
Road Dedication

Date of Approval by Council: 02/23/88; 11/07/06
02/08/2011

Resolution No: 150/88; 688/2006
81/2011

Lead Role: Chief Commissioner

Replaces: 50-55-008

Last Review Date: February 8, 2011

Next Review Date: 02/2014

Administrative Responsibility: Planning & Development Services

Special Notes: Reference Policy Number SER-012-001 – Land Acquisition.

Policy Statement

The County shall have in place a policy which provides guidelines to administration and the public at large for road dedication requirements at the time of subdivision approval. This will provide a consistent approach to the assembly and dedication of required road widenings through the Planning Process.

Definitions

Land – means physical land exclusive of any buildings or structures or improvements.

Over Dedication – means any areas required by the County from a created parcel which is over the 5 or 10 metre requirement pursuant to Item 1.1.

Parcel Created – means the aggregate of one or more lots being created or subdivided out of a certificate of title by a survey plan, raw land condominium or metes and bounds description.

Rural Service Area – means those land areas located outside of urban areas as defined below.

Urban Service Area – means all designated hamlets within the boundaries of Strathcona County

Guidelines

1.0 Road Dedication

- 1.1 The County shall require the registered owner(s) of a parcel of land that is the subject of a proposed subdivision, within the Rural Service Area, to dedicate a 5 metre road widening for Class III and IV rural roadways and a 10 metre road widening for Class I and II rural road widenings abutting the Original Government Road Allowance on each parcel created. The dedication shall be in addition to any circulating or service roads which may be required for the proposed subdivision.
- 1.2 The County shall require the registered owner(s) of a parcel of land that is the subject of a proposed subdivision, within the Rural Service Area, to dedicate a 10 metre X 10 metre corner cut, beyond the road widening dedication as noted in 1.1, at rural grid road intersections when applicable.
- 1.3 The County shall require the registered owner(s) of a parcel of land that is the subject of a proposed subdivision, within the Urban Service Area to dedicate at least 24 metres for a divided urban arterial road. Additional road widening areas may be required if in the opinion of Engineering and Environmental Planning that:

- a) the proposed subdivision will generate sufficient traffic to require additional road widening.
 - b) the practice of the County within negotiated development agreements in the area suggest wider road widenings should be taken.
 - c) additional dedication will be required for urban collector and local roads.
- 1.4 In instances where a previous road widening has been undertaken, yet is insufficient with respect to the rural road functional classification network within the 2010 Sustainable Rural Roads Master Plan, or its most up to date revision, upon further subdivision application the full 10 meter road widening shall be dedicated based upon the Original Government Road Allowance.
- 1.5 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 items 1.1, 1.2, 1.3 or 1.4.
- 1.6 In the case of subdivision by a metes and bounds description or descriptive plan, the registered owner shall enter into a land acquisition agreement with the County for the required road dedication pursuant to items 1.1, 1.2, or 1.3. The consideration paid for such a land acquisition agreement shall be the sum of \$1.00 and the Manager of Planning and Development Services 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.
- 1.7 Where lands dedicated to the County as roadway, including corner cuts, are deemed as surplus, and the title has not transferred to a subsequent owner, the County shall first offer to sell the lands back to the registered owner. The lands will be sold for the sum of \$1.00 conditional upon the registered owner consolidating the dedicated lands in with the current title.

2.0 Over Dedication Required for Roadways

- 2.1 If given the design and alignment of a road the County requires more dedication from the parcel created than provided for in Items 1.1, 1.2, 1.3 or 1.4 then the County shall acquire this road area from the owner at the time of subdivision for the appraised market value of the land at the time of subdivision application;
- a) as if the use proposed for the land that is the subject of the application conformed with any use prescribed in a regional plan, statutory plan, or land use bylaw or land use regulation for that land;
 - b) on the basis of what might be expected to be realized if the land were sold on the open market by a willing seller to a willing buyer on the date as of which the appraisal is made; and
 - c) on the basis that the land is in an un-subdivided state but shall not take into consideration any injurious affection which will result from the roadway construction and use unless and until construction of the roadway actually occurs.
- 2.2 The County shall specify the amount of compensation that will be paid by the County to the owner for the over dedication.

- 2.3 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 and over dedication in accordance with items 1.1, 1.2, 1.3 or 1.4, and 2.1.
- 2.4 In the case of subdivision by a metes and bounds description the owner shall enter into a land acquisition agreement with the County for the required road dedication and over dedication in accordance with Items 1.1, 1.2, and 2.1. The consideration paid for such a land acquisition agreement shall be the sum of \$1.00 for required road dedication and the value determined in accordance with 5.1 for the over dedication. The Manager of Planning and Development Services shall caveat the title of parcel created in order to register the County's roadway interest in a portion of the land pursuant to the Land Acquisition Agreement.

3.0 Other Road Widening

- 3.1 Where the County is required to do design and function of roadways, in excess of 40 metre road allowances, to facilitate the construction of a road for the benefit of the public at large, adjacent landowners shall not be required to dedicate all of the required road widenings.
- 3.2 In the case of the County acquiring road widening by a land acquisition agreement the value shall be determined in a similar fashion to Items 2.1 and 2.2.
- 3.3 In the case of the County acquiring road widening by a Road Widening Option Agreement then the following will apply:
 - a) the option fee to be paid by the County shall be \$1.00
 - b) the consideration to be paid by the County for road widening area upon exercise of the option shall be appraised market value of the land at the time of subdivision application determined in the same fashion as Item 2.1
 - c) the County shall not be liable to pay for the road widening area unless and until it exercises the option agreement.
 - d) the registration of road plan must occur within the time limit of the option period failing which the registered owner will be under no obligation to provide to the County the road widening area.
 - e) by registration of the road plan the County will have exercised the road widening option and the County shall pay to the then registered owner the required compensation as provided for in the road widening option agreement.
- 3.4 The road widening option agreement shall only be used in cases where upgrades are proposed by Engineering and Environmental Planning but have not yet been designated or approved by County Council.
- 3.5 The County shall ensure a caveat is registered against every title to which the County has acquired a roadway interest pursuant to a land acquisition agreement or roadway option agreement.
- 3.6 In the case of other road widenings provided for in Section 3.0 the County shall be responsible for the cost of preparation and registration of any road plan incorporating the acquired road widening area.

Roles and Responsibilities

Authorization

1. 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 the right of Alberta or a municipality, land for roads as required by the subdivision authority.
2. 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 the development and coordination of future improvements to County roadway and transportation systems by the development of a Transportation Plan.
3. The 2010 Sustainable Rural Roads Master Plan and/or subsequent revisions designates the functional classification of the grid road network and prioritizes future road upgrading.
4. 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 primary highways. Strathcona County's standard of 40-0 metres for Class I & II rural roadways, 30 metres for Class III & IV rural roadways and 50 metres for divided urban arterial roads, is consistent with the 2010 Sustainable Rural Roads Master Plan and the Engineering Servicing Standards.

The Manager of Planning and Development Services is responsible to:

1. determine value of un-subdivided land as required by this Policy
2. prepare any required land acquisition agreements for required roadway for execution by an owner of land proposed for subdivision.
3. 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.
4. receive, review, circulate and process all subdivision applications received by the County.
5. ensure the required road dedication condition is imposed at the time of proposed subdivision.
6. ensure road areas imposed as a condition of subdivision are properly documented prior to approval endorsements by subdivision signing officers.
7. assist and supply any necessary information to Engineering and Environmental Planning on land use information which impacts on the capacity of roadways.

The Manager of Engineering and Environmental Planning is responsible to:

1. review and evaluate all roads together with land use information, traffic demands and economic/financial information to form basis for classification of roads and upgrading programs.
2. prepare for approval by Council various alignment plans for roads requiring upgrading for implementation and construction.

3. review subdivision applications and provide recommendations to Planning and Development Services on required road dedications and provide any necessary alignment plans and Council's authority for proposed upgrading if required road dedication exceeds the 5 or 10 metre dedication required in Item 1.1.

Procedures

Procedures have been developed by administration to ensure effective implementation of this policy.