



MUNICIPALITY OF TEMAGAMI POLICY MANUAL
SECTION: PUBLIC WORKS
POLICY TITLE: **ASSUMPTION OF PRIVATE AND UNASSUMED
ROADS POLICY**
SCHEDULE A TO BY-LAW: 19-1477
POLICY NO: 4.1

PURPOSE

This policy establishes guidelines and minimum construction standards required for any road not presently maintained by the Municipality as Council is considering the possibility of assuming the road and providing maintenance through municipal resources. These could be 'Crown Roads', unmaintained municipal road, seasonal roads or private roads. While seasonal roads may be maintained, except for winter maintenance, by the Municipality, this policy would apply to any changes in the services provided.

The goal of this policy is:

- a) To ensure consistency in the upgrading of existing municipal roads;
- b) To ensure adherence to the relevant Official Plan policies;
- c) To avoid passing any new upgrading costs are borne by those receiving the benefit rather the ratepayers of the municipality as a whole;
- d) To ensure that proponents upgrading existing seasonal or private roads to municipal roads abide by a minimum municipal standard; and
- e) To control the means by which the Municipality of Temagami may assume; private or seasonally maintained municipal roads to provide fairness and consistency.

DEFINITIONS

Corporation: shall mean the Corporation of the Municipality of Temagami.

Council: shall mean the Council of the Corporation of the Municipality of Temagami.

Superintendent: shall mean the Superintendent of the Public Works Department.

Proponents: shall mean developers, residents, or ratepayers or other associations who are requesting the municipality assume for maintenance purposes an existing seasonal or private road so that it becomes a municipal road or seasonal road.

Assumption: shall mean the process by which a municipality passes a by-law to accept a road into the municipal road system.

Non-Assumed Road: An existing road or road to be constructed that was or will be constructed and maintained by a person or group or persons without any responsibility or obligation to construct or maintain same by the Corporation of the Municipality of Temagami.

Municipal Roads: shall mean roads and highways in municipal ownership, care and control, and that have been assumed by the municipality for year-round maintenance by the municipality.

Private Road: shall mean roads in private ownership that have not been assumed by the municipality, which provide access by means of registered right-of-way to private property; the use and maintenance of which is the responsibility of the abutting land owners.

Public Roads: shall mean roads that are not part of the municipal road system, typically owned by the Province.

Seasonal Roads: shall mean no year-round maintenance (no snowplowing and sanding).

POLICY

When submitting a proposal to the Municipality, all documentation and information must satisfy Council that the assumption of the unassumed road is in the public interest, and that the proponent acknowledges and accepts that any and all costs associated with such assumption are to be borne by the proponent. To do this the following procedures applied.

CRITERIA FOR ASSUMPTION

Without being necessarily limited to the items listed below, the following criteria should be considered in determining if it is in the public interest to assume the unassumed, or private road:

- a) The number of residences/properties served by the road.
- b) Would the assumption of the road over-extend existing municipal roads maintenance programs, operations and resources?
- c) Was the road constructed to a minimum municipal standard? In order for an unassumed road to be transferred to a municipal road it must meet the municipal minimum construction standard.
- d) Will the assumption of the road promote further desired development?
- e) The owner(s) of the unassumed road shall be responsible to conduct an assessment of the current state, whether it be the Public Works Superintendent or a Professional Engineer that conducts the assessment. In the case of 'Crown Roads' landowners serviced by the road may need permission from the Province to conduct this assessment.
- f) The assessment report shall provide a cost estimate for any upgrades required to the unassumed road.
- g) Have the Conservation Authorities or the Ministry of Natural Resources and Forestry, whichever has jurisdiction, been notified and are regulations followed where there could be any interference with wetlands or any alterations to shorelines and watercourses?
- h) Does the Ministry of Transportation supports the proposed assumption by the Municipality?

- i) The proposal conforms to the land use policies of the relevant Official Plan and Zoning By-law if lot creation would occur as a result of the assumption process.
- j) There is a reference plan prepared by an Ontario Land Surveyor or documenting lands affected by the proposed assumption.
- k) If there are non-road related consideration (economic development) that should be considered. If there are terms outside of the road area that are relevant in the circumstances, Council can direct these to be included in the report on assuming roads into the Municipal Road System.

PROPONENT RESPONSIBILITIES

The cost and associated process (studies, surveys etc.) of bringing the road up to municipal standard will be the responsibility of the proponents.

STAFF RESPONSIBILITIES

- a) Prior to assuming the road, municipal staff or professional engineer will prepare a report, an estimate of all costs relating to the construction or reconstruction of the unassumed road to the minimum standards. The cost of the independent engineering review and cost-benefit analysis will be borne by the Proponents.
- b) Municipal staff or professional engineering consultant will conduct a cost-benefit analysis to determine the operational costs of maintaining the road and the impact on Municipal resources.
- c) Year round road service will not be provided on seasonal roads or private roads until Council passes a by-law to formally assume the road and until the subject road is upgraded to the road standards detailed in Appendix "A" to this policy, at the expense of the benefitting property owners.

MUNICIPAL ROAD STANDARDS

Appendix "A" to his policy provide specifics for the Minimum Road Construction Standards that must be met prior to the assumption of any unmaintained municipal road or private road.

Road improvement and work necessary to bring a road up to the standards listed in Appendix "A" may include: property acquisition for road allowance widening and/or turnarounds, tree removal, road base and/or surface improvements, drainage improvement, horizontal and vertical alignment improvements, removal of encroachments and signage installation.

APPENDIX A

Municipality of Temagami Minimum Road Construction Standards

DESIGN CRITERIA	MINIMUM STANDARD
Right-of-way	20 m (66') required
Minimum Clearing Width	12 m (40')
Design Speed	40 km/hr
Horizontal Radius	50 m
Maximum Grade	12%
Vertical Crest	K=5
Vertical Sag	K=7
Minimum Stopping Sight Distance	45 m
Surface Width	6 m (19.7')
Shoulder Width	0.5 m (1.5') each side
Horizontal Clearance	2 m (6') each side
Vertical Clearance	4.3 m (14')
Turnarounds OPSD 500.01	10 m (33') radius including 1 m shoulder
Surface Material	Granular "A"
Ditches	300 mm (12")
Signage	As specified in the Ontario Traffic Manual

NOTE

The standards detailed above are suggested guidelines except for the requirement for a deeded right-of-way of 20 m, which is required to provide for adequate maintenance width in the event that the road is ever assumed by the municipality. These standards are not applicable to new construction.

Deviations from the minimum standard may be approved by the Public Works Superintendent and/or Professional Engineer where the minimum standards cannot be achieved. The deviation must not result in any significant loss of safety or increased maintenance costs to the municipality.

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