

CORPORATION OF THE MUNICIPALITY OF TWEED

BY-LAW NO. 2023-06

Being a By-law to Regulate the Location, Construction, and Use of Entrances Onto Municipal Roads for the Municipality of Tweed, and to Repeal By-law No. 98-14.

WHEREAS under Section 27 (1) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, except as otherwise provided in the Act, a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway;

AND WHEREAS the Council of the Corporation of the Municipality of Tweed deems it necessary to regulate the location, construction, and use of entrances onto municipal roads;

NOW THEREFORE the Council of the Corporation of the Municipality of Tweed enacts as follows:

1. THAT no person shall construct, alter, or use any private road, entrance way structure, or facility as a means of access onto a municipal road, except as provided in this By-law and in accordance with an entrance permit obtained from the Municipality of Tweed.
2. THAT all applications shall be evaluated in terms of safety and maintenance requirements of the municipal roads system (i.e. stopping sight distance, drainage, snow clearance, ground contour and slope).
3. THAT any person constructing or altering any private or public road or any other type of entrance way, which provides access onto a municipal road, without first obtaining a permit from the Municipality, shall be liable to a fine, upon conviction, pursuant to the *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended.
4. THAT the total cost of an entrance shall be borne by the applicant, entrance shall be installed by owner, and final inspection shall be done by the Public Works Manager or Public Works Supervisor.

Policies and procedures for establishing new entrance ways or altering existing entrance ways.

1. General Purpose

The primary purpose of this policy is to establish guidelines and design criteria to be used when granting access onto municipal roads.

2. Definitions

- i) Entrance Way shall mean a private drive used as a means of access onto a municipal road.
- ii) Clear Vision shall mean the visibility distance from the centre point of the entrance in either direction on the municipal road.
- iii) Day Lighting Triangle shall mean the triangular space formed on a corner lot by the street lines and a line drawn from a point in one street line to a point in the other street line, each being measured nine (9) metres (29.5 ft.) along the street lines from the point of intersection of the street lines.

3. Classification of Entrance Ways

- i) Residential or Commercial Entrance Way shall mean an entrance opening onto a municipal road from a private residence or commercial outlet.

- ii) Farm Entrance Way shall mean an entrance opening onto a municipal road from a farm, primarily for access to barns and buildings. A farm is defined as a holding of arable land of more than 4.1 acres.
- iii) Field Entrance Way shall mean an opening onto a municipal road from a field forming part of a farm. It shall be used only for the passage of animals, crops and other agricultural purposes, but not for access to buildings of any type.

4. Restrictions Regarding Entrance Ways

- i) The owner of a subdivision planning to construct a public entrance way from a subdivision onto a municipal road, must obtain a permit from the Municipality of Tweed before construction commences on the entrance way or any related work within the limits of the right of way of a municipal road. These constraints will also be in effect for all other types of entrances.
- ii) An entrance shall not be permitted to cross over a day lighting triangle.
- iii) Residential, farm and field entrance ways are the basic entrances, and all existing properties shall be entitled to one basic access regardless of visibility constraints. However, at the discretion of the Public Works Manager or Public Works Supervisor, a hidden entrance sign may be erected at the owner's cost. When considering the creation of a new residential lot with direct access to a municipal road, the minimum sight distances for residential, farm and field entrances ways shall be as in table one.

**Table One
Minimum Sight Distance**

Speed Limit	Sight Distance
45 km/hr.	45 metres
50 km/hr.	60 metres
60 km/hr.	75 metres
70 km/hr.	100 metres
80 km/hr.	100 metres

- iv) Commercial entrance ways shall have minimum sight distances as in table two.

**Table Two
Minimum Sight Distance**

Speed Limit	Sight Distance
45 km/hr.	60 metres
50 km/hr.	75 metres
60 km/hr.	100 metres
70 km/hr.	125 metres
80 km/hr.	150 metres

- v) The maximum grade for an entrance onto a municipal road shall be 6% for a rural residential entrance and 10% for a rural farm or field entrance. The maximum grade for an urban residential entrance and urban farm or field entrance shall be 8% to 10% respectively.
- vi) An entrance adjacent to a bridge or other structure which may interfere with the clear vision of traffic using the entrance must be located as follows:
 - i) A residential entrance in an area where the speed limit is 80 km/hr. must be located 30 metres from the end of the deck of the bridge or from the nearest part of the structure which actually interferes with the clear vision of traffic using that entrance.

- ii) In areas where the speed limit is less than 80 km/hr., the Public Works Manager or Public Works Supervisor may restrict the location of an entrance to that distance from the bridge or other structure which they deem advisable.

5. General Specifications for Residential, Farm and Field Entrances

- i) The minimum width of an entrance way, where a culvert is required shall be 4.9 metres measured at culvert centre.
- ii) Where culverts are required, only new corrugated steel or plastic pipe culverts, having minimum length of 7.5 metres shall be used with a minimum diameter of 381 mm.
- iii) Each entrance way onto a municipal road shall be designed, constructed, and maintained in a manner that will prevent surface water from the entrance way or from the adjoining property, being discharged via the entrance way onto the traveled portion of the municipal road.
- iv) Concrete pavements, concrete structures, pillars, or headwalls of any type shall not be allowed on the municipal road allowance.
- v) The bottom of the pipe shall be set flush with ditch elevation.
- vi) The entrance way fill materials should be placed on a 3 to 1 side slope.

6. General Specifications for Commercial Entrances

- i) A commercial entrance shall have a platform top of 9 metres (30 ft.).
- ii) A commercial entrance shall have a taper width at the edge of the municipal roadway of 30 metres.
- iii) A commercial entrance shall have a minimum culvert length of no less than 23 metres and have .5 metres exposed at each end of the pipe.
- iv) In the event a municipal road is tar and chip or asphalt surface, the commercial entrance shall be as of the same surface to a distance of 30 metres from the edge of municipal roadway or property line, whichever is less.

7. Municipal Road Construction

- i) Where an existing entrance way is affected by the reconstruction of a municipal road, the municipality shall reinstate at the municipality's cost the affected entrance.
- ii) The reinstatement and improvement shall conform to this policy, any original materials of construction salvaged shall remain the property of the municipality.

8. Maintenance

The Municipality of Tweed shall maintain daily that portion of the entrance way that lies within the shoulder width of the roadway. The remaining length shall be maintained by the property owner at their expense. The Municipality shall maintain the drainage through the culvert of any entrance way.

9. Replacement of Existing Culverts

Any existing entrance way with culvert pipe that has deteriorated, collapsed, or is otherwise unsuitable for proper drainage, shall be replaced by the municipality at the municipality's expense and shall conform with this policy.


10. Permit Procedures

- i) All entrance way permits shall be issued by the Public Works Manager or Public Works Supervisor.
- ii) Applications for entrance ways must be accompanied by plans or drawings of proposed entrance ways.
- iii) Site inspections for entrance way applications are to be carried out by the Public Works Manager or Public Works Supervisor.

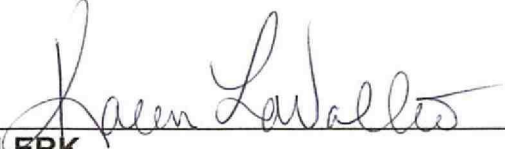
11. Repeal of By-law

- i) By-law No. 98-14 is hereby repealed in its entirety.

Read a first, second, and third and final time, passed, signed, and sealed in open Council this 9th day of February, 2023.



MAYOR



CLERK