

## TAY VALLEY TOWNSHIP

### PRIVATE UNASSUMED ROADS WORKING GROUP TERMS OF REFERENCE

#### MANDATE

The purpose of the Working Group is to provide advice and recommendations to Council regarding Private Unassumed Roads in order to best implement the direction contained within Council Resolution #C-2019-11-08:

#### **RESOLUTION #C-2019-11-08**

*“THAT, the Township eliminate the requirement for property owners to enter into a road access agreement on unassumed subdivision roads in the Township;*

*AND THAT, section 3.4 of the Township zoning by-law be reviewed and appropriately be revised.”*

**ADOPTED**

To fulfill its mandate it is anticipated the Working Group will, among other things:

- Clarify definitions for private and public roads, including the use of a term to replace the term “Private Unassumed Road”.
- Review section 3.4 of the Township Zoning By-Law, Official Plan and any other relevant documentation related to private unassumed roads and road access agreements.
- Clearly identify and examine all of the issues, problems and risks surrounding the use of private unassumed roads and how to sequentially address them and various alternatives for rectifying or otherwise dealing with such issues, problems and risks in a manner that is fair and equitable to the Municipality, to all property owners who use private unassumed roads to access their property, and to Township taxpayers generally; including but not limited to:
  - insurance and liability considerations for both the Township, the property owners and those conducting maintenance
  - maintenance requirements
  - responsibility for maintenance
  - tools to minimize risk:
    - introduction of a holding zone provision in the Zoning By-Law
    - Limited Services Agreements and Site Plan Control Agreements
    - other amendments to the Official Plan and/or Zoning By-Law
  - bringing the roads up to municipal standards by the Township and/or the property owners so that the Township can assume the roads for maintenance purposes
  - development of a road grants policy for private unassumed roads

- deeming the roads away, in turn creating private roads, not owned or maintained by the Township
  - community improvement plans
  - area rated development charges
  - any other related issues, problems and risks that the Working Group deems necessary.
- Recommend to Council whether road access agreements should be required or not and the reasons. If the Working Group recommends that Road Access Agreements are required, advise Council as to:
    - the circumstances under which Road Access Agreements should be required and the reasons;
    - the recommended content for Road Access Agreements; and
    - if any, the recommended changes to the Zoning By-Law, Official Plan and any other relevant documentation.

## **REPORTING RESPONSIBILITY**

The Working Group will communicate its findings and recommendations to the Committee of the Whole. Attendance and agenda topics will be coordinated through the Clerk or designate. Updates from the Working Group will be communicated to Committee of the Whole on a regular basis by the Council Member representatives, with a final report to be brought forward to Council.

## **MEMBERSHIP**

The Working Group shall be comprised of a maximum of five (5) members. Replacement members can be appointed, if needed, during the course of the term. Two members shall be Council Members, one of which will serve as Chair. The Clerk and Planner or designates shall act as resource persons to the Working Group.

## **MEETINGS**

The Working Group will meet at least monthly or at the call of the Chair or Clerk (or designate). Agendas will be posted on the Township website one week prior to the meeting. The Clerk or designate will serve as Recording Secretary. Meeting Minutes will be action-only and will record those members in attendance and any topics discussed. A quorum of members (majority) will be required for a meeting to take place. All meetings will be open to the public. Meetings will generally occur at the Municipal Office.

## **TERM**

The term of appointment shall be from the date of appointment of the Members until the completion of the Working Group's mandate or by a resolution of Council.