

# **The Corporation of the County of Peterborough**

## **Schedule "A" to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)**

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### **Section 1 – General**

1. This Guideline shall apply to all roads under the jurisdiction of the County of Peterborough.
2. The location of all entrances shall be approved by the Director of Public Works or designate to ensure the maximum safety and free flow of traffic as outlined in this Guideline to minimize the possibility of interference with the road and avoid the creation or aggravation of any maintenance problem.
3. Applicants shall use the prescribed Application for Entrance Permit form as provided by the County of Peterborough.
4. All work shall be carried out in accordance with County of Peterborough standards and specifications and under the control of the Director of Public Works all in accordance with the Permit as approved.
5. New entrances may be permitted for existing lots of record where no entrance has previously been provided, subject to the restrictions of this Guideline.
6. No new (additional) entrance permits shall be granted to existing lots of record which currently have an existing approved entrance onto a County road whether shared or otherwise.
7. New entrances may be permitted where a new entrance, replacing an existing entrance to be removed, would establish superior entrance standards over existing conditions.
8. Where an alternate means of access is available, either by connection to the lower tier road system, private road, fire route or a joint mutual entrance, direct access onto the County road system will be denied.
9. Applicants shall contact the applicable lower tier municipality for the installation of entrances onto lower tier roadways to determine if an entrance may be permitted to be taken on a lower tier road, private road, fire route or shared mutual entrance.
10. Where physical conditions prevent an entrance from being taken on a lower tier road, private road, fire route or shared mutual entrance, an entrance may be considered for approval by the County, at the sole discretion of the Director of Public Works.

## County of Peterborough

### Schedule "A" to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)

---

11. No person shall construct or extend an entrance (new or existing) without prior written approval of the Director of Public Works through the issuance of an up-to-date Entrance Permit.
12. An entrance not meeting the standards of the County shall be removed by the applicant upon written direction issued by the County. Failure to do so may result in the removal by County forces at the expense of the applicant, all subject to the enforcement provisions of this Guideline.
13. Entrances may be installed by either the County of Peterborough Operations Department or by a private contractor to be engaged by the applicant and accepted by the County, at the discretion of the County. Refer to Section 4 of this Guideline.
14. All costs incurred by the County for construction and/or reinstatement to like or better condition of an entrance shall be paid by the applicant and may be drawn from monies deposited with the County at the time of Permit issuance.
15. Upon issuance of an Entrance Permit, the County may circulate a copy of the entrance permit to the Building Department of the applicable lower tier municipality to advise of the proposed entrance installation. Building Departments may provide clearance for satisfactory completion of entrance installations prior to the County releasing the security deposit to applicants in conjunction with acceptance/approval by the County.
16. The County of Peterborough reserves the right to refuse approval of any application should it be determined that any one of the objectives or requirements of this Guideline will be compromised as determined at the sole discretion of the Director of Public Works.
17. The County shall maintain the authority to relocate/close any entrance that does not comply with any section of this Guideline.

#### Section 2 - Entrance Classifications

This Guideline shall apply to entrances classified as follows:

1. **Low Traffic Volume Entrance** means an entrance providing access to and egress from:
  - a single family residence (urban or rural);
  - a multi-unit residential building containing four or less dwelling units;

## County of Peterborough

### Schedule "A" to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)

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- a farm or a field forming part of a farm used exclusively for agricultural purposes (ie. passage of animals, cultivating of crops, etc.);
  - a utility entrance;
  - a shared mutual entrance and/or private right-of-way easement;
  - a temporary entrance to provide access to properties for a limited period not to exceed one year for the purpose of construction, repairs or improvement on that property or to facilitate a staged development;
  - other entrances serving land uses not covered above are subject to interpretation by the Director of Public Works as to whether the "low volume" entrance requirements will be applied.
2. **High Traffic Volume Entrance** means an entrance providing access to and egress from:
- entrances developed through the Registered Plan of Subdivision development approval process or through Site Plan approval;
  - a new public road that provides access onto a County road from a Registered Plan of Subdivision by means of a public road or street;
  - office, retail, restaurants, hotels, motels or commercial buildings;
  - apartments, townhouses or condominium buildings containing more than four dwelling units;
  - schools, churches or institutional buildings;
  - parking lots;
  - industrial facilities, warehouses or trucking terminals;
  - shopping centres or complexes;
  - recreational complexes (ie. golf, ski) or other public facilities;
  - other entrances serving land uses not covered above are subject to interpretation by the Director of Public Works as to whether the "high volume" entrance requirements will be applied.

### Section 3 - Minimum Spacing for Entrances

1. New driveway entrances onto County roadways will not be permitted:
- within an exclusive lane for channelization, acceleration or deceleration;
  - within 30 metres of a signalized intersection from curblines of intersecting street;
  - within 30 metres of an intersection from curblines of intersecting street;
  - within 30 metres of a bridge termination;
  - within 30 metres of an at-grade railway crossing;
  - within 30 metres of a roadside guardrail treatment;
  - within the sight triangle at an intersection;

## County of Peterborough

### Schedule "A" to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)

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- where, in all situations noted above, the minimum stopping sight distances as determined by the TAC Design Guide are not achieved;
  - where, in the opinion of the Director of Public Works, an entrance will result in a negative or unsafe situation for the travelling public on the County roadway.
2. The decision as to whether a road classification is urban, semi-urban or rural shall be that of the Director of Public Works.

#### **Low Traffic Volume Entrances (eg. residential, etc.) - Urban/semi-urban**

3. For urban and semi-urban County road classifications located in Hamlet, Rural Settlement and Seasonal Residential Areas with speed zones of 60 km/hr or less, the minimum spacing between adjacent entrances shall be 3.0 metres (from end of rounding to end of rounding).
4. Under normal circumstances, only one Low Volume entrance will be permitted to each lot of record.
5. Additional (second) entrances onto a County road shall not be permitted unless the second entrance forms part of a circular driveway used solely for residential purposes in which case the distance between entrances of circular driveways shall not exceed 30 metres.

#### **Low Traffic Volume Entrances (eg. residential, etc.) - Rural**

6. For rural County road classifications located in areas other than Hamlet, Rural Settlement and Seasonal Residential Areas with speed zones of 40 km/hr through 80 km/hr, the minimum spacing between adjacent entrances shall be 150 metres.
7. For an existing lot of record located on a rural County road located in areas other than Hamlet, Rural Settlement and Seasonal Residential Areas with speed zones of 40 km/hr through 80 km/hr, a maximum of one (1) Low Traffic Volume Entrance may be approved provided that the minimum spacing of 150 metres between adjacent entrances is met.
8. Where it is not possible to meet a minimum spacing of 150 metres for individual entrances, a shared mutual entrance may be granted provided that the minimum spacing of 150 metres between adjacent entrances is met.

## County of Peterborough

### Schedule “A” to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)

9. A shared mutual entrance shall straddle the shared mutual property line between the two land parcels. If a property cannot be serviced by a shared mutual entrance, approval of an entrance may be denied.
10. Refer to Section 9 for agricultural field entrance exemptions.

**Low Traffic Volume Entrances - Summary Table ‘A’**

Road Environment	Roadside Environment	Posted Speed Limit	Minimum Spacing (between adjacent entrances)	Maximum Number of Entrances	Additional Entrances Permitted
Urban	Urban Hamlet, Settlement or Residential Area	60 km/hr or less	3.0 m	1	No (unless circular driveway)
Semi-urban	Semi-urban Hamlet, Settlement or Residential Area	60 km/hr or less	3.0 m	1	No (unless circular driveway)
Rural	Rural Residential	40 km/hr through 80 km/hr	150 m	1 per lot of record (may vary for agricultural land uses)	No (may vary for agricultural land uses)

#### **High Traffic Volume Entrances (eg. commercial, etc.) – Urban/semi-urban**

11. For urban and semi-urban County road classifications located in Hamlet, Rural Settlement and Seasonal Residential Areas with speed zones of 60 km/hr or less, the minimum spacing between adjacent entrances shall be 6.0 metres (from end of rounding to end of rounding).
12. For urban and semi-urban County road classifications located in Hamlet, Rural Settlement and Seasonal Residential Areas, the maximum number of High Traffic Volume Entrances shall be based on the flowing table:

**High Traffic Volume Entrances – Frontage Table ‘B’**

Frontage (m)	Maximum Number of Entrances
15	1
> 15	2

## County of Peterborough

### Schedule "A" to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)

---

#### High Traffic Volume Entrances (eg. commercial, etc.) – Rural

13. For rural County road classifications within areas other than Hamlet, Rural Settlement and Seasonal Residential Areas with speed zones of 40 km/hr through 80 km/hr, the minimum spacing between adjacent entrances shall be 150 metres.
14. For High Volume Entrances, the number of entrances provided will be the minimum necessary to accommodate the volumes of traffic to be generated by the development. Requests for additional entrances will be assessed on a case by case basis and may be permitted by the Director of Public Works.
15. Separate Permit applications shall be submitted to the County by applicants for approval of multiple High Traffic Volume Entrances to a single lot of record.
16. New High Traffic Volume Entrances to function as public roads resulting from a Registered Plan of Subdivision shall be permitted to intersect with a County road at spacing in accordance with the TAC Design Guide criteria, Section 2.3.1.7.

**High Traffic Volume Entrances - Summary Table 'C'**

Road Environment	Roadside Environment	Posted Speed Limit	Minimum Spacing (between adjacent entrances)	Maximum Number of Entrances
Urban	Urban Hamlet, Settlement or Residential Area	60 km/hr or less	6.0 m	See Frontage Table 'B'
Semi-urban	Semi-urban Hamlet, Settlement or Residential Area	60 km/hr or less	6.0 m	See Frontage Table 'B'
Rural	Rural	40 km/hr through 80 km/hr	150 m	Subject to traffic volume requirements

#### Section 4 - Entrance Standards

1. Entrances may be installed by either the County of Peterborough Operations Department or by a private contractor to be engaged by the applicant and accepted by the County, at the discretion of the County.
2. Entrances to be installed by the County will be assessed on an individual basis and a cost estimate provided to the applicant for acceptance.

## County of Peterborough

### Schedule "A" to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)

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3. Upon issuance of a Permit by the County, construction by the applicant shall be completed within six (6) months from the date of permit approval. Failure to complete the entrance construction within the agreed upon time period may result in the cancellation of the entrance permit and forfeiture of monies deposited.
4. Prior to commencement of any construction by County forces, the applicant may be required to bring the entrance connection at property line to a sufficient rough grade to permit the construction within the County road allowance, all in accordance with the applicable specification.
5. The diameter, gauge, length and type of culvert to be used to convey surface water drainage shall be determined by the County with the minimum size of culverts to be no less than 450 millimetres in diameter and 9 metres in length. A larger size culvert may be required depending on the contributing drainage area, as determined by the County.
6. Only new standard corrugated steel pipe culvert and high-density polyethylene (HDPE) materials approved by the County of Peterborough shall be used. Culverts shall be installed at the proper grade so as to provide free and unimpeded flow of water through the culvert.
7. The use of water tanks, barrels, concrete blocks, used corrugated steel pipe or used plastic pipe shall not be permitted.
8. Applicants shall acknowledge that they may be required to submit a site grading plan depicting the existing topography and the proposed site grades, spot elevations, swales, cross-sections, etc., at the discretion of the Director of Public Works.
9. Applicants shall acknowledge that they may be required to install catch basins, clean-outs, inlet and other structures as may be necessary to facilitate drainage from or alongside the road, at their cost.
10. New entrances shall be constructed in a manner to prevent surface water from being discharged onto the travelled portion of the County road.
11. No person shall apply asphalt or any other hard surface to that portion of an entrance located within the County road allowance except under the authorization of a permit as issued by the Director of Public Works.
12. Use of alternate materials for the surface of the entrance (eg. concrete, interlock brick, etc.) in place of hot mix asphalt shall not be permitted on the road allowance

## County of Peterborough

### Schedule "A" to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)

---

as part of any entrance way. The Public Works Department shall not be responsible for replacing any hard surfaces connected with the entrance under any circumstances.

13. Headwalls, retaining walls or structures (ie. pillars, timber/railway tie/block/stone/brick walls, etc.) at culverts shall not be permitted within the County road allowance. The Public Works Department shall not be responsible for replacing any structures connected with any entrance.
14. A headwall, retaining wall or structure (ie. pillars, timber/railway tie/block stone/brick walls, etc.) constructed at a culvert without the permitted approval or not meeting the standards of the County shall be removed by the applicant upon written direction issued by the County. Failure to do so may result in the removal by County forces at the expense of the applicant, all subject to the enforcement provisions of this Guideline.

#### **Low Traffic Volume Entrances (eg. residential, etc.)**

15. Low Traffic Volume Entrances shall be constructed in accordance with OPSD 301.010, OPSD 301.020, OPSD 301.030 or OPSD 351.010 as applicable and in accordance with the specification or modification, as directed by the Director of Public Works.
16. All Low Traffic Volume Entrances within Hamlet and Rural Settlement Areas shall be paved with a minimum 50 mm HL4, from edge of pavement at the County road to the property line within the County road allowance.
17. All paving works shall be deemed to be outside of the scope of the construction to be performed by the County and shall be completed at the sole cost of the owner, to the satisfaction of the Director of Public Works.

#### **High Traffic Volume Entrances (eg. commercial, etc.)**

18. High Traffic Volume Entrances shall be constructed in accordance with the applicable "Ministry of Transportation Commercial Site Access Standard Design" as determined by the Director of Public Works or in accordance with an alternative standard approved by the Director of Public Works.
19. All High Traffic Volume Entrances shall be paved with a minimum 50 mm HL4, from edge of pavement at the County road to the property line with the County road allowance.



## County of Peterborough

### Schedule "A" to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)

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20. All paving and curb work shall be deemed to be outside of the scope of the construction to be performed by the County and shall be completed at the sole cost of the owner, to the satisfaction of the Director of Public Works.
21. The minimum size of an entrance culvert shall be determined at the time of inspection for approval of the entrance, as determined by the County.
22. Approval of additional entrances will be considered only when sufficient evidence of justification has been provided to the Director of Public Works.

#### High Traffic Volume Entrances (eg. municipal public road)

23. A new municipal public road which intersects with a County road shall be constructed to OPSD 300.010, OPSD 300.020 or to an alternate design standard to the satisfaction of the Director of Public Works.
24. A new municipal road which intersects with a County road may be required, as a condition of access, to be constructed with features such as turning lanes, centre medians, entrances, traffic control signals, sidewalks and street lights, to full urban standard, designed on separate plan and profile drawings to the satisfaction of the Director of Public Works. This requirement shall be subject to determination of site generated traffic volumes and impact on the adjacent County roadway.

#### Section 5 - Visibility Requirements

1. All entrances shall provide for adequate visibility in both directions based on the following:
  - Vertical (crest in road) and/or Horizontal Obstruction (curve in road): Observer's eye at 1.1 metres above shoulder of road at proposed location being able to see 1.3 metres above centre line of on-coming lane for the following table of distances:

Speed Limit	Required Visibility
80 km/hr	180 metres
70 km/hr	160 metres
60 km/hr	130 metres
50/40 km/hr	100 metres

## County of Peterborough

### Schedule "A" to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)

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#### Section 6 – Drainage

1. No person shall install, alter, relay or repair a private stormwater or groundwater drain that discharges onto or off of County property without the prior written approval of the Director of Public Works.
2. No person shall change the grade by filling or excavating of any property adjacent to or on a County road which affects the natural surface water drainage of a County roadway without the prior written approval of the Director of Public Works.
3. Surface water drainage from the County road allowance that drains onto or through the adjacent property, either overland or through a culvert or bridge, shall remain unimpeded. Property owners shall operate and maintain surface water drainage courses on the owner's property as sodded grassways or other non-eroding surfaces without disrupting natural seasonal flows, to the satisfaction of the Director of Public Works.
4. Foundation drains and sump pumps for buildings and structures constructed adjacent to a County road allowance shall outlet onto private property and drain overland. No roof drainage or sump pump waters shall be discharged directly onto sidewalks or onto neighbouring properties.
5. Should it be determined that the installation of foundation drain will be required to drain directly into roadside ditches on County road allowances, the owner shall provide sufficient erosion protection at the outlet in the form of rip-rap stone and other such works, to the satisfaction of the Director of Public Works.
6. Agricultural field tile drains may be permitted to outlet into roadside ditches, to the satisfaction of the Director of Public Works, provided that:
  - a. sufficient erosion protection at the outlet in the form of rip-rap stone and other such works are in place;
  - b. sufficient County drainage facilities are in place to accommodate the water runoff from the field tile drains;
  - c. no undue influence or flooding will occur to County property or to private properties downstream of the drainage area;
  - d. the owner shall provide an 'as-built' record to depict the constructed location of the tile drain(s).
7. Should it be determined that the installation of foundation drain, sump pump or field tile drain will result in a negative or unsafe situation for the travelling public on

## County of Peterborough

### Schedule "A" to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)

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the County roadway or will negatively affect road operations, permission to discharge into the County drainage ditch will not be granted.

8. Authorization to drain surface water run-off from private property onto County property shall not be construed and shall not be a guarantee in perpetuity of a permanent drainage outlet.

#### Section 7 - Maintenance and Ownership

1. Upon final approval of the installation of an entrance, the culvert and associated drainage systems shall become the property of the County as a component of the surface water drainage systems and all subsequent maintenance and repairs shall be the responsibility of the County. The County shall maintain and replace, from time to time as deemed necessary by the County, culverts installed under the provisions of this Guideline.
2. The owner of a property served by an entrance shall be responsible for the maintenance and upkeep of the driving surface (gravel and/or hard surface) for each entrance to the property for a distance extending from the property line to the shoulder of the County road, for rural roadways, and for a distance extending from the property line to the curb line of the County road, for urban roadways.
3. From time to time, the County of Peterborough undertakes construction projects on roadways which results in the disruption of an existing entrance. The County shall reinstate Low Traffic Volume Entrances to the existing surface condition (ie. gravel, hot mix asphalt) provided that the driveway conforms to the current standard for gradient, width and other such specification. The County, at its sole discretion, may reinstate any High Traffic Volume Entrance to a like or better the surface condition (ie. hot mix asphalt, etc.) provided that the entrance conforms to the current standard for gradient, width and other such specification.

#### Section 8 - Permit Fees & Charges

1. Refer to the County of Peterborough Tariff of Fees By-law for applicable fees, as may be updated from time to time
2. The application fee for an Entrance Permit shall be paid upon submission of a completed Permit application.
3. In the event that a permit is not approved by the County for issuance, this fee is non-refundable.

## County of Peterborough

### Schedule "A" to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)

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4. Upon application for an Entrance Permit, the applicant shall submit to the County the appropriate security deposit as specific in the County of Peterborough Tariff of Fees By-law
5. In the event that a permit is not approved by the County for issuance, this security deposit is refundable.
6. Upon application for an Entrance Permit, the applicant may request that the County construct the entrance being considered, upon which the County will provide an estimate of construction costs.
7. The County, at its sole discretion, may decline to construct the entrance being considered, upon which the applicant shall provide to the County the name of a private contractor to be engaged by the applicant to conduct work within the County's road allowance for acceptance by the County.
8. Should the County accept to construct the entrance, the County shall provide an estimate of costs prepared on the basis of current unit rates for County resources (labour, materials, equipment) and, upon acceptance by the applicant, the applicant shall submit a deposit in the amount of 100% of the estimated cost and in a form acceptable to the County.
9. Upon completion of the construction of an entrance, the County shall provide an accounting of costs to the applicant and shall submit a refund for costs incurred that may be less than the estimate or, alternatively, an invoice to the applicant for costs that may be in excess of the estimate.
10. Unit rates for cost recovery for the construction of an entrance by the County shall be based on the following:
  - current year wage rates plus benefits and administration
  - most recent vehicle and equipment rates as laid out in OPS 127 - Schedule of Rental Rates for Construction Equipment
  - actual cost of materials as incurred by the County (eg. granular, culvert, etc.)
  - any other applicable disbursements.

#### **Section 9 - Exemption for Agricultural Field Entrances**

1. For agricultural field entrances used exclusively for agricultural purposes (eg. passage of animals, cultivating of crops, etc.) and where the applicant sufficiently demonstrates that there is a physical constraint that prevents access to a field from the main farm operation of their property, installation of an agricultural field

## **County of Peterborough**

### **Schedule "A" to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)**

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entrance may be considered for approval by the County and may be exempt from the spacing requirements detailed in Section 3 if it can be demonstrated that a closer spacing will result in a significant reduction in roadway use by farm vehicles, as determined by the Director of Public Works.

2. Under normal circumstances, only one Low Volume entrance will be permitted to each agricultural field. Requests for additional entrances will be assessed on a case by case basis and, if it can be demonstrated that additional entrances will result in a significant reduction in roadway use by farm vehicles, may be permitted by the Director of Public Works.
3. Existing field entrances may be grandfathered at the discretion of the Director of Public Works should it be determined that the requirements of this Guideline will not be compromised.
4. When an agricultural field entrance becomes used for any purpose other than agricultural uses, said entrance shall be subject to all of the provisions of this Guideline including Section 3.

#### **Section 10 - Minor Variance**

1. A person who wishes to install an entrance that is not in accordance with this Guideline may apply for a minor variance to the Guideline.
  - (a) An application for a minor variance shall be made to the Director of Public Works and shall be accompanied by an administrative fee for each application as established under the County of Peterborough Tariff of Fees By-law; said fee is non-refundable.
  - (b) In the event that the Director of Public Works is in agreement that the variance is indeed minor, he/she may approve the variance and issue the permit should it be determined that any one of the objectives or requirements of this Guideline will not be compromised.
  - (c) In the event that the Director of Public Works does not agree that the variance requested is minor, the applicant may request that the matter be referred to County Council.
  - (d) In rendering its decision regarding the application, Council or Committee shall give consideration as to whether the relief being requested is truly minor in nature and shall apply the principles as set out in this Guideline.

## **County of Peterborough**

### **Schedule "A" to By-law No. 2012-26 Guidelines concerning Development Adjacent to County Roads (Entrance Permit)**

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Examples of minor variances for extenuating circumstances are:

- a) A property owner has an entrance (non-approved) that has been in use for a significant period of time and wants to "legalize" their situation.
- b) The result of granting the minor variance would be an improvement to the overall safety of the area.

#### **Section 11 - Enforcement**

1. That every person who contravenes the provisions of this by-law is guilty of an offense and on summary conviction is liable to a fine of \$1,500.00, exclusive of costs.
2. That each day of default by the owner in complying with any of the provisions of this by-law shall constitute a separate offense.
3. Provided always that in default of the work being done by the person directed or required to do it, such matter or thing shall be done by the Corporation at the owners expense and the Corporation may recover the expense incurred in doing it by action and the Corporation may provide that the expense incurred by it, with interest, shall be payable within one year.

#### **Section 12 - Validity**

1. Where a dispute or variance arises in the interpretation of this Guideline, the specifications of the Transportation Association of Canada (TAC) Geometric Design Guide for Canadian Roads as interpreted by the Director of Public Works. shall govern.
2. Should any section, clause or provision of this Guideline be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the Guideline as a whole or any part hereof other than the part so declared to be invalid.