



## LAC LA BICHE COUNTY POLICY

TITLE: ROAD WIDENING FOR SUBDIVISIONS	POLICY NO: PI-61-009
RESOLUTION: 10.130	EFFECTIVE DATE: APRIL 13, 2010
LEAD ROLE: MANAGER, PLANNING AND DEVELOPMENT	NEXT REVIEW DATE: APRIL 13, 2012
SPECIAL NOTES/CROSS REFERENCE:	AMENDMENT DATE:

### POLICY STATEMENT:

Lac La Biche County is required to provide a public utility or a transportation service for the residents of the County and accordingly deems it appropriate to establish a Road Widening policy that outlines the circumstances where lands are acquired from the landowner for the purposes of acquiring land at the time of subdivision. This policy sets out the form of compensation, if any, provided to the landowner of the parcel that is subject to any road widening and the requirements for road widening.

### PROCEDURE:

1. The County will follow the direction established in the Lac La Biche County Transportation Master Plan (TMP) to assist in determining roadway widening needs. The Lac La Biche County TMP identifies the short and long-term transportation infrastructure needs within the County and Hamlet areas, and outlines how these transportation needs will be achieved.
2. Administration of Lac La Biche County will consider the need to acquire lands for the purposes of road widening from a landowner as part of any subdivision application, with the exception of the lands referred to in 5 (e). The opportunity for the County to acquire lands for the purposes of road widening as part of a proposed subdivision application is established in Sections 661 and 662 of the *Municipal Government Act*, as amended.
3. Administration of Lac La Biche County will consider the need to acquire lands for the purposes of road widening from a landowner in other circumstances as identified by Lac La Biche County Council. Section 602.13(1) of the *Municipal Government Act* regulates the municipality's opportunity to obtain lands, outside of the subdivision process for the express purpose of providing public utility or a transportation service.
4. As a condition of subdivision approval, Lac La Biche County may require that the owner of a parcel that is subject to an application to subdivide to:
  - i. If the Transportation Master Plan identifies that a County road adjacent to a parcel that is subject to an application to subdivide will require upgrading/widening, the owner will be required to provide, without compensation, an area for roadway widening purposes, as specified by the Municipal Planning Commission. The County may require that a caveat under the Land Titles Act be registered against the title of the subject parcel. The caveat

will identify the future roadway widening dedication, as specified by the Municipal Commission and will be registered against the lands in the titled area and the new parcels created by the subdivision. No compensation will be provided to the owner in this circumstance. This caveat will grant the County the legal framework for future road widening needs through a road widening agreement.

- ii If the Transportation Master Plan does not identify any improvements to a County road adjacent to a parcel that is subject to an application to subdivide, not land for roadway widening purposes and no caveat regarding future roadway widening needs will be required. As part of the notice of approval of the proposed subdivision, the Municipal Planning Commission will identify to the owner that the County may require road widening from the remaining lands in the titled area and the new parcels created by the subdivision at some point in the future, should the Transportation Master Plan be amended to identify future roadway improvements.

5. If road widening is identified by the County as a requirement from a parcel due to the approval of a subdivision of an adjacent parcel, the County may require the owner of a parcel of land to:

- i. If the Transportation Master Plan identifies that a County road adjacent to a parcel will require upgrading/widening, the owner of that parcel may be required to provide an area for roadway widening purposes, as specified by the County. If the County requires these lands, the landowner will be compensated.
- ii. If the Transportation Master Plan identifies that a County road adjacent to the parcel will require upgrading/widening the County may require that a caveat under the *Land Titles Act* that identifies the future roadway widening dedication, as specified by the County, be registered against the title of the parcel. This caveat will grant the County the legal framework for future road widening needs through a road widening agreement.
- iii. If a caveat as outlined in Section 5 (ii) regarding future road widening requirements is required by the County, the County will compensate the owner.
- iv. If the parcel of land proposed for subdivision is the first parcel out of the quarter section and there is only one (1) lot proposed, the County shall require the owner to provide land, with no compensation, for possible road widening as a condition of subdivision for the proposed parcel being subdivided but not for any of the remnant lands.

6. If road widening is identified by the County as a requirement for a roadway in the Transportation Master Plan, but there is no proposed subdivision of a parcel, or if a parcel is not adjacent to another parcel of land that is subject to a proposed subdivision, the County may require an owner of a parcel adjacent to the roadway to:

- i. If the Transportation Master Plan identifies that a County road adjacent to a parcel will require upgrading/widening, the owner of that parcel will be required to provide an area for roadway widening purposes, as specified by the County. If the County requires this land, the landowner will receive compensation.
- ii. If the Transportation Master Plan identifies that a County road adjacent to the parcel will require upgrading/widening, the County will require that a caveat under the *Land Titles Act*

that identifies the future roadway widening dedication, as specified by the County, be registered against the title of the parcel. This caveat will grant the County the legal framework for future road widening needs through a road widening agreement.

iii. If a caveat as outlined in Section 6. (ii) Regarding future road widening requirements is required by the County, the County will compensate the owner.

7. If widening is identified by the County as a requirement for a roadway, but the Transportation Master Plan does not identify it as a requirement, and there is no proposed subdivision of a parcel, and if a parcel is not adjacent to another parcel of land that is subject to a proposed subdivision, the County may:

i. Require the owner of a parcel to provide an area for roadway widening purposes, as specified by the County. If the County requires this land, the landowner will receive compensation.

ii. Require that a caveat under the *Land Titles Act* that identifies the future roadway widening dedication, as specified by the County, be registered against the title of the parcel. This caveat will grant the County the legal framework for future road widening needs through a road widening agreement.

iii. If a caveat is required by the County, the County will compensate the owner.

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"Original Signed"  
Chief Administrative Officer

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April 15, 2010  
Date

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"Original Signed"  
Mayor

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April 16, 2010  
Date