



## **TRANSPORTATION SERVICES**

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<b>TO:</b>	Council		
<b>DATE:</b>	January 10, 2023	<b>DIVISION:</b>	All
<b>FILE:</b>	1007-100	<b>APPLICATION:</b>	N/A
<b>SUBJECT:</b>	Road Licencing Bylaw C-8316-2022		

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### **EXECUTIVE SUMMARY:**

At the December 14, 2021 Council Meeting, a Notice of Motion was introduced by Council that directed Administration to investigate possible amendments to Rocky View County's Road Licencing Policy C-433. The amendment was to enable Rocky View County to issue a license or permit for the use of any Undeveloped Road Allowance right-of-way or a portion of any Undeveloped Road Allowance right-of-way located within Rocky View County. The license would provide temporary access to landowners with existing driveways who own land immediately adjacent to or hold a beneficial interest in the undeveloped Road Allowance right-of-way. This would be similar to how the County currently handles grazing licenses in undeveloped road allowances.

At the February 8, 2022 Council Meeting, Administration was directed to bring forward Policy C-433 as a Bylaw for Council's consideration and to schedule a non-statutory public hearing.

At the July 12, 2022 Council Meeting, Council gave first reading to Road Licencing Bylaw C-8316-2022 and direction to schedule a non-statutory public hearing.

At the September 13, 2022 Non Statutory Public Hearing, Council received public feedback and referred to Administration to prepare amendments to the bylaw, and return to Council no later than January 31, 2023.

### **ADMINISTRATION RECOMMENDATION:**

Administration recommends approval in accordance with Option #1.

### **BACKGROUND:**

The purpose of the proposed Road Licencing Bylaw C-8316-2022 is to provide for the issuance of licences for the temporary occupation or use of undeveloped county roads. Currently, Road Licencing Policy C-433 only allows for the issuance of licenses for grazing and cultivation purposes.

The proposed Road Licencing Bylaw C-8316-2022 clearly defines responsibility regarding licencing of undeveloped road allowances. All licences issued will be for non-exclusive use but may be limited to human foot traffic and farm operation vehicles. The Notice of Motion, and subsequent Council direction, asked Administration to consider adding the ability to apply for a licence of temporary occupation for existing driveways in undeveloped road allowances, where appropriate.

In the proposed bylaw, it is recommended that access through licencing should be referred to as "temporary" as opposed to "dedicated". If the applicant is requesting dedicated or exclusive access to a road allowance, the applicant would be required to apply for a road closure and consolidation as per Section 22 (1) of the *Municipal Government Act*, stating that no road in a municipality that is subject to the directions, control and management of the Municipality may be closed except by Bylaw.

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### **Administration Resources**

Steven Hulsman, Transportation Services



The proposed Bylaw C-8316-2022 provides for the issuance of licences for the temporary occupation or use of undeveloped county road allowances and triggers an amendment to Bylaw C-8258-2022 – Master Rates Bylaw (Attachment 'C') to consolidate rows 596 & 597 into one licence for occupation for grazing/cultivation/existing driveway.

Administration is recommending the following, in accordance with Option #1:

- that Bylaw C-8316-2022 be given second and third reading;
- That Bylaw C-8372-2023 to amend Master Rates Bylaw C-8258-2022 be given all three readings; and
- That Bylaw Road Licensing Policy C-433 be rescinded.

#### **PROPOSED ADMENDMENTS:**

Amendments to the proposed Road Licencing Bylaw C-8316-2022 are:

- Section 5 (4) was added, defining licences will be terminable on 60 days' notice vs 30 days as per the Transportation Security Administration (TSA).
- Section 6 (1) was re-written to include the terminology of "has an interest".
- Section 6 (3) (b) was re-written removing the term "dedicated" and replacing with "via an existing driveway".
- Section 7 was added to include "All licences issued will be for non-exclusive use but may be limited to human foot traffic and farm operation vehicles".

#### **BUDGET IMPLICATIONS:**

None.

#### **OPTIONS:**

- Option #1:
- Motion 1: THAT Bylaw C-8316-2022 be given second reading.
  - Motion 2: THAT Bylaw C-8316-2022 be given third and final reading.
  - Motion 3: THAT Bylaw Road Licensing Policy C-433 be rescinded.
  - Motion 4: THAT Bylaw C-8372-2023 be given first reading.
  - Motion 5: THAT Bylaw C-8372-2023 be given second reading.
  - Motion 6: THAT Bylaw C-8372-2023 be considered for third reading.
  - Motion 7: THAT Bylaw C-8372-2023 be given third and final reading.
- Option # 2:
- Motion 1: THAT Bylaw C-8316-2022 be refused.
  - Motion 2: THAT Bylaw C-8372-2023 be refused.
- Option # 3: THAT alternative direction be provided.



Respectfully submitted,

Concurrence,

"Byron Riemann"

"Dorian Wandzura"

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Executive Director  
Operations

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Chief Administrative Officer

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**ATTACHMENTS:**

ATTACHMENT 'A' – Proposed Road Licencing Bylaw C-8316-2022

ATTACHMENT 'B' – Council Road Licencing Policy C-433

ATTACHMENT 'C' – C-8372-2023 Bylaw to amend Master Rates Bylaw