

Third Reading

No. 46-04

Council of the Township of Wollaston
Moved by Ron Earle

Session 200
Seconded by Graham Blair

That a by-law to _____

I hat Council ^{pass} accept by-law # 46-04
Being a by-law to accept the assumption
of private roads.

As reported by the committee of the Whole be read a third time, passed and numbered _____ and that the said by law be signed by the Reeve and clerk, sealed with the seal of the Corporation, and be engrossed in the by-law book.

Carried _____

Second Reading

Council of the Township of Wollaston

Session _____ No. _____ 200

Moved by Mace

Seconded by Ron Earle

That a by-law to _____

Be read a second time and be referred to a committee of the whole council.

Carried _____

First Reading

Council of the Township of Wollaston

Session _____ 200

Moved by Graham Blair

Seconded by Mace

That a by-law to _____

be received and read a first time.

Carried _____

The Corporation of the Township of Wollaston

By-Law No 46-04

Being a by-law to establish a policy regarding the Assumption of Privates Roads into the Road System for the Township of Wollaston.

WHEREAS the Municipal Act R.S.O 2001 permits the Council to pass by-laws for acquiring, establishing or assuming a highway.

AND WHEREAS the Council for the Township of Wollaston has deemed it expedient to establish the criteria for the assumption of private roads into the municipal road system.


NOW THEREFORE the Council of the Corporation of the Township of Wollaston enacts as follows:

1. That the policy regarding the assumption of private roads into the Township of Wollaston road system as shown on Schedule A attached hereto shall form part of this By-Law.
2. This by-law shall be deemed to have come into effect on the day it receives third and final reading.

Read a first time and considered , read a second and third time and finally passed this 15th day of June 2004.



Albert Vader, Reeve



Marilyn Brickles, Clerk Treas.

Road Assumption Policy
For the Corporation of the Township of Wollaston

For the purpose of this policy the following words shall have the respective definitions:

- Assumption:** The process by which a municipality passes a by-law to accept a road into the municipal road system.
- Corporation:** The Corporation of the Township of Wollaston
- Council:** The Council of the Corporation of the Township of Wollaston
- Proponent:** A person or group of persons or an agent representing same, that is applying to the Council for the Corporation of the Township of Wollaston to have a road assumed into the Township of Wollaston road system.
- Private Road:** An existing road or road to be constructed that was or will be constructed and maintained by a person or group of persons without any responsibility or obligation to construct or maintain same by the Corporation of the Township of Wollaston.

Unless it is clearly in the public interest and for the general benefit of the Corporation as determined by Council, it is not intended that private roads will be assumed by the Corporation and no responsibility for access, snow clearance, maintenance, repair, liability or other obligations is acknowledged for such private roads.

Council shall review each proposal to determine if the assumption of that road would best serve the Corporation and the residents therein. Roads that have previously been assumed by the Corporation shall not be considered a determining factor in the review of the existing proposal.

Without being necessarily limited to the following, Council shall consider the following criteria in determining if it is in the public interest to assume the private road:

Does the road serve, or will it serve, five(5) or more separate and distinct private parcels of land which are being used, or are capable of being used for the purpose permitted within that zone?

Would the road assumption of the road over-extend existing municipal roads maintenance programs or operations?

Was the road constructed to the standards as stated herein thus avoiding costly future repairs?

Will the assumption of the road promote further desired development?

Would further development require the road to be extended?

Would further development on this road over-extend existing municipal services?

Would the road facilitate the safe and efficient movement of goods and people?

The Council must be satisfied that not less than 80% of all property owners who will receive direct benefit from the assumption of the road, agree to

the undertaking of the study and the assumption of the private road by the Corporation.

If a proponent in submitting a proposal to the Corporation can satisfy Council that the assumption of the private road is in the public interest and acknowledges and accepts that any and all costs associated with such assumption are to be borne by the proponent, the following procedure applies:

Council shall review the proposal, and if it is deemed necessary, Council shall engage a consultant to prepare an engineering study and storm drainage plan, which shall identify all the requirements necessary for the assumption of the road by the Corporation.

In the event an engineering study and storm drainage plan is required to be completed by the Corporation, the proponent shall submit to the Corporation prior to the commencement of the study, in cash or other form of irrevocable security the amount of not less than Five Thousand Dollars (\$5000.00), in Canadian funds, which may be increased at the discretion of Council and to be held in trust pending completion and payment of the study.

The consultant shall, as part of the engineering report, prepare an estimate of all costs relating to the construction or reconstruction of the private road to the standards as stated herein.

The following represents the minimum standard of road construction for the assumption of a private road by the Corporation. Acceptance of modified standards to the following shall be at the sole discretion of Council and shall be so reflected in the development, agreement as described herein.

Minimum cleared width – 12.5 meters (40 feet).

Road surface minimum width 6.0 meters (20.0 feet) plus a minimum shoulder width of 1.0 meters (3.3 feet) on each side resulting in an overall width of 8.0 meters (26.0 feet).

Unless otherwise advised by Council, all topsoil, tree stumps and other vegetation shall be removed from that area directly beneath the proposed road and shoulder surface.

Granular sub- base: Minimum of 150 mm. (6.0 inches) in depth, more as required.

Granular "A" or "M" grade crushed gravel surface course: minimum of 150 mm.(6.0 inches) in depth.

Ditch depth below profile grade (crown) of road: 0.6 meters (24.0 inches) minimum or deeper to drain sub grade, and all ditches to be constructed to permit drainage to an outlet sufficient to handle water runoff.

Culverts – minimum 450 mm (18 inches) in diameter at all entrances larger as required at drainage courses by Road Superintendent.

Turn around required at all dead end roads. Minimum radius required: (9 meter (30.0 feet) road surface, plus 1.0 meter (3.3 feet) shoulder. Right of way to be not less than 30 meters (100.0 feet) at turn around.

Geometrics –12% maximum grade where possible. Horizontal curves to be flat as possible.

On roads serving a permanent residential population, the road surface shall consist of not less than a double surface treatment, or 50 mm. (2.0 inches) or cold mix or hot mix asphalt.

On roads serving a seasonal residential population, and under 50 vehicles per day, the gravel surface course as described herein shall comprise the minimum standard for surface treatment.

Road to be located as near as possible to centre of right of way.

All road materials to be compacted prior to next stage of construction.

Prior to the commencement of any construction or reconstruction the Corporation and the proponent shall enter into a development agreement, which will address all matters pertaining to the road assumption, financial and otherwise.

The development agreement in addition to addressing the technical and financial aspects of the road assumption shall require:

The proponent to survey and convey to the Corporation free and clear of all encumbrances, title to the land on which the road to be assumed is located, and the said lands shall not be less than 20 meters in width, except in situations where a lesser width is approved by the Ministry of Municipal Affairs, and together with any easements necessary for drainage and utilities.

In the event the proponent fails to proceed with the required construction or reconstruction as identified herein, there shall exist no obligation on the part of the Corporation: to continue with any construction or reconstruction as required, to reimburse the proponent for any costs that he or she has incurred with the proposal, or to assume the road or any part thereof into the municipal road system, until such time as all construction or reconstruction as required is completed to the standards as identified herein..

All Imperial Measurements as stated herein are submitted for the ease of conversion for the reader. In all cases, Metric measurements shall be considered true measurements to prescribe the applicable standard.