

Policy: Assumption of Private Roads	Policy #: EN-115
Department: Engineering and Infrastructure – Public Works	Effective Date: January 21, 2002
	Revision Date: July 26, 2006

1.0 Purpose

- 1.1** This policy identifies the criteria for the Town of Lakeshore to assume a private road.

2.0 Scope

- 2.1** This policy applies to all private roads in the Town of Lakeshore.
- 2.2** This policy does not apply to new developments established pursuant to approvals obtained through the Planning Act or other provincial legislation.

3.0 Policy

- 3.1** The Town of Lakeshore will normally not expropriate land in order to assume a private road.
- 3.2** All persons (100%) owning a portion of the private road must agree to dedicate it to the Town of Lakeshore.
- 3.3** The affected property owners must agree to assume the cost of upgrading the private road to municipal standards pursuant to the Local Improvement Act or otherwise.
- 3.4** The Town of Lakeshore must attempt to receive a dedication of property 20 metres in width as a proper road allowance.
- 3.5** Where it is impossible for the residents to convey a 20 meter wide road allowance to the municipality, the municipality is to receive a dedication of the maximum width of property available. This property is to be not less than 10 meters in width in order for the municipality to assume the property for municipal road allowance purposes.
- 3.6** Prior to conveying the road allowance to the municipality, the residents are required (at the expense of the affected residents) to construct a hard surfaced roadway of sufficient width and capacity

to accommodate normal two lane vehicular traffic including fire, municipal and garbage collection vehicles. This would typically include:

3.6.1 A minimum traveled portion of 7 meters of hard surfaced roadway (either of two lifts of surface treatment or 75 mm of hot mix asphalt) over a 300 mm stone base (subject to the results of a soil test on the subject area).

3.6.2 A 1.5 meter wide shoulder area, one each side of the roadway for installation of any required road drainage and to accommodate any existing or future services.

3.7 Prior to the assumption of the road allowance, proper drainage for the roadway as determined by the Town be constructed and brought to a sufficient outlet at the expense of the affected residents.

3.8 Where existing services are not able to be included in the road allowance to be conveyed to the municipality, sufficient easements are to be provided by the residents to allow the municipality access for repair or replacement purposes.

3.9 Prior to the assumption of the road allowance by the municipality, the residents are required to maintain the newly constructed road for a period of one year.

3.10 Any and all legal, surveying, construction, or other related costs are to be the responsibility of the affected residents.

4.0 Responsibilities

4.1 It is the responsibility of the Director of Engineering and Infrastructure to ensure staff is aware of and follows this policy.

4.2 It is the responsibility of the Manager of Public Works to ensure property owners comply with this policy.

5.0 Consequences

5.1 Failure to follow this policy may result in the municipality assuming additional maintenance costs for roads.

6.0 References

6.1 At this time there is no legislation or bylaw affecting this policy.