



THE CORPORATION OF THE COUNTY OF WELLINGTON

BY-LAW NUMBER 5651-20

A By-law to regulate the construction and alteration of entranceways, public and private roads or other facilities that permit access to County Roads and to repeal By-law Number 5030-08.

WHEREAS it is deemed necessary and desirable to regulate the construction and alteration of entranceways, public and private roads or other facilities that permit access to County roads; and

WHEREAS the Municipal Act S.O. 2001, Chapter 25, Section 9 Powers of a natural person, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act. 2006, c 32, Sched. A, s. 8; and

WHEREAS the Municipal Act S.O. 2001, Chapter 25, Section 27 By-laws, s (1), Except as otherwise provided in this Act, a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway. 2001, c. 25, s. 27 (1); and

WHEREAS the Municipal Act S.O. 2001, Chapter 25, Section 391, By-laws re: fees and charges, s (1) Without limiting sections 9, 10 and 11, those sections authorize a municipality to impose fees or charges on persons,

(a), authorize a municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it;

(c) the use of its property including property under its control. 2006, c. 32, Sched. A, s. 163 (1); and

WHEREAS the Municipal Act S.O. 2001, Chapter 25, Section 425, Authority to create offences, s (1) municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence. 2006, c. 32, Sched. A, s. 184.; and

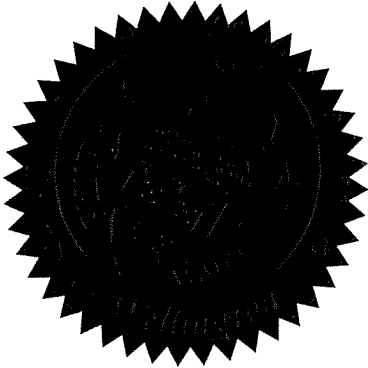
WHEREAS the Council of the Corporation of the County Of Wellington deems it expedient to control entranceways onto the County roads and provide for the issuing of permits related thereto.

NOW THEREFORE, the Council of The Corporation of the County of Wellington enacts as follows:

1. **THAT** in this by-law:

- a) "Council" shall mean the Council of The County Of Wellington.
 - b) "County Road" shall mean all roads included in the County Of Wellington Roads system as defined in By-Law No. 3330-83 of The Corporation of the County of Wellington and any amendments made hereafter.
2. **THAT** no person shall construct or alter or cause to be constructed or altered any private road, gate or other structure or facility that permits access to any County Road unless such access has been approved by an authorized officer as evidenced by the issuance of a access permit.
 3. **THAT** no person shall make or permit any change of use of any private road, entranceway, gate or other structure or facility that permits access to any County Road, unless such access has been approved by an authorized offices as evidenced by the issuance of an access permit.
 4. **THAT** an access permit outlined in Schedule "A" may be issued by the County Engineer or his designate in accordance with standards, policies and fees set out in Schedule "B" of this bylaw.
 5. **THAT** any such access constructed, altered, or the use of which has been changed, under the provisions of this by-law shall conform to the standard and principles set out in the policies in Schedule "B" of this by-law and shall further comply with all terms and conditions attached to any access permit issued hereunder.
 6. **THAT** all costs associated with an access permit and construction of the entrance access in accordance with the terms of the permit will be the responsibility of the applicant.
 7. **THAT** the access application/permit be in the form set out in Schedule "A" attached hereto and forming part of this by-law and that the permit, where necessary, shall include the terms and conditions for the construction of the said entrance or access as required by the authorized officer issued the said permit.
 8. **THAT** there be a fee for processing the access application/permit in the amounts specified in Schedule "A" and a refundable deposit required at the time of issuance of the access permit as per Schedule "A".
 9. **THAT** the County Engineer be authorized to remove any unauthorized access from the road allowance at the expense of the owner.
 10. **THAT** this by-law shall come into force and take effect upon the final passing thereof.
 11. **THAT** By-Law Number 5030-08 be and it is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS FEBRUARY 27, 2020.



KELLY LINTON - WARDEN

DONNA BRYCE - CLERK



COUNTY OF WELLINGTON
 Engineering Services Department
 74 Woolwich Street, Guelph ON N1H 3T9
 T 519. 837. 2601 F 519. 837. 8138
 E roadsinfo@wellington.ca

Permit No.:

ENTRANCE PERMIT APPLICATION

Owner/Applicant: _____

Address: _____

Phone: _____ **Email:** _____

To construct a _____ **entrance.**
 (field, farm, residential, temporary, reclassification, alteration, commercial, industrial, institutional, public, emergency)

Entrance Location: _____

Township/Town: _____ **Lot:** _____ **Concession:** _____

Enclose a sketch outlining the entrance location and size of the property including marking the location of the entrance on-site with a **PROPOSED ENTRANCE** sign or the application will not be approved.

Applicant Signature: _____ **Date of Submission:** _____

<u>Entrance Requirements</u> – OFFICE USE ONLY	
Top Width: _____	Surface Type: _____
Length of Pipe: _____	Diameter of Pipe: _____ Pipe Type: _____
Application Fee Paid: _____	Deposit Paid: _____
Special Requirements: _____	

County Road No.: _____	Area: _____ Foreman: _____
Date of Issue: _____	_____
For: County Engineer	

Payment Requirements – Options are cheque or credit card

Entrance Classification	Permit Fee	Refundable Deposit**	Total
Field, Farm, Residential, Temporary, Reclassification, Alteration	\$100	\$1,000	\$1,100
Commercial, Industrial, Institutional	\$250	\$1,000	\$1,250
Public, Private, Emergency Road	\$500	\$1,000	\$1,500

**Refund upon approval of the entrance installation, less amount expended by the County to bring entrance to County standards. Where the entrance has not been constructed and accepted by the County within one year of the date of the permit, then the permit shall be cancelled and the refundable deposit shall be forfeited. Contact the County of Wellington prior to permit submission for refundable deposit requirements for Commercial, Industrial and Institutional entrances.

CREDIT CARD INFORMATION												AMOUNT: \$	
VISA	M/C										Exp /	Name on Card	
												CVV	



County of Wellington

Engineering Services - Roads Division

Entrance Policy

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

The County Roads Division shall consider the following criteria when reviewing all applications for new entrances or alterations to entrances:

- a) All entrances onto County roads shall be under the control of the County Road Division. 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 County roads, including possible requirements for left and/or right turn lanes.
- c) Maintenance of the traffic carrying capacity of the County road network.
- d) Protection of the public investment in County road facilities.
- e) Minimizing County expenditures on maintenance of private entranceways.
- f) Providing legal access onto County 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
- Changing the use of an entrance (i.e. the Classification)
- Construction of a temporary entrance
- Paving of an existing entrance

ENTRANCE CLASSIFICATIONS

Field Entrance – Provide access to agricultural fields.

Farm Entrance – Provides 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.

Re-Classification Entrance – When an existing entrance is to be used for other than its intended use (i.e. a field entrance to be used as a residential entrance) will be required to be Re-Classified and to be upgraded to meet current County standards.

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 the Township/Town 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 County road from a registered subdivision by means of a public road or street.

Alteration – When the resident proposes changes to their existing entrance i.e. to be widened and/or existing surface to be up-graded (i.e. gravel to hot mix asphalt).

LOCATION OF ACCESES

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 County may restrict the placement of an access onto the County road in the interest of public safety. New accesses must be located as to provide, in the opinion of the County Engineer:

- 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 County road.

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

- a) Where access can reasonably be gained via a Town, Village or Township 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	135
60	165
70	180
80	200
90	210

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. **(See Figures 1 and 2).**

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 ft) 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 ft) 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 County Engineer may restrict the location of an entrance to that distance from the bridge or other structure which he deems advisable.

NUMBER AND WIDTH OF ACCESSES

It will be the policy of the County Roads Division 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 6.0 metres and Commercial entrances will have a maximum width of 9.0 metres
- b) Limit the number of accesses to a property to the number required for the safe and reasonable access to the County road and in general conformity with the following:
 - **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 highway 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"). (See Figures 3A and 3B).

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 6.0 metres. A minimum cover on the culvert is to be 300 mm (12"). (See Figures 3A and 3B).

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") (See Figure 4A and 4B).

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 **new** 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 County Engineer.

The area between the curb and sidewalk is to be paved with hot mix asphalt, concrete or paving stones, in accordance with the Engineer'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 County and an access 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.

EXISTING ENTRANCES

All existing entrances having access to a County 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 (e.g. Farm/Field to Residential) is being carry out.

Where the County has previously issued permits for new or modified entrance the permits will be honoured.

Where the County has endorsed development (e.g. 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 County 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 County 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 County forces are required to perform maintenance to an entranceway, the County will only replace the surface with gravel or hot mix asphalt, as appropriate. The County will not install concrete, brick etc.*. Maintenance activities may include and not limited to, culvert replacement or construction activities on the County roadway.

*If the applicant wishes to reinstall concrete or brick etc. the County will pay (after installation) the equivalent of the cost of paving.

ADMINISTRATION

a) Permit Fee and Refundable Deposit

The refundable deposit and permit fee in the following amount shall be collected prior to issuance of the permit. The deposit shall be refunded to the applicant upon acceptance of the entrance by the County Roads Division staff, less any amounts expended to bring the entrance up to County standards.

Classification of Entrance	Permit Fee	Refundable Deposit
Field, Farm, Residential, Temporary , Re-Classification, Alteration	\$ 100	\$ 1000*
Commercial, Industrial, Institutional	\$ 250	\$ 1,000 min or such as the County may determine *
Public, Private, Emergency Road	\$ 500	\$ 1,000 min or such as the County may determine *

* Deposit will vary depending on foreseeable costs which may be incurred by the County to complete or remove an improper entrance.

b) Installation of the Entrance

The entrance shall be installed by the applicant, at the applicant's expense, to the specifications outline on the permit and in accordance with County standards. In the event an installation does not meet County standard and the applicant refuses to make necessary repairs, the County reserves the right to remove the improper entrance at the applicant's expense.

c) **Compliance of Requirements**

Where and applicant fails to comply with the requirements or provisions of this by-law, the County may recover the expense by requesting that the Treasurer of the local municipality include any part of these fees and charges incurred by the County 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 County after completion by the applicant and once approved the deposit will be refunded. It shall be the applicant's responsibility to call the County 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 County 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 County. A second permit will be issued. The deposit fee shall be carried forward to the second permit.