

Policy Number 24-2003	Approval Date July 23, 2003	Resolution Number 590/03, and 591/03
Supersedes N/A	Effective Date Upon Approval	Legal Authority
Amendments:	Amendment Date	Resolution Number

TITLE: RESIDENTIAL PRIVATE PROPERTY ACCESS POLICY

Policy Statement:

The Town of High Prairie will implement a policy to ensure all residential property owners are allowed access to their property in a fair and equitable manner.

APPLICATION:

1. This policy shall apply to all **existing** residential properties adjoining paved streets with curb and gutter.

DEFINITIONS:

1. **Driveway Access Permit:** Means a document, a sample of which is attached to this policy as Appendix "2", approving construction or alteration of a new access.
2. **Construct:** Means to build, reconstruct, or relocate and without limiting the generality of the word, also includes any preliminary operation such as excavation, filling or draining.
3. **Landscaping:** Means the modification and enhancement of a site through the use of any or all of the following elements:
 - a) "Hard landscaping" consisting of non-vegetative materials such as brick, stone, concrete, tile, and asphalt; or
 - b) "Soft landscaping" consisting of vegetation such as shrubs, hedges, grass and ground cover.
4. **Development Officer:** Means a person appointed to the designated officer position of "Development Officer" pursuant to section 624(1) of the Municipal Government Act.

PROPERTY OWNER'S RESPONSIBILITIES:

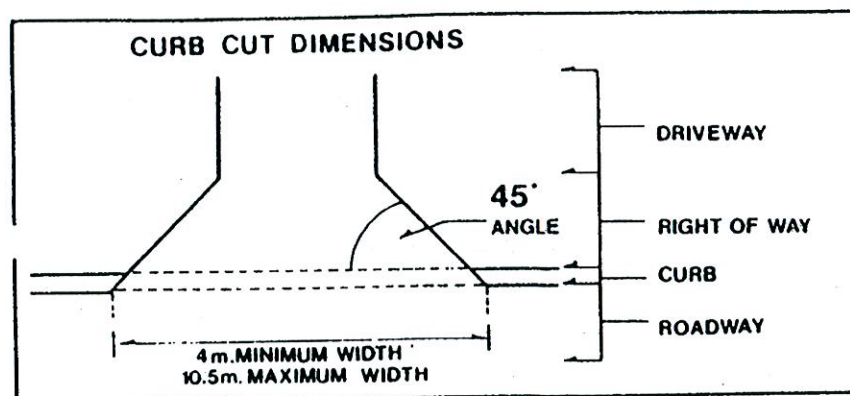
1. Property owners or residential tenants must apply for a Driveway Access Permit approval prior to constructing a new access or altering an existing access. A sample of the "Residential Driveway Access Permit Application" form is attached to this policy as Appendix "1".
2. If an individual applying to construct or alter an access is renting a residential property, the property owner must also sign the Driveway Access Permit application form.
3. Any construction of a new access or altering of an existing access must conform to the Town of High Prairie Municipal Engineering Standards, as revised by Council from time to time.
4. Property owners shall be responsible for construction of any new access or alteration of any existing access, including curb cuts or approaches, at the property owner's sole expense.

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5. Property Owners shall be responsible for restoring any landscaping impacted by construction or reconstruction of an access back to its original condition.
6. Landscaping and any other repairs to boulevards or any other public or private property arising from the construction or reconstruction of the access shall be the responsibility of the property owner.
7. All accesses shall be constructed to provide a minimum clearance from the driveway of 1.5 meters from any structure including hydrants, light standards, service pedestals, curb cocks, transformers and mature trees.
8. Small boulevard trees may be moved or replaced as part of the landscaping requirements as specified under section 6 above.
9. For corner lots any new access must be constructed on the exterior yard side, unless traffic patterns or existing buildings on the property dictate otherwise.

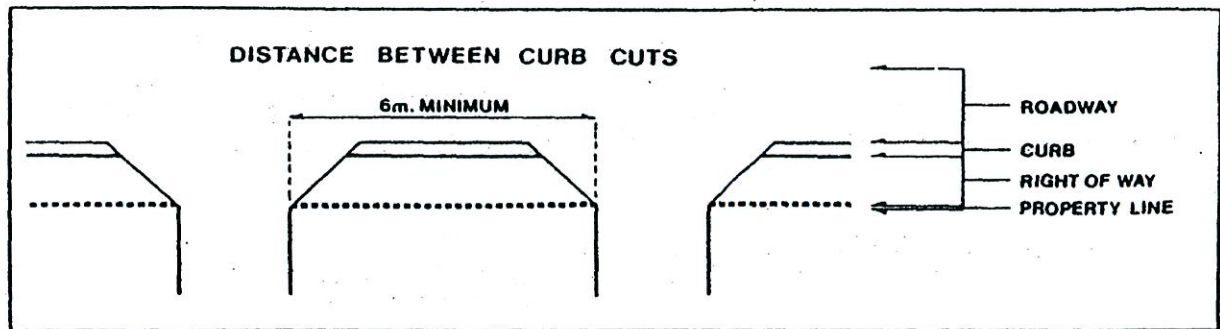
CURB CUT REQUIREMENTS:

1. Curb cuts shall be set a minimum distance of 15 meters (50 feet) from the intersection of external lot lines on corner lots for non-residential developments.
2. Notwithstanding Section (a) under Curb Cut requirements as stated above, the set back distance for curb cuts may be increased where, in the opinion of the approving authority, such increase is necessary for reasons of Public Safety and convenience.
3. The maximum width of a curb cut shall not exceed 10.5 m (34.5 ft). The minimum width of a curb cut shall not be less than 4m (13ft).
4. The sides of driveway approaches crossing sidewalks or boulevards may be constructed on an angle with the curb line, but the angle extended between the curb and the edge of the driveway shall not exceed an angle of 45 degrees, and any such angled driveway shall not be allowed to extend in front of an adjoining property (i.e. across a line extending from the joint property line through the right-of-way / boulevard to the curb and roadway).



5. The minimum distance between adjacent curb cuttings on the same side of the property shall not be less than a distance of 6 meters (19.5 ft) from each other, measured at the property line. The Development Officer may increase said minimum clear distance in any cases where, because of width of adjacent sidewalks or boulevards or traffic conditions such increase is necessary for reasons of public safety and convenience.

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DUTIES OF THE DEVELOPMENT OFFICER:

1. The Development Officer shall:
 - a) Receive and process all applications for Driveway Access Approvals;
 - b) Issue decisions for Driveway Access Approval applications, a sample of which is attached to this policy as Appendix "2"; and
 - c) Keep a register of all applications, including the decisions issued and the reasons therefore, for a minimum period of seven years.
2. Prior to issuing a decision, the Development Officer shall review the application with the senior Public Works manager responsible for roads, sidewalks, and boulevards.
3. In making a decision on an application, the Development Officer shall:
 - a) Approve with or without conditions a Driveway Access Permit where the proposed access conforms with this policy; or
 - b) Refuse a Driveway Access Permit if the proposed access does not conform to this policy.

APPEALS:

1. Any persons who is refused a Driveway Access Permit may appeal the decision to Town Council by delivering an Appeal Notice in person or sending it by mail to:

Town of High Prairie
Administration Office
4806 – 53 Avenue
PO Box 179
High Prairie, Alberta
T0G 1E0

within 14 days after notification of permit refusal.

2. If the Town Manager receives an Appeal Notice within 14 days after notification, he must advise Town Council.
3. When Town Council has set a date for the hearing, the Town Manager must send written notice of the date of the hearing to the Appellant at the address given in the Appeal Notice and, if the Appellant is not the Owner registered under the Land Titles Act, the Town Clerk must also send this written notice to that Owner.

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4. If the Town Manager receives the Appeal Notice after the 14-day period referred to in (1) above, the Town Manager will not place the Appeal Notice on Town Council's agenda. The Town Manager will notify the Appellant at the address given in the Appeal Notice that the appeal will not be heard.
5. After hearing an appeal, Town Council Committee may issue a Driveway Access Permit, with or without conditions, or may refuse to issue a Driveway Access Permit.
6. The Town shall serve written notice of Town Council's decision by delivering it or sending it by mail to the Appellant, and the Owner registered under the Land Titles Act.
7. Town Council's decision shall be final.

TOWN OF HIGH PRAIRIE
RESIDENTIAL DRIVEWAY ACCESS PERMIT APPLICATION

I/We hereby make application under the provisions of the Residential Private Property Access for a Driveway Access Permit in accordance with the plans and supporting information submitted herewith and which form part of this application.

I/We understand that this application will not be accepted without the appropriate application fee, and a dimensioned site plan including all details relevant to the proposed development.

APPLICANT INFORMATION

Name of Applicant: _____ Telephone: _____

Address of Applicant: _____

Legal Description of Property Plan _____ Block _____ b Lot _____

Municipal Address of Property _____

DEVELOPMENT INFORMATION

Land Use Designation in Land Use Bylaw: _____

Estimated Commencement Date: _____ Completion Date: _____

DECLARATION

I/We hereby declare that the above information is, to the best of my/our knowledge, factual and correct.

Signature of Applicant: _____ Date: _____

Print Name _____

Landowner/s Name (if different from Applicant)

Print Name _____

Landowner Address: _____ Telephone: _____

Signature of Landowner/s: _____ Date: _____

Signature of Landowner/s: _____ Date: _____

PLAN

PLEASE PROVIDE A SCALED PLAN INDICATING THE LOCATION AND
DIMENSIONS OF THE PROPOSED ACCESS

Appendix 2

Application No. _____

Tax Roll No. _____

Plan _____

Block _____

Lot _____

PERMIT

Driveway Access Permit Decision _____ as applied for by _____
has been

(☐)

APPROVED

(☐)

APPROVED, subject to the following conditions:

(☐)

REFUSED for the following reason/s:

Signature of Development Officer

Date of Decision

APPEAL PROCEDURE

The Residential Private Property Access Policy provides that any person claiming to be affected by the decision may appeal to the Council of the Town of High Prairie **WITHIN 14 DAYS AFTER NOTICE OF THE DECISION IS GIVEN.**