

**Policy statement**

Leduc County will require road right of way dedication to allow for the upgrading of 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* 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 three or less 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* means the legal plan of survey that has been filed or registered at the Alberta Land Titles Office that defines the boundary of the right of way limits.

*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, RSA 2000
  - Sections 661 and 662

*Bylaw implications:*

- Greater Nisku and Area Off-site Levy Bylaw
- Other relevant Off-site Levy Bylaws

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**Policy standards**

1. The county manager, or their designate, has the authority to determine the need for road right of way dedication based upon the right of way dedication map, transportation master plan, 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. The county manager, or their designate, has the authority to determine the amount of road right of way dedication required. 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 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 by way of caveat.
5. Road right of way dedication 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 of survey.

**Policy responsibilities***Council responsibilities:*

Council will,

- be responsible for the adoption or repeal of this policy and approving any major revisions to the policy.

*Administration responsibilities:*

Administration will,

- be responsible for the development, implementation, and monitoring of this policy.
- review this policy to verify that it complies with all current, relevant legislation, and municipal policies.
- develop the road right of way dedication map.

**Monitoring and updating**

- This policy will be posted on Leduc County's website.
- This policy will be reviewed at least once every four years.
- The right of way dedication map will be reviewed and approved by the Public Works Committee on a yearly basis.

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