



# COUNCIL POLICY

3200.08

## Access Approach Management

---

Department: Infrastructure and Planning Services

Effective Date: May 22, 2007

Authority: Council

---

### STATEMENT

Yellowhead County, being the road authority, has the direction, control, and management of all municipal roads within the County and recognizes the requirement for establishing guidelines to which location and construction of access approaches shall adhere.

### PURPOSE

To provide guidelines and direction for the location and construction of new access approaches or improvements to existing access approaches by the private sector.

### DEFINITIONS

**Access Approach** is a driveway connection, often located in the road right-of-way, between the outside edge of a lot and a County or public road.

**Access Approach Construction Agreement** is a signed agreement between the applicant and the County to ensure the construction of an access approach is held to County standards when the access approach is not part of a subdivision or development.

**Common Access Approaches**, also called a dual access approach, means an access approach shared by two (2) lots and connects them to the County or public road.

**Council** means the elected officials of Yellowhead County.

**County** means Yellowhead County.

**County Standards** means the current Yellowhead County Access Approach Design and Construction Standards.

**Lot** means a quarter section; or a part of a parcel of land with a certificate of title; or a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a subdivision plan.

**Rural Access Road** is a County road classification that provides access from properties to local roadways.

**Rural Local Road** is a County road classification that provides access from properties to higher-class roadways.

**Rural Major Collector and/or Rural Arterial Roads** are road classifications of County roads that provide connections from lower-class roadways to provincial, numbered, and secondary highways and urban centers.

**Topographic Constraint** means a physical topographical feature, such as a water course, muskeg, ravine, or hill/cliff, that makes the common use of a property on both sides of the constraint virtually impossible as a single entity.

## GUIDELINES

### 1. General Principles

- 1.1. Council recognizes the need to limit the number of approaches entering onto County roadways to address safety and maintenance concerns to the travelling public.
- 1.2. Council's provisions ensure access to municipal roadways are provided in a location and to a standard considered safe and practical for that use.
- 1.3. All costs associated with access approach work are the responsibility of the landowner/applicant.
  - 1.3.1. Any cost incurred with regard to the removal or relocation of fencing is deemed a construction cost and shall be the responsibility of the landowner/applicant.
  - 1.3.2. Any damage to the County road or County infrastructure, shall be the responsibility of the landowner/applicant to restore to original condition or arrange payment of the cost of restoration to the County, if the County performs the work.
- 1.4. The County, its agents or employees, shall hereby be indemnified from any damages, costs, or claims against it, now or in the future, arising out of the use of the access approach except for damages caused by negligence or willful misconduct by the County, its agents or employees.
- 1.5. Any access approach that has been previously accepted and approved by the County that does not meet current County standards, may be improved, or replaced at the County's expense only if it has been determined there is an impact to the structural integrity of the access approach or drainage of water.
- 1.6. When subdivision or development approvals require the construction of access approaches, the landowner/applicant shall provide a security deposit to ensure that approaches are constructed as per County standards:
  - 1.6.1. Subdivision Approval – The security deposit required for the access approach(es) that form part of a subdivision approval shall be stated in the Developers Agreement.
  - 1.6.2. Development Approval – The security deposit required for the access approach(es) that form part of a development approval shall be stated in the Developers Agreement.

- 1.6.3. Access Approach Approval – The security deposit required for the access approach(es) that are not part of a subdivision or development approval shall be stated in the Access Approach Construction Agreement.
- 1.7. The security deposit shall be at least 150% of the estimated cost of construction or as per the General Manager of Infrastructure and Planning Services or their designate.
- 1.8. The security deposit will be refunded to the applicant by cheque, without interest, upon the County's acceptance of the access approach(es).
- 1.9. Where access approach construction is not completed to County standards within two (2) years from the date of subdivision, development, or access approach construction approval, the security deposit will be forfeited to the County. At the discretion of the General Manager of Infrastructure and Planning Services, or their designate, the County may complete the access approach construction.
- 1.10. The security deposit will not be refunded when there are outstanding deficiencies as determined by the General Manager of Infrastructure and Planning Services or their designate.
- 1.11. This policy shall be considered applicable to all existing and/or proposed access approaches within the County.
- 1.12. For those additional access approaches that exist as of the date of the adoption of this policy and are considered to be in contravention of the provisions of this policy, the General Manager of Infrastructure and Planning Services, or their designate, may direct the removal of any access approach where:
  - 1.12.1. The access approach is considered to create a hazard to the traveling public, or
  - 1.12.2. The access approach is considered to create a negative impact to the maintenance of the public roadway or roadway drainage, or
  - 1.12.3. There is not an acceptable demonstrated operational need for the access approach to reasonably facilitate the use and enjoyment of the accessed lands.
  - 1.12.4. The removal of additional access approaches as defined and outlined in 1.12, will be carried out at the expense of the County, if not enshrined in a Developers Agreement.
- 1.13. After the date of adoption of this policy, any landowner who undertakes the construction of an access approach without prior approval from the County and/or contrary to the provisions of any approval that might have been granted may be directed to remove the access approach at the landowner's expense and may be subject to enforcement under the *Municipal Government Act* (Section 545) if the directions so given are not complied with.

- 1.14. The County reserves the right to remove any unpermitted access approach and charge the landowner all associated fees incurred in accordance with the *Municipal Government Act* (Section 553).

## 2. Number of Approaches

- 2.1. On all lots in Yellowhead County, one (1) access approach will be granted for the landowner to construct at their expense and to County standards, subject to the location being considered by the County to be safe and practical for that purpose.
- 2.2. As a condition of subdivision approval, the landowner shall construct, upgrade, and/or remove the access approach(es) to all the subject lots at their expense.
- 2.3. On lots having an area greater than 10 acres, one (1) additional access approach for agricultural or residential use may be granted where the land is severed by a topographical constraint or a potential driveway length that the County considers impractical to traverse within the property. Such approval is not guaranteed and is subject to the landowner constructing the access approach at their expense and to County standards, subject to the location being considered by the County to be safe and practical for that purpose.
- 2.4. The approval of any landowner request for permission to construct an additional access approach will only be considered where there is an acceptably demonstrated operational need to facilitate use of the lands to be accessed.
- 2.5. Commercial/industrial lots may be considered for one (1) additional access approach at the discretion of the General Manager of Infrastructure and Planning Services or their designate. The applicant shall justify the need for the additional access approach through a layout plan showing the location of buildings, parking lot, internal road circulation, and storage areas.
- 2.6. Any request for permission to construct a new access approach to replace an existing access approach is subject to the location being considered by the County to be safe and practical for that purpose. The new access approach shall be constructed in accordance with the County's standards and the existing approach shall be removed to the County's satisfaction upon completion of the new approach. All work shall be carried out at the landowner's expense.

## 3. Responsibilities


### 3.1. Council

- 3.1.1. Adopt and approve the policy.
- 3.1.2. Will budget funds annually to support the application of this policy.

**3.2. Management**

- 3.2.1. The application of this policy will be carried out per the established principles and direction of Council and within budget limitations.
- 3.2.2. Will review the policy a minimum of every four years and bring forward any recommendations to Council.

**APPROVAL**

  
 \_\_\_\_\_  
 Wade Williams, Mayor

Nov 19/24  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Luc Mercier, Chief Administrative Officer

Nov 19 2024  
 \_\_\_\_\_  
 Date

**For Administrative use only:**

Previous Policy Number:	3200.08 (Access Approach Management)
Supporting Documentation, References:	3200.08A (Access Approach Management Procedures) <i>Yellowhead County Access Approach Design and Construction Standards</i> <i>Municipal Government Act, RSA 2000, c M-26</i>

**Adopted: May 22, 2007**  
**Revised: November 12, 2024**

By: Council

**Resolution: 246-05-22-07**  
**Resolution: 348-11-12-2024<sup>3</sup>**

Reviewed: 2024

By: Planning and Development

Next Review Year: 2028