

THE RURAL MUNICIPALITY OF PINEY

“Private Approach Policy”

Subject: Private Approach Policy

Effective Date: May 29, 2019

Replaces Policy: July 15, 2015

Resolution No.: 148 **Resolution Date:** May 28, 2019

A. **PURPOSE:**

This Policy provides the framework for the installation and maintenance of private approaches within the Rural Municipality of Piney. It will include the delegation of authority to approve, application fee, framework to vary a decision and appeal.

Any request to deviate from these guidelines and specifications or appeal a decision must be forwarded, in writing, to the Chief Administrative Officer at The Rural Municipality of Piney, Box 48, Vassar MB R0C 2Z0. Telephone No. 1-204-437-2284; Fax No. 1-204-437-2556.

The party requesting the change shall clearly outline their justification for the deviation and their proposed change(s).

Any costs incurred by the Municipality to arrange for necessary technical analysis to review proposed changes shall be borne by the party requesting the deviation.

Only replies in writing from the Chief Administrative Officer of the Rural Municipality of Piney shall be considered as being valid authorization to proceed with the alterations as documented in the reply.

B. POLICY:

The following terms are intended to provide the Municipality with basic guidelines to the development of private approaches onto municipal road allowances within the Rural Municipality of Piney to a standard.

i. New Permanent Approaches

All new private approaches must be approved by the Rural Municipality of Piney prior to installation. Applications to install a private approach will be done on the approved form here attached as Schedule "A" and provided to the RM Administration Office in Vassar a minimum of 21 days prior to installation. An application fee of \$35.00 must accompany the application for private approach.

Upon receiving the application and corresponding fee, the RM will evaluate the application and determine the appropriate culvert needs of the site. Once the specifications of the site have been determined, the RM will sign and return the application with the specifications required.

Once the private approach has been installed, the landowner will contact the RM for a final inspection. All private approaches are to receive a final inspection to ensure that they have been installed to specifications.

Council of the RM of Piney hereby delegates to the CAO and/or Public Works Supervisor the authority to approve private approach installations that meet the following conditions;

- i) No more than three private approaches per quarter section of land
- ii) No more than two private approach per parcel for 80 acres down to 5 acres
- iii) No more then one private approach per parcel less than 5 acres
- iv) No approach shall be installed closer than 7.5 meters from an intersection

All private approaches are to have a culvert installed to a minimum size as specified in the application form. Minimum top width for the approach shall be 7.5 meters.

Ongoing maintenance of a private approach remains the responsibility of the landowner. Maintenance will include, but is not limited to pipe replacement, pipe cleanout, surface maintenance and mowing.

ii. Temporary Approaches

All temporary approaches must be approved by the Rural Municipality of Piney prior to installation. Applications to install a temporary approach will be done on the approved form here attached as Schedule “B” and provided to the RM Administration Office in Vassar a minimum of 21 days prior to installation. An application fee of \$35.00 and a \$500 refundable deposit must accompany the application for a temporary approach. The deposit will be returned once the temporary approach has been removed and the ditch restored to pre-installation condition. The applicant shall request a removal inspection and final acceptance. Failure to remove the temporary approach on or before expiry of the 6 month period and restore the ditch to pre-installation condition will result in forfeiture of the refundable deposit.

Upon receiving the application and corresponding fees, the RM will evaluate the application and determine the need for a culvert at the site. All temporary approaches are to have a culvert installed to a minimum size as specified in the application form.

Once the specifications of the site have been determined, the RM will sign and return the application with the specifications required.

All temporary approaches must be removed within 6 months of approval by the RM.

Council of the RM of Piney hereby delegates to the CAO and/or Public Works Supervisor the authority to approve temporary approach installations.

iii. Changes to Approaches

All approach alterations, changes or improvements (modifications) must be approved by the Rural Municipality of Piney prior to the changes. Applications to modify a private approach will be done on the approved form here attached as Schedule “A” and provided to the RM Administration Office in Vassar a minimum of 21 days prior to modification. The application fee of \$35.00 is waived for modifications to private approaches.

Upon receiving the application, the RM will evaluate the application and determine that the modifications are acceptable for the site. Specification to the modification may be required as per the Public Works Supervisor’s inspection. Once the specifications of the site have been determined, the RM will sign and return the application with the specifications required.

Once the modifications have been completed, the landowner will contact the RM for a final inspection. All private approaches are to receive a final inspection to ensure that

they meet the specifications.

Ongoing maintenance of the private approach remains the responsibility of the landowner. Maintenance will include, but is not limited to pipe replacement, pipe cleanout, surface maintenance and mowing.

iv. Un-Approved Approaches

Unapproved approaches must have an application and fee filed with the RM Office within 14 days of receiving written notification from the RM. The application fee for unapproved approaches will be 4 times the initial fee. The RM will then re-inspect and list the required improvements needed to the approach. If improvements are not completed within 14 days of written notification from the RM, the RM will remove the approach at the landowners cost. Costs will include, but are not limited to, any equipment time, staff time, vehicle charges, survey costs and earth work. All costs associated with remediation must be paid within 28 days of written notification. All outstanding costs after 28 days will be added to the landowners' property tax as a property matter.

This policy may be amended from time to time by resolution.

Schedule "A"
Rural Municipality of Piney
Permanent Approach Application

Permit No. _____ Description: _____
Owner's Name: _____ Civic Address: _____
Legal Description: Lot _____ Block _____ Plan# _____ Roll # _____

The culvert must be installed as per the standard here attached as Schedule "C".

Applicant Name: _____
Address: _____

Phone: _____ (home) _____ (work)

Details:

___ Residential ___ Commercial ___ Farm
Fee: \$35.00 Receipt # _____

Indemnity Clause for Approach Permit

I undertake to observe and perform the provisions of all Provincial statutes or regulations, and the applicable by-law or by-laws, schemes and regulations or order or agreements and plans continued in force in the RM of Piney affecting said land; and all specification or instructions issued by the duly authorized officers of the Municipality in respect of the work incidental to the subject matter of this application and to indemnify the Municipality against all losses, costs, charges or damages cause by or arising out of anything done pursuant to any permit issued under this application.

Date: _____ Applicant Signature: _____

Valid only if construction begins within 1 year of completed approach permit.

Permission is hereby granted to _____
To place an approach with a corrugated culvert _____ meters by _____ millimeters in
diameter to provide access to the above property.

This application is hereby approved subject to the conditions set out herein.

Authorized Signature Date

Final Inspection and acceptance of the approach on behalf of the RM of Piney.

Authorized Signature Date

Schedule "B"
Rural Municipality of Piney
Temporary Approach Application

Permit No. _____ Description: _____
Owner's Name: _____ Civic Address: _____
Legal Description: Lot _____ Block _____ Plan# _____ Roll # _____

The culvert must be installed as per the standard here attached as Schedule "C".

Applicant Name: _____
Address: _____

Phone: _____ (home) _____ (work)

Details:

___ Residential ___ Commercial ___ Farm
Fee: \$35.00 and \$500.00 refundable deposit Receipt # _____

Indemnity Clause for Temporary Approach Permit

I undertake to observe and perform the provisions of all Provincial statutes or regulations, and the applicable by-law or by-laws, schemes and regulations or order or agreements and plans continued in force in the RM of Piney affecting said land; and all specification or instructions issued by the duly authorized officers of the Municipality in respect of the work incidental to the subject matter of this application and to indemnify the Municipality against all losses, costs, charges or damages cause by or arising out of anything done pursuant to any permit issued under this application.

Date: _____ Applicant Signature: _____

Valid for 6 months from the date of RM approval.

Permission is hereby granted to _____
To place an approach with a corrugated culvert _____ meters by _____ millimeters in diameter to provide access to the above property.

This application is hereby approved subject to the conditions set out herein.

Authorized Signature Date

Removal inspection and final acceptance, approval for the return of the deposit.

Authorized Signature Date

Schedule “C” Typical Approach & Culvert Installation

General Guidelines

The following guidelines apply to all driveways accessing municipal roadways.

1. The driveway placement should be such that drivers approaching from the main roadway will have sufficient sight distance to ascertain the driveway’s location in order to safely decelerate and complete the entry maneuver. Also, the driveway placement should be such that an exiting driver will have sufficient sight distance to judge a safe gap in oncoming traffic.
2. Figure 1 illustrates various driveway design elements including return radius, entry width, exit width, throat width, and throat length.
3. Driveways that cross sidewalks are located in a developing area where pedestrian traffic can be expected, should be designed to maintain an accessible route that is at least four feet wide across the driveway.
4. Driveways should have a minimum throat length *of* 24 feet (7.5 m).

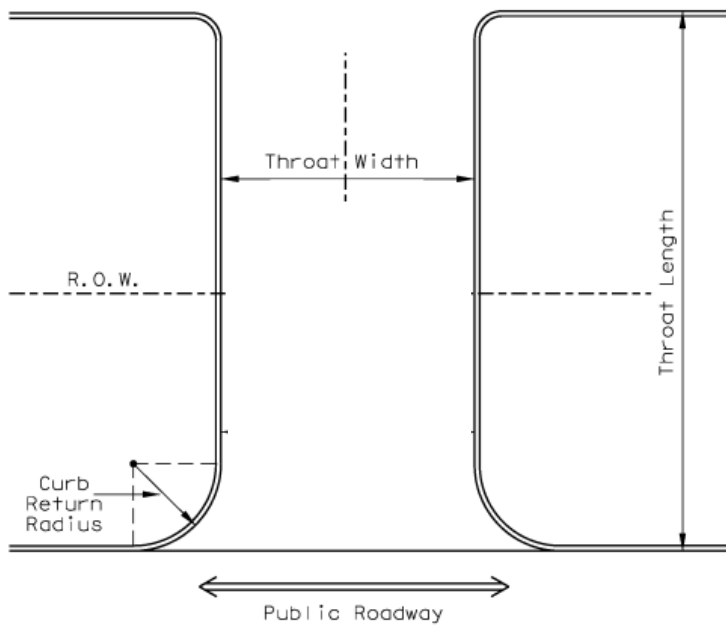


Figure 1. Driveway Design Elements

Schedule “C” cont.

Figure 2. Typical Culvert Installation