

GUIDELINES AND FEE SCHEDULE

Edmonton

Licence of Occupation for Parking and Storage

Regulated Road Use (regulatedroaduse@edmonton.ca)
16th Floor Edmonton Tower,
10111 104 Avenue
Edmonton, AB T5J 0J4

INTRODUCTION:

A **Licence of Occupation** (LOO) is required for any **temporary** use of road right-of-way for parking or storage. This applies whether the use is entirely within or partially overhanging the road right-of-way. Regulated Road Use (Parks and Roads Services) administers these licences.

One tool to help determine what is road right-of-way space versus private property space is available at maps.edmonton.ca. Please visit maps.edmonton.ca —> click “view map” and turn on the “Parcel” and “Aerial” in the legend.

Purpose

The Licence of Occupation ensures that:

- The City and its utility partners maintain access to the space.
- the current safety and compliance standards are maintained in accordance with applicable provincial and municipal laws regarding the use of road rights-of-way, and
- the associated legal liabilities and maintenance responsibilities are well defined.

Definitions

“City’s Design and Construction Standards” means the current edition of the City’s design and construction standards, as amended from time to time, and available on the City’s website at: https://www.edmonton.ca/city_government/urban_planning_and_design/city-design-construction-standards

“Licence of Occupation or LOO” as an agreement for the temporary use of a specified portion of road right-of-way for a specified time and for a consideration where the Licensee is given use of the area and assumes responsibilities for activities carried out therein and thereon.

“Licensee” as the adjacent property owner, or tenant upon approval of the owner, with which the City is entering the agreement.

“Market Value” means the market value appraisal completed by the City. This is done so that municipal property is valued in a fair and equitable manner within a neighbourhood or geographical area. The assessment takes into consideration the use of the licence area, the value of the licence area to the operation of the adjacent land, and limitations on land use.

“Road Right-of-Way” as that portion of the highway between property lines that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, or for pedestrian use, and can include a sidewalk, boulevard, carriageway, berm, ditch, swale, bicycle facility, noise attenuation facility, transit facility (including public areas of light rail transit), and landscaping.

Parking and Storage area:

The licensed area must be hard-surfaced (e.g., asphalt, gravel, paving stone, or concrete). This licence is available strictly for commercial, industrial, and institutional landowners or tenants to provide parking and storage for themselves, employees, or patrons.

Upon termination of the Licence **the Licensee must restore the space to a grassed area.**

The Licence of Occupation cannot be issued for:

- permanent structures that are not easily removed, such as retaining walls or fences which require considerable structural support.
- locations which, in the opinion of the City will obstruct sightlines or cause operational or safety problems on a public road right-of-way.
- storage of any hazardous substances or materials objectionable to the City.
- Paid parking lots.

General Guidelines and Evaluation Criteria

The issuance of a Licence of Occupation by the City will be based on a number of guidelines that protect for safe passage of vehicles and/or pedestrians, or parking. These guidelines include:

1. Access Requirements:

There must be a designated access for all licences for parking on road right-of-way, in accordance with Bylaw 5590, Section 74.

2. Site Dimensions:

The specific dimensions granted under a Licence of Occupation are evaluated individually for each location, ensuring alignment with all criteria specified in these Guidelines and must maintain minimum clearances outlined in the City's Design and Construction Standards.

3. Approval of civic and utility Departments and/or agencies:

The approval of the affected civic and utility Departments and/or agencies may be required, as deemed necessary by the City, for the use of the road right-of-way. Conditional approval may be obtained and the Licensee will be required to meet all the conditions and will be responsible for all costs associated with the conditions.

4. Liability insurance:

The Licensee will be required to maintain liability insurance as outlined in the Licence of Occupation at a limit acceptable to the City.

5. Refusal or termination:

The City may refuse or terminate a licence for the following reasons:

- the use of the road right-of-way causes or will cause conflict with the safety operations of the road right-of-way including but not limited to sightline obstruction; obstruction to traffic control devices, pedestrian crossings, intersections and/or accesses.
- the Licensee is in default in the performance of any of its obligations under the Licence agreement, and rectification of the default has not commenced to the satisfaction of the City.
- changes to federal, provincial, and/or municipal laws or regulations, which may affect the legality of the Licence.
- the road right-of-way is required for public or municipal use.

If the Licence proposal is refused, a Licence of Occupation will not be issued and the road right-of-way cannot be used. If the road right-of-way is already in use, the City will require the removal of all items and/or the end of the use, and restoration to the satisfaction of the City.

Failure to do so will result in the City taking all legal and practical action to ensure the removal and restoration and the recovery of all associated costs.

6. Licence fee payments:

The City will issue a billing advice for the licence fee based on the schedule below. Payment is due upon receipt. Late payments (after 30 days) are subject to 1.5% monthly interest (19.56% annually). Invoices can be issued annually, quarterly, monthly, or as a lump sum. Discounts may be requested for large annual or lump-sum payments.

7. Refund policy:

The City will refund Licence fees to the Licensee if the Licence is terminated, according to the standard Licence of Occupation agreement, as per the following:

- the Licensee may be reimbursed for the prorated portion of the lump sum or annual payments of the Licence fee for the period already paid for that will not be used.
- refunds will only be issued when the Licence area has been restored to a standard acceptable to the City. Any costs incurred to restore the Licence area will be deducted from the refund.
- application fees will not be refunded, as this type of fee represents the administrative time spent initially reviewing the Licence.

Fee Schedule

FEE SCHEDULE FOR LICENCES OF OCCUPATION for Parking and Storage

- Application fee is non-refundable. If your Licence is approved, the Application fee will be applied towards your first annual Licence Fee.

Category	Licence Type	Application fee	Annual Licence Fee
Commercial, industrial, or institutional	A - Parking and Storage	\$300 plus GST	10% of market value assessment + land tax equivalent
Non-profit, religious, or community organization	A - Parking and Storage	\$150 plus GST	5% of market value assessment