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Policy Title ACCESS CONSTRUCTION IN UNDEVELOPED ROAD ALLOWANCES		

Council Resolution No. 592-03 Date: December 9, 2003	GMOS	CC	Cross Reference	Effective December 9, 2003
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POLICY STATEMENT

Parkland County Council may authorize the construction of an access road in an undeveloped road allowance when requested by a property owner. The cost of this work shall be shared by the property owner requesting the access; or in the case of a development, it shall be the full responsibility of the applicant.

PURPOSE

In Parkland County there are approximately 680 kilometers of undeveloped road allowance adjacent to privately owned lands. These lands do not have developed access from the statutory road allowance and the County receives numerous requests to construct access roads to such lands. The County's share of funding for these projects is allocated from the Capital Road Program budget. Access construction projects are prioritized with other projects in the Miscellaneous Projects portion of the Capital Road Program, or according to criteria established under Policy EN002 – Three Year Road Program.

PROCEDURES

1. Access to Residential And Agricultural Lands

For access construction to residential or agricultural lands, the property owner requesting the access shall contribute 50% of the project cost. The project cost shall include all construction costs and any other costs such as fencing, acquisition of land, utility relocation, engineering, etc. if applicable.

A request for access road construction shall be submitted to the Manager, Engineering Services who will prepare a cost estimate for the work and will prioritize the project for scheduling on the Capital Road Program.

When the project has been approved by Council for the current Capital Road Program, the applicant will be notified in writing and shall be required to provide his contribution in the form of cash, certified cheque or Irrevocable Letter of Credit. Construction of the access road will not commence until the approved contribution has been provided.

After construction work has been completed, and if the final project cost has been determined to be less than the cost estimate, the applicant's contribution that exceeds 50% of the final project cost will be refunded. On the other hand, if there is a shortfall in the funding contribution, the applicant will be required to pay the balance to make up the 50% contribution.

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Should the access road constructed become a public through road within five years of the substantial completion date of construction then the owner is entitled to a pro-rated refund of their contribution by 50% of construction costs. After year five, the owner is not entitled to any recoveries from the County. The Owner is not entitled to any interest on any such refund by the County of a contribution to road construction costs.

Should a Subdivision or issue of a Development Permit occur on lands adjacent to such a cost shared access road prior to the access road becoming a public through road, the County will endeavor to recover a portion of the contributing owner's contribution of 50% of costs using a formula that considers proportionate contributing linear frontage of the subdivision or development parcel relative to the total frontage contributed to by the contributing owner. Such recoveries will include interest at the Bank of Canada Prime Rate on the owner's contribution for a maximum of five years following that contribution being made. After the County constructs a through road, either within or beyond five years of the date of substantial completion of an access road, there will not be further recoveries for the contributing owner from the County or from further subdivision or development permit issuance.

In the instance where a subdivision or development permit issuance occurs prior to a through road being constructed, but both occur within five years from the date of substantial completion, the County contribution will be based on the net costs of the contributing owner after they receive recoveries from adjacent subdivision or development permit issuance.

2. Access to Lands For Development

Further to Policy PD023 – Off-site Development Requirements, the construction of access roads to lands for development purposes shall be the full responsibility of the applicant, at no cost to the County. This will be addressed as a condition of approval in the applicant's Development Permit or Subdivision Application.

3. Access to Lands For Oil and Gas Facilities

Construction of access roads in undeveloped road allowances to oil and gas facilities such as wellsites, compressor stations, etc. will generally be permitted. The company shall submit an application to the County's Utility Officer. Upon approval, the applicant shall enter into an Agreement with Parkland County for the access road. Construction of the access road shall be the full responsibility of the applicant, at no cost to the County.

4. Access Road Standards

The roadway standards that access roads shall be constructed to will be determined by the County. For access roads to developments, and oil and gas facilities, the required roadway standards will be submitted to the applicant.

5. Dedication of Road Widening

For lands owned by the applicant that are adjacent to the access road construction project, the applicant shall dedicate a 5.0 meter road widening for the entire parcel (s). Dedication of this road widening shall be required even though the widening may not be required for construction of the access road.

6. Undeveloped Service Roads

This Policy also applies to undeveloped service roads.