

**THE CORPORATION OF THE TOWN OF WASAGA BEACH**

**BY-LAW NO. 2019-33**

A By-law to Adopt a Road Occupation Policy

**WHEREAS** pursuant to section 9 of the *Municipal Act*, 2001, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**AND WHEREAS** pursuant to section 8. (1) of the *Municipal Act*, 2001, the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** the Council of the Corporation of the Town of Wasaga Beach considers it desirable to adopt a Road Occupation Policy;

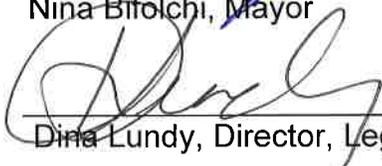
**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:**

1. That the Road Occupation Policy attached hereto as Appendix "A", be adopted.
2. That any by-laws, resolutions or policies or parts of by-laws, resolution or policies inconsistent with this by-law to adopt a Road Occupation Policy are hereby repealed.
3. That this By-Law shall come into force and effect on the final passage thereof.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 30TH DAY OF APRIL, 2019.**

**THE CORPORATION OF THE TOWN OF WASAGA BEACH**

  
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Nina Bifulchi, Mayor

  
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Dina Lundy, Director, Legislative Services & Clerk



**THE TOWN OF WASAGA BEACH  
PUBLIC WORKS DEPARTMENT**

**ROAD OCCUPATION POLICY**

**March 2019**



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OPSD 804.030 – Concrete Headwall

Road Occupation Permit Application Form



# **THE TOWN OF WASAGA BEACH PUBLIC WORKS DEPARTMENT ROAD OCCUPATION POLICY**

## **1 Policy Statement**

The Town of Wasaga Beach has complete ownership of its road allowances/ rights-of-way and has full authority to permit or refuse any proposed works and/or features within road allowances in accordance with the Municipal Act, based on the Town Engineering Standards, Zoning By-law specifications and other applicable Town policies. This policy documents the circumstances and process requirements for the Town of Wasaga Beach to permit construction and general activity within municipally owned road allowances including but not limited to entrance construction, private utility and municipal servicing installation, ditch infilling, and temporary storage of construction equipment and/or materials.

## **2 Purpose**

The intent of this policy is to identify works that require a Road Occupation Permit from the Town of Wasaga Beach, the process for obtaining the permit as well as permit fees and release of Owner's and Contractor's obligations under the permit.

### 3 Definitions

“Boulevard” shall mean the strip of property within a road allowance between edge of the traveled portion of the road and the abutting property limits including ditches, sidewalks and other features.

“Catchment area” shall mean the extents of an area for which all stormwater drainage is collected and conveyed through a drainage corridor, storm sewer or ditch system to a positive outlet.

“Contractor” shall mean the individual(s) and/or company proposing to carryout construction works within the road allowance on behalf of the Owner.

“Culvert” shall mean a corrugated steel pipe (CSP), concrete pipe or box structure, or CSA approved 320 kPa PVC or HDPE pipe located within a roadside ditch at an entrance, a fire hydrant, or crossing a roadway in accordance with the Town of Wasaga Beach Engineering Standards.

“Ditch” shall mean a natural or artificial watercourse ranging from a depression or swale to an open channel that conveys stormwater runoff from both public and private properties. The primary purpose for a roadside ditch is to drain the road surface, road base and sub-grade as well as the surface drainage of the boulevard.

“Ditch infilling” shall mean the installation of storm sewer pipes, catchbasins and/or other storm sewer structures and appurtenances along with the addition of earthworks to enclose an existing ditch.

“Entrance” shall mean any driveway access from a Town road allowance to a privately owned property.

“Headwall” shall mean a retaining wall at either end of a culvert to hold back earth around the culvert, and shall be constructed of concrete in accordance with Ontario Provincial Standard drawings, or prefabricated headwall stone to the satisfaction of the Town.

“Municipal services” or “public utilities” where used in this policy shall mean any plant / infrastructure associated with Town owned utilities within road allowances to provide municipal services to private properties including municipal drinking water, sanitary sewer and storm sewers as applicable / provided by the Town.

“Owner” shall mean the individual(s) that own the property associated with the Road Occupation Permit, or in the case of a Permit related to private utility installation, the Owner shall mean the private utility company name.

“Private utilities” where used in this policy shall mean any plant / infrastructure associated with hydroelectric, gas or telecommunication services within the road allowances provided by privately owned utility companies.

“Road allowance” (or “right-of-way”) shall mean the Town owned property dedicated for the location of public roads, sewers, watermains and appurtenances, utilities, sidewalks and walkways under the jurisdiction and authority of the Town, including the boulevard.

“Satisfactory reinstatement” shall mean that the Contractor must reinstate the surface of the construction area within the Town road allowance to be of equal or better condition than prior to construction, all to the satisfaction of the Town.

“Town” shall mean the Corporation of the Town of Wasaga Beach.

#### **4 Construction Works That Require a Road Occupation Permit**

A Road Occupation Permit is generally required for any construction to be completed by a Contractor within a Town road allowance for new development and/or existing developed properties, unless otherwise stipulated in this policy.

The following is a summary of typical (but not necessarily all) works that require a Road Occupation Permit:

- Construction of a new entrance.
- Widening of an existing entrance.
- Paving/ installing a finishing surface of an existing entrance.
- Installation of a new driveway culvert.
- Replacement or extension of an existing driveway culvert.
- Driveway culvert headwall construction, or re-construction.
- Ditch infilling.
- Temporary storage of equipment or materials within road allowance for purposes of private property works/ construction.
- Installation of utilities including private and public services within the road allowance.

The following subsections describe conditions for the above listed works requiring a Road Occupation Permit. In the event that the property Owner and/or the Contractor is not certain whether or not a permit is required, the Owner shall contact the Town of

Wasaga Beach Public Works Department at (705) 429-2540 to clarify permit requirements.

#### **4.1 Entrance/ Driveway Construction**

Installation of a new entrance/ driveway, widening of an existing driveway, installation of driveway edging/ curbing as well as paving/ installing a finishing surface of an existing driveway all require work within the road allowance (i.e. within the boulevard) and therefore require a Road Occupation Permit.

Proposed driveway edging/ curbing shall be identified in the Road Occupation Permit application for the construction of the entrance. Driveway edging shall be flush with the driveway and back of curb (where applicable) for a minimum distance of 1.5m behind the edge of pavement/ curb line. Where sidewalks exist along the frontage of the dwelling, driveway edging must be flush with the driveway surface for a minimum of 500mm beyond the back of sidewalk, as stipulated in the Town of Wasaga Beach Engineering Standards.

In rural areas / roadways without curb and gutter, the boulevard area of the driveway must be graded consistent with the topography of the adjacent shouldering. A downward gradient of -2% minimum is to be provided behind the roadway edge of pavement for a minimum distance of 1.5m; also refer to OPSD 301.02 for rural entrances.

All driveway construction must be in accordance with the Town of Wasaga Beach Engineering Standards, Zoning By-law, and Infill Lot Grading and Drainage Policy including setbacks from property lines and intersections, width, gradient and culvert specifications complete with headwalls, etc.

Prior to issuance of a Road Occupation Permit for new driveways associated with construction of new residential dwellings or an addition to existing residential dwellings, the Owner must have completed a Lot Grading and Drainage Plan to be "Accepted for Construction" by the Town in accordance with the Infill Lot Grading and Drainage Policy. The Owner shall then coordinate application for the Road Occupation Permit in conjunction with application to the Building Department for a Building Permit. The Owner will be responsible to ensure the Town that all lot grading has been completed in accordance with the "Accepted for Construction" drawing and obtain a Lot Grading Certificate prior to release of the Road Occupation Permit deposit.

The requirement of a Road Occupation Permit for driveway construction is a condition for consent to sever a property that is not subject to Site Plan Control.

A residential entrance may not be used as a commercial entrance without first obtaining a new Road Occupation Permit for the driveway to conform to commercial entrance requirements in accordance with the Town Engineering Standards.

It is recommended that any new driveways be provided with hard surface within the limits of the right-of-way at minimum.

#### **4.2 Construction within an Un-assumed Road Allowance**

Recognizing that an un-assumed road allowance in a subdivision is the responsibility of the developer, the Owner of a dwelling that intends to complete any works within the road allowance shall consult with the developer's engineer prior to commencing any works. The Owner is advised that any works within the road allowance that is in non-conformance with Town policies will require adjustment to the satisfaction of the Town prior to Municipal assumption of the roadway.

A Road Occupation Permit is required by the property Owner within an un-assumed subdivision for paving/ installing finish surface of a driveway and/or any other proposed works within the Town road allowance if the road at the frontage of the lot has been paved with surface course asphalt. However, the Town will not provide maintenance of the roadway including the boulevard in accordance with this policy until the subdivision has been assumed by the Town, until which time, the developer is obligated to fulfill all road allowance maintenance requirements.

#### **4.3 Driveway Culverts and Headwalls**

Driveway construction must accommodate for conveyance of storm water flows through roadside ditches where applicable by installation of a driveway culvert complete with headwalls in accordance with the Town of Wasaga Beach Engineering Standards. Driveway culverts at ditches that are less than 1.0 m deep will not require headwalls. When the roadway ditch depth is equal to or less than 1.0 m, driveway culverts may have end treatments such as stone, hot mix asphalt paving, or sod to satisfaction of the Town.

A Road Occupation Permit is required for installation of new culverts or extension of existing culverts. Any extension would require appropriate couplers as applicable for a sound connection. Extension of existing culverts along the entire frontage or length of a property is discouraged and is considered "ditch infilling" as described further below.

The Owner of the property shall be responsible for retaining a Contractor to install the culvert and headwalls as well as complete surface reinstatement in accordance with this policy. After release of the Owner and Contractor's obligations under the permit, the Town will assume responsibility for maintenance of the boulevard including cleanout of the ditch and culvert in accordance with applicable Town policies.

Driveway culverts shall be a minimum of 400 mm in diameter, 2.0 mm minimum thickness and the length shall satisfy driveway clear width as per Town Engineering Standards and the Town Zoning By-law, plus as required for headwalls / end treatments.

The invert or base of the culvert may be partially buried / embedded into the ditch bottom to a maximum depth of 10% of the culvert diameter, or as needed to allow sufficient cover and maintain ditch gradient to the satisfaction of the Town. Where a culvert installation may pose a chance of frost heave, due to lack of cover material, the Town may approve the use of a culvert less than 400 mmm in diameter.

Driveway culverts shall be embedded with granular material, except in a condition where a high water table in combination with a shallow burial depth has been identified, then bedding suitable for wet condition installation shall be used, in accordance with Town Engineering Standards and as per Figure 3 of this Policy including minimum cover, backfill material and compaction to 95% standard proctor maximum dry density. The Contractor/ Owner shall contact Public Works at (705) 429-2540 to perform a site inspection/ evaluation prior to commencing the works to help assess the appropriate works to be completed, a site inspection of the culvert installation prior to placement of backfill material to confirm installed elevations and that suitable bedding and cover have been provided for the pipe prior to placement of backfill, and again at the completion of work for a final inspection.

Headwalls must be provided on both ends of driveway culverts where the roadside ditch is 1.0 m in depth or greater. Headwalls shall be constructed of concrete in accordance with Ontario Provincial Standard drawings, or prefabricated headwall stone to the satisfaction of the Town. Headwalls located at less than 1.5m from the edge of road are to be flush with the driveway surface in accordance with driveway edging requirements as set out in Section 4.1 of this policy and Figure 3: Driveway Culvert Headwall Detail. Driveway culverts at ditches less than 1.0m deep will not require a headwall. Filter cloth must be installed behind the headwall to prevent migration of fines. The complete installation must be to the satisfaction of the Town.

#### **4.4 Ditch Infilling**

Consistent with the purpose of the Ontario Water Resources Act, the Town must have regard for protection and management of Ontario's waters, including stormwater management. Ditches provide an important part in the overall stormwater management systems throughout the Town and therefore, any proposed alterations to a roadside ditch or stormwater conveyance system must be subject to an appropriate approval process. At minimum, a Road Occupation Permit may be sufficient approval for ditch infilling works. However, pending the proposed scope of works, an "Environmental Compliance Approval" (ECA) may be required from the Ministry of the Environment, Parks and Conservation (MECP) for ditch infilling works in accordance with the Ontario Water Resources Act, Section 53 (Sewage Works).

Where a ditch is proposed to be infilled, the approved design shall incorporate the conveyance of the existing upstream drainage through a sufficiently sized pipe system.

The ditch infill area above the newly installed pipe system must be graded with a shallow swale directed to an existing and / or new pipe inlet or catchbasin, all of which shall be capable of handling the existing roadway, roadside and private property stormwater drainage.

Ditch infill shall not be permitted where high ground water table conditions exist and is dependent on the ditch for outlet and conveyance.

Whether in rural or urban areas, ditches and drainage courses are installed for the purpose of providing conveyance of stormwater from public and/or private properties. Roadside ditches provide both conveyance of surface stormwater as well as road subgrade drainage and in some cases, foundation drainage for private properties. Additionally, ditches provide other stormwater management benefits including reduction in downstream peak flow rates, improvement to surface water quality prior to reaching the receiving water bodies, storage of surface runoff that promotes infiltration to better reflect pre-development conditions as well as contributing to protection of fish habitat by improving water quality, temperature and reducing flow velocities.

When a ditch is piped and filled, the above noted benefits become compromised. If numerous ditches are filled within a large drainage or catchment area, the cumulative increase of peak flows and velocities of the stormwater conveyance is likely to have negative impacts to the receiving water body downstream.

Typically, subdivision and site plan developments are designed with stormwater management controls for quantity and quality under current policies and legislation that may not have been in place at the time of constructing the ditches for many existing developed areas. In some of these existing developed areas, roadside ditches may provide the only source of stormwater quantity and/or quality protection without significant re-engineering and re-development.

In addition to potential impacts to receiving water bodies downstream, if a ditch is infilled without adequate regard for conveyance requirements of the drainage system, and an insufficient pipe size is used to infill a ditch, the total flow capacity of the drainage system becomes compromised, potentially leading to property damages upstream of the ditch infilling.

Based on the above, ditch infilling is generally discouraged by the Town. Therefore, applications for ditch infilling for the sole purpose of aesthetics will not be considered by the Town. However, a property Owner may have the opportunity to apply for a Road Occupation Permit and potentially infill an existing ditch as long as the application is in conformance with the Ontario Water Resources Act, Section 53, and all of the following criteria are confirmed satisfactory to the Town through the permit application process:

- Ditch infilling provides more benefits than simply aesthetics.

- The ditch only provides for conveyance of local storm/ surface water drainage and is not part of a drainage corridor used to convey stormwater runoff for a larger catchment area.
- The ditch infilling will not create any potential for detrimental affects on properties upstream or downstream.
- The receiving water course has sufficient capacity to convey the additional peak flow discharged from the ditch infilling.
- Downstream/ outlet erosion protection measures are to be installed to ensure that increases to flow velocities will not create erosion problems at the outlet.
- All of the above criteria must be demonstrated through a storm drainage design brief prepared by a consultant retained by the Owner. The consultant must be a Professional Engineer, experienced in stormwater drainage design and registered with the Professional Engineers Ontario (PEO). The design brief must address all of the above noted criteria and include the following design details:
  - Existing ditch and surrounding area elevations including road centreline and edge of pavement for a minimum distance of 30m in either direction of the property limits and/or along the existing ditch/ drainage system as applicable.
  - Proposed elevations of the pipe inverts, catchbasin and other applicable storm sewer structures inverts and top of grate elevations, as well as finished grade elevations to provide positive surface drainage to the proposed catchbasin lids.
  - Catchbasins and/or approved inlet structures must be provided at each property line within the ditch infilling limits.
  - Catchbasin top of grate elevations must be at minimum 150mm below the existing edge of pavement elevation to allow for roadway drainage into the catchbasin.
  - Typical section(s) must be provided to demonstrate that drainage may be accommodated for the private properties, boulevard ditch and roadway.
  - Storm sewer pipe sizing calculations based on a delineation of the total catchment area for stormwater received by the existing ditch.
  - Outline the entire downstream drainage corridor/ system to the ultimate outlet watercourse/ water body, demonstrating sufficient capacity in the downstream system.
  - Discussion regarding implications on directly adjacent/ neighbouring properties including any oppositions or requests/ petitions for extension of the ditch infilling (if applicable). However, based on the extent of requests and/or the intent and urgency of the affected property Owners' petitions, the ditch infilling and associated Road Occupation Permit application requirements may be covered under "local improvements" as described in Subsection 6.1 of this policy.

If the engineering assessment/ design brief does not address all of the above noted criteria to the satisfaction of the Town, the permit application will be denied.

The Town will determine whether or not an Environmental Compliance Approval (ECA) is required through the review process for the Road Occupation Permit application and notify the Owner accordingly. As the proposed works would be within a Town owned road allowance, the Director of Public Works would be required to sign the ECA application form. However, the property Owner would be subject to the MOEPC fees associated with the application.

#### ***4.5 Temporary Storage of Construction Equipment and/or Materials in Road Allowance***

Although an entrance may be available for an existing undeveloped/ vacant infill lot, and there is no requirement for ditch infilling or other construction works within the road allowance, the Contractor may require temporary storage of construction materials and/or construction equipment that may need to encroach the road allowance in order to complete site construction activities. Any such temporary storage encroaching the Town road allowance requires a Road Occupation Permit. Encroachments shall not fully close any lane of traffic and must be for short-term duration and delineated in accordance with Ontario Traffic Manual – Book 7 (Temporary Conditions), all subject to Town acceptance through the Road Occupation Permit process.

#### ***4.6 Private and Public Utilities***

Any utility / servicing related to construction works within a Town road allowance requires a Road Occupation Permit unless otherwise exempt, either through a separate agreement with the Town or as stipulated in this policy (i.e. working directly for the Town under contract or 100% secured under Subdivision Agreement or Site Plan Control Agreement).

All private and public utility related works require a Traffic Control Plan to be submitted with the permit application and must be to the satisfaction of the Town prior to issuance of the Road Occupation Permit.

Any / all cuts and excavation within the paved roadway must be backfilled with unshrinkable fill and reinstatement of the vertical saw-cut joints in surface asphalt must include use of Denso Reinstatement tape. The Contractor shall coordinate to have the surface asphalt re-paved to the satisfaction of the Town within a maximum of one week from the date of asphalt cut and removal (weather permitting). Should the asphalt reinstatement not be satisfactory to the Town, the Contractor shall be responsible to remove and replace the reinstatement area. The Contractor may notify Town Public Works, Engineering staff 48hrs in advance of asphalt placement within the roadway to request an inspector to be on site.

When temperatures / weather conditions are not favourable to apply permanent hot-mix asphalt, temporary asphalt must be placed to provide hard surface protection for the

winter months. When temperatures are suitable, temporary asphalt must be removed and permanent hot-mix asphalt placed before Victoria Day weekend.

#### **4.7 Public Utilities / Municipal Services Installation Requirements**

Any proposed works within a Town road allowance that requires connection to existing municipal services must be undertaken by a Contractor that has been approved by the Town. The Town Public Works Department has a list of pre-approved contractors that the Owner may retain for the municipal servicing roadway works. Alternatively, should a contractor not be “pre-approved” by the Town but would like to apply for permission to undertake the one time connection to municipal services under a specific Road Occupation Permit, the Contractor must provide a minimum of three (3) references from other municipalities to demonstrate acceptable, relevant, recent experience with similar works.

## **5 Prohibitions**

Permanent placement of stonework or other landscaping/ ornamental features and/or planting of trees or shrubs within Town road allowances is strictly prohibited.

Infilling of any ditch defined as a Municipal Drain under the Drainage Act, or any ditch that serves as a major overland flow route for more than local drainage purposes is strictly prohibited.

Provision for through traffic must be maintained at all times during construction. Road closures are strictly prohibited unless otherwise approved by the Director of Public Works; therefore, any permit application that proposes full closure of the travelled road may be rejected.

The Town will not issue a Road Occupation Permit for entrances or any other works within a road allowance that is under the jurisdiction/ authority by the County, Province, other Municipalities or privately owned properties.

## **6 Exemptions**

Any Contractor that has been retained by the Town in accordance with the Town Purchasing Policy to carryout capital works construction and/or works specifically for the Town of Wasaga Beach under contract will not require a Road Occupation Permit.

Proposed works within road allowances as required for new developments including subdivisions and/or site plans may be exempt from a Road Occupation Permit if the development meets all of the following criteria:

- The development is approved by the Town through an executed Subdivision Agreement or a Site Plan Control Agreement. (NOTE: This may also apply for Site Preparation Agreements, Pre-Servicing Agreements, Front-Ending Agreements, or any other type of early development agreements where 100% of the estimated value of external works (i.e. works within the right-of-way) are secured through the Agreement.)
- Engineered design drawings have been “Accepted for Construction” by the Town.
- The developer has posted construction securities in the amount of 100% of the total estimated value of works to be completed within the Town road allowance, in accordance with the Subdivision Agreement, Site Plan Control Agreement, or applicable early development agreements.

### **6.1 Local Improvements**

In accordance with the Municipal Act, Ontario Regulation 586/06, a group of property Owners may petition for the Town to complete certain capital works within the road allowance in advance of the Town’s intentions to install such facility improvements. These petitioned local improvements may be installed by the Town upon adoption of a Local Improvements By-law. The By-law would stipulate that the cost for the improvements is to be appropriately cost-shared amongst the benefitting property Owners.

Local improvements construction would typically be completed as a capital works project by a Contractor retained by the Town in accordance with the Purchasing Policy and thereby, the local improvements would be exempt of a Road Occupation Permit as outlined in Section 6 above.

Local Improvements could include urbanization of a roadway within a community, which may include ditch infilling and/or full road urbanization including installation of a storm sewer system, concrete curb and gutter and concrete sidewalks.

## **7 Permit Application**

### **7.1 Property Owner Responsibilities**

The property Owner is responsible to fulfill all of the requirements of this policy and the Road Occupation Permit application process. The Owner shall be listed as the

“Applicant” on the application form and must provide the permit fees and deposits to the Town as stipulated in Section 8 of this policy.

The Owner must obtain the Road Occupation Permit prior to commencement of any works within the Town road allowance.

The Owner is responsible to retain a qualified Professional Engineer to complete the drainage design and prepare a Drainage Design Brief for permits regarding ditch infilling in accordance with this policy.

The Owner must keep a copy of the approved Road Occupation Permit available on site at all times during construction and until release of obligations under the permit.

The Owner is responsible to retain a Contractor that satisfies the terms of this policy prior to issuance of the Road Occupation Permit. Additionally, in order to provide greater assurance that the Contractor will complete satisfactory reinstatement within the road allowance, the Owner shall be responsible to coordinate with the Town to review the final works for acceptance and coordinate the correction of any noted deficiencies prior to release of obligations of the permit. Once the Town has confirmed satisfactory reinstatement within the road allowance, the deposit will be returned to the Owner, at which time the Contractor may be released of his obligations under this policy. When the Road Occupation Permit is associated with a Building Permit and Infill Lot Grading Plan, the Owner is responsible to obtain the Lot Grading Certificate and Town inspection and sign-off for Municipal services prior to release of the Road Occupation Permit deposit.

## **7.2 Contractor Responsibilities**

The Town has a vested interest in the abilities of any Contractor chosen to undertake construction within the Town road allowance, particularly with regard for connection to municipal services as per Section 4.7 above, and reinstatement upon construction completion. The application form must identify the name and contact information for the Contractor.

The Contractor will be responsible to provide evidence of sufficient Liability Insurance in accordance with this policy and to the satisfaction of the Town prior to issuance of the Road Occupation Permit to the Owner.

The Contractor shall be responsible for coordinating all utility locates prior to commencement of any works.

Public health and safety is of the utmost importance to the Town. The Contractor shall be responsible to ensure a safe working environment including ensuring that all

personnel have appropriate training and follow safety measures in conformance with the Ontario Health and Safety Act and the requirements of the Ministry of Labour. In addition, the Contractor must always maintain a working area that is safe for the public within the road allowance to the satisfaction of the Town.

The Contractor shall also be responsible for daily maintenance of the construction area within the right-of-way including regular sweeping of mud tracking etc. to the satisfaction of the Town. Any proposed works deemed by the Town to cause affect to vehicular and/or pedestrian or cyclist traffic will require a traffic control plan to the satisfaction of the Town. Such traffic control plan shall be in keeping with the Ontario Traffic Manual Book 7 and once accepted by the Town, will form an appendix to the specific Permit.

Any / all cuts and excavation within the paved roadway must be backfilled with unshrinkable fill and reinstatement of the vertical saw-cut joints in surface asphalt must include use of Denso Reinstatement tape.

For paved road surface removal and reinstatement, the Contractor shall coordinate to have the surface asphalt re-paved to match existing asphalt conditions the satisfaction of the Town within a maximum of one week from the date of asphalt cut and removal on local roads and maximum three (3) working days on Major Roads (weather permitting). The Contractor may notify Town Engineering staff 48hrs in advance of asphalt placement within the roadway to request an inspector to be on site. If the reinstatement is not completed within one week / three working days (as applicable) from the removal of the asphalt, the Owner will be notified that the process to have the reinstatement completed immediately has been initiated and the associated cost for repair will be drawn from the Owner's deposit.

When temperatures / weather conditions are not favourable to apply permanent hot-mix asphalt, temporary asphalt must be placed to provide hard surface protection for the winter months. When temperatures are suitable, temporary asphalt must be removed and permanent hot-mix asphalt placed before Victoria Day weekend.

### **7.3 Town Responsibilities**

The Town will make best efforts to provide acceptance or response comments regarding the Road Occupation Permit within two weeks of the date of application.

The Town of Wasaga Beach Public Works Department, Engineering Division will enforce all provisions of this policy through the Road Occupation Permit Process for application, review of the works and release of deposits.

Public Works, Engineering Division will provide assistance to any Applicants that are not certain of the terms of this policy or requirements for individual permits.

After approval of the permit has been granted, the Contractor/ Owner shall contact Public Works, Engineering at (705) 429-2540 to perform a site inspection/ evaluation prior to commencing the works to help assess the appropriate works to be completed. Upon request of the Contractor/ Owner, Public Works, Engineering staff shall also provide a site inspection of the culvert or pipe work installation prior to placement of backfill material to confirm installed elevations and that suitable bedding and cover have been provided for the pipe prior to placement of backfill (where applicable), and again at the completion of work for a final inspection.

## **8 Permit Rates/ Fees**

### **8.1 Permit Fees**

The property Owner/ Applicant will be responsible to provide a one-time, non-refundable fee per the current Town of Wasaga Beach Consolidated List of Fees and Charges By-Law as may be amended from time to time under the By-law to Establish Fees and Charges to be Collected by the Corporation of the Town of Wasaga Beach.

Since the review and acceptance of an engineer's Drainage Design Brief will require additional effort from the Town, an additional cost is required for applications regarding ditch infilling, as set out in the Consolidated List of Fees and Charges By-Law.

### **8.2 Deposits**

In addition to the non-refundable fee to be provided by the Owner/ Applicant, a deposit of \$1,000 is required for proposed works within all Town road allowances except for the "major roads" identified below, which require a \$2,000 deposit:

#### Major Roads:

- River Road East
- River Road West
- Main Street
- Mosley Street
- Sunnidale Road
- 45<sup>th</sup> Street South

Upon completion of all works within the road allowance including satisfactory reinstatement, the Owner shall notify the Town of Wasaga Beach Public Works Department at (705) 429-2540 to request a review of the completed works within the road allowance. Upon Public Works staff confirmation of satisfactory reinstatement, the Town will release the deposit cheque to the Owner. However, should the Road Occupation Permit be associated with construction related to a Lot Grading Plan, the

Owner must obtain a Lot Grading Certificate prior to release of the Road Occupation Permit deposit.

### **8.3 Payment Methods**

Payment for any fees or deposits associated with a Road Occupation Permit application may be provided to the Public Works Department at 150 Westbury Road in the form of cash or cheque payable to the Town of Wasaga Beach. Payments in the form of debit or credit will only be acceptable at the Office of the Clerk located in Town Hall at 30 Lewis Street.

## **9 Expiration of Permit**

A Road Occupation Permit shall be valid for a term of two years from the date of issuance. Should the Applicant not have completed the proposed works by the expiration of the two year period, a new Permit may be required including provision of the permit fee. Additionally, should the works not be completed within twenty-four months, following written notice from the Town to the Owner, the Owner shall forfeit the Deposits to the Town.

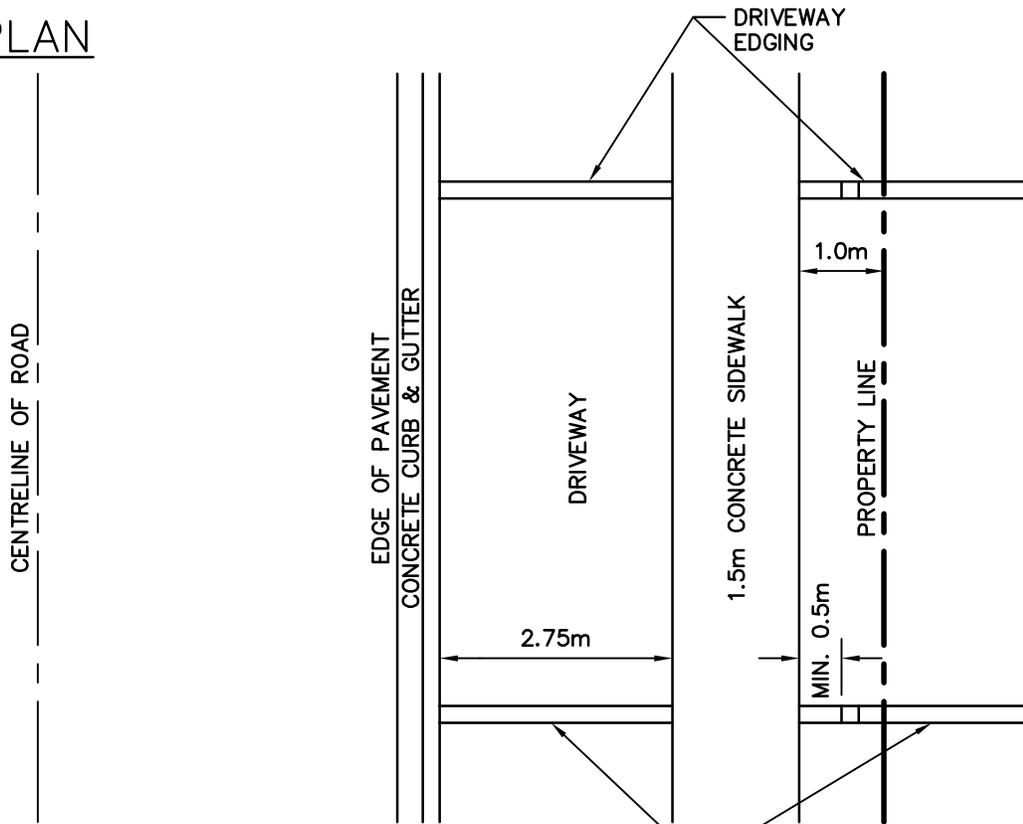
## **10 Contractor Insurance**

The Contractor identified on the Road Occupation Permit application form is required to provide a certified copy of a general comprehensive liability insurance policy (i.e. a Certificate of Insurance) in the amount of two million dollars (\$2,000,000.00) in a form satisfactory to the Town, indemnifying the Town from any loss arising from claims or damages, injury or otherwise in connection with the work to be done on behalf of the Owner/ Applicant. The policy shall contain a cross-liability clause naming the Town as a co-insured.

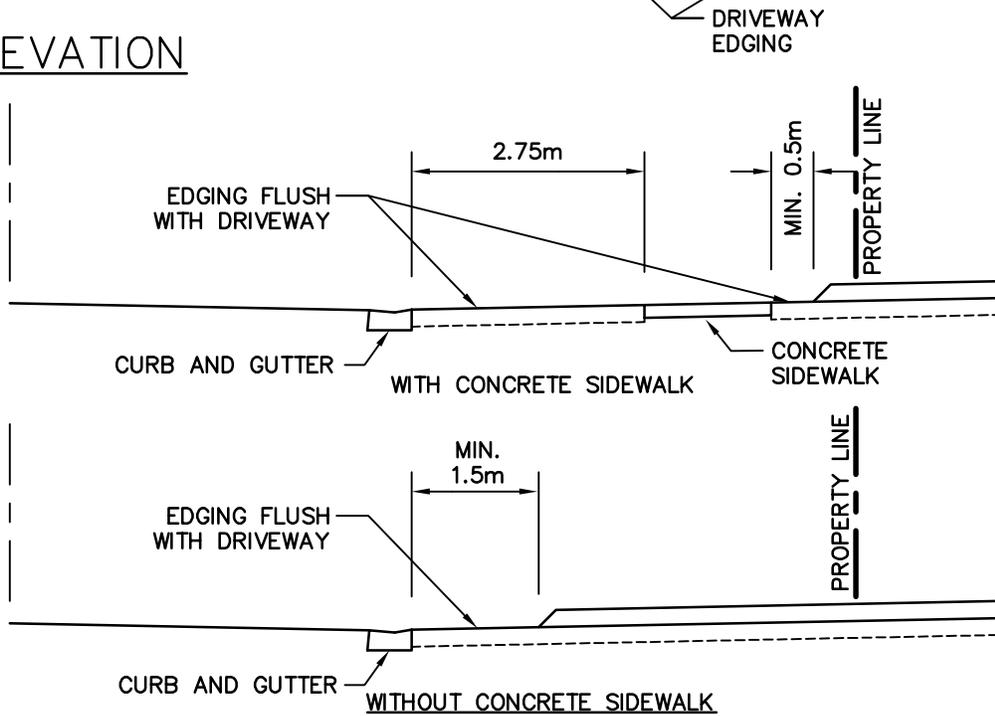
## **11 Contraventions**

Any person performing works within a Town road allowance without a Road Occupation Permit and/or any person carrying out works in contravention to the terms of this policy shall be subject to a fine up to the maximum amount identified in the most current Road Occupation By-law. Additionally, the Town of Wasaga Beach shall have the right to remove any encroachments or works completed within a Town road allowance in contravention to this policy at the cost of the property Owner.

PLAN



ELEVATION



NOTES:

1. REFER TO THE ROAD OCCUPATION POLICY FOR MORE DETAILS.



TOWN OF WASAGA BEACH

DRIVEWAY EDGING DETAIL

DRAWN: M.R.T.

SCALE: N.T.S.

DESIGN: M.J.P.

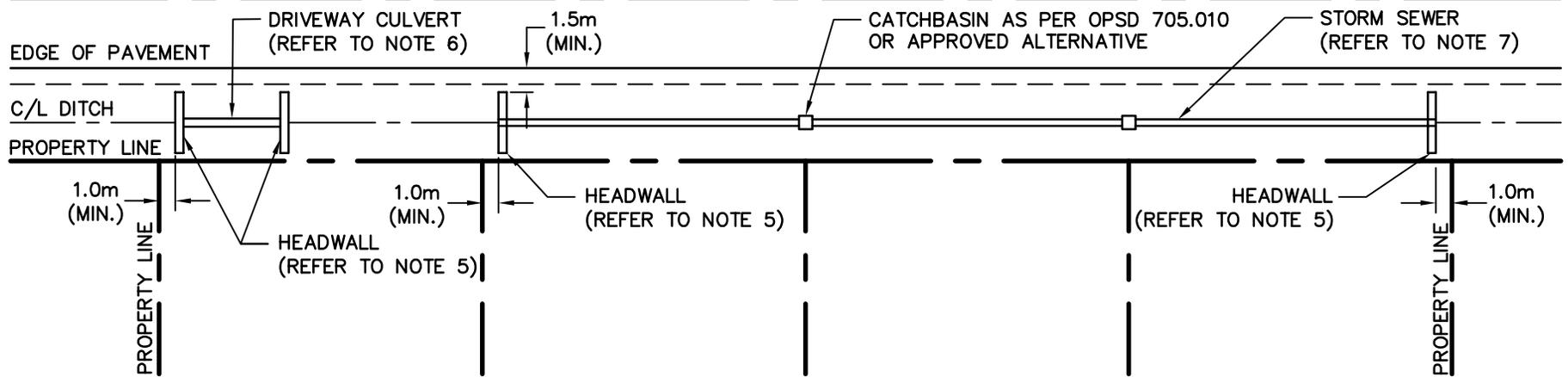
PLOT: 1=1

CHECKED: M.J.P.

DATE: APR. 2019

FIGURE 1

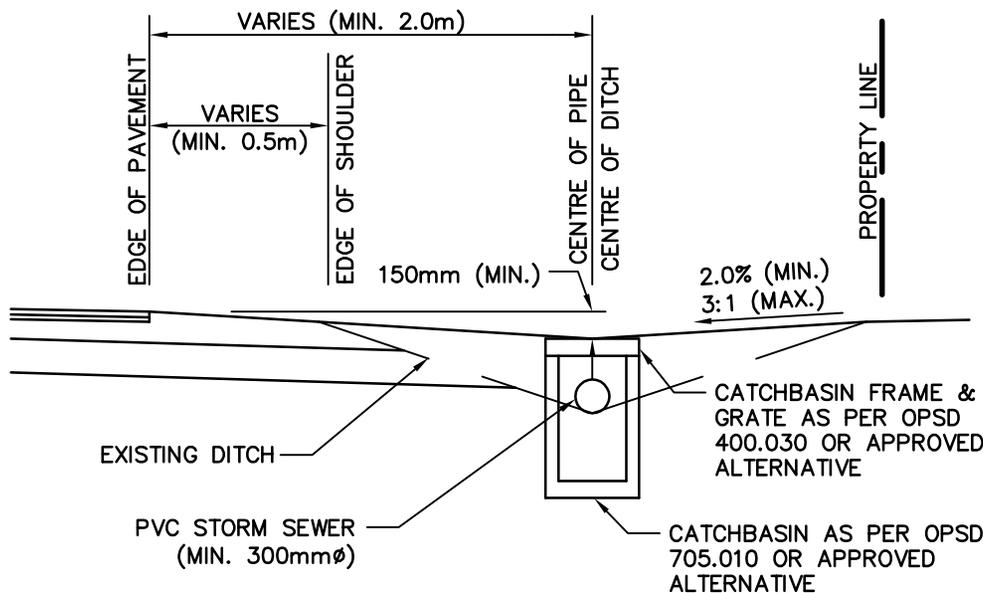
C/L ROAD



PLAN VIEW

**NOTES:**

1. THE MINIMUM ROADSIDE SWALE GRADIENT IS TO BE 1.0%.
2. DRAINAGE INLET STRUCTURES ARE REQUIRED AT EACH SIDE LOT PROPERTY LINE.
3. DRAINAGE INLET STRUCTURE COVER/LID SHALL BE A MINIMUM 150mm BELOW THE ADJACENT EXISTING EDGE OF PAVEMENT.
4. MANUFACTURED "TEES" C/W FRAME AND GRATE MAY BE CONSIDERED FOR OFF ROAD DRAINAGE INLET STRUCTURES.
5. HEADWALLS SHALL BE CONSTRUCTED OF CONCRETE OR PREFABRICATED HEADWALL STONE COMPLETE WITH FILTER CLOTH TO PREVENT THE MIGRATION OF FINES.
6. DRIVEWAY CULVERTS SHALL BE CORRUGATED STEEL PIPE (CSP), CSA APPROVED 320KPA PVC OR HDPE PIPE WITH A MINIMUM DIAMETER OF 400mm.
7. STORM SEWERS SHALL BE CSA APPROVED 320KPA PVC PIPE WITH A MINIMUM DIAMETER OF 300mm, OR EXTENSION OF EXISTING CSP CULVERT WHERE APPLICABLE/ APPROVED.
8. REFER TO THE ROAD OCCUPATION POLICY FOR MORE DETAILS.



SECTION VIEW

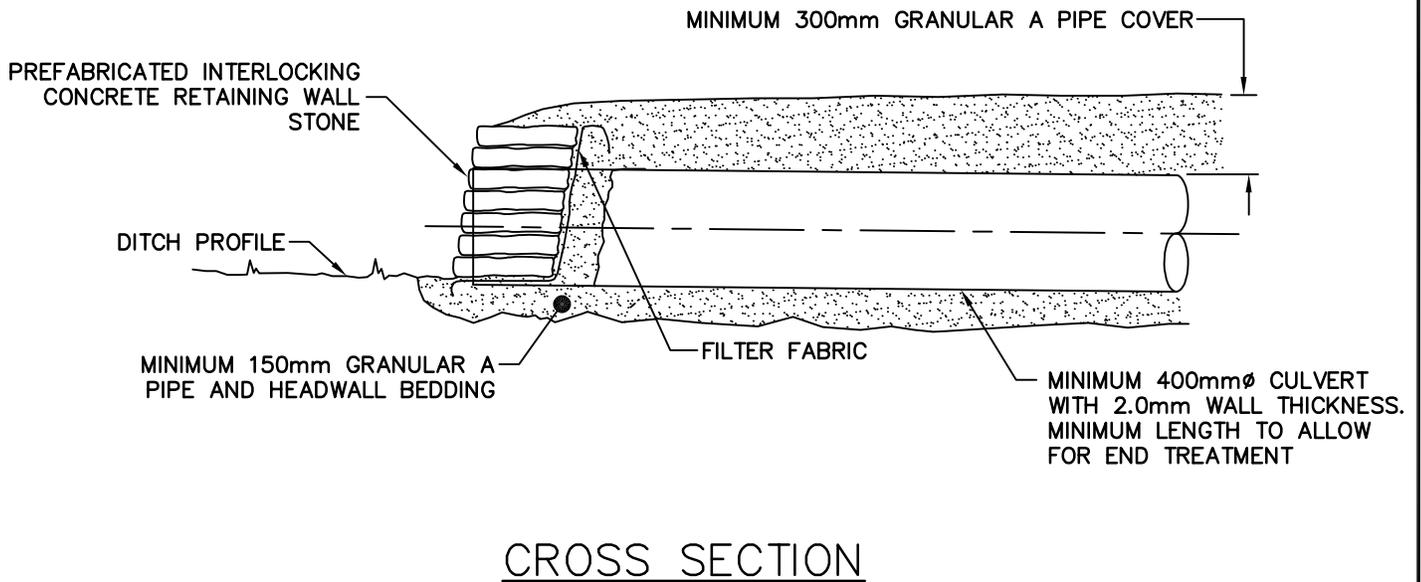
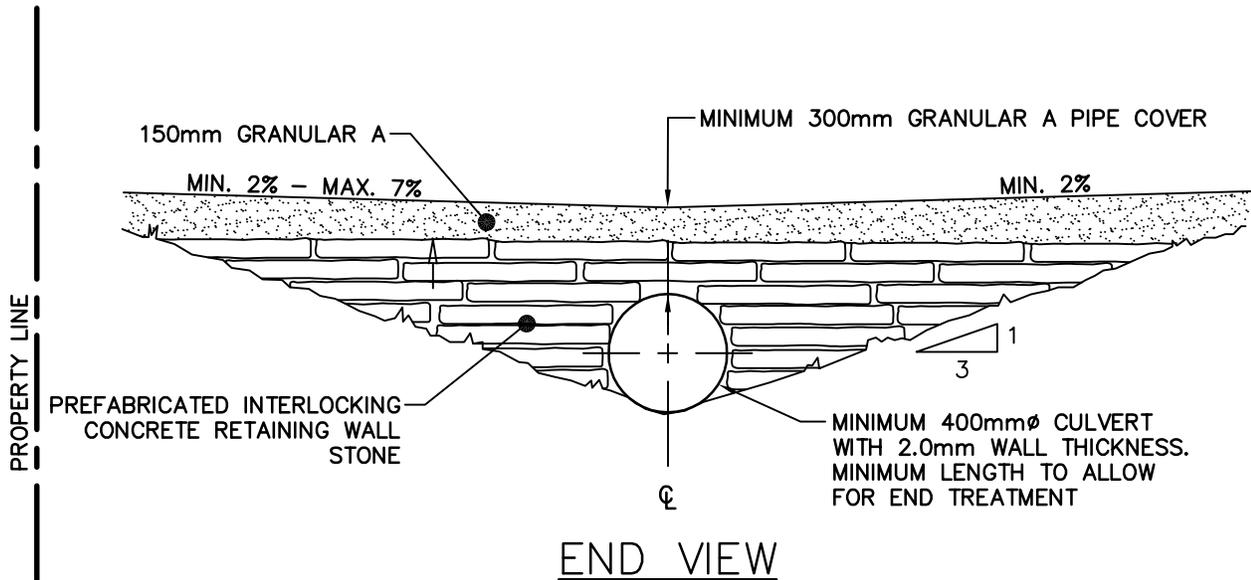


TOWN OF WASAGA BEACH

DITCH INFILLING DETAIL

DRAWN: M.R.T.	SCALE: N.T.S.
DESIGN: M.J.P.	PLOT: 1=1
CHECKED: M.J.P.	DATE: APR. 2019

FIGURE 2



**NOTES:**

1. REFER TO THE ROAD OCCUPATION POLICY FOR MORE DETAILS.
2. ALL HEADWALLS ARE NOT TO PROJECT ABOVE THE EDGE LINE GRADE OF THE ADJACENT ROAD FOR A MIN. DISTANCE OF 1.5m FROM EDGE OF PAVEMENT.



**TOWN OF WASAGA BEACH**

**DRIVEWAY CULVERT  
HEADWALL DETAIL**

DRAWN: M.R.T.

SCALE: N.T.S.

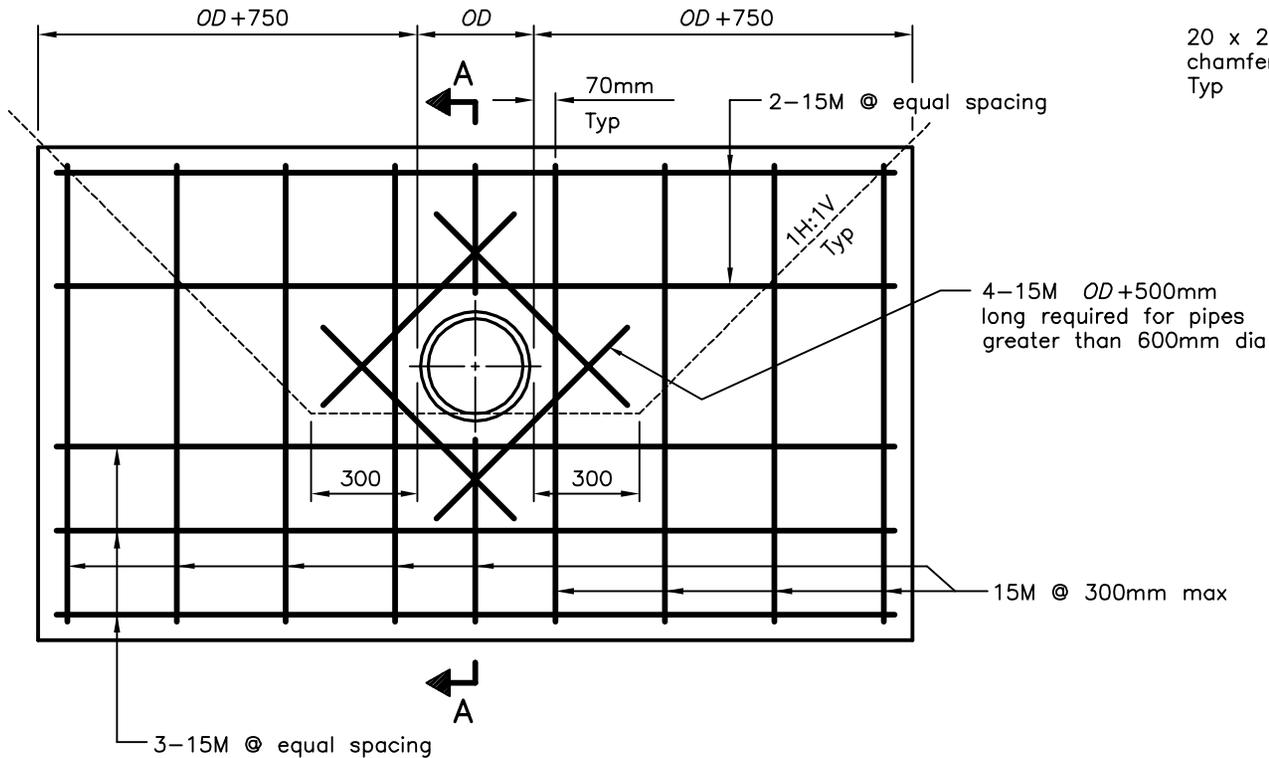
DESIGN: M.J.P.

PLOT: 1=1

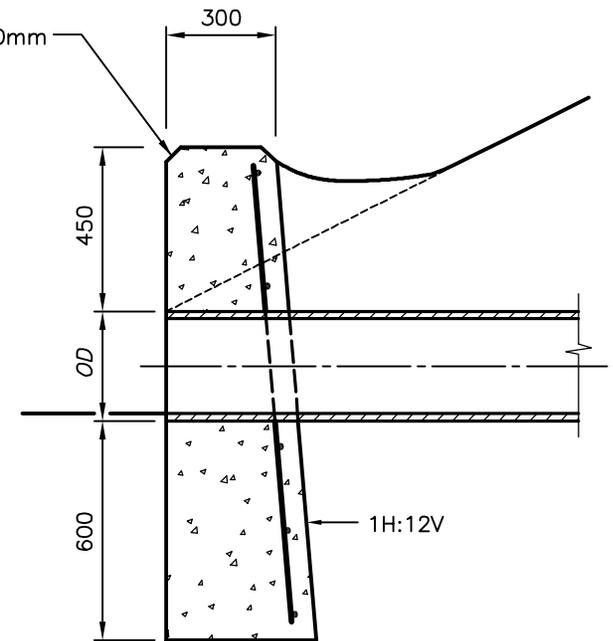
CHECKED: M.J.P.

DATE: APR. 2019

**FIGURE 3**



**FRONT ELEVATION**



**SECTION A-A**

**LEGEND:**

OD – Outside diameter of pipe

**NOTES:**

- A This OPSD to be read in conjunction with OPSD 3940.150.
- B If a steel grate is required, refer to OPSD 804.05.
- C Class of concrete: 30MPa.
- D Cover to reinforcing bars 70mm ± 20mm.
- E All dimensions are in millimetres unless otherwise shown.

ONTARIO PROVINCIAL STANDARD DRAWING	Nov 2017	Rev	2	
<b>CONCRETE HEADWALL</b>				
FOR PIPE LESS THAN 900mm DIAMETER				<b>OPSD 804.030</b>



1. It is understood that all works will be constructed, altered, maintained or operated at the expense of the Applicant, and that work must not begin before approval has been issued by the Town. The approval of the Town does not relieve the holder of the responsibility of complying with relevant Municipal By-Laws and Town Engineering Standards. This approval is issued under the authority vested in the Director of Public Works by the Town of Wasaga Beach, the most current Road Occupation By-Law and regulations pursuant thereto and is subject to the conditions attached hereto.
2. I/We hereby make application to occupy the road right-of-way and agree to abide by the terms and regulations of the most current Road Occupation Policy and By-Law.
3. I/we agree to assume all liability and/or cost incurred by the Corporation of the Town of Wasaga Beach as a result of the road occupancy, maintain the work area and to indemnify and save harmless The Town until final completion.
4. I/we submit payment to the Town of Wasaga Beach, to be retained by the municipality as the Road Occupation Permit fee.
5. I/we submit payment to the Town of Wasaga Beach, in the amount of \$2,000.00 as deposit for work performed within the road allowance of roads categorized as major roads\* and/or \$1,000.00 as deposit for work performed within the road allowance of roads categorized as local streets. The deposit is refundable thirty (30) days after a satisfactory final inspection by the municipality.

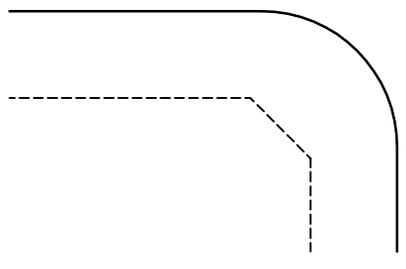
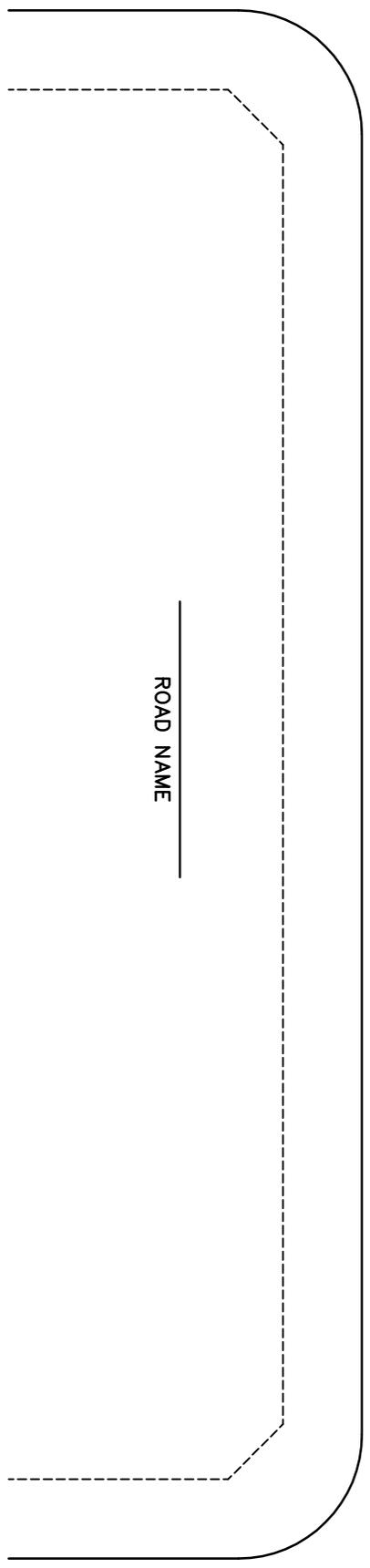
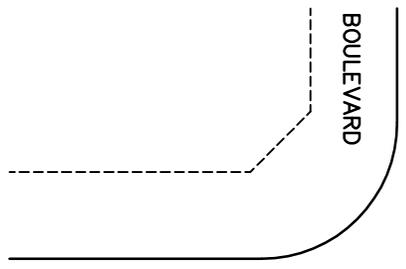
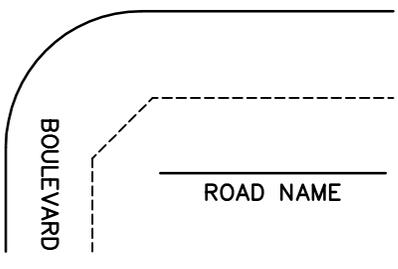
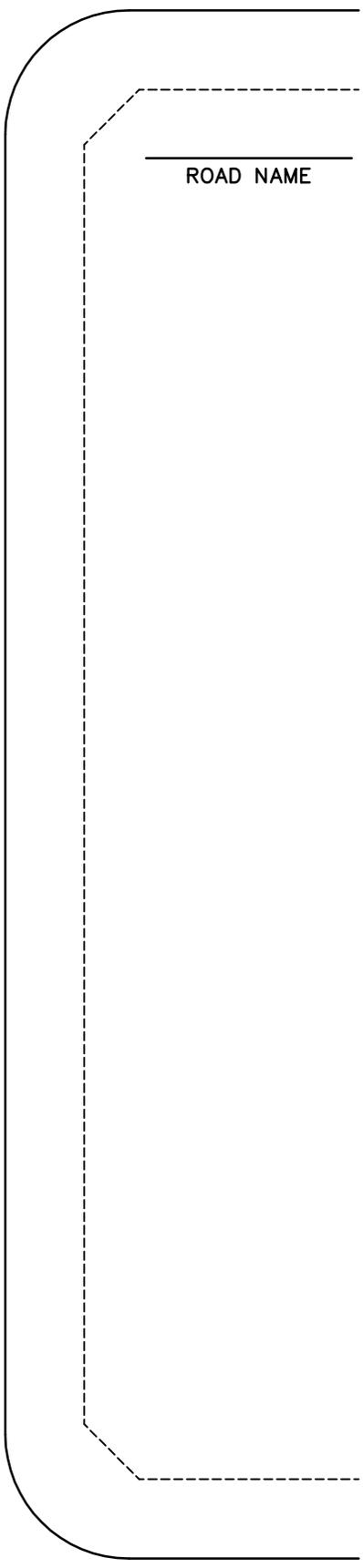
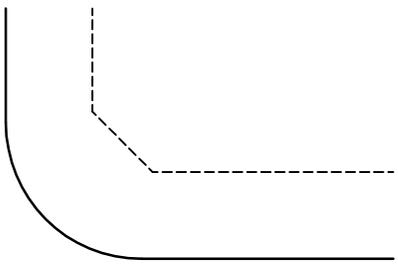
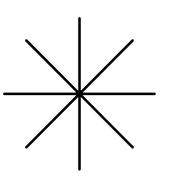
**\*Roads designated as Major Roads are:**

* River Road West	* Mosley Street
* 45th Street South	* Sunnidale Road
* Main Street	* River Road East

6. The Applicant's Contractor shall furnish public liability insurance in the amount of \$2,000,000 General Liability Insurance, satisfactory to the Town of Wasaga Beach, to indemnify and save harmless the Town for the duration of the work as described in the permit.
7. Any persons associated with the works for which this permit is issued shall comply with the most current Occupation Health and Safety Act and its regulations, and shall wear safety equipment **AT ALL TIMES** including, but not limited to, hard hats, reflective vests and safety boots while working within The Town's Right Of Way.
8. The permit must be in the name of the Property Owner or Utility Company and must identify the name of the person or firm performing the intended work.
9. At the request of the Applicant, the completion date may be extended by the Director of Public Works due to unforeseen conditions.
10. Traffic control shall be provided in accordance with the current MTO Ontario Traffic Manual, Book 7, to the satisfaction of the Town including all barricades, signage, flag persons, detour signs etc. In addition, a Traffic Control Plan may be required as part of the application.
11. Access shall be maintained to all public and private properties during the duration of the work. Road closures are not permitted unless approved by the Director of Public Works.
12. Owner/Contractor must confirm operation of municipal services located in driveway a min. 48hrs prior to commencing work as well as following completion of work. Any cost associated with adjustment or repair of damaged services during work is the responsibility of the applicant.
13. All utility locates shall be the sole responsibility of the Contractor. Locate requests can be made by calling Ontario One Call at 1-800-400-2255.
14. The Applicant shall be responsible for the performance of the work and restoration in accordance with Ontario Provincial Standards & Specifications and the Town of Wasaga Beach Engineering Standards, which are available on the Town website.
15. All excess excavated material shall be disposed of at an approved landfill site.
16. Driveway locations, widths, and construction complete with culverts and headwalls (where applicable) shall be in conformance with the Town of Wasaga Beach Zoning By-law and Engineering Standards.
17. Should the work have not commenced within two years from the date of issuance and completed by the date of completion indicated in the application, the Road Occupation Permit shall become null and void.
18. The Applicant shall at all times remain responsible for the actions and/or omissions of the Contractor for compliance with the Town's Road Occupation By-Law and Policy and Permit.
19. The Applicant must obtain a copy of the approved permit and notify all parties involved of the requirements. The Permit must be available on site for the duration of the open permit and provided upon Town staff request.
20. A detailed municipal servicing drawing and traffic control plan is required when applying to complete municipal services work.
21. The Applicant/Contractor must contact Public Works a min. 48hrs prior to municipal service connections.
22. DENSO Reinstatement Tape must be used at vertical saw cut joints of surface asphalt.
23. Entrances within the Town's ROW shall have a min. 150mm compacted granular base.
24. This permit will **ONLY** be for the work requested/described on Page 1 of this permit. A request for any further works must be submitted to The Town for approval.

ROLL NUMBER

TOWN OF WASAGA BEACH ROAD OCCUPATION PERMIT  
PLEASE PROVIDE A DETAILED DRAWING  
OF ALL PROPOSED WORKS



DRAWN BY: \_\_\_\_\_

DATE: \_\_\_\_\_