

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2025-004

### ROAD NAMING POLICY

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**WHEREAS**, Section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a lower-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

**AND WHEREAS**, Section 48 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may name or change the name of a private road after giving public notice of its intention to pass the by-law;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township enacts as follows:

**1. GENERAL REGULATIONS**

1.1 THAT, the Road Naming Policy, attached hereto as Schedule "A", be adopted.

**2. ULTRA VIRES**

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

**3. BY-LAWS RESCINDED**

3.1 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

**4. EFFECTIVE DATE**

ENACTED AND PASSED this 25<sup>th</sup> day of February, 2025.

  
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Rob Rainer, Reeve



  
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Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2025-004**

**SCHEDULE "A"**

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**SUBJECT:           ROAD NAMING - POLICY**

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**1.0   PURPOSE**

Road names are critical for civic addressing and emergency response purposes. This policy establishes criteria to name or rename a road.

**2.0   LEGISLATIVE AUTHORITY**

**2.1**   Section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a lower-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public.

**2.2**   Section 48 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may name or change the name of a private road after giving public notice of its intention to pass the by-law.

**3.0   SCOPE**

**3.1**   This policy applies to Roads within the Municipality.

**3.2**   This policy shall be read in conjunction with the following:

- Civic Addressing – Policy
- Official Plan
- Road Addressing and Parcels Project – Policy
- Road Addressing and Parcels Project – Procedure

**4.0   DEFINITIONS**

**4.1**   “**CAO**” – shall mean the Chief Administrative Officer (CAO) or designate duly appointed by the Municipality as prescribed in Section 229 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

**4.2**   “**Clerk**” – shall mean the person or designate duly appointed by the Municipality as prescribed in Section 228 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

**4.3**   “**Council**” – shall mean the Council of the Municipality in accordance with the Council Composition By-Law in effect.

- 4.4 “Executive Assistant”** – shall mean the Executive Assistant/Alternate Community Emergency Management Coordinator for the Municipality.
- 4.5 “Lanark County”** – shall mean the Corporation of the County of Lanark.
- 4.6 “Municipality”** – shall mean the Corporation of Tay Valley Township.
- 4.7 “Road”** – shall mean a Township Road, Public Unassumed Privately Maintained Road or Private Road.
- 4.8 “Private Road”** – shall mean a right of way (easement), that was in place prior to 2002 (as of 2002 no new Private Road can be created in the Municipality unless created under the *Condominium Act, 1998*), that provides access to two or more properties but does not include a common lot line shared entrance as defined by the appropriate road authority. For greater clarity, a driveway is an access originating from a public or Private Road that is wholly within one property (except for a portion that may be approved as a common lot line shared entrance). If an access crosses onto a second property or acts as the access for a second property, including a water access only property, it is a Private Road.
- 4.9 “Public Unassumed Privately Maintained Road** – shall mean a road owned by the Municipality that has not been assumed by the Municipality for maintenance purposes and generally has not been brought up to municipal standards and is maintained by a private individual, organization, or company rather than the Municipality.
- 4.10 “Township Road”** – shall mean a road owned and maintained by the Municipality.

## **5.0 GENERAL REQUIREMENTS**

- 5.1** All Roads must be named for civic addressing and emergency response purposes.
- 5.2** For the Municipality to open a road naming file:
- 5.2.1 A written request to name or rename a Road must be received by the Municipality, along with the required fee and deposit as outlined in the Tariff of Fees for the Municipality; or
- 5.2.2 As part of a building, planning, septic, civic address, entrance permit, or other application it is determined that a Road should have been named, and therefore the Road must be named prior to an application being processed; or
- 5.2.3 The Road naming is initiated by the Municipality (the Municipality is the applicant).

- 5.3** The Municipality shall not conduct any work related to a road naming or renaming until a file is opened.

## **6.0 NAMING AND RENAMING RESPONSIBILITY**

### **6.1 Public Unassumed Privately Maintained Roads and Township Roads**

- 6.1.1 The naming of an existing Public Unassumed Privately Maintained Road or Township Road is the responsibility of the Municipality, including any costs.
- 6.1.2 The renaming of an existing Public Unassumed Privately Maintained Road or Township Road is the responsibility of the applicant/property owner, including any costs.
- 6.1.3 The naming or renaming of a new Public Unassumed Privately Maintained Road or Township Road is the responsibility of the applicant/property owner, including any costs.

### **6.2 Private Roads**

- 6.2.1 The naming or renaming of a new or existing Private Road is the responsibility of the applicant/property owner, including any costs.

## **7.0 EXEMPTIONS**

### **7.1 Private Roads**

- 7.1.1 Notwithstanding Section 4.6, on a property-by-property basis, where a right of way (easement) is:
- i) generally 25 metres (65 feet) or less; and
  - ii) only provides or will only ever provide access to one (1) property;
- the right of way (easement) may not be considered a Private Road, subject to a site visit and determination by the Municipality.
- 7.1.2 Should a right of way (easement) meet the criteria in Section 7.1.1, and is therefore not considered a Private Road, the right of way (easement) will not need to be named.

## **8.0 PROCEDURE**

### **8.1 Open File**

8.1.1 A file will be opened when:

8.1.1.1 A Written Request is received:

- i) The applicant/property owner shall submit a written request detailing the Road to be named or renamed, including a detailed map, to the Executive Assistant.
- ii) The applicant/property owner shall submit with the written request a non-refundable fee and a deposit as outlined in the Tariff of Fees for the Municipality, to cover administrative, legal and other costs such as road name sign and post costs.
- i) The applicant/property owner shall compensate the Municipality for any costs over and above the deposit or the Municipality shall return any unused deposit.

8.1.1.2 A building, planning, septic, civic address, entrance permit, or other application is submitted where the Municipality identifies the need for a naming or renaming of a Road.

8.1.1.3 Initiated by the Municipality.

### **8.2 Legal Review**

8.2.1 The Municipality shall conduct a legal review to confirm legal access, if applicable, and the status of the proposed road to be named or renamed.

8.2.2 The Municipality shall obtain the current information registered on title.

### **8.3 Site Visit**

8.3.1 The Municipality shall conduct a site visit to verify what is physically onsite with the legal information obtained.

### **8.4 Potential Requirement for Survey**

8.4.1 In some instances, where legal access has been confirmed but there is no survey to legally identify and describe the Road, a survey will need to be undertaken so that the required by-law can be registered on title.

8.4.2 The cost of the survey is the responsibility of the applicant/property owner and is in addition to the deposit.

8.4.3 The draft survey shall be submitted to the Municipality for review and approval prior to being deposited.

## **8.5 Proposed Road Names**

- 8.5.1 The applicant/property owner shall provide at least three (3) proposed road names.
- 8.5.2 Road names should be easy to read, pronounce and spell, should use appropriate language and should not be hyphenated.
- 8.5.3 As per the Road Addressing and Parcels Project – Policy, the Municipality shall send the proposed road names to Lanark County for review and approval to ensure there are no duplicates or similarities within the region.
- 8.5.4 If all three (3) proposed road names are duplicates or similar, then the process starts again with the applicant/property owner providing another three (3) proposed road names until an acceptable name can be approved.

## **8.6 Notification to Affected Property Owners**

- 8.6.1 The property owners along the Road to be named or renamed shall be notified in writing of the proposed naming or renaming.
- 8.6.2 The majority of the property owners must agree to a preferred name by a specified date.
- 8.6.3 In the event of a tie in the selection of a preferred name, the road owners preferred name will be chosen. Should the road owners not choose a name, the applicants/property owners preferred name will be chosen.

## **8.7 Report to Council**

- 8.7.1 Once a preferred name has been chosen, a staff report will be included on the Committee of the Whole agenda for consideration of the proposed name.
- 8.7.2 If the Committee of the Whole does not concur with the request, the applicant/property owner must be advised and the file will either be closed, a new preferred name will be requested, or the Committee of the Whole will recommend a preferred name.
- 8.7.3 The owners of properties affected by the naming or renaming will be given notice of the intent to name, rename or reject the proposal for naming or renaming.

## **8.8 Acceptance of Application**

8.8.1 If Committee of the Whole agrees to the naming or renaming of the Road, a motion of Council is required to formally name or rename the Road and bring the necessary by-law forward to amend the Road Naming By-Law.

## **8.9 Rejection of Application**

8.9.1 If the recommendation is to reject the application, the issue will be placed on the Council agenda for formal denial.

8.9.2 Once Council rejects the application the applicant/property owner will be refunded the deposit less any costs to date

## **8.10 Adoption of By-Law**

8.10.1 Once the by-law is adopted by Council it shall be registered on title.

8.10.2 As per the Road Addressing and Parcels Project – Policy, once the by-law is adopted by Council the Municipality shall:

- i) notify Lanark County, who will notify Bell 911 and all emergency service organizations of the new road name;
- ii) notify all affected property owners of the new road name and their new civic address;
- iii) notify all Municipal departments;
- iv) update the Geographic Information System.

8.10.3 Once affected properties are notified of the new road name and their new civic address, affected property owners shall be responsible to notify any other organization that the Municipality or Lanark County has not notified, including Canada Post.

8.10.4 Once affected properties are notified of the new road name and their new civic address, the Municipality shall install the new road name sign and civic address signs, if applicable.

## **8.11 Issuance of Building or Septic Permit, or Approval of Planning Application**

8.11.1 Once it has been determined that a survey is not required for a road naming or renaming application, a building or septic permit can be issued or a planning application can be approved, subject to all other requirements being met for those applications.

8.11.2 If a survey is required, for a road naming or renaming application, a building or septic permit can be issued or a planning application can be approved, subject to all other requirements being met for those applications, once the survey has been approved by the Municipality and deposited.

## **9.0 ORDER TO COMPLY**

- 9.1** Where the Municipality identifies that a Road has not been named in accordance with this policy, it may issue a written order to any person owning property that depends on the Road for its access.
- 9.2** An order issued under this section may require any owner of property that depends on the improperly named Road for its access to apply for and obtain approval to name or rename the Road.
- 9.3** The order shall specify the location of the Road, the properties affected, the owners to whom the order is issued and the process for achieving compliance with this policy.
- 9.4** Service of the order shall be given in any of the following ways and is effective:
- 9.4.1 when a copy is placed on or affixed in any manner to the property;
  - 9.4.2 when a copy is personally delivered to the person to whom it is addressed;
  - 9.4.3 on the third (3rd) day after a copy is sent by registered mail or by regular mail to the person's last known address;
  - 9.4.4 upon the sending of the notice or document or a copy thereof by e-mail transmission to the person's last known e-mail address.
- 9.5** If the owner of a property fails to comply with the order issued under this policy, the Municipality, in addition to all other remedies:
- i) Shall have the right to take any actions necessary to remedy any deficiencies identified and to comply with the order;
  - ii) Shall have the right for its servants and agents to enter in and upon the property to carry out the aforesaid remedies;
  - iii) Shall have the right to carry out all remedies and otherwise ensure compliance with the order at the expense of the owner, and the amount of the expense shall be deemed to be real municipal taxes and may be added to the collector's roll and collected in the same manner as real municipal taxes; and
  - iv) Shall not be liable to compensate such owner, or any other person having an interest in the property, by reason of anything done by or on behalf of the Municipality under the provisions of this section of the policy.

## **10.0 ADMINISTRATIVE MONETARY PENALTY**

- 10.1** Any person who contravenes an Order issued under the provisions of this policy or who contravenes any other provision of this policy shall, upon conviction thereof, be liable to a fine as is provided for in the provisions of the *Provincial Offences Act*, as amended, and any other applicable law, exclusive of costs, for each offence.
- 10.2** Notwithstanding section 9.1 of this policy, every person who contravenes any provision of this policy or any order made hereunder shall, upon issuance of an Administrative Monetary Penalty Notice in accordance with Administrative Monetary Penalties By-Law No. 2025-005 be liable to pay to the Corporation of Tay Valley Township an Administrative Monetary Penalty in accordance with Schedule "B" of Administrative Monetary Penalties By-Law No. 2025-005.
- 10.3** If a person is required to pay an Administrative Monetary Penalty under this policy, the person shall not be charged with an offence in respect of the same contravention.

## **11.0 COMMUNICATION**

- 11.1** A copy of this policy shall be provided to any person, upon request.

## **12.0 ACCOUNTABILITY FRAMEWORK**

- 12.1** The CAO/Clerk is responsible for ensuring compliance with this policy.

## **13.0 POLICY REVIEW**

- 13.1** This Policy shall be reviewed at least once per term of Council.

## **14.0 REFERENCES**

### **Policies and Procedures/Documents**

Civic Addressing – Policy

Official Plan

Road Addressing and Parcels Project – Policy

Road Addressing and Parcels Project – Procedure

Road Naming - Checklist

### **Resources**

Municipal Act, 2001

Provincial Offences Act