

## BIG LAKES COUNTY

<b>TITLE:</b>	<b>Land Acquisition and Dedication for Road Widening</b>
<b>APPROVED BY COUNCIL:</b>	<b>June 14, 2017</b>
<b>EFFECTIVE DATE:</b>	<b>June 14, 2017</b>
<b>REVISED:</b>	
<b>MOST RECENT REVISION:</b>	
<b>POLICY NO.</b>	<b>PW-20</b>
<b>LEGAL AUTHORITY:</b>	<b>Municipal Government Act, RSA 2000, c.M-26</b>

### POLICY STATEMENT

Council recognizes that for the purpose of road widening, road construction or other public works infrastructure road projects it may be necessary from time to time to acquire additional private land. Therefore, the County shall have a policy in place to provide guidelines to administration and the public at large for road dedication requirements at the time of subdivision approval. This will ensure through the planning process, that there is a consistent approach in the dedication of lands for road widening.

### POLICY

#### PROCEDURE / RESPONSIBILITY

##### **1.0 Road Dedication**

Dedication of right-of-way will be taken on all subdivided parcels in accordance with the Municipal Government Act and the Big Lakes County General Servicing Standards.

- 1.1 The Municipality will require a dedicated right-of-way as recommended by the Director of Public Works adjacent to all subdivided parcels at the time of subdivision.
- 1.2 The Municipality will determine the area required for the dedicated right-of-way based upon roadway requirements, network importance, future construction considerations and other relevant factors.
- 1.3 The dedicated right-of-way will be surveyed by the Municipality at no cost to the developer.
- 1.4 The consideration paid for such a land acquisition agreement shall be set at the current assessed market value.



- 1.5 A minimum payment of \$400.00 per acre would be paid to a landowner if the land assessment calculation is less than \$400.00 per acre.
- 1.6 Fences, trees, or other appurtenances will not be paid for as part of the right-of-way dedication and survey.
- 1.7 Supplementary payments resulting from special damages, injurious affection, or extenuating circumstances including fences, trees or other appurtenances will be in addition to the compensation in 1.4, 1.5, or 2.1. and negotiated at time of road construction.
- 1.8 The Municipality will coordinate all surveys as soon as possible and within the limits of the established budgets and programs.
- 1.9 The Municipality will register a road plan for the dedicated right-of-way.
  - 1.9.1 The County shall require the registered owner(s) of a parcel of land that is the subject of a proposed subdivision to dedicate a 5 (five) metre road widening for rural roadways abutting the original government road allowance on each parcel created. The dedication shall be in addition to any service roads which may be required for the proposed subdivision.
  - 1.9.2 In instances where a previous road widening has been undertaken yet is insufficient with respect to the rural road classification, upon further subdivision application additional road widening shall be dedicated.
  - 1.9.3 In the case of a parcel created by a Plan of Subdivision, the owner's surveyor shall show on the survey plan, prior to endorsement by the County, the required road dedication in accordance with 1.9.1 or 1.9.2.
  - 1.9.4 In the case of subdivision by a metes and bounds description, or a descriptive plan, the registered owner(s) shall enter into a land acquisition agreement with the County for the required road dedication pursuant to items 1.9.1 or 1.9.2.
  - 1.9.5 The Director of Planning and Development shall caveat the title of the parcel created in order to register the County's interest in a portion of the land pursuant to the Land Acquisition Agreement.

## **2.0 Right-of-Way Dedication Required for Road Construction**

- 2.1 If, as a result of the design and alignment of a road, the County requires more dedication from the parcel created than provided for in items 1.9.1 or 1.9.2 then the County shall have the authority to negotiate with the owner purchase of additional right-of-way as necessary provided sufficient funds have been approved for land purchases within the annual budget.



- 2.2 Any supplementary payments resulting from special damages, injurious affection, or extenuating circumstances will be in addition to the compensation in 1.4, 1.5, or 2.1.

### 3.0 Roles and Responsibilities

#### 3.1 Authorization

- a) The Municipal Government Act, RSA 2000, c.M-26 as amended or replaced from time to time, requires that the owner of a parcel of land that is the subject of a proposed subdivision must provide without compensation to the Crown in Right of Alberta or a municipality, land for roads as required by the subdivision authority.
- b) The Municipal Government Act, RSA 2000, c.M-26 as amended or replaced from time to time, requires the municipality to adopt a Municipal Development Plan for the municipality and the Municipal Development Plan has policies relating to transportation and roadways.
- c) The 2011 General Servicing Standards and/or subsequent revisions designates the functional classification of the road network.
- d) The County, having management and control of roadways, pursuant to the Municipal Government Act, RSA 2000, c.M-26 as amended or replaced from time to time, is responsible for the programming of road reconstruction and rehabilitation projects in respect to its road hierarchy, excepting provincial highways. The County's standard of 30.0 metres for Arterial roadways, 30.0 metres for Collector roadways, 25.0 metres for Local, Country Residential, Business Park and higher density development roadways, is consistent with the 2011 General Servicing Standards.

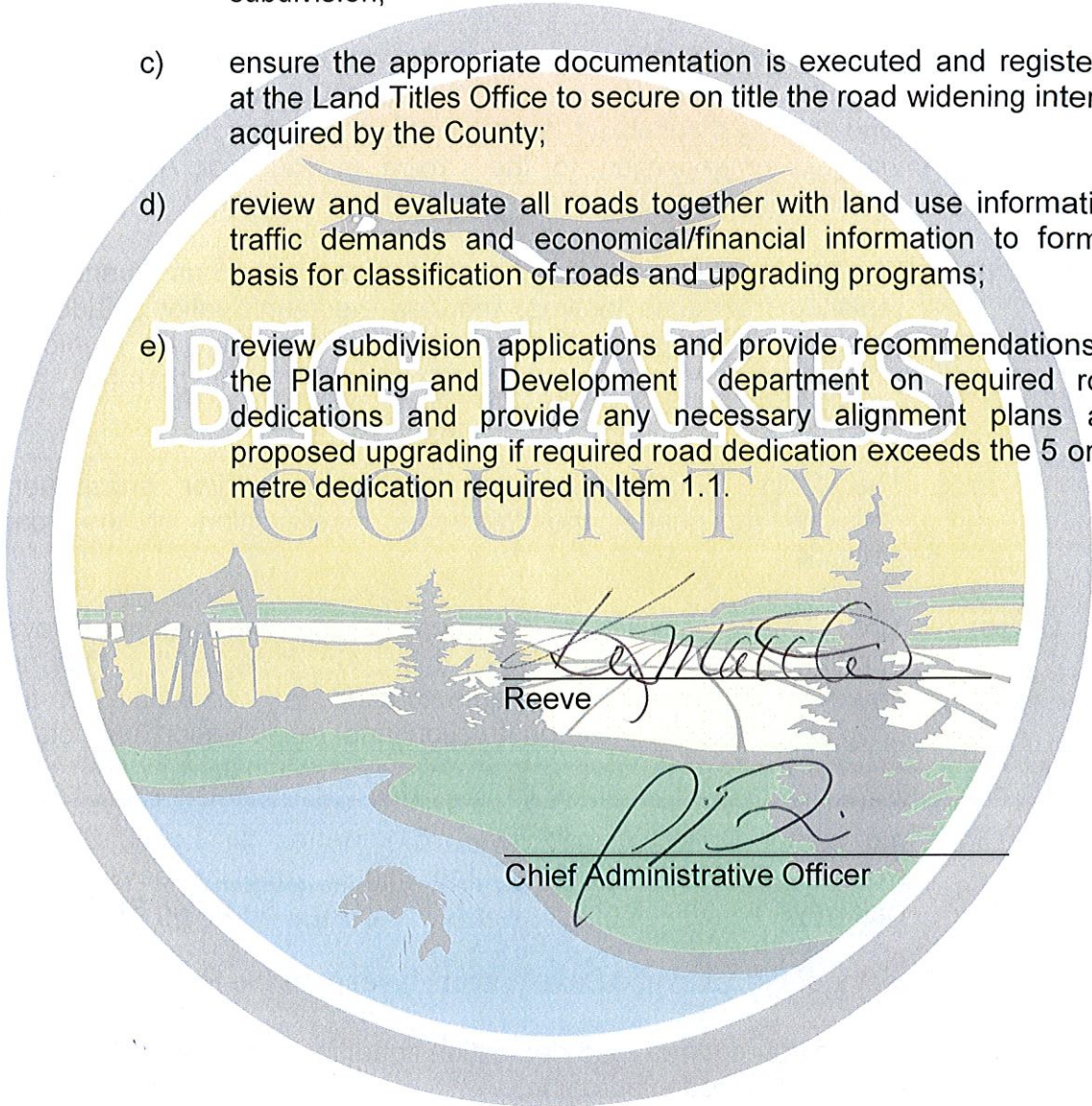
#### 3.2 The Director of Planning and Development is responsible to:

- a) ensure the required road dedication condition is imposed at the time of proposed subdivision;
- e) ensure the road areas imposed as a condition of subdivision are properly documented prior to subdivision endorsement; and
- f) assist and supply any necessary information to the Public Works department on land use information which impacts on the capacity of roadways.



3.3 The Director of Public Works is responsible to:

- a) determine the value of unsubdivided land as required by this Policy;
- b) prepare any required land acquisition agreements for required roadway for execution by the owner of land proposed for subdivision;
- c) ensure the appropriate documentation is executed and registered at the Land Titles Office to secure on title the road widening interest acquired by the County;
- d) review and evaluate all roads together with land use information, traffic demands and economical/financial information to form a basis for classification of roads and upgrading programs;
- e) review subdivision applications and provide recommendations to the Planning and Development department on required road dedications and provide any necessary alignment plans and proposed upgrading if required road dedication exceeds the 5 or 10 metre dedication required in Item 1.1.



Reeve

Chief Administrative Officer