

COUNTY OF OXFORD

BY-LAW NO. 5222-2010

**BEING a By-law to Regulate the Approval, Construction and Maintenance of Entrances Providing Access to and Egress from Roads within the County Road System in the County of Oxford.**

**WHEREAS**, it is in the public interest to ensure the safe and orderly access to the *County Road System* consistent with the safety, functional and operational requirements of public roads and the accessibility needs of the adjacent land uses;

**AND WHEREAS**, the *Municipal Act 2001* provides that Council may pass by-laws for such purposes;

**AND WHEREAS**, the *Municipal Act 2001* also provides that the County of Oxford

- has jurisdiction over all roads in the *County Road System*,
- may pass by-laws restricting, or removing, the right of access to the *County Road System*, and
- has the power to delegate its powers and duties with respect to the matters addressed in this By-law.

**AND WHEREAS**, the County of Oxford Official Plan establishes the *County's* transportation policies and provides for the use of access by-laws to regulate the number, location, spacing and function of driveways providing access to and egress from abutting properties;

**AND WHEREAS**, the County recognizes the need to establish differing levels of access control to recognize the range of characteristics of roads under the County jurisdiction while ensuring minimum traffic safety design and construction standards are maintained throughout the *County Road System* for the protection of the travelling public;

**NOW THEREFORE**, the Council of the County of Oxford enacts as follows:

**1. Definitions**

For the purposes of this by-law:

"*County*" means the County of Oxford;

"*County Road System*" means the system of *County roads* established under County of Oxford By-law 4167-2001 as amended, and including duly approved changes to the *County Road System* by future amendments to that By-law as depicted in Schedule C-4 of the County of Oxford Official Plan;

"*County Road*" means a common and public Highway, and includes any street, avenue, parkway, driveway, square, place, bridge, laneway, viaduct, trestle or other structure forming part of the Highway, or any other type of thoroughfare or road allowance under the jurisdiction of the County of Oxford as a part of the *County Road System*, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof and, except as otherwise provided, includes a portion of a Highway. It has the same meaning as "Highway" as defined in the *Municipal Act 2001* or the *Highway Traffic Act 1990* or both;

"*Director*" means the director of Public Works, County of Oxford or a designate authorized by the director to issue *entrance permits* pursuant to this by-law;

"*Entrance*" means physical vehicular or pedestrian access of any kind from a private property to a *County Road* and includes, without limit, the types of entrances identified and defined in section 1 of The Guidelines for Entrances to the County Road System - Tiered Access Control Standards;

"*Entrance Permit*" means a permit, as issued by the *Director*, County of Oxford, to establish an *Entrance* to a *County Road* from a property abutting a *County Road* ;

"*local municipality*" means one of the lower tier municipalities comprising the County of Oxford; being the City of Woodstock, the Town of Ingersoll, the Town of Tillsonburg, the Township of Blandford-Blenheim, the Township of East Zorra-Tavistock, the Township of Norwich, the Township of South-West Oxford or the Township of Zorra;

"*municipal law enforcement officer*" means a duly authorized person appointed by the County of Oxford for the purpose of enforcing the provisions of municipal by-laws;

"*roadway*" means the part of the *County Road* that is improved, designed or ordinarily used for vehicular traffic but does not include the shoulder and where a *County Road* includes two or more separate *roadways*, the term "*roadway*" refers to any one *roadway* separately and not to all of the *roadways* collectively;

## **2. No Access to County Roads without Permit**

No person shall create, construct or otherwise establish an *Entrance* to a *County Road* without first obtaining an *Entrance Permit*.

## **3. No Alteration to Entrance without Permit**

No person shall in any way alter the design, construction, location or use (e.g. any change requiring an Official Plan or Zone Change under the Planning Act) of an existing *Entrance* without obtaining an *Entrance Permit*. Approval of changes of use only will be dealt with through the Planning Act process.

## **4. Construction, Alteration in Accordance with Permit**

No person shall construct an *Entrance* or carry out alterations to an existing *Entrance* except under the terms and conditions of an approved *Entrance Permit* issued in accordance with this By-law, and the criteria and standards set out in The Guidelines for Entrances to the County Road System - Tiered Access Control Standards.

## **5. Maintenance of Entrances**

All *Entrances* shall be maintained in accordance with the criteria and standards set out in The Guidelines for Entrances to the County Road System - Tiered Access Control Standards and the terms and conditions of the approved *Entrance Permit*.

## **6. Costs**

a) The owner or the applicant shall be responsible for all costs associated with the construction, alteration or maintenance of any *Entrance* providing access to or egress from their property to a *County Road*.

b) Notwithstanding S. 6a), where an existing first or only *Entrance* contains a culvert, the provisions of S.6 c) to The Guidelines for Entrances to the County Road System - Tiered Access Control Standards shall apply.

## **7. Delegation of Council Authority**

- a) The Council for the County of Oxford delegates the authority for all decisions pertaining to the implementation of this By-law to the *Director*.
- b) The *Director* shall have the exclusive authority to approve with or without terms and conditions, remove, and take any and all steps necessary to ensure the safe operation and the proper design, construction, alteration and maintenance of *Entrances* onto *County Roads*, in accordance with this by-law and the approved *Entrance Permit* and/or the criteria and standards set out in The Guidelines for Entrances to the County Road System - Tiered Access Control Standards.
- c) In the event of a dispute between the *Director* and an owner or applicant which cannot be resolved to their mutual satisfaction, the aforesaid owner or applicant may bring the application to the Council for the County of Oxford.
- d) Where the *Director* is satisfied that contravention(s) of one or more provisions of this By-law, or any terms or conditions of any *Entrance Permit* issued under this By-Law, has occurred, the *Director* is authorized to apply the enforcement and penalty provisions of section 9 of this By-law.

## **8. Exemption: Planning Act Approval**

a) Where a proposed new entrance or entrances are shown on an application for plan of subdivision, plan of vacant land condominium, consent or site plan approval which is submitted for approval pursuant to the requirements of the *Planning Act*, R.S.O.1990, c.P.13, as amended, and where such entrance or entrances are approved as part of the foregoing application process, and where such application is approved pursuant to the requirements of the Act, such new entrance or entrances shall, subject to subsections b) and c) below, be exempt from the requirements of section 2, 3 and section 4 of this By-law.

b) Notwithstanding, a) above, entrances which form part of applications for site plan approval pursuant to section 41 of the *Planning Act* are only exempt from the requirements of section 2,3 and 4 of this By-law if

- the entrance has already been presented in an application, and approved, in the context of consent or draft plan of subdivision/draft plan of vacant land condominium approval process under the *Planning Act*; or
- the entrance/access issue has been addressed to the County's satisfaction in the site plan drawings and/or conditions of site plan approval as approved by the municipality pursuant to section 41 of the *Planning Act*. Where the County is not satisfied with such an entrance/access, the matter shall be referred to County Council for decision.

c) Notwithstanding, a) above, a further approval must be sought pursuant to section 4 of this By-law prior to any alteration to any entrance or entrances approved as part of an application under the *Planning Act*.

## **9. Enforcement and Penalty Provisions**

a) The provisions of this by-law shall be enforced pursuant to the provisions set out in the *Provincial Offences Act*. The provisions of this by-law shall be enforced by a police officer or by the County of Oxford.

b) Any person who creates, constructs, alters or otherwise establishes an *Entrance* onto a *County Road* without first obtaining an *Entrance Permit*, other than a person who is exempt from the requirement to obtain an *Entrance Permit* by operation of section 8 of this By-law, or who contravenes any terms and conditions of any *Entrance Permit* or the provisions of this By-law or its Schedule, is guilty of an offence and upon conviction shall be subject to a fine, exclusive of costs and all such fines shall be recoverable under the provisions of the Provincial Offences Act.

c) If any person creates, constructs, alters or otherwise establishes an *Entrance* onto a *County Road* without first obtaining an *Entrance Permit*, or who contravenes any terms and conditions of an *Entrance Permit* or otherwise fails to comply with this By-law including The Guidelines for Entrances to the County Road System - Tiered Access Control Standards, the *Director* may:

- i) Issue one or more work orders pursuant to Section 445 of the *Municipal Act, 2001* requiring that person to correct such contravention or contraventions; and
- ii) In the event of failure to comply with the work order within the timeframe specified in the order, take any remedial action and related cost recovery actions to complete the work required under the order at that person's expense pursuant to section 446 of the *Municipal Act, 2001*.

**10. The Guidelines for Entrances to the County Road System - Tiered Access Control Standards- Criteria and Standards for Entrances to County Roads**

a) The Guidelines for Entrances to the County Road System - Tiered Access Control Standards, as amended from time to time, establishes, either directly or by reference to other documents, criteria and standards applicable to the decisions on *Entrances* to *County Roads* under this By-law.

b) The location, design, number and width of *entrances* onto *County Roads* and the maintenance thereof, shall be regulated in accordance with the criteria and standards contained in The Guidelines for Entrances to the County Road System - Tiered Access Control Standards.

c) the application requirements and fees for *Entrance Permits* and *Entrance* installation and inspection shall be in accordance with the criteria and standards contained in The Guidelines for Entrances to the County Road System - Tiered Access Control Standards.

**11. Amendments to By-law, The Guidelines for Entrances to the County Road System - Tiered Access Control Standards**

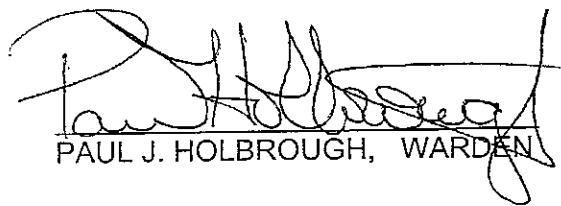
This By-law and The Guidelines for Entrances to the County Road System - Tiered Access Control Standards shall be reviewed from time to time and amended, as required, by the Council of the County of Oxford.

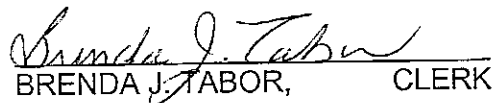
12. Validity

If any section, clause or provision of this By-law, and anything contained in The Guidelines for Entrances to the County Road System - Tiered Access Control Standards, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than the section, clause or provision declared invalid; and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force and effect until repealed.

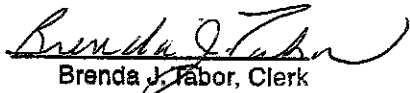
READ a first and second time this 24<sup>th</sup> day of November, 2010.

READ a third time and finally passed this 24<sup>th</sup> day of November, 2010.

  
PAUL J. HOLBROUGH, WARDEN

  
BRENDA J. TABOR, CLERK

I hereby certify this to be a true copy of  
County of Oxford By-law No. 5222-2010

11/26/10   
Date Brenda J. Tabor, Clerk

## **GUIDELINES FOR ENTRANCES TO THE COUNTY ROAD SYSTEM – TIERED ACCESS CONTROL STANDARDS (“GUIDELINE”)**

### **1. Purpose**

a) The purpose of this Guideline is to set out the criteria and standards for implementing a tiered approach to the approval, construction, alteration and maintenance of *Entrances* providing access to roads within the *County Road System*, in accordance with By-law 5222-2010 (The By-law) as amended.

b) The Guideline, and the standards and criteria set out herein, take into account the differing nature of the roads within the County Road System. While sharing the common characteristic of being arterial roads, County Roads have differing safety and other requirements depending on whether or not they are rural or urban, within or outside *Settlements*, and therefore subject to corresponding higher or lower speed limits. While no guideline can specifically address all possible circumstances, the Guideline is designed to provide clear direction to applicants and approval authorities applicable to a range of circumstances. The Guideline also serves to establish certain necessary minimum standards required in order to maintain overall traffic safety and mitigate/reduce the significant liabilities that attach to the County as decision maker with jurisdiction over the safe operations of the County Road System.

c) The primary purpose of *Entrances* to *County Roads* is to provide safe and orderly access consistent with the functional and operational requirements of *County Roads* and the accessibility needs of the adjacent land uses. Decisions on each application for a proposed *Entrance* will be made with due consideration to the nature of the conditions and circumstances in the vicinity of the proposed entrance. Factors to be considered include location (including whether the Entrance is to be located within a *Settlement* area or a rural area), the speed limit on the particular section of road, the geometry of the road and the adjoining geography; existing built development in the immediate surroundings; and the number and density of existing *Entrances*.

d) There is a direct correlation between the number of entrances on a road and the number of collisions on that road. Each additional entrance potentially increases the risk of collision and reduces the safety of the motoring public. In implementing the By-law, it is the County’s objective to evaluate all proposed new *Entrances* in accordance with criteria and standards pertaining to location, design, maintenance, number and width with a view to minimizing risk to the public.

e) Pursuant to Sections 2, 3, 4 and 8 of the By-law, new *Entrances* and alterations to existing *Entrances* shall conform to and be completed in accordance with the following criteria and standards.

### **2. Definitions**

In addition to the definitions contained in the By-law, the following definitions shall apply to this guideline:

“*Agent*” means a person or business or corporation acting on behalf of and with the permission of the *Owner*.

“*Applicant*” means the person, business, corporation or Municipality applying for the *Entrance* Permit. An *Applicant* may be the *Owner* or an *Agent* of the *Owner*.

“*Commercial/Industrial/Institutional/Multi-residential Entrance*” means an entrance which provides access to a business, institutional facility or multi-residential use permitted in the zoning By-law.

“*Common Entrance*” has the same meaning as “*Mutual Entrance*”

“*Culvert*” means an open-ended underground pipe, conveying surface storm water across a *County Road* (“*Highway Culvert*”) or across an entrance (“*Entrance Culvert*”).

“*Sight Triangle*” means the triangular space formed by the street lines and a line drawn from a point on one street line to a point drawn on the other street line, each such point being nine (9) metres, measured along the street line from the point of intersection of the street lines.

“*Emergency Entrance*” means an *Entrance* which provides access to subdivision developments for emergency vehicles only, in the event that the main entrance to the development is not passable.

## Guidelines For Entrances To The County Road System

“*Farm Entrance*” means an *Entrance* which provides access to farm buildings and agricultural lands including any residence(s) located on the same property.

“*Field Entrance*” means an *Entrance* which provides access to agricultural fields.

“*Mutual Entrance*” means an *Entrance* which serves more than one lot or more than one use on a single lot such as a farm business, campground or commercial use with an accessory residence.

“*OPSD*” means the Ontario Provincial Standard Drawing from the Ontario Provincial Standards for Roads and Public Works, <http://www.ragsa.mto.gov.on.ca/techpubs/ops.nsf/OPSHomepage>

“*OPSS*” means the Ontario Provincial Standard Specification from the Ontario Provincial Standards for Roads and Public Works, <http://www.ragsa.mto.gov.on.ca/techpubs/ops.nsf/OPSHomepage>

“*Owner*” means any persons, business, corporations or Municipality(s) that owns or has an interest in the property that is the subject of the *Entrance* Permit Application.

“*Public Entrance*” means an *Entrance* which provides access onto a *County Road* from a registered subdivision by means of a public road or street

“*Residential Entrance*” means an *Entrance* which provides access to a residential dwelling containing no more than two units.

“*Rural Cross-section*” means a road cross section comprising the *Roadway* bounded by shoulders and ditches on either side. A *Rural Cross-section*, while normally found outside *Settlements*, may also be found within *Settlements*.

“*Settlement*” means the area where development is concentrated and a variety of land uses may be present. *Settlements* only include designated Rural Clusters, Villages, Serviced Villages and Large Urban Centres as defined in the County of Oxford Official Plan.

“*TAC Guide*” means the Transportation Association of Canada’s Geometric Design Guide for Canadian Roads, as amended.

“*Temporary Entrance*” means an *Entrance* which provides access to properties for a limited period not to exceed six months for the purpose of construction, repairs or improvement on that property or to facilitate a staged development.

“*Urban Cross-section*” means a road cross-section comprising the *Roadway* bounded by curbs or curb and gutter on either side. . An *Urban Cross-section*, while normally found within *Settlements*, may also be found outside *Settlements*.

### **3. Permit Required**

Pursuant to Section 2 of the By-law, and except as exempted by section 8 of the by-law, *Entrance Permits* are required for:

- i) Construction of a new *Entrance* (paved or unpaved),
- ii) Changing the design of an existing *Entrance*,
- iii) Changing the location of an existing *Entrance*,
- iv) Changing the use of an existing *Entrance* (e.g. from residential to commercial) and/or,
- v) Construction of a *Temporary Entrance* or the use of any part of the *County Road* right-of-way as a means of temporary access.

# Guidelines For Entrances To The County Road System

## **4. Location of Entrances**

a) New entrances shall be located so as to provide, in the opinion of the *Director*:

- i) No undue interference with the safe movement of vehicular traffic, pedestrians, or other users of the *County Road*; and
- ii) Safe and convenient vision, grade, and alignment conditions for all traffic using the proposed *Entrance* to the *County Road*.

b) New entrances will not be permitted where one or more of the following criteria are met:

- i) Where access can reasonably be gained via a City, Town, Village, or Township right-of-way, with consideration given to the traffic volumes and the roadway geometrics;
- ii) Along a lane that is identified for the purpose of an exclusive vehicular turning movement;
- iii) Within the *Sight Triangle* at any intersection;

iv) Within 20 metres centre to centre of another same-side entrance in areas outside of *Settlements* with rural cross-sections;

v) Where the new *Entrance* would oppose the non-through leg of a “T” intersection, except where the new entrance is a *Public Entrance* or a *Commercial, Industrial, Institutional, Apartment or Multi-residential Entrance*;

vi) In areas within a *Settlement*, at locations with an *Urban Cross-section* where the proposed *Entrance* cannot be spaced away from adjacent *Entrances* at a sufficient distance to provide a minimum length of 2 metres of raised curb between adjacent *Entrances*, with the exception of mutual driveways straddling a property line, or in the case of *Entrances* at locations with a *Rural Cross-section*, at a sufficient distance to provide a minimum of 2 metres clear space between the ends of adjacent *Entrance Culverts*;

vii) In close proximity to intersections where the following minimum distance from the nearest edge of pavement, taken from the *TAC Guide*, Figure 3.2.8.2 “Suggested Minimum Corner Clearances to Accesses or Public Lanes at Major Intersections”, is not met:

Speed Limit	Minimum Distance
50 km/hr	85 metres
60 km/hr	110 metres
70 km/hr	140 metres
80 km/hr	170 metres

viii) Where the following minimum sight distance requirements, taken from the *TAC Guide*, Figure 2.3.3.4 “Sight Distance for Turning Movements from Stop”, are not met:

Speed Limit	Minimum Sight Distance
50 km/hr	160 metres
60 km/hr	200 metres
70 km/hr	250 metres
80 km/hr	300 metres

ix) Adjacent to a bridge or other structure, where the following minimum sight distance requirements, taken from the *TAC Guide*, Table 2.3.3.5, “Sight Distance for Left Turns at Unsignalized Interchange Ramp Terminals” are not met:

Speed Limit	Minimum Sight Distance
50 km/hr	115 metres
60 km/hr	135 metres
70 km/hr	150 metres
80 km/hr	170 metres



## Guidelines For Entrances To The County Road System

c) In areas where the speed limit is less than 80 km/hr *and* the sight distances in sub-paragraphs vii), viii) or ix) above cannot physically be achieved *and* the restriction of the location of an *Entrance* relative to the bridge or other structure can be relaxed or waived without negatively affecting the safety of the *County Road* at that location, the *Director* may permit an *Entrance*.

### **5. DESIGN STANDARDS**

#### a) *Entrance* Grade and Back Slope (For All *Entrances*)

- i) The finished surface of the *Entrance* must drop away from the edge of the highway-driving surface to the end of the shoulder rounding at a rate equal to the slope of the shoulder. *Entrances* shall be constructed as shown in the applicable *OPSD*.
- ii) Each *Entrance* to a *County Road* must be designed, constructed, and maintained in a manner that will prevent surface water from the entranceway or from the adjoining property being discharged via the entrance onto the traveled portion of the *County Road*.
- iii) The design of all *Entrances* must be submitted to, and approved, by the *Director* and an *Entrance Permit* issued prior to work commencing on the entrance within the limits of the road allowance of a *County Road* or any works related to said entrance.
- iv) Filling in of ditches in front of properties is prohibited, with the exception of works carried out as part of a drainage works under the Drainage Act.

#### b) *Field Entrance*

The property *Owner* shall provide to the *Director* a drawing showing the proposed *Entrance* including dimensions. The *Entrance* shall be surfaced with at least 150 mm (6") pit run gravel (Granular "B") and 50 mm (2") of crushed gravel (Granular "A") and the *Culvert* must be of sufficient length to provide the required slope up from the ditch invert to an *Entrance* width as specified in Section 6 of this Guideline. The minimum cover of granular material on the *Culvert* is to be 450 mm (18").

#### c) *Farm or Residential Entrance*

In the case of proposed *Farm or Residential Residences*, the property *Owner* shall provide to the *Director* a drawing showing the proposed *Entrance*, including dimensions and grading plan. The *Entrance* shall be surfaced with a minimum of 150 mm (6") of crushed gravel (Granular "A") and 150 mm (6") of pit run gravel (Granular "B"). A *Farm or Residential Entrance* shall not be hard surfaced except in areas with urban cross-sections including curb and gutter. All existing hard surfaced *Entrances* within the *County Road* are the sole responsibility and risk of the property *Owner* and will not be maintained by the *County*. The *Culvert* must be of sufficient length to provide the required slope up from the ditch invert to an *Entrance* width as specified in Section 7 of this Guideline. The minimum cover of granular material on the *Culvert* is to be 450 mm (18").

#### d) *Commercial/Industrial/Institutional/Multi-residential Entrance*

*Commercial/Industrial/Institutional/Multi-residential Entrances* associated with the following *Planning Act* applications will be considered by the *County* for approval as part of the *County Public Works* commenting process under the *Planning Act* for these applications:

- plans of subdivision,
- plans of vacant land condominium ,
- consents or
- site plan approvals

Based on acceptable geometry and location shown in the application documentation, a provisional approval will be given subject to submission of engineering drawings prior to construction. It is anticipated that the required drawings will be site plan, subdivision drawings, etc. for the project in question. The following drawings and other requirements are to be submitted to the *Director* by or on behalf of the *Owner/Applicant* for that final approval:

- i. technical drawings prepared by a qualified professional showing the proposed *Entrance*, including dimensions, grading plan typical sections including type and thickness of granular base, projected traffic flows and all other *Entrances* within 300 metres of the proposed *Entrance* ;

## Guidelines For Entrances To The County Road System

- ii. confirmation that the entrance shall be surfaced with a minimum of two lifts, not less than 50mm (2") each, of hot mix asphalt;
- iii. where a *Culvert* is required, its length will be determined by the *Entrance* design which will be site specific, having regard for number and type of vehicles expected to utilize the *Entrance*;
- iv. the *Entrance* width shall be as specified in Section 7 of this Guideline;
- v. the minimum cover of asphalt and granular material on the *Culvert* is to be 450 mm (18"); and
- vi. the specific design of the sub-grade and granular base is to be designed by the property *Owner* or his *Agent* for the intended type and volume of traffic and subject to the *Director's* approval.

### e) *Temporary Entrance*

i) A *Temporary Entrance* shall be designed and constructed in a manner that is appropriate for the intended use, subject to the approval of the *Director*.

ii) Where any part of the *County Road* right-of-way is used for a *Temporary Entrance*, the right-of-way shall be restored to its original condition by the *Owner* to whom the *Entrance Permit* is issued before the expiry date of the permit. A deposit of \$2000.00 shall be forwarded to the *County* to be held as a security deposit until the restoration is completed to the satisfaction of the *Director*.

iii) *Temporary Entrance* permits shall specify: the expiry date, the extent and nature of the works to be done on the property and the *Owner's* responsibility to clean up all mud and debris from the road in a timely fashion, all to the satisfaction of the *Director*. If a time extension is required for a *Temporary Entrance Permit*, the *Owner* must apply for a new permit prior to the expiration of the existing permit.

### f) *Public Entrance*

*Public Entrances* associated with the *Planning Act* applications for plan of subdivision, plans of vacant land condominium, consents or site plan approvals will be considered by the *County* for approval as part of the *County Public Works* commenting process under the *Planning Act* for these applications. The roadway beyond the *County Road* right of way must meet the standards of the *Municipality* which will assume that road. The subdivision *Owner* shall provide to the *Director* technical drawings prepared by a qualified professional showing the proposed *Entrance*, including dimensions, grading plan typical sections including type and thickness of granular base and projected traffic flows. All other *Entrances* within the bounds of the drawing shall be shown on the drawing. All other *Entrances* within 300 metres of the proposed *Entrance* shall be shown on a drawing or sketch submitted with the application package.

### g) *Emergency Entrance*

The property *Owner* shall provide to the *Director* technical drawings prepared by a qualified professional showing the proposed *Entrance*, including dimensions, grading plan, typical sections including type and thickness of granular base and projected traffic flows. The drawings shall also clearly indicate the measures to be incorporated in the *Emergency Entrance* to prevent (adequately discourage) non-emergency use such as by private residents or delivery vehicles. All other *Entrances* within the bounds of the drawing shall be shown on the drawing. All other *Entrances* within 300 metres of the proposed *Entrance* shall be shown on a drawing or sketch submitted with the application package.

### h) *Curb and Gutter*

i) Where a curb and gutter exists at the location of the proposed *Entrance*, the *Applicant* shall 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 as per the applicable OPSSs and OPSDs.

ii) The area between the curb and sidewalk is to be hard surfaced with a minimum of two lifts, not less than 50mm (2") each, of hot mix asphalt, 150 mm (6") of concrete or suitable interlock pavers, in accordance with the *County's* requirements. If there is no sidewalk, the entrance is to be hard surfaced a minimum distance of two metres behind the curb.

## Guidelines For Entrances To The County Road System

### i) *Culverts*

- i) All *Culverts* shall be constructed to the proper grade ensuring that free and unimpeded flow of surface water is maintained to the satisfaction of the *Director*.
- ii) *Culverts* required for new or re-designed entrances must be of sufficient diameter to maintain the free flow of water in ditch and be installed to the satisfaction of the *Director* in order to avoid future maintenance problems.
- iii) The minimum *Culvert* diameter for *Residential* and *Commercial Entrances* is 450 mm (18"). For *Public Entrances*, the minimum size is 600 mm (24"). Exceptions to these standards for *Culverts* shall be at the discretion of the *Director*.
- iv) When the roadside ditch is part of a municipal drain, the diameter of the *Culvert* is subject to municipal standards. The *County* must contact the municipal drainage superintendent for advice on the requirements relating to the municipal drain such as the appropriate diameter of *Culvert*.
- v) Where the upstream *Culvert* is a greater diameter than the minimum standard, the *Culvert* for the proposed entrance must be at least the same diameter in order to avoid "bottlenecks", unless it is determined that the upstream culvert is oversized for the expected flows.
- vi) The length of an *Entrance Culvert* shall be equal to the width of the entrance plus the width of the slopes on both sides of the entrance, as measured at the bottom of the ditch. A minimum of 0.6 metres (2') of the *Culvert* shall be left clear of surface cover at both ends.
- vii) The *Culvert* shall be placed in the centre of the *County Road* ditch and be embedded in a minimum of 100 mm (4") of granular material dependant upon sub-grade material. The *Culvert* invert is to be placed at the existing ditch invert on the ditch alignment.
- viii) OPSD Standards (800 series) shall be used to determine the specifications of the *Culvert* (type, material, gage, etc.) and the bedding requirements.
- ix) A *Culvert* shall be constructed of new material only, as approved by the director.

### j) Curbs and/or Headwalls

- i) The construction of curbs and headwalls is prohibited within the County road allowance. No curb or headwall can extend above the surface of the roadway shoulder within the limits of the shoulder and its rounding.
- ii) All existing curbs and headwalls within the *County Road* are the sole responsibility and risk of the property *Owner* and may be removed, if necessary, at the discretion of the *Director* and at the property *Owner's* expense.

## **6. MAINTENANCE OF ENTRANCES**

- a) Property *Owners* with an *Entrance* to a County Road are solely responsible for the maintenance of the *Entrance* according to the applicable standards specified in this Guideline, as well as any necessary dust control and the removal of snow and ice to keep the *Entrance* in a safe condition for vehicular traffic.
- b) The *County* shall not be liable for any damage due to shoulder grading, snowplowing or other maintenance activities undertaken by the *County* or by a contractor employed as an agent of the *County* done to paving stones, surface treatment, asphalt pavement or concrete pavement on *County Roads*.

## Guidelines For Entrances To The County Road System

c) A *Culvert* installed under the terms of the *Entrance* Permit shall become the property of the *County* upon acceptance of the work by the *Director*. All subsequent replacement, maintenance, repairs or alterations to the *Culvert* and drainage through it shall be carried out by the *County*. The *County* shall bear the costs of such maintenance work for the first or only *Entrance* to a property except for widening or other alteration as may be approved through an *Owner's* request for a change. The costs for all maintenance to any second and subsequent *Entrances* are the sole responsibility of the property *Owner* and, if necessary, shall be recovered from that property *Owner* by the *County* as permitted under section 446 of the *Municipal Act, 2001*.

### **7. NUMBER AND WIDTH OF ENTRANCES**

a) Notwithstanding the provisions of any *Area Municipal Zoning By-laws*, the *County* shall specify the width and number of *Entrances* to *County Roads*. The widths specified in Section 7.b) below are the driving surface of the entrance measured at the location of the culvert or the curb cut unless specified otherwise.

b) The *County* shall limit the number of *Entrances* per property to the minimum number required for access while maintaining the greatest possible level of safety for the motoring public. The number of *Entrances* permitted shall be as follows:

i) *Residential Entrance* - one per property where residential uses are permitted except in the case of *Mutual Entrances* where one *Entrance* will serve multiple properties. Outside of *Settlements*, the maximum width is six (6) metres (20'), in *Settlements* the maximum width is four (4) metres (13') for a single driveway or six (6) metres (20') for a double driveway or *Mutual Entrance*.

ii) *Farm Entrance* - one *Farm Entrance* per farm property with additional *Field Entrances* where natural obstructions within the field physically prevent access across the field or, where the property frontage exceeds 400 metres, an additional *Field Entrance* may be permitted for each additional 400 metres of frontage at the discretion of the *Director*. The normal entrance width is twelve (12) metres (39'). Wider entrances shall be permitted subject to the particular use or specific industry requirements (example - the Dairy Farmers of Ontario) as approved by the *County*.

iii) *Commercial/Industrial/Institutional /Multi-residential Entrance* – one per property where C/I/IMR uses are permitted. Site plan deficiencies will not generally be accepted as a reason for a second *Entrance*, nor will additional *Entrances* be permitted to preclude the installation of warranted traffic signals. A second entrance may be approved by the *Director* in the case of special circumstances. For high traffic volume sites, a peer reviewed Traffic Impact Study may be required, at the discretion of the *Director*, for the approval of multiple entrances. The width is to be nine (9) metres (30') at the property line with five (5) metre (16.5') radii.

iv) *Temporary Entrances* – the number and dimensions will be based on the proposed use.

v) For site plans of Area Municipality or County Emergency Services (Police, EMS, Fire) facilities, the *Director* will consider the specific needs of the facility when considering access provisions such as number and width of entrances.

c) Special Circumstances – notwithstanding Section 7.b), Where there is a valid need for an exception to these criteria and standards based on topography or other special circumstance, such an exception may be granted at the discretion of the *Director*.

### **8. MUTUAL ENTRANCES**

*Mutual Entrances* will be required where deemed necessary by the *Director* during the development process when direct access to a *County Road* is sought for contiguous lots outside of *Settlements*. *Mutual Entrances* shall be subject to the criteria and standards of this Guideline for the purpose the *Entrance* is intended to serve. The provision of access to the lots via a *Mutual Entrance* rather than through individual entrances shall be registered on title for all of the affected lots. *Mutual entrances* may also be required inside *Settlements* based on lot geometry, distance from intersections, topography issues, etc. at the discretion of the *Director*, through comments during the development process.

## Guidelines For Entrances To The County Road System

### **9. ENTRANCE PERMIT APPLICATION PROCESS:**

- a) As indicated in Section 8 of the By-law, and section 5 of these Guidelines, where a proposed new entrance, or entrances, is requested as part of an application for plan of subdivision, plan of vacant land condominium, consent or site plan approval, the approval decision for the *Entrance or Entrances* will be made as part of the County Public Works commenting process associated with the particular application.
- b) Applications for new *Entrances*, or reclassifications of or alterations to existing *Entrances* which are not part of any of the planning approval identified in 9 a) above, shall be submitted by the property *Owner* or an *Agent* on forms supplied by the Public Works Department. Approval of all *Entrance Permits* shall be subject to conditions, technical, financial or otherwise, prior to, or as part of the installation of the *Entrance*.
- c) Proposed Entrance location(s) shall be clearly illustrated on a drawing as required in Section 5 of this Guideline, which is to accompany the application. The drawing for a *Field, Farm or Residential Entrance* may be a hand-drawn sketch, but it must provide enough information to enable staff to locate it in the field (i.e.) dimensions to buildings and/or landmarks such as fences hedgerows, tree lines, etc.
- d) The following criteria will be considered in determining whether or not to grant approval to all applications for new *Entrances* or alterations to existing *Entrances*:
- i) Protection of the public through the orderly control of traffic movements onto and from *County Roads*, including possible requirements for left and/or right turn lanes.
  - ii) Maintenance of the traffic carrying capacity of the *County Roads System*.
  - iii) Protection of the public investment in *County Roads System*.
  - iv) Minimization of *County* expenditures on the maintenance of *Entrances*.
  - v) Minimization of risk of future maintenance problems and reconstruction costs.
  - vi) Existence of sufficient legal access onto *County Roads* via easement, right-of-way or mutual entrance through adjacent property.
- e) An *Entrance Permit* will be issued upon satisfaction of the *Director* that all necessary arrangements, agreements and financial securities and fees are provided to the *County*.
- f) Should the ownership of the property change after the date of the application, the new *Owner* shall become the *Applicant*.

### **10. INSTALLATION OF THE ENTRANCE**

- a) The *Entrance* shall be installed at the *Applicant's* expense, to the relevant OPSS and OPSD and in accordance with this Guideline. In the case of Commercial, Industrial, Institutional or Multi-residential developments, where a licensed contractor has been retained to construct site services, installation of the *Entrance* by the contractor will normally be permitted, subject to prior approval of the *Director*. In all other cases, the *Entrance* shall be installed by the *County*, at the *Applicant's* expense.
- b) Approval for an *Entrance* as part of an application for plan of subdivision, plan of vacant land condominium, consent or site plan approval remains valid for the duration of the validity of the instrument wherein the approval was granted.
- c) Work on an installation under the authority of an *Entrance Permit* must be completed within six (6) months of the date of issue of the *Entrance Permit*. Failure to complete the required work within six (6) months of *Entrance Permit* issuance may result in the cancellation of the *Entrance Permit* by written notice.
- d) All works related to or forming a part of an *Entrance* shall be carried out in accordance with the approved plans, specifications and conditions, and are subject to the approval of the *Director*.

## Guidelines For Entrances To The County Road System

e) Where installation by the *Applicant's* contractor is approved by the *Director*, the *Applicant* shall be responsible for the construction, marking, and maintenance of the detours required, and for maintaining safety measures for the protection of the public during the construction of any works in respect of the *Entrance*.

### **11. INSPECTION OF THE ENTRANCE**

a) Where a contractor installs the *Entrance* with the approval of the *Director*, the installation of the *Entrance* will be inspected by the *Director* upon completion. It shall be the *Applicant's* responsibility to contact the County Public Works Department for an inspection of the *Entrance* installation, once it has been completed.

b) Should any adjustments to the constructed or altered *Entrance* be required by the *Director*, said adjustments shall be completed within ten (10) days of written notification by the *Director* of the adjustments that are required.

### **12. ENTRANCE PERMIT FEE**

a) When approval for an *Entrance* is sought as part of an application for plan of subdivision, plan of vacant land condominium , consent or site plan approval, no fee additional to that of the application is payable.

b) The fees charged for *Entrance* Permits shall be in accordance with County Fee By-law No. 4821-2007 as amended from time to time and any successors to it that may be enacted.