

VILLAGE OF GOLD RIVER

Bylaw No. 656, 2006

CROSSING CONTROL BYLAW

A Bylaw to regulate vehicular access to and from highways
for abutting parcels of land and to provide permits

WHEREAS the Council, may by bylaw, regulate the access to and from a highway for adjacent land, including the location and extent of access;

NOW THEREFORE, the Council, in open meeting assembled, enacts as follows:

1.0 CITATION

1.1 This bylaw may be cited as the Village of Gold River Crossing Control Bylaw No. 656, 2006.

2.0 DEFINITIONS

2.1 In this bylaw:

“Access Width”	means the width of Crossing not including taper or curb return radius,
“Boulevard”	means the portion of a highway between the traveled roadway and the boundary of the highway right of way,
“Council”	means the Council of the Village of Gold River,
“Crossing”	means that portion of a sidewalk or boulevard which is improved for the purpose of vehicular access between a highway and an adjoining parcel of land,
“Crossing Permit”	means a permit to regulate and control the installation of a Crossing,
“Frontage”	means the length of the boundary between a parcel and an adjacent highway or highways,
“Lane”	means a public thoroughfare which affords only a secondary means of access to a lot, at the site or rear thereof and not exceeding a width of 10 metres,
“Municipality”	means the Village of Gold River,

“Street”	means any public highway, road, square or thoroughfare to which parcels of land abut, but not lanes, walkways or bridges,
“Superintendent”	means the Superintendent or Assistant Superintendent or Administrator acting on behalf of the Village,
“Village”	means the municipality of the Village of Gold River

Any word or expression in this bylaw shall have the same meaning as any similar word or expression in the *BC Motor Vehicle Act*, the *Local Government Act*, the *Community Charter*, the Village of Gold River Zoning Bylaw, or any regulation or schedule pursuant thereto, and in case of conflict the *Local Government Act* shall prevail.

3.0 APPLICATION

- 3.1 No person shall construct, repair, improve or pave a Crossing without being the holder of a Crossing Permit.
- 3.2 An application for a Crossing Permit shall:
 - 3.2.1 be made to the Superintendent;
 - 3.2.2 be accompanied by a non-refundable fee of Twenty Five (\$25.00) Dollars;
 - 3.2.3 be made by the owner of the parcel adjoining the proposed Crossing;
 - 3.2.4 be made on the application form authorized by the Superintendent for such purposes; and
 - 3.2.5 show the location and width of the Crossing in relation to the parcel frontage served.
- 3.3 Application for a Crossing Permit shall not be construed as approval for construction of the Crossing.

4.0 DESIGN REQUIREMENTS

- 4.1 Crossings adjacent to parcels zoned for one family and two family dwellings shall be in accordance with the following:
 - 4.1.1 The number of Crossings to a parcel of shall not exceed one for each 25 metres or fraction thereof, of the total frontage of the parcel served.

- 4.1.2 Crossings Access Width shall be constructed to a maximum of 6.0 metres and a minimum width of 4.25 metres.
- 4.1.3 Crossings to a parcel shall be located as per Schedule “B” to this bylaw.
- 4.1.4 Where a second Crossing is permitted to a parcel in accordance with the frontage calculation, the maximum width of the second Crossing shall not exceed a width of 4.0 metres.
- 4.2 Crossings to all other parcels shall be in accordance with the following:
- 4.2.1 The number of Crossings to a parcel shall not exceed one for each 30 metres or fraction thereof, of the total frontage of the parcel served.
- 4.2.2 Two way (two-lane) Crossings shall be constructed to a 9.0 metre Access Width, with additional lanes to a width of 3.3 metres per lane. One way (one lane) Crossings shall be constructed to a 5.0 metre Access Width.
- 4.2.3 Crossings to a parcel shall be located as per Schedule “B” of this bylaw.
- 4.3 Notwithstanding Sections 4.1 and 4.2 of this bylaw, all Crossings shall be in accordance with the following:
- 4.3.1 Crossings should be constructed perpendicular to the adjacent curb line, however angled Crossings to parcels are permitted provided the included angle between the Crossing and the edge of pavement on the Street right-of-way is no less than 45 degrees and there is no encroachment on an adjacent parcel’s frontage.
- 4.3.2 Loop crossings will be allowed provided that the Crossings meet the requirements of this Section, and that no part of the connecting loop will be on public property.
- 4.3.3 Except in areas where curbs have been installed and where all municipal services have been completed as determined by the municipal Engineer, no concrete driveways will be permitted on public property.
- 4.3.4 Crossing shall be constructed in accordance with the Village of Gold River Subdivision Bylaw specifications.
- 4.3.5 No Crossing shall be permitted through a corner of a parcel.

5.0 PERMIT REQUIREMENTS

- 5.1 A Crossing Permit issued pursuant to the provisions of this bylaw shall be in the form attached as Schedule “A” hereto.

- 5.2 The approval and permission to install, use and maintain works for a Crossing is at all times subject to the following conditions:
- 5.2.1 That the installation and maintenance of the said works is carried out to the satisfaction of the Superintendent.
 - 5.2.2 That the installation of the said works shall be prosecuted with due diligence and completed within 90 days after the issuance of the Crossing Permit.
 - 5.2.3 That the safety, economy and convenience of the traveling public must at all times be recognized and all traffic control must be undertaken by the permittee to the satisfaction of the Superintendent.
 - 5.2.4 That where the works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition to the satisfaction of the Superintendent.
 - 5.2.5 If, at any time, a change in land use occurs on the parcel being served by the Crossing, and this results in changes to the type of Crossing operation, peak hour traffic or type of Crossing traffic and the safety and efficiency of the street is compromised, the Superintendent may require the permittee to reconstruct or relocate the Crossing to the parcel.
 - 5.2.6 That the permittee shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by said works, and shall save harmless and keep indemnified the Municipality from all claims and demands whatsoever in respect of the works.
 - 5.2.7 That, after receiving notice in writing of the intention of the Municipality to construct, extend, alter or improve any public works, the permittee shall within 30 days move or alter works authorized by the Crossing Permit issued under this bylaw at his own expense to such new position or in such manner as may be necessitated by the construction, extension, alteration or improvement.

6.0 GENERAL PROVISIONS

- 6.1 No person shall use the boulevard frontage for vehicular access between a roadway and a parcel of land except over a portion thereof constructed as a Crossing in accordance with this bylaw.
- 6.2 An application for a Crossing Permit shall be made to the Superintendent and shall be accompanied by a suitably scaled drawing showing the location, dimensions and

construction details of the proposed Crossing along with any physical features which may affect construction.

- 6.3 No person shall obtain a Crossing Permit until he has deposited with the Municipality monies equal to the estimate of the cost of constructing, reconstruction, repairing or replacing the Crossing prepared by the Superintendent in accordance with Schedule "C" of this bylaw.
- 6.4 A person constructing, reconstructing, repairing or replacing a Crossing pursuant to this bylaw shall call for inspection by the Superintendent at such stages as may be stipulated by him in the Crossing Permit.
- 6.5 Monies deposited pursuant to Section 6.3 shall be refunded only after the applicant has completed construction, reconstruction, repair or replacement of the Crossing in accordance with the Crossing standards and within the time specified in the Crossing Permit, and may otherwise be applied by the Municipality to the cost of remedial work undertaken by its crews.
- 6.6 On receipt of an application for a Crossing Permit and provided that the proposed Crossing complies with the Crossing standards, the Superintendent may elect to have the Crossing constructed, reconstructed, repaired or replaced by municipal crews. If the Superintendent so elects, the applicant shall pay to the Municipal Treasurer in advance of construction and, if applicable, the issuance of a building permit, an amount equal to the estimate of the cost of constructing, reconstructing, repairing or replacing the Crossing prepared by the Superintendent in accordance with Schedule "A" of this bylaw.
- 6.7 A Crossing must be extended onto the parcel of land served by it in order to provide for off-street parking.
- 6.8 Where a parcel of land is proposed to be served by a driveway constructed through another parcel of land, no Crossing Permit shall be issued until an easement granting the dominant tenement a right of passage is registered in the Victoria Land Title Office.
- 6.9 A Crossing Permit will not be issued to provide access to a highway upon which no roadway has been constructed.
- 6.10 No Crossing shall block or hinder the flow of roadside drainage.

7.0 PROCEDURAL PROVISIONS

- 7.1 If at any stage of Crossing construction it appears that the further construction as authorized by the Crossing Permit is likely to endanger any utilities, drains, public property streets, easements or lane or is likely to create a condition which would endanger the health or safety of persons or property using the Crossing, the Crossing Permit may be revoked by the Superintendent. The permittee may be required as a

condition of continuing the work to take adequate precautions as specified by the Superintendent to prevent such danger.

- 7.2 The Superintendent is hereby authorized to enter at all reasonable times onto any parcel being served by a Crossing to ascertain whether the provisions of this bylaw are being observed.
- 7.3 If, after 14 days of receiving written notification by the Municipality, the permittee fails to comply with the conditions of a Crossing Permit issued under this bylaw, the Municipality may correct or remove any work done that does not comply with the permit, at the cost of the permittee, and recover the expense.
- 7.4 Any person who contravenes any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of any provisions of this bylaw, or who refuses, omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this bylaw, commits an offence, and is liable on summary conviction to a fine not exceeding Two Thousand (\$2,000) Dollars.

READ A FIRST AND SECOND TIME THIS	2 ND	DAY OF	OCTOBER	2006.
READ A THIRD TIME THIS	16 TH	DAY OF	OCTOBER	2006.
ADOPTED THIS	20 TH	DAY OF	NOVEMBER	2006.

C. Anderson

MAYOR

L. Plourde

CLERK

VILLAGE OF GOLD RIVER

Bylaw No. 656, 2006

CROSSING CONTROL BYLAW

Schedule "A"



The information on this form is collected under the authority of the Local Government Act. The information provided will be used to process your application for an Access Permit. If you have any questions about the collection and use of this information, please contact the Municipal Clerk, 499 Muchalat Drive, P.O. Box 610 Gold River B.C. v0P 1G0 Phone: (250) 283-2202 or by email at villageofgoldriver@cablerocket.com

VILLAGE OF GOLD RIVER

PERMIT

TO INSTALL, USE, AND MAINTAIN ACCESS TO A VILLAGE STREET

The works comprising: _____
at the following location: _____

are hereby approved insofar as they relate to the use of street right-of-way, and permission to install, use, maintain and operate the said works is hereby granted to:

Permitee: _____
Address of Permitee: _____

The said approval and permission to install, use and maintain the said works is, however, at all times subject to the following conditions:

- 1. That the installation and maintenance of the said works is carried out to the satisfaction of the Superintendent.
- 2. That the installation of the said works shall be commenced on or after _____ and shall be prosecuted with due diligence and complete on or before _____.
- 3. That the safety, economy and convenience of the traveling public must at all times be recognized and all traffic control must be undertaken by the permittee to the satisfaction of the Superintendent.
- 4. That where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition to the satisfaction of the Superintendent.

5. That the permittee shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by said works, and shall save harmless and keep indemnified the Village of Gold River from all claims and demands whatsoever in respect of the works.
6. That after receiving notice in writing of the intention of the Village to construct, extend, alter or improve any public works, the permittee shall within 30 days move or alter works authorized by this permit at his own expense to such new position or in such manner as may be necessitated by the construction, extension, alteration or improvements.
7. The access (or accesses) shall be graveled to an extent satisfactory to the Superintendent to prevent the tracking of mud and soil onto the street surface.
8. The access (or accesses) shall be paved to the satisfaction of the Superintendent .
9. The final grades for this street have not been established by the Village of Gold River. The Village will not assume any liability for safeguarding or replacing this driveway pavement if the street is reconstructed.
10. Service valves or other public utilities why may be within the location of the access shall not be covered over or their accessibility hindered in any other way by the construction of the access.
11. The application is to contact the Superintendent at the Village Office (283-2202) to arrange for on-site inspection prior to the pouring of concrete or installation of asphalt with regards to this permit.
12. That the following additional provisions may apply and form part of the permit where applicable:

No culvert required – may be required in future at owner’s cost.

No culvert required – access to crossfall at 2% to the curb for a distance of five feet for future sidewalk considerations.

Maintain a depression or swale along the total frontage of this property to alleviate drainage water running onto property from the road and drainage from property running onto the road.

Construction driveway with a side slope to ensure it minimizes drainage onto the road.

No concrete driveway shall be placed on Village property.

The access (or accesses) shall be constructed with _____mm galvanized corrugated steel culvert pipe manufactured to CSA or ASTM standards and laid at ditch invert elevation. Maintenance and periodic cleaning of this culvert is the responsibility of the permittee.

The profile of the access (or accesses) shall be at the crossfall of the pavement for at least _____ metres from the street centerline.

The cross line (or crossings) shall be constructed of standard concrete drop-curb and sidewalk crossing, to the satisfaction of the Superintendent.

_____ Date

_____ for Superintendent

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CROSSING CONTROL BYLAW

Schedule "B"

Road Classification	Crossing Locations							
	To Parcels Zoned for One & Two Family Dwellings				To All Other Parcels			
	A	B	C*	D	A	B	C*	D
Arterial	18.0	5.0	27.0	5.0	18.0	5.0	27.0	5.0
Collector	14.0	1.5	9.0	5.0	18.0	1.5	13.0	5.0
Local	8.0	1.5	9.0	5.0	14.0	1.5	9.0	5.0

Arterial and Collector Road Classifications are defined in the Village of Gold River Official Community Plan.
For the purpose of this Bylaw, all other roads are considered Local.

All distances are minimum and in metres.
* Denotes minimum distance between crossings on one parcel.

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Schedule "C"

Fees for construction, reconstruction or replacement of standard (See Note 1) driveway access shall be calculated on the following unit rates:	
Description	Unit Rate
New or replacement driveway access, exclusive of curb and gutter	One Hundred Dollars (\$100) per square metre
Curb and Gutter – New or Replacement	Sixty Four Dollars (\$64) per lineal metre
Removal and disposal of existing driveway access	Twenty Dollars (\$20) per square metre
Curb and gutter reinstatement where an existing driveway access has been removed and/or relocated	Sixty Four Dollars (\$64) per lineal metre
Sidewalk reinstatement where an existing driveway access has been removed and/or relocated	One Hundred Dollars (\$100) per square metre
Boulevard reinstatement	Twenty Dollars (\$20) per square metre

Note 1: Fees for driveway accesses which require the installation of a culvert, other special drainage provisions, retaining walls, or blasting, or for spot repairs short of reconstruction or replacement, shall be calculated by the Superintendent on an actual cost basis.