



Staff Report

Legal Services

Report To: Committee of the Whole Meeting
Meeting Date: May 10, 2022
Report Number: FAF.22.097
Title: Municipal Road Assumptions
Prepared by: Will Thomson, Director of Legal Services

A. Recommendations

THAT Council receive Staff Report FAF.22.097, entitled "Municipal Road Assumptions";

AND THAT Council endorse by-laws to assume Lora Bay Drive and the one-foot reserve adjacent to Dorothy Dr. and known as Block 57 on Plan 16M-20 as Municipal Highways.

B. Overview

This report seeks Council's endorsement to assume certain roads and parcels of land as municipal highways in accordance with the requirements of the Municipal Act.

C. Background

It has long been assumed by the Town and public that Lora Bay Dr. was a formal, open, municipal highway. However, while the Town owns the entire road allowance of Lora Bay Dr. portions of it were never formally assumed as a municipal road. This is a housekeeping matter to correct a historical error or omission and reflect the current reality.

Further, Staff are seeking Council's direction to assume a one-foot reserve into the municipal road network to grant municipal road access to several lots.

D. Analysis

Lora Bay Dr.

It has recently come to Town Staff's attention that Lora Bay Dr. as it currently exists and is used, was never technically assumed by the Town as a Municipal Highway (save for a small portion at the north end of Lora Bay Dr. before it becomes Sunset Blvd.). Much of what is now Lora Bay Dr. came to be owned by the Town in the mid-2000's as the Lora Bay golf course and development was built out. While part of Lora Bay Dr. (the portion south of the Georgian Trail) was built on the historic road allowance (previously called Kenwood Dr.), a portion of Lora Bay Dr. (more or less from north of the Georgian Trail intersection to the northern terminus of Lora

Bay Dr. where it meets Sunset Blvd.) deviated from the original road allowance. As such, the Town was transferred a number of pieces of land over the years and now owns all of Lora Bay Dr. It has been the common understanding that Lora Bay Dr. is a public highway, and has been maintained and operated as such, most of the road was never formally assumed as a public highway. It appears this is a simple oversight, as the Town went so far as to change the name of the road from Kenwood Dr. to Lora Bay Dr. by By-law 2004-17 in April of 2004.

Therefore, assuming Lora Bay Dr. at this time is a housekeeping correction to ensure that the Town's public highways are classified appropriately.

Block 57/Dorothy Dr.

Block 57 (shown on Plan 16M-20, attached) is a Town-owned one-foot reserve which abuts the southern side of Dorothy Dr. and extends the full-width of Block 46. One-foot reserves are often taken as a measure to control the use of land until the Town approves development. Block 46 has been approved for development and therefore the one-foot reserve must be "lifted" to give the new lots proper access to the municipal road network.

To accomplish this, it is Staff's recommendation that the Town assume Block 57 as part of the Municipal Highway and consolidate it into the Dorothy Dr. Road allowance, thus giving Block 46 (and the future lots) access to a public highway.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

N/A

G. Financial Impacts

None – Lora Bay Dr. is already managed and maintained as a public road; this assumption does not change the management of the road. Similarly, Dorothy Dr. is a public road, so assuming the one-foot reserve (which is not part of the travelled portion of the road) does not change the management or maintenance of the road.

H. In Consultation With

Shawn Everitt, CAO

Shawn Carey, Director of Operations

Brian Worsley, Manager of Development Engineering

Jim McCannell, Manager of Roads and Drainage

I. Public Engagement

This topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Will Thomson, Director Legal Services directorlegal@thebluemountains.ca.

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J. Attached

1. Attachment 1 Plan 16M-20
2. Attachment 2 Draft By-law to assume Lora Bay Dr. as a municipal highway
3. Attachment 3 Draft By-law to assume Block 57 on Plan 16M-20 as a municipal highway
4. Attachment 4 Plan 16R-8329.

Respectfully submitted,

Will Thomson
Director Legal Services

For more information, please contact:
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Report Approval Details

Document Title:	FAF.22.097 Municipal Road Assumptions.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 16M-20 Peaks Meadows.pdf- Attachment 2 Draft By-law to assume Lora Bay Dr.pdf- Attachment 3 Draft By-law to assume Block 57 (one foot reserve) on Dorothy Dr.pdf- Attachment 4 Plan 16R-8329.pdf
Final Approval Date:	Apr 28, 2022

This report and all of its attachments were approved and signed as outlined below:

No Signature found

Jim McCannell - Apr 28, 2022 - 1:23 PM

No Signature found

Shawn Carey - Apr 28, 2022 - 2:34 PM

Will Thomson - Apr 28, 2022 - 2:35 PM

No Signature found

Shawn Everitt - Apr 28, 2022 - 2:38 PM