



**THE CORPORATION OF THE TOWNSHIP OF AUGUSTA
BY-LAW NUMBER 3628-2023**

**BEING A BY-LAW AWARDING PRIVATE ROAD GRANTS FOR THE TOWNSHIP OF
AUGUSTA**

WHEREAS Section 5 of the Act provides that a municipality's power shall be exercised by By-Law;

AND WHEREAS Council wishes to establish a policy to Award Private Road Grants,

NOW THEREFORE the Council of the Corporation of the Township of Augusta enacts as follows:

1. **THAT** Council adopts the Awarding of Private Road Grants Policy.
2. **THAT** Schedule A attached hereto shall form part of this By-Law.
3. **THAT** the Private Roads Grant Policy Dated August 24, 2015 is hereby repealed.
4. **THAT** all other By-Laws inconsistent herewith are hereby repealed.
5. **THAT** this By-Law shall come into force and effect on the date of passing.

Read a first, second, and third time and finally passed this 11th day of September, 2023.


MAYOR


CLERK

POLICY:	Awarding of Private Road Grants	By-Law # 3628-2023	Date issued: March 27, 2023
Pages		Review Date:	

1. PURPOSE

This Policy describes the Township of Augusta Private Road Grant criteria and procedures for applying for and receiving a Private Road Grant ("Grant").

2. SCOPE

This Policy applies to all private roads located within the Township of Augusta except such private roads which comprise the common elements in any plan of condominium not deemed "public" or subdivision.

3. DEFINITIONS

Association: A formal group, the membership of which is limited to owners of property who benefit from a right of way over the land upon which the private road is located.

Council: The Council for the Corporation of the Township of Augusta.

Public Works Manager: The Public Works Manager of the Township of Augusta or any successor to that position and in that person's, absence includes the acting Public Works Manager.

Municipality: The Corporation of the Township of Augusta.

Owners: With respect to a property, the person appearing to be its owner by the last returned assessment roll as most recently revised in the absence of evidence to the contrary.

Private Road: Any road that is not a public highway as defined in the *Municipal Act, 2001*, and which private road exists by virtue of the existence of a right of way benefiting more than one legal conveyable parcel of land.

Private Road Grant or Grant: Shall mean a grant of financial assistance by the Municipality pursuant to Section 107 of the *Municipal Act, 2001*, as amended, for the purpose of assisting the owners of land, which land is only accessible by private roads, with the cost of maintaining such private road.

Staff: Any employee of the Township of Augusta.

Treasurer: The Treasurer of the Corporation of the Township of Augusta or any successor to that position and in that person's, absence includes the acting of Deputy Treasurer.

4. GENERAL

- a. The private road must be maintained by an Association. Such Association shall comprise the owners of property that benefit from a registered right of way over the lands occupied by the private road. The membership of such Association shall represent at least two-thirds (2/3) of the property owners who benefit from such right of way.
- b. Application for a Private Road Grant must be submitted and signed by the authorized representative of the Association.
- c. The Grant shall be an annual grant for the past year's eligible cost which "past year" is the period from October 1st, the year prior to the current year through to September 30th of the (current) year in which the application is submitted.

Grant applications must be received by September 30th. Grants will be available to reimburse the Association to assist with the eligible costs of road maintenance and will be paid in one lump sum.

- d. Eligible costs for road maintenance may include snow plowing, road grading, tree removal and trimming, noxious weed control, gravel, dust control, roadside grass cutting, road drainage including ditches and catch basins, road reconstruction and road surfacing.
- e. If a private road is being maintained by the Township through agreement of under authority of a municipal by-law, or if a private road is assumed by the Township by by-law, costs incurred by an Association following the date of passage of the by-law are not eligible for reimbursement.
- f. The Association will be solely responsible to oversee the administration and supervision of annual work programs and related budget. The Township will have no responsibility, obligation or exercise any degree of operational control with respect to maintenance of the affected roads.
- g. Grants will be calculated on a per-linear metre basis (one-way) and the amount of any grant (if any) shall be at the discretion of the Township.
- h. Grants are not guaranteed and may be modified or eliminated at any time by resolution of Council.
- i. Council may, from time to time, establish further conditions on the approval of Grants and such conditions may be general or specific to an application for or award of a Grant.

5. ELIGIBILITY REQUIREMENTS

- a. Only occupied residents fronting on a private road which form an association and meet at least once per year.
- b. Eligible roads must have an association membership roll representing at least 2/3 of the resident's dependent on that road for access to their property.
- c. The association must hold at least an Annual General Meeting; appoint officers; including a president, secretary, and treasurer. At least two (2) people must hold these positions.
- d. A bank account in the association's name must be opened and maintained.

6. SUBMISSION REQUIREMENTS

- a. All applications shall be submitted to the Municipal Treasurer who shall have the responsibility of determining grant eligibility. No Grant shall be awarded unless the following criteria have been satisfied:
 - I. A complete Application for Grant has been received by the required date (September 30th each calendar year).
 - II. A complete request form to terminate existing private road maintenance agreement, if applicable, has been received.
 - III. The Association provides documentation satisfactory to the Township confirming compliance with of this policy.
 - IV. Documentation satisfactory to the Township which confirms the payment of eligible costs which may include copies of invoices and/or proof of payment.
 - V. A complete Statement of Revenue and Expenditures for the previous year.
 - VI. The Association membership list and slate of officers.
 - VII. All paid invoices directly related to the private road for the current application year.

7. PROCESSING PROCEDURE

- a. Applications must be received by the required date (September 30th each calendar year).
- b. Late submissions will not be considered. In the case of a first application, Township staff will confirm the length of the road eligible for cost reimbursement through the use of GIS (Geographic Information System) or "actual" measurement. The Township determination of the length shall be final.
- c. Each Association's annual eligible allocation will be recorded. The eligible costs incurred by the Association shall not exceed the eligible allocation in each year. Unused funds shall not be carried forward and will not be reserved for future use.
- d. Changes to the application form may occur from time to time.

8. GRANDPARENTING EXISTING AGREEMENTS

- a. Any existing private road maintenance agreement that was approved by By-Law remains in full force and effect.
- b. If a party to such existing private road maintenance agreement wishes to terminate that agreement to be eligible to apply for the Grant, they must submit a request form to Council. Upon the termination of such agreement, the party shall be required to execute such documentation as required by the Township to give effect to such termination.

9. POLICY ADMINISTRATION AND REVIEW

This policy will be reviewed every four (4) years or as required based on revision to corporate practices or Provincial legislation.

10. REFERENCES AND RELATED DOCUMENTS

Application for Private Road Grant – See as Appendix "A"

Private Road Maintenance Agreement Termination Request Form – See as Appendix "B"

Private Road Standard Cross Section Specifications – See as Appendix "C"

Appendix "A"

Application for Private Road Grant

Part 1 – Private Road Information
Road Name: _____
Association Name: _____
of Members in Association: _____
President's Name: _____
Secretary's Name: _____
Treasurer's Name: _____
Mailing Address of Association: _____

Part 2 – Applicant Information
Applicant Name: _____
Applicant Email: _____
Applicant Phone: _____

Part 3 - Checklist
A complete request form to terminate existing private road Maintenance agreement, if applicable
Documentation of two-thirds (2/3) of property owner membership in Association
Copies of invoices for road maintenance expenditure within the eligibility period (Oct 1 st of the previous year and September 30 th of the current year)
Proof of paid invoices (i.e. copy of bank account statement with payment identified)

Part 4 - Authorization
I certify that the information provided in this application is true, correct and complete to the best of my knowledge and that the Township may verify any and all information pertaining to this application.
I certify that I have read the private road grant policy and that the road association meets the conditions for eligibility.
I agree to notify the Township of Augusts of any changes that may affect eligibility for the Private Road Grant.
I acknowledge that the application for the Private Road Grant Program must be made on an annual basis.
Signature of Applicant: _____
Date of Application: _____

Part 5 – Office Use Only

Received By: _____

Received Date: _____

Road Name(s): _____

Length of Road (m): _____

Eligible Grant Amount: _____

Amount Submitted for Reimbursement: _____

Eligible Amount Approved for Payment: _____

Date Payment Processed: _____

Appendix "B"

Private Road Maintenance Agreement Termination Request Form

To be filled out by Owner of Property (please print)

Owner/Association Name: _____

Address: _____

Postal Code: _____ Phone: _____

Email Address: _____

Application is hereby made to terminate the private road maintenance agreement between the Corporation of the Township of Augusta and _____

Authorized under By-Law number _____

By signing below, I understand that my request to terminate the agreement must be approved by Council and supported through By-Law. I acknowledge that termination of the private road maintenance agreement will cease all maintenance activities by the Township of Augusta on the private land's ads outlined in the Agreement.

Owner Signature

Date

Appendix "C"

Private Road Standard Cross Section Specifications

The following dimensions should be adhered to when conducting private road or lane upgrades.

It is acknowledged that there are existing private roads that do not and will not be able to achieve this standard. For Capital Improvement projects, the work shall strive to meet the standards listed below. Any exceptions to this are subject to the approval by the Manager of Public Works.

	Private Road Standard
Right of Way Width	10.0 m (33 ft)
Height of Clearing	5.0 m (16 ft)
Width of Clearing	6.0 m (20 ft)
Surface Width	6.0 m (20 ft)
Surface Material	Crushed Limestone
Depth of Material, Minimum	(100 mm) 4" of Granular A (200 mm) 8" of Granular B
Crown, Minimum	2%
Turn Around, Minimum	1 Turn Around at end of each lane
Additional Turn Around(s)	Over 500 m (1,640 ft) in length requires one turn around per 500 m (1,640 ft) thereafter.
Cross Culvert, Minimum	300 mm (12 in)
Culvert Material	CSP with minimum (150 mm) 6" cover
Maximum Grade	12% (1 in 8)
Ditches, Minimum Depth from Crown to Bottom of Ditch	0.3 m (1 ft)

***NOTES:**

Turn Around – Includes Cul-de-sac and/or existing entrances constructed to suitable entrance standard for emergency vehicles.

Environmental Permits – It is the responsibility of the Association to assess the need for, and securement of, environmental approvals prior to commencement of construction.

Roadside Protection – Required for side slopes greater than 3:1 and depths of fill greater than 3 m (MTO Roadside Safety Manual)

Definitions:

- CSP: Corrugated Steel Pipe

For inquiries regarding paving (asphalt) contact the Public Works Department at 613-925-4231.