



2024 Budget Request

Request: Private Road Maintenance

Department: Community & Environmental Services

Request ID: CES2024BUDGET-O-03

Financial Ask: \$20,000

Funding Source: Operating

This document and its attachments are public and available in an accessible format upon request.

Background and Strategic Priority

During 2023 several discussions have been had at Committee and Council in respect to private roads across the Township. Staff have been directed to bring forward a policy that addresses supporting residents that live on private roads with maintenance.

Analysis

The Township maintains approximately 400km of assumed roads, gravel, surface treated and paved surface, which are owned and operated by the Township. Beyond this network there are a number of private roads. These fall into several categories:

- Municipal owned road allowances that provide access to one or more residential properties over which a developer or other party has built an access road. These sites, typical in new subdivisions and development, are maintained by the developer until they are assumed by the municipality.
- Municipal owned road allowances that provide access to one or more residential properties over which residents have built access roads. These unassumed access roads are frequently gravel in nature but may be paved in areas. No formal agreement for use is identified and bylaws opening these roads may not be present. The Township has not assumed these roads.



- Municipal owned road allowances that provide access to one or more residential properties over which residents have built access roads or driveways under a 'Limited Service' or 'No Demand for Service' agreement. These access roads are frequently gravel, but may be paved, there is an agreement for use, and roads are typically not opened by bylaw.
- Privately owned roads on, or over, private property to which a legal easement exists that supports one or more residents crossing over private property to access their property.
- Privately owned roads on shared ownership lands. These are typically where a number of owners share ownership (such as through condominium or co-op) of one or more common elements (greenspace and roads as typical examples) that are shared in ownership between a community.
- Privately owned roads on, or over, private property where no legal easement exists, but that have historical use and may have prescriptive rights of access.
- Others – there are likely other forms of private road not yet identified by staff.

Owners of property that access over these road allowances are responsible for the maintenance and upkeep of these roads. At times, this is undertaken through a cooperative or condominium arrangement where residents pay a fee for a property management company to undertake that work, or a less formal approach being a resident association where by residents are members of an association and share the costs of maintenance.

Regardless of how these roads are maintained, there are costs associated with them. Council has asked staff to consider and develop a policy, supported by a Budget Request for how the Township may be able to support residents maintaining such roads through financial support or other resources.

Staff are proposing that if Council directs, staff will develop a policy to support a grant to be paid to residents to support such activities. While a formal policy is yet to be developed staff suggest that an annual fund of \$20,000 be established that groups (a group should be a well identified body, with a key contact person/s, such as residents associations) can apply for grants from to support road maintenance activities. Grants are up to \$5,000 and no group can apply for more than \$5,000 in any five-year period.

The \$5,000 will be paid out based on receipts/invoices provided in support of work undertaken and could include materials (such as gravel), equipment rentals (such as skid steers) and/or contractors (such as construction or winter maintenance) that have undertaken work on a private road. Grants can apply to the road itself or supporting areas such as ditches or culverts alongside and/or under the road.



Staff suggest that the grant be restricted to groups of at least three or more individuals or property owners and that roads to be considered for award of a grant the primary or only access to at least 5 or more municipally addressed properties. If any work was to occur on private property (assuming it met the criteria above), the private property owner/s impacted must provide written support for the work. Grants would not be available to any property owners on Assumed Roads, or roads that are covered by a Limited or No Demand for service Agreement. Grants would also not be available for registered condominium or cooperative housing associations.

In seeking a grant, the group would be asked to confirm, in writing, that the application and acceptance of a grant does not extend any liability or future responsibility for the road being worked on to the municipality or place any expectation of further support on the municipality.

Financial Impact

If supported, staff suggest that \$20,000 should be added to the Operating Budget to support this work.



Report Approval Details

Document Title:	2024 Budget Request Private Road Maintenance.docx
Attachments:	
Final Approval Date:	Nov 14, 2023

This report and all of its attachments were approved and signed as outlined below:

Samantha Buchanan, Treasurer

Niall Loble, Director of Community Services