



THE CORPORATION OF THE TOWNSHIP OF
ASHFIELD-COLBORNE-WAWANOSH

BY-LAW NUMBER 32-2012

BEING A BY-LAW TO REGULATE THE INSTALLATION OF ENTRANCEWAYS
TO PRIVATE PROPERTY FROM TOWNSHIP ROAD ALLOWANCES

WHEREAS Councils of municipalities may pass by-laws prohibiting the obstruction of any drain or water course, and permitting and regulating the size and type of construction for culverts and bridges which cross any drain or water course on a public highway:

AND WHEREAS it is deemed expedient to regulate the installation of entrance ways over ditches and water courses upon any public highway which forms part of the Township of Ashfield-Colborne-Wawanosh Road System:

NOW THEREFORE the Corporation of the Township of Ashfield-Colborne-Wawanosh ENACTS as follows:

1. All persons requiring an entrance or driveway to their property from the Township of Ashfield-Colborne-Wawanosh Road Allowance are required to obtain a permit from the office of the Clerk of the Township, the issuing of such permit being subject to the approval of the Public Works Superintendent.
2. The diameter and gauge length and type of culvert to be used shall be determined by the Public Works Superintendent but in no case shall the culvert, if required, be less than 400 mm in diameter and 6 metres in length. The culvert shall be new corrugated metal pipe of approved type or an approved plastic culvert. In no case shall the culvert, if required, be less than 400 mm in diameter and 6 metres in length without the consent of the Public Works Superintendent.
3. The location of the entrance way must be approved by the Township Public Works Superintendent, having in mind sight distances along the road, tree location, shrubs, buildings or other structures.
4. The construction of all entrance ways shall be carried out by a Contractor under the supervision of the Public Works Superintendent.
5. A permit will not be issued, nor any work commenced, until the owner pays in advance to the Township of Ashfield-Colborne-Wawanosh the permit fee of \$35.00 and the refundable deposit of \$300 plus H.S.T., which shall be refunded to the owner within 30 days upon completion, and approved by the Public Works Superintendent.
6. The tiling and covering of a roadside ditch for the improvement of a front lawn or for any other purpose shall be considered, for the purpose of this By-Law, as an entrance way and shall not be undertaken until a permit is obtained.

7. No person shall apply asphalt or concrete surface to that portion of a driveway on the road allowance until a permit has been issued by the Township. No charge shall be made for permits for this purpose and the work shall be carried out under the supervision of the Township Public Works Superintendent.
8. The Township of Ashfield-Colborne-Wawanosh shall maintain and replace from time to time as required, all culverts meeting the requirements of this By-Law. The maintenance of the driveway portion of the driveway shall be the responsibility of the owner.
9. No person shall put in driveway or culvert extensions without a permit.
10. If the owner neglects or refuses to comply with any of the provisions of this By-law, the Township shall remove the obstruction and install a proper entrance way and any expense incurred in so doing shall be recovered from the owner by appropriate action.
11. Any person convicted of a breach of any of the provisions of this By-law shall forfeit and pay, at the discretion of the convicting Magistrate, a penalty not exceeding the sum of \$300.00 for each offence, exclusive of costs.

Read a FIRST and SECOND time this 15th day of May 2012.

Read a THIRD TIME and FINALLY PASSED this 15th day of May 2012.

Original signed by
Reeve, Ben VanDiepenbeek

Original signed by
Administrator/Clerk-Treasurer, Mark Becker

Township of Ashfield-Colborne-Wawanosh
By-Law No. 32-2012
"Schedule A"

APPROVAL FORM

Authority is granted to _____ of
Owner/Applicant

Address Postal Code Telephone

To construct a _____ entrance to serve
Type

Lot _____ Concession _____ Township of _____ or

Lot _____ Registered Plan No. _____ Town/Village/Hamlet of
_____ on the _____ side of Township Road No. _____.

Requirements for the Entrance:

Top Width _____ m Surface Type _____

Length of Pipe _____ m Diameter of Pipe _____ mm

Special Conditions

Fee Paid: \$ _____

Refundable Deposit: \$ _____

Date of Issue

Public Works Superintendent

Township of Ashfield-Colborne-Wawanosh
By-Law No. 32-2012
“Schedule B”

ENTRANCE POLICIES

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

- a) protection of the public through the orderly control of traffic movements onto and from Township roads.
- b) Maintenance of the traffic carrying capacity of the Township road network
- c) Protection of the public investment in Township road facilities.
- d) Minimizing township expenditures on maintenance of private entranceways.
- e) Providing legal access onto Township roads from adjacent private property

DEFINITIONS

- Field Entrance: provides access to agricultural fields.
- Farm Entrance: provides access to farm buildings and agricultural lands.
- Residential Entrance: provides access to residential facilities of four units or less.
- Commercial/Industrial Entrance: provides access to a development where goods are manufactured or sold to the public and includes residential facilities of five or more units.
- Temporary Entrance: provides 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.

LOCATION OF ACCESSES

The Township may restrict the placement of an access onto the Township road in the interest of public safety. New accesses must be located so as to provide:

- 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 Township road.

In general, new entrances will not be permitted at the following locations:

- a) Along a lane which is identified for the purpose of an exclusive vehicular turning movement.
- b) In close proximity to intersections.
- c) Within daylight triangles at intersections.
- d) Where the following minimum sight distance requirements are not met:

<u>Speed Limit</u>	<u>Minimum Sight Distance</u>
50 km/hr	135 metres
60 km/hr	165 metres
70 km/hr	180 metres
80 km/hr	200 metres
90 km/hr	210 metres

Note: Sight distance shall be measured from an eye height of 1.05 metres measured 3.0 metres from outer edge of the traffic lane to passenger car lights designated as 0.60 metres above the roadway surface.

DESIGN STANDARDS

- Entrance Grade:** The finished surface of the access must drop away from the edge of the highway driving surface at a slope of not less than 2% to at least the edge of shoulder rounding.
- Field Entrance:** Shall be surface with at least 150 mm pit run gravel (Gran. "B"), and where a culvert is required its length must be sufficient to provide a 1:1 slope up from the ditch invert to an entrance width of 6.0 metres.

Farm or Residential

- Entrance: Shall be surfaced with at least 150 mm crushed gravel (Gran. "A"), and where a culvert is required its length must be sufficient to provide a 1:1 slope up from the ditch invert to an entrance width of 6.0 metres.*

Commercial/Industrial

- 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 headwall are constructed at the sole expense and risk of the applicant.

Maintenance

- Entrances: Property owners having access to a Township 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 highway in a safe condition for vehicular traffic.*

A culvert installed under the terms of the access permit shall become the property of the Township upon acceptance of the work and all subsequent maintenance, repairs, alterations, etc., shall, be the responsibility of the township except where the culvert crosses a municipal drain in which case the maintenance will be the responsibility of the Township with costs shared in accordance with the By-law.

- Curb and Gutter: Where curb and gutter exists at the location of the proposed entrance, the applicant will be required to construct a curb cut at the entrance location if required. The existing curb shall be removed and replaced using material acceptable to the Public Works Superintendent or altered in accordance with the Public Works Superintendent's requirements. The area between the curb and sidewalk is to be paved with hot-mix asphalt, concrete or paving stones, in accordance with the Public Works Superintendent's requirements.*

Number and Width of Accesses:

- a) It will be the policy of the Township Road Department to limit the width of accesses to discourage the construction of entrances wider than that required for the safe and reasonable use of the entrances.
- b) Limit the number of accesses to a property to the number required for the safe and reasonable access to the Township road and in general conformity with the following:
- residence -one per property / two for corner lots
 - 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 -two with a minimum spacing of 30 metres between entrances

Refundable Deposit:

A refundable deposit in the amount of \$300.00 plus H.S.T. shall be collected prior to issuance of the permit. This deposit shall be refunded to the applicant upon acceptance of the entrance by the Public Works Superintendent less any amounts expended to bring the entrance up to Township standards.

Permit Fee:

That a fee in the amount of \$35.00 be collected prior to issuance of the permit.

Cancellation of Permit:

Where the entrance has not been constructed and accepted by the Township within one year of the date of the permit, then the permit shall be null and void.