

Type of Decision									
Meeting Date	Friday, September 4, 2009				Report Date	Wednesday, Sep. 2, 2009			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction Only	X	Information Only			Type of Meeting	X	Open		Closed
REPORT TITLE									
Tooley Severance Road Maintenance Agreement Report #04/09/09/206									

**SUBJECT:** An agreement for road maintenance as requested by the County prior to issuance of a severance for a parcel of land in Bissett Creek that does not front on a Municipal Road.

**RECOMMENDATION:** That the Agreement be signed furthering the application for consent to sever lands increasing the number of landowners within the municipality, possible increasing tax revenues.

**WHEREAS** Council has amended its Zoning By-law to allow severance and building on properties that do not front on Municipal roads to encourage growth within the municipality;

**AND WHEREAS** in order to facilitate any maintenance issues with private roads within the municipality a Municipal Road Construction Minimum Standards Policy was created;

**AND WHEREAS** Mr. & Mrs. Tooley have applied for a severance of a large parcel of land in Bissett Creek that will not front on a Municipal road;

**AND WHEREAS** the County requested an agreement between the property owner and the municipality in order for consent to be granted;

**AND WHEREAS** the agreement protects the municipality and ratepayers from ever assuming responsibility for the maintenance of this private road amongst other things;

**THEREFORE BE IT RESOLVED** that the Council of the United Townships of Head, Clara & Maria does hereby recommend that the agreement be endorsed and registered on title.

**Background/Executive Summary:** In the past number of years, Council has amended its Zoning By-Law to allow severance and building along private roads. Currently the focus has been on seasonal residences but the reality within our municipality is that there are many seasonal properties being converted to full time residential. Our Zoning By-law as amended allows for this but to ensure that the municipality is not held responsible for the creation, maintenance or services along private roads, this agreement will protect us.

**Options/Discussion:** Support or not. Refusing the agreement will effectively prevent this severance.

**Financial Considerations/Budget Impact:** None – the property owner is responsible for fees related to registering the agreement on title.

**Policy Impact:** Is pursuant to current policy.

Approved and Recommended by the Clerk

Melinda Reith,  
Municipal Clerk

*Melinda Reith*