Commercial/Industrial/Institutional Entrance

Shall be surfaced with hot mix asphalt and where a culvert is required, its length will be dictated by the entrance design which will be site specific, having regard for number and type of vehicles expected to utilize the entrance. Turning lanes and right turn tapers may be required depending on the site traffic requirements. A minimum cover on the culvert is to be 300 mm (12").

e) Curbs and/or Headwalls

No curb or headwall can extend above the surface of the roadway shoulder within the limits of the shoulder and its rounding. All curbs and headwalls are constructed at the sole expense and risk of the applicant.

f) Culvert

If a culvert is required, the culvert shall be a minimum 15" (at the discretion of the Operations Manager) new Corrugated Steel Pipe (CSP) or High-Density Polyethylene Pipe (HDPE) double wall or approved equivalent. Used culvert pipe is not acceptable and will be removed at applicant expense. A minimum cover on the culvert is to be 300 mm (12").

g) Curb and Gutter

Where curb and gutter exists at the location of the proposed entrance, the applicant will be required to construct a drop curb at the entrance location. The existing curb shall be cut or removed and replaced using materials and construction methods acceptable to the Operations Manager.

The area between the curb and sidewalk is to be paved with hot mix asphalt, concrete or paving stones, in accordance with the Municipality's requirements. If there is no sidewalk, the entrance is to be paved a distance of two metres behind the curb.

h) Temporary/Emergency/Public Entrance

The design and construction of temporary/emergency and public entrances must be submitted to, and approved, by the Municipality and an access permit issued prior to work commencing on the entrance within the limits of the road allowance of a Municipal road or any works related to said entrance.

Existing Entrances:

All existing entrances having access to a Municipal road which have been legally in existence prior to the release of this standard, are allowed to remain for their present land use unless changes to those entrances are being proposed or required as a result of land use development.

However, the standards outlined in this policy apply:

- a) To all new access connections.
- b) When a change in use or upgrade of an existing access (i.e. Farm/Field to Residential) is being carried out.

Where the Municipality has previously issued permits for new or modified entrances, the permits will be honoured.

Where the Municipality has endorsed development (i.e. site plan, plan of subdivision, etc.) will be honoured with permits issued as soon as any outstanding requirements have been resolved.

Maintenance of Entrances:

Property owners having access to a Municipal road are fully responsible for the maintenance of the access including the removal of snow and ice and keeping the portion of the access within the right-of-way in a safe condition for vehicular traffic.

Each entrance to a Municipal road must be designed, constructed and maintained in a manner that will prevent surface water from the entrance-way or from the adjoining property being discharged via the entrance onto the travelled portion of the highway.

In the event that Municipal forces are required to perform maintenance to an entranceway, the Municipality will only replace the surface with gravel or hot mix asphalt, as appropriate. The Municipality will not install concrete, brick, etc. If the applicant wishes to reinstall concrete or brick, etc. the Municipality will pay (after installation) the equivalent of the cost of paving. Maintenance activities may include and not limited to, culvert replacement or construction activities on the Municipal roadway.

Administration:

a) Permit Fee and Refundable Deposit

The refundable deposit and permit fee shall be collected prior to issuance of the permit. The deposit shall be refunded to the applicant upon acceptance of the entrance by the Public Works staff, less any amounts expended to bring the entrance up to Municipal standards.

b) Installation of the Entrance

The entrance shall be installed by the applicant, at the applicant's expense, to the specification outlined on the permit and in accordance with Municipal standards. In

the event an installation does not meet Municipal standard and the applicant refuses to make necessary repairs, the Municipality reserves the right to remove the improper entrance at the applicant's expense.

c) Compliance of Requirements

Where an applicant fails to comply with the requirements or provisions of this by-law, the Municipality may recover the expense by requesting that the Treasurer include any part of these fees and charges incurred by the Municipality to the tax roll pursuant to the provisions of section 398 and 446 of the *Municipal Act, 2001*.

d) Inspection of the Entrance

The installation of the entrance will be inspected by the Municipality after completion by the applicant and once approved the deposit will be refunded. It shall be the applicant's responsibility to call the Municipality for an inspection of the entrance installation, once it has been completed.

e) Cancellation of Permit

Where the entrance has not been constructed and accepted by the Municipality within **one year** of the date of the permit, then the permit shall be cancelled and the refundable deposit shall be forfeited.

Where the applicant has decided to withdraw their entrance application, only the refundable deposit will be refunded.

f) Renewal of Permit

An entrance permit may be renewed for an additional **six-month** period. An application shall be filled out for the renewal and another application fee paid to the Municipality. A second permit will be issued. The deposit fee shall be carried forward to the second permit.

Entrance Requirements - OFFICE USE ONLY:

Top Width: _____ Surface Type: _____

Culvert required? Yes No

Length of Pipe: _____ Diameter of Pipe: _____ Pipe Type: _____

Depth of fill over culvert: _____

Other Information/Requirements: _____

Fees:

**Refundable Deposit fee: \$600.00 Date Received: _____

Inspection fee: \$75.00 Date Received: _____

Approval:

Approved Denied Reason: _____

Date: _____ Authorized Signature: _____

Comments

Driveway Inspection Date: _____

Driveway Inspector Signature: _____

Date Refunded: _____ **Amount Refunded:** _____

**Refund upon approval of the entrance installation, less amount expended by the Municipality to bring entrance to Municipal standards. Where the entrance has not been constructed and accepted by the Municipality within one year of the date of the permit, then the permit shall be cancelled and the refundable deposit shall be forfeited.