



Municipal Policy

MS-07 – Road Right of Way Dedication

Engineering
Municipal Standards and Engineering

Policy statement

Leduc County will require road right of way dedication ~~to allow for as per~~ the ~~upgrading of~~ ~~Municipal Government Act Section 661/662 in order to upgrade~~ the transportation network to meet service level objectives. ____

Definitions

Administration means the staff of Leduc County under the direction of the county manager.

Arterial Roadway means a road that connects into the Provincial highway system or other arterial roads and has been designated as an arterial roadway within the County's Transportation Master Plan.

Caveat means a legal document registered on created parcel titles stating the requirement to provide the necessary road right of way dedication at no cost to Leduc County.

Council means the duly elected council of Leduc County.

County means the municipal district of Leduc County in the Province of Alberta.

County Manager ~~County manager~~ means the chief administrative officer.

Multi Lot Subdivision means a subdivision where four or more contiguous parcels for residential purposes are being created.

Non-multi-Lot Subdivision means a subdivision where less than four contiguous parcels for residential purposes are being created.

Off-site Levy means the amount calculated in accordance with the Off-site Levy Bylaw that is to be paid to the County as a contribution towards the costs of constructing off-site infrastructure projects defined and described within the Off-site Levy Bylaw.

Off-site Levy Bylaw means the bylaw that defines the infrastructure, the costs, and the allocations that is to be paid to the municipality as an off-site levy to construct off-site infrastructure projects

Plan of Survey means plan depicting the road right of way dedication completed by an Alberta Land Surveyor registered in an Alberta Land Titles Office.

Right of Way ~~County rights of way~~ means the legal plan of survey that has been filed or registered at the Alberta Land Titles Office ~~office~~ that defines the boundary of ~~the~~ right-of-way limits ~~for the purposes of identifying municipal roads.~~

Road means land shown as a road on a plan of survey that has been filed or registered in a land titles office.

Policy authority

Legislative implications:

- Municipal Government Act, ~~(MGA)~~, RSA 2000
 - Sections 661 and 662

Bylaw implications:

- Greater Nisku and Area Off-site Levy Bylaw

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- Other relevant Off-site Levy Bylaws

Policy standards

1. Council delegates authority to the county manager, or their designate, to make decisions to Engineering and Utilities will determine the need for road right of way dedication based upon the right of way dedication map, transportation master plan, ~~and~~ area structure plan transportation assessments and municipal engineering standards.
2. Road right of way dedication may be required as a condition during the subdivision approval process. Road right of way dedication may be required where it has been determined that a future upgrading to the transportation network may be required to meet service level objectives.
3. Council delegates authority to the county manager, or their designate, to make decisions to Engineering and Utilities will determine the amount of road right of way dedication required. No ~~There is no~~ compensation is to be provided for the road right of way dedication, unless the dedication is required for an arterial roadway identified in an Off-site Levy Bylaw in which case the compensation will be as per the relevant Off-site Levy Bylaw.
4. Road right of way dedication will be obtained from the property that is being subdivided for a non-multi-lot subdivision and is equal to or less than five metres in width will be registered (5 or more lots), by way means of caveat.
5. Road right of way dedication will be obtained, from the property that is being subdivided for a multi lot subdivision or is greater than five metres in width will be registered, by a plan means of survey ~~Plan of Survey.~~

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Policy responsibilities

Council responsibilities:

Council will,

- Be responsible for Approve the adoption or repeal Road Right of this policy and approving any major revisions to the Way Dedication policy.

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Administration responsibilities:

Administration ~~Director, Engineering and Utilities~~ will,

- Be responsible for the development, implementation, and monitoring of maintaining and updating this policy and ensuring the appropriate resources are available to meet the service levels.
- Review this policy to verify that it complies with all current, relevant legislation, and municipal policies.
- Be responsible for ensuring that the appropriate staff adhere to this policy.
- Develop the road right of way dedication map.

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Monitoring and updating

- This policy will be posted on Leduc County's website.
- This policy will be reviewed at least once every four ~~two~~ years.

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- The right of way dedication map will be reviewed and approved by the Public Works Committee on a yearly basis.

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