

# CORPORATION OF THE TOWNSHIP OF MCKELLAR

September 28, 2022 – 10:00 a.m.

## AGENDA

**Topic: Special Meeting of Council**

**Time: September 28, 2022 10:00 A.M.**

**Join Zoom Meeting**

<https://us06web.zoom.us/j/88057889149>

**Dial by your location**

**+1 647 374 4685 Canada**

**+1 647 558 0588 Canada**

**22-366        1st resolution**

**2022-48       1st by-law**

**1. CALL TO ORDER**

**2. RESPECT AND ACKNOWLEDGMENT DECLARATION**

We would like to begin by acknowledging that the land on which we gather is the traditional territory of the Anishnaabe and the Mississauga People

**3. ROLL CALL**

**4. DECLARATIONS OF CONFLICT OF INTEREST**

**5. ADOPTION OF AGENDA**

**6. PUBLIC MEETING**

6.1 ADMIN-2022-08 Naming of Fire Routes II

6.2 PW-2022-09 Newly Named Island View Lane & Jones Bay Road

6.3 Review McKellar Roads Policy, Schedule 'A' of By-law 2022-24

**7. COMMITTEE OF THE WHOLE**

7.1 Short Term Rental Ad Hoc Committee - Draft Terms of Reference

7.2 Appointments to the Short Term Rental Ad Hoc Committee

**8. BY-LAWS**

8.1 By-law 2022-24 – McKellar Township Roads Policy – Third Reading

8.2 By-law 2022-48 - Amend By-law 2011-21 to Establish Fees and Charges for Services Provided by the Township of McKellar

- 9. QUESTION/COMMENT PERIOD (RELATED TO ITEMS ON AGENDA)**
- 10. CLOSED SESSION**
- 11. CONFIRMING BY-LAW**
  - 11.1 By-law 2022-49 - Confirming the Proceedings of Council
- 12. ADJOURNMENT**

## **Instructions for Joining the Council Meeting**

1. Please try to sign in between 9:50 a.m. to 10:00 a.m. if possible; you are still welcome to sign in after 10:00 a.m. if necessary
2. Please wait to be let in the 'meeting room'; this won't take long
3. Please have your mic and video on mute unless you are speaking; this ensures there are no distractions or background noise to disrupt the meeting
4. When you sign in please sign in with your full name (first and last), not a company name
5. A question and answer opportunity will be available at the end of the meeting as per normal protocol or during the Public Meeting
6. If you have permission to speak please identify yourself (first and last name).
7. Please respect meeting protocol and do not interrupt the meeting. The Municipality reserves the right to remove attendees who are disruptive or disrespect meeting protocol.



# Township of McKellar Report to Council

**Prepared for: Mayor and Council**

**Department: Administration**

**Date: October 11, 2022**

**Report No: ADMIN-2022-08**

**Subject: Naming of Fire Routes II**

## Recommendations:

That the Council of the Township of McKellar does hereby rename the following Fire Routes as follows:

Fire Route Number	Majority Vote
F.R. 152	North Shore Road
F.R. 152A	Loon Echo Lane
F.R. 154	McEwen's Lane
F.R. 155A	John Wilson Road
F.R. 155B	Frankies Lane
F.R. 157	Esto Road
F.R. 160	Maple Ridge Road
F.R. 200	Aloe Road
F.R. 201	May Avenue
F.R. 301	Monarch Road
F.R. 302	Butler Carriage Way
F.R. 306	Hart Road
F.R. 307	Robins Nest Lane

## Background:

The process to rename Fire Routes started in 2019. During that period of time data was compiled of all of the Fire Routes and the names and addresses of residents owning property on the routes. Notices were sent to all the applicable residents, informing them of Council's intent to provide proper road names to the Fire Routes and asking them to submit recommendations for their specific road.

Response to the request for recommendations was mixed. While residents of some Fire Routes worked cooperatively to provide road names, responses from other residents were sparse or non-existent. To date, 3 letters have been sent out, giving residents ample opportunity and time to respond.

**Analysis:**

ADMIN-2022-06 Naming of Fire Routes, was presented to Council at the July 12, 2022 Council meeting. On July 26, 2022 one last notice (3<sup>rd</sup> letter) was sent to residents asking them to make a suggestion for a road name or accept one. If responses were not received, a name would be chosen by Council.

Reponses from the letter dated July 26, 2022 were tallied and the list above reflects the majority vote and is recommended for renaming.

Seven Fire Routes are unnamed. Names need to be chosen by Council for the remaining seven Fire Routes being;

Fire Route Number	To be Named
F.R. 150	
F.R. 204	
F.R. 206	
F.R. 214A	
F.R. 303	
F.R. 304	

**Financial:**

Road name signs will be ordered to replace Fire Route signs.

**Policies Affecting Proposal:**

By-law No. 2019-44 – Procurement Policy – Purchasing of road signs once names are approved.

**Conclusion:**

Council must select names for the remaining Fire Routes to have this project completed and submit to 9-1-1- for approval. Staff have devoted a great amount of time to this project. Residents of the remaining fire routes have had ample time to respond to the requests of staff. It is important to have the balance of the Fire Routes renamed as soon as possible.

**Respectfully submitted by:**

  
Karlee Britton, Deputy Clerk

**Reviewed by:**

  
Ina Watkinson, Clerk/Administrator





# McKellar Township Report to Council

**Prepared for:** Mayor and Council

**Department:** Public Works

**Agenda Date:** October 11, 2022

**Report No:** PW-2022-09

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**Subject:** Newly Named Island View Lane & Jones Bay Road

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## **Recommendations:**

That the Council of the Township of McKellar does hereby receive Report PW-2022-09 titled "Newly Named Island View Lane & Jones Bay Road" and;

That the Council of the Township of McKellar does hereby accept the Director of Operation's recommendation to rename the following Roads: Island View Lane (formally Fire Rte. 102) and Jones Bay Road (formally Fire Rte. 304);

## **Background:**

New road signs were installed the week of September 7, 2022. At this time, West Parry Sound Geography Network and Emergency Services were notified to update their mapping. The former Fire Route number signs were kept in place, to be removed at a later date when the new road names are more commonly known.

## **Analysis:**

During installation, it was noted that there were 2 road names that are very similar to other named roads in the Township, those being Island View Lane and Jones Bay Road. This could cause confusion for Emergency Services when they receive a call at an address on these two newly re-named roads. To ensure fire and medical personnel are dispatched to the correct address and area of the Township, it is recommended the names of these roads are changed.

**Budget Implication:** Cost of 2 new road signs and Township labour for installation.

**Policies Affecting Proposal:** Procurement Policy – By-law No. 2019-44

**Conclusion:**

Although the Fire Routes were once renamed, it is important that they are renamed once more to ensure there is no confusion for Emergency Services when being dispatched. Council may select names for the roads to complete the Fire Route naming project.

Former Fire Route No.	New Road Name	To be Named
F.R. 102	Island View Lane	
F.R. 304	Jones Bay Road	Horseshoe Lane ( <del>prosed</del> by property owners) <i>proposed</i>

**Respectfully submitted by:**

Greg Gostick  
Director of Operations

**Reviewed by:**

Ina Watkinson  
Clerk/Administrator

**Attachments:**

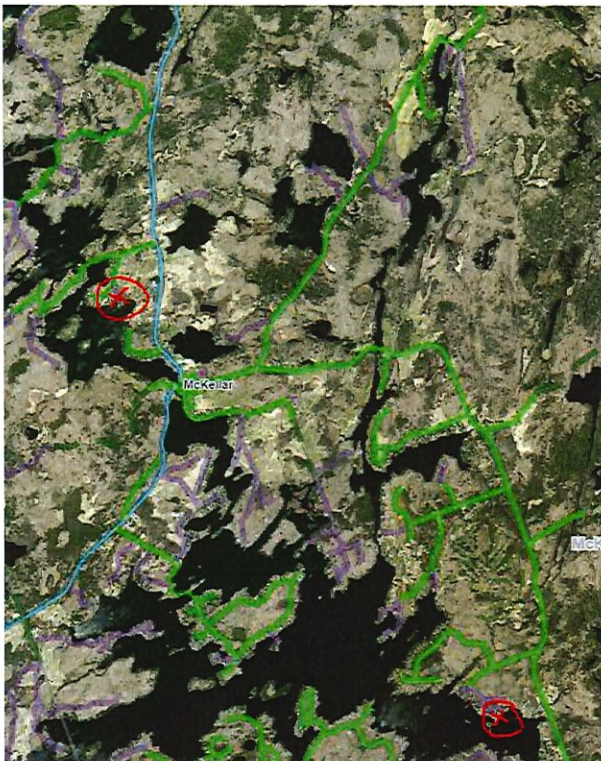
Map 1 – Island View Lane and Islandview Drive

Map 2 – Jones Bay Road & Jones Road

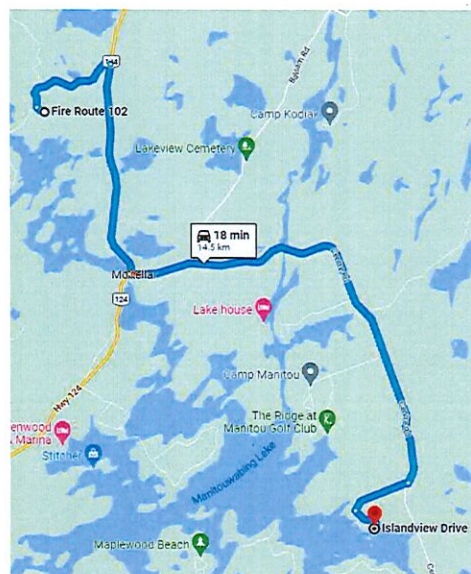


## Map 1 - Island View Lane and Islandview Drive Locations

Newly renamed Island View Lane is off of Grey Owl Road (Top Left), Islandview Drive is west of Centre Road, South of Elizabeth Avenue (Top Right);



Bottom L&R: Image showing two roads in different areas of the Township. Approximately 18 minutes away from each other.





## Map 2 – Jones Bay Road & Jones Road

Newly renamed Jones Bay Road is off of Jones Road; Jones Road is north of Hurdville Road.





# Township of McKellar

701 Hwy 124, P.O. Box 69, McKellar, ON, P0G 1C0  
Phone 705-389-1242 Fax 705-389-1244

**SCHEDULE 'A' (to By-law No. 2022-24)**  
**TOWNSHIP OF MCKELLAR ROADS POLICY**  
**CONSTRUCTION AND MAINTENANCE GUIDELINES**

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<b>Appendix 3: Inventory of Private Roads, including Fire Routes.</b>	

## **Background**

Good roads are vital to a healthy community. They can enhance future economic development, attract visitors and new residents, improve retention of current residents and support emergency services.

The Official Plan (see Appendix 1) stipulates future development must be on municipally maintained roads with some exceptions. Also, existing roads must meet municipal standards to support any proposed development.

The Township of McKellar has more than 142 km of roads. These roads are summarized below, using the MPAC status. As of 2019 there were 39 km of roads that do not receive any municipal service, of which 30km are private roads. The un-assumed roads are municipally owned roads that have not been upgraded. However, there are approximately 3.6 km of un-assumed roads that have received some summer and/or winter maintenance.

Prior to 2019, McKellar had not formalized road maintenance standards. There was one road construction standard (Sept. 2007) that stipulated the road upgrades required for the Municipality to assume full service provision for previously un-assumed roads. That standard set a travelled surface width of 6.5m.

This document is a compilation of the work of many. Our former Reeve penned a comprehensive roads' history and he provided suggestions for a road policy in 2016. The 2013 McKellar Roads Advisory Committee evaluation road conditions, prioritized road improvements and investigated road grants. Whenever feasible, the 2019 Ad Hoc Committee incorporated the road policy statements from other Municipalities: Whitestone, McDougall, Archipelago, Frontenac, Kawartha Lakes and Rideau Lakes.

## **Road Classes**

All McKellar roads have a recommended assigned provincial road class which is determined by average daily traffic and established speed limits. These guidelines establish response time to inspect and maintain road surfaces. While the Province has not established multiple road construction guidelines, a municipality is permitted to create construction guidelines. McKellar has created a rural road construction guideline for road class 5 & 6 roads.

## **Municipal Assumption Options**

Under the Official Plan, [\[THE OFFICIAL PLAN \(MCKELLAR.CA\)\]](#) any municipally owned un-assumed road that is brought up to the minimum municipal road construction guideline can be eligible to be assumed by the township for ongoing winter and/or summer maintenance.

Municipally owned un-assumed road assumption is governed by O. Reg. 586/06: LOCAL IMPROVEMENT CHARGES-PRIORITY LIEN STATUS. [\[O .Reg. 586/06: LOCAL IMPROVEMENT CHARGES-PRIORITY LIEN STATUS \(ontario.ca\)\]](#)

## **Fire Route Naming**

Full-time residents have had difficulty with banks and other providers recognizing fire route addresses as permanent residences. Consequently, residents on fire routes are encouraged to collectively find a new name (preferably with a "Path" or "Way" or "Road" or "Trail" or "Lane" second name. Renaming fire routes should follow the undernoted processes:

- Only change name if approached by respective landowners
- Contact the local road association (or create one if needed) to engage local landowners in the renaming
- Survey respective landowners to determine name preferences
- Hold a vote of respective landowners to agree/fix a new name e.g. name by selected by a majority, or by most preferred choice, record votes including landowner names and phone numbers
- Obtain approval by 911 (managed by Bell)



- Forward a formal renaming request to Township office (format to be provided) together with supporting documents from above
- Once approved, the Township will pass a renaming By-law and arrange new signage

### **Road Classification**

Ontario Regulation 239/02: MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS (Ontario.ca) prescribes minimum maintenance standards for municipal roads based on road class. This regulation defines road class based on estimated daily traffic and posted speed limit. All McKellar Township assumed roads and municipally owned unassumed roads are rated a Class 5 or 6.

This Regulation sets the minimum response time standards for various maintenance functions, such as patrols, snow clearing, pot-hole repair, icy roads, etc.

Given the customary speed limits and traffic volume, McKellar roads are assigned to the provincial road standard category 5 or 6. The unassumed municipal roads currently vary in road surface travel width from 2.74 m to 4.88+ m.

### **McKellar Roads Inventory**

A list of all McKellar Roads (including Municipal year-round, Municipal Summer maintained, Municipal Unassumed) is attached to this document as shown in Appendix 2.

A list of all private roads, including Fire Routes, is attached to this document as shown in Appendix. 3.

Road Inventories will be up to date from the time of this By-law's passing. If a road is assumed by the Municipality, a road's name has been changed, etc. Schedule 'A' can be updated through way of a Resolution to Amend Appendix 2 and/or 3 to keep the Road Inventory current. Amendments to the Appendices will be recommended by staff through a staff report and brought to Council.

### **Upgrading Private Roads**

Unless Council makes an exception, the policy of the Township has been that all costs associated with upgrading or improving a private road to become a municipal year-round maintained road shall be borne by the landowners who front on, abut, or access the respective road(s).

The only cost sharing option is the procedures outline in Ontario Regulation 586/06, Local Improvement Charges. This regulation requires consent of 2/3<sup>rd</sup> of the landowners who represent at least 50% of the MPAC assessed property value. The normal semi-annual bill will reflect regular property tax amount and any extra costs per roads upgrade agreement.

### **Upgrading Municipally Owned Unassumed Roads**

Unless Council makes an exception, the policy of the Township has been that all costs associated with upgrading or improving a municipally owned unassumed road or municipally-owned unassumed road allowance to become a municipal year-round maintained road shall be borne by the landowners who front on, abut, or access the respective road(s)

Cost sharing options include the procedures below:

1. Ontario Regulation 586/06, Local Improvement Charges. This regulation requires consent or 2/3<sup>rd</sup> of the landowners who represent at least 50% of the MPAC assessed property value. These costs are allocated on the basis of road frontage and can be spread over 10 to 30 years on the semi-annual tax bill.
2. Approved road upgrades to be completed by the Municipality on behalf of the landowner(s) is subject to fees and charges in By-law 2021-58 being a By-law to establish fees or charges for services or activities provided or done by or on behalf of the Township of McKellar; or a By-law imposing charges on property owners in designated areas for the provision of road upgrades by the Township.
  - a. There is a two (2) year time frame from the last upgrading or repair work performed on the road before assumption of the road may be requested and an 'as constructed' report from a civil engineer will also be required after the two (2) year time period prior to the

request for assumption. Any costs associated with the repair and maintenance of the roadway during the two (2) year period shall be borne by the proponents.

### **Municipal Year Round Maintained Roads**

These roads receive year-round maintenance by the municipality depending on the surface type, usually on an as-needed basis. Money is budgeted each year for repairs, maintenance and improvements to these priority roads and federal and provincial grant money is utilized if it becomes available. Culverts will be replaced as required. Ditching and brushing may be performed if needed. Roadside mowing is carried out each year usually in late summer.

Year-round roads have various surface treatments: gravel, double surface treatment or asphalt. Liquid calcium is applied on highly travelled gravel roads as a dust suppressant at least one per year. It is the intention of the Township to gradually increase the percentage of surface treated roads and thereby decrease the number of municipal gravel roads provided as determined by cost benefit analysis and budget considerations.

### **Municipal Summer Maintained Seasonal Roads**

These roads receive maintenance by the Municipality on as needed basis during the summer months only. Gravel may be applied, grass growth may be eliminated or minimized, culverts will be replaced as required, ditching and brushing may be performed if needed and roadside mowing is carried out each year.

Each summer-maintained road or section is posted with a 'summer maintenance only' sign. Residents owning property and residing on said roads will not receive year round maintenance at Council's discretion, some of these roads may be plowed and sanded during winter months provided that a minimum road standard criteria are met. It is understood that Council has no obligation to provide this service or continue to provide this service.

### **Municipal Unassumed Roads**

A Municipal unassumed road is a road owned by the Township and maintained by private individual(s) or an organization rather than by the Township. Since the roads are owned by the Township, the general public is allowed to travel on them, however, because they have not been assumed by the Township for maintenance purposes the private individuals(s) and/or organization is responsible for all maintenance, repair, access, snow clearance, liability or other obligation:

- The Municipality does not provide any maintenance services to any development located on a municipal unassumed road nor does it provide any monies and/or equipment to be spent for maintenance purposes.
- At the Council's sole discretion, the municipality may provide snow removal and sanding services during the winter months on certain municipal unassumed roads that meet specific requirements. Council may provide this service based on maintenance needs and the Township of McKellar's financial capabilities. It is understood that Council is under no obligation to continue this program.
- The Township may register a notice on title or require that the owner enter into an agreement acknowledging that the Township will not be responsible for the repair or maintenance of unassumed roads or the provision of services or monies to any development located on an unassumed road and further that the Township may not be able to provide emergency services to properties, owners, residents, developments or users located on an unassumed road because of the condition of the road.
- It is the intent of the Council of the Township of McKellar to protect the municipality and its residents from incurring tax increases to finance road construction and upgrades that are the responsibility of developers and in some cases residents whose properties are abutting or accessed by municipal unassumed roads.
- All new or existing roads must be brought up to the municipal minimum construction standard before they are assumed by the Municipality.

## **Unopened Road Allowances**

Throughout the Township there are many unopened road allowances and some shoreline road allowances owned by the Municipality. The municipality has no obligation to open or improve road allowances to provide access to private or public property.

For various purposes, abutting property owners may approach the Township regarding the purchase of portions of unopened or shoreline road allowances. In considering the sale of unopened shoreline road allowance a Township will have regard for public recreational use. All costs will be borne by the applicant.

Any portions of a road allowance that contain, abut or provide access to important fish spawning areas, wildlife habitat or other environmentally sensitive features or hazard shall be reserved.

Portions of road allowances where significant historical or cultural features have been identified shall also be reserved.

Unless council determines otherwise, it is the policy of the Township to reserve or retain road allowances that lead to water so the public may still have access in the future.

## **Crown Lands**

The Municipality has no objection to the establishment of roads over Crown land so long as the proponents receive the necessary permission from the Ministry of Natural Resources and Forestry and so long as they understand that the Municipality has no responsibility for the maintenance of the road.

## **Private Roads**

A private road is a road that is owned by one or more individuals (not the Township) and is privately maintained. There is no legal obligation on the part of the Township to maintain or repair private roads or otherwise provide monies or services to any development located on a private road nor is there any responsibility acknowledged for the provision or school busing

Unless Council determines otherwise, it is the policy of the Township of McKellar to not accept any responsibility, monetary or otherwise, for the maintenance or repair or liability or any other service of private roads either by the use of the Township equipment or by the issuing of grants to property owners or organizations situated on said private roads.

The Township may register a notice on title or require the owner to enter into an agreement acknowledging that the Township will not be responsible for the repair or maintenance of private roads or provision of services or moneys to any properties, owners, residents, development or users located on a private road and further that the Township may not be able to provide emergency services to development located on a private road due to the road condition.

If a private road is reconstructed to a standard acceptable to the Township and at no expense to the Township, the Township may consider the assumption of the private road if it abuts an existing municipally maintained year-round road or provincial highway. Prior to undertaking any such reconstruction, land owners of the property on a private road must obtain the approval of the Township. The work shall be undertaken to the standards of the Township, for a year round maintained road.

## **911 Services**

Owners and occupants on private roads are encouraged to ensure a minimum width to facilitate winter and summer access for emergency services.

All residents on municipally owned unassumed roads and on private roads are encouraged to adopt the Class 6 minimum road guideline. The Township can refuse to provide emergency services on sub-standard private or unassumed roads. Over time, all private or unassumed roads that have multiple full-time residents need to invest in an upgrade to the minimum road guideline.

## **Application to Assume Private or Unassumed Road Allowance**

When submitting a proposal to the Township, all documentation and information must satisfy Council that the assumption of the municipally owned unassumed road or private road is in the public interest,



and that the proponents acknowledge and accept that any and all costs associated with such assumption are to be borne by the proponents and the following procedures applied.

**Criteria for Assumption of Municipally Owned Unassumed Roads and Private Roads Ontario Regulation 586/06**

Without being necessarily limited to the following, the following criteria should be considered in determining if it is in the public interest to assume the municipally owned unassumed road or private road:

1. Does the road serve, or will it serve, five (5) or more separate and distinct private parcels of land which are being used, or are capable of being used for the purposes permitted within that zone, on a year-round basis?
2. Does the road provide access to a Township-maintained boat launch, beach or other facility or attraction promoted by the Township for public use and tourism?
3. Would the assumption of the road over-extend existing municipal roads maintenance programs, operations and resources?
4. Was the road constructed to the standards as stated herein, thus avoiding costly future upgrades and /or repair costs to the Township?
5. Will the assumption of the road promote further desired development?
6. Would further development require the road to be extended?
7. Would further development on this road over-extend existing municipal services?
8. Would the road facilitate the safe and efficient movement of goods and people?
9. At least two-thirds (67%) of all property owners must agree to the undertaking of the study and the assumption of the unassumed municipal road by the Township.
10. All property owners required to give up ownership of legal title to the road itself, required road widenings or necessary turnarounds have consented to the Township's acquisition of their lands.
11. Have the Conservation Authorities or the Ministry of Natural Resources and Forestry, whichever has jurisdiction, been notified and are regulations followed where there could be any interference with wetlands or any alterations to shorelines and watercourses?
12. The proposal conforms to the land use policies of the relevant Official Plan and Zoning By-law if lot creation would occur as a result of the assumption process.
13. There is a reference plan prepared by an Ontario Land Surveyor documenting the lands affected by the proposed assumption
14. The proponents have provided original deeds and certification of title for the lands in question prepared by the proponents' Solicitor.
15. The Township has received a legal opinion on the ownership status of the subject road and a risk assessment of assuming or not assuming the road.

**Proponents' Responsibilities**

- The cost and associated process of bringing the road up to municipal standards will be the responsibility of the proponents. Options will be provided to the proponents for immediate payment of the option to pay over a period of time as permitted under O. Reg 586/06 Local Improvement Charges-Priority Lien. [\[O.Reg.586/06:LOCAL IMPROVEMENT CHARGES-PRIORITY LIEN STATUS \(ONTARIO.CA\)\]](https://www.ontario.ca/laws/regulation/06_586)
- Where the municipally-owned unassumed road or private road has a deficient width, all benefitting owners will be required to provide the necessary road widening to the Township free and clear of all encumbrances and at no cost to the Township.
- Where the municipally-owned unassumed road or private road dead-ends and a turnaround is thus required, title to the land required for the turnaround must be transferred to the Township at no cost to the Township.
- Prior to the commencement of an engineering study the proponents shall submit to the Township a refundable deposit of five thousand dollars (\$5,000.00). The Director of Operations or their designate will provide proponents with an estimate and additional deposit may be required prior to proceeding. This deposit will be used to cover the engineering review costs and the amount

may be increased as needed if the review is more complex. Any amount of the deposit not needed to cover the independent review will be returned to the proponents.

### **Township Staff Responsibilities**

- Upon receipt of a petition requesting assumption of a roadway, Township staff will verify the sufficiency of the petition.
  1. Petitions not supported by at least two-thirds of the property owners abutting, accessing or adjacent to the roadway will not be considered,
  2. Petitions not supported by all owners giving up title rights will not be considered and assumption or portions of a road less than 500 metres will not be considered unless the road links existing maintained Township roads.
- Township staff will prepare a Council Report and if Council agrees “in principle: with the possible assumption of the road then the works will proceed following confirmation of financing methodology
- Prior to assuming the road section, the Township shall request an independent review of the subject road, at the proponents’ expense. This review will include a report on the as built condition of the existing road by a professional engineer and a cost-benefit analysis to determine the operations costs of maintaining the road and the impact on Township resources. In addition, the consultant will prepare, as part of the engineering report, an estimate of all costs relating to the construction or reconstruction of the unassumed road to the standards as stated herein. The cost of the independent engineering review and cost-benefit analysis will be borne by the proponents.
- Year-round road service will not be provided on seasonal roads or private roads until Council passes a by-law to formally assume the road and until the subject road is upgraded to the road standards as specified by the Township.
- If assumption of a privately-owned road is requested, the Township staff will review and recommend to Council to advance a by-law for assumption of the road.
- If assumption of a privately-owned road is requested, and where acquisition by the Township will result in severance(s), the Planning Department will consider the implications of the road assumption to ensure that any natural severances conform to the Official Plan policies and Zoning By-law regulations.

### **Road Maintenance Guidelines**

The Township of McKellar will provide a level of service for routine patrolling that meets the Minimum Maintenance Standards O. Reg. 239/02 Section 3, under The Municipal Act. 2001. O. Reg 239/02: MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS (Ontario.ca). Road classifications are in accordance with O. Reg. 239/02. There are currently no Class 1,2,3 or Class 4 highways within the jurisdiction of the Township of McKellar

[O.Reg.239/02: MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS \(ONTARIO.CA\)](#)

### **New Road Construction Engineering Specifications**

The road specifications are to provide developers and landowners with standards for Municipal road construction. The standards are to be adhered to for all new road construction and upgrading of existing Municipally owned, unassumed roads or private roads at the discretion of the Council with input from the Public Works Department. The standards are to be regarded as the minimum requirements for construction acceptable to the Municipality for consideration, when the Municipality is assuming the operation and maintenance of roads for the purpose of creating year-round publicly maintained Municipal roads.

The minimum requirements for road standards generally follow the guidelines set out in

- Ontario Regulation 586/06 includes the standards that much be followed to undertake the local improvement work [O. Reg.586/06: LOCAL IMPROVEMENT CHARGES- PRIORITY LIEN STATUS \(ontario.ca\)](#)

- [The Ontario Provincial Standards Specifications & Sydney Enterprise Portal](#)
- [The Ontario Provincial Standards Drawings MTO Technical Publications](#)
- [Geometric Design Guide for Canadian Roads, Transportation Association of Canada](#)
- [Ministry of Transportation, Ontario, Design Guidelines/Supplements](#)
- [Ministry of Transportation, Ontario, Highway Drainage Design Standards](#)

**Municipal Road Construction Guidelines**

Class 6 standards relate to roads with average daily traffic volumes less than 200 vehicles per day which will have a posted speed limit of 20km/h. Any unassumed Township owned road with traffic volumes greater than 200 vehicles per day or where the posted speed limit will exceed 20km/h are to be designed/upgraded to meet the Class 5 standards for assumption.

<u>Design Criteria</u>	<u>ROAD CONSTRUCTION GUIDELINES</u>	
	CLASS	
Road classification	6	5
Road network	Low traffic, dead end	Medium traffic, thoroughfare
Posted speed	20 kph	50 kph
Design Speed	40 km/h	50 km/h
Right of way width	20 m	20 m
Horizontal radius	60.0 m; per TAC Geometric Design Guide for Canadian Roads	100 m; per TAC Geometric Design Guide for Canadian Roads
Maximum grade	11%	8%
Kcrest (vertical curve, hill)	4 m	7 m
Ksag (vertical cure, valley)	9 m	13 m
Min. stopping sight distance	50 m	65 m
Clearing width(minimum)	12.5 m	15 m
Surface width	6 m	6 m
Shoulder width	0.5 m	1.0 m
Horizontal Clearance	3.0 m	3.0 m
Vertical Clearance	5.25 m	5.25 m
Cross fall crown on road surface	3%	3%
Turn Arounds	OPSD 500.01 or equivalent	OPSD 500.01 or equivalent
Ditches	450 mm deep, 600 mm wide	Adequate for water source, designed by Professional Engineer
Granular base course	Granular A 150 mm	Granular A 150 mm
Sub base	Granular B 300 mm depth as determined by Geotechnical Engineer	Granular B 300 mm depth determined by Geotechnical Engineer
New culverts	300 mm diameter minimum for driveway culverts. Cross culverts to be designed by Professional Engineer in accordance with MTO’s Highway Drainage Design Standards Manual; 9 m length minimum	450 mm diameter minimum for driveway culverts. Cross culverts to be designed by Professional Engineer in accordance with MTO’s Highway Drainage Design Standards Manual; 9 m length minimum
Surface type (traffic < 200/day)	Granular A	Granular A
Surface type (traffic > 200/day)	Double surface treatment	Double Surface Treatment
Signage	As per Ontario Traffic Manual	As per Ontario Traffic Manual
Dead end roads	15 metre turning radius	15 metre turning radius
Guide Rail	To be assessed/designed by a professional Engineer in accordance with MTO’s Roadside Design Manual	To be assessed/designed by a professional Engineer in accordance with MTO’s Roadside Design Manual



**Appendix 1 of Schedule ‘A’ to By-law No. 2022-24**  
**OFFICIAL PLAN**

It is the intent of the Roads Policy to reflect the policies of the Official Plan 2018, as excepted below:

**5.8.2 Municipal Roads**

- 5.8.2.1 All new development must front upon a year-round, publicly maintained road subject to the exceptions listed below.
- 5.8.2.2 A limited number of lots used for seasonal residential dwellings within the Waterfront designation may be serviced by an existing private road, registered right-of-way, minor extension to private road, or an unassumed public road which accesses a maintained public road, as identified on Schedule “A”. A minor extension to a private road is defined as 180 m or less from the last lot on the road. Private roads and rights-of-way will not be extended to properties which are located beyond the existing extent of the private road or right-of-way, except to provide water access for island lots and inaccessible shoreline where no alternative access is available.
- 5.8.2.3 New water access, lakefront lots, are generally not permitted within the municipality. It is recognized that there are some existing water access properties within the Township and these are to be considered as permitted uses. However, no new lots may be created that require water access facilities. Exceptions may be made to this policy where large islands may be divided or mainland that may not be reasonably accessed by road provided that the land owner has demonstrated to the satisfaction of Council that a mainland docking and parking facility has been deeded and zoned exclusively for the island lot properties.
- 5.8.2.4 All roads to be dedicated to and assumed by the Municipality must meet the current standards as set out by the Municipality and the Ministry of Transportation.
- 5.8.2.5 Road allowances must be a minimum of 20 metres in width except in special circumstances where it may be determined by a professional engineer that the functional requirements may be accommodated by a lesser width.
- 5.8.2.6 Roads adjacent to and serving any proposed development must be capable of handling the additional traffic created by the development. Development should not be permitted on land adjacent to a road from which access is to be obtained where a traffic hazard would be created because of limited site lines on curves or grades.
- 5.8.2.7 It is the general intent of this Plant to maintain the function of the public access roads throughout the Municipality.
- 5.8.2.8 On the main public roadways through the municipality, it will be the preference of the Township of McKellar to support new development that provides for internal roadways thereby minimizing direct access onto existing township roads. This policy is not intended to prohibit any new lot creation on existing public roads.
- 5.8.2.9 All new or existing roads must be brought up to the municipality’s minimum construction standard before they are assumed by the Municipality. Existing seasonally maintained roads must also be brought up to municipal standards for year-round roads before they are designated for year-round road service. Benefitting property owners shall be responsible for the financing of any road improvements, including all survey, legal, engineering and construction costs associated with upgrading the road prior to its assumption by the municipality.

- 5.8.2.10      Wherever applications for development are proposed adjacent to municipal roadways and the municipality does not own title to the roadway, it will be the policy of this Plan to require that the applicant convey that portion of the roadway consisting of 10 metres from the centre line of the travelled road as it abuts the proposed development lands should a survey reveal an encroachment.
- 5.8.2.11      In some circumstances, it may be preferred to share driveway access between adjoining property owners to minimize the number of entrances on existing public roads. The standards for the frontage requirements for lots may be reduced to accommodate cul-de-sacs for any new subdivision development in the Rural designation

## Draft Terms of Reference for the Ad Hoc Committee on Rental Properties

### Purpose:

1. To itemize all current and historical evidence relating to rental properties in McKellar (BLO-June 18, and CBO reports Moore 2015, By Law 95-12)
2. To review other municipalities solutions to rental properties (Seguin Whitestone, Kawartha Lakes, Muskoka Region and Oliver)
3. To review FOCA's position on rental properties
4. To review the study on rentals by the MLCA-Jan. 19
5. To engage the public at large through a variety of means-surveys, public meetings, written submission, McKellar Facebook page
6. To gather and review all relevant Municipal documents, by laws, resolutions, reports relating to rentals
7. To define "short term rentals"
8. To make recommendations to Council on matters pertaining to resolving rental properties issues and concerns within 1 year.
9. To develop a standardized education package for all rental properties
10. To determine any and all changes to By Law regulations regarding rental properties.

### Composition:

1. 9-15 members who are McKellar ratepayers to include 1 representative of the Environmental and Lake Stewardship Committee, 1 member of the MLCA, 1 member of Council (non-voting), up to six volunteers through an application process approved by council. The BLO and CBO are ex officio members who will act as resources to the committee and others.
2. Quorum- 50% of the membership
3. Officers: co-chairs, co-secretaries -chosen from membership. The officers shall be elected by ballot, except in the case of acclamation and shall hold office until their successors have been elected.
4. Council shall appoint member(s) to the Committee for the present term of Council or until Committees mandate has been fulfilled.
5. Council has the power to remove any member(s) of the Committee at any time.
6. All members have one vote except the co-chairs) council rep). A co-chair can break a tie.
7. Meet monthly or at the call of the co-chairs.
8. Public meetings determined by the Committee with 21 days notice and follow councils procedural by laws.
9. Minutes shall be kept of the proceedings and decisions of each meeting and shall be provided to the Clerk in a timely manner for distribution to the Mayor and Council.
10. Robert's Rules of Order, latest edition, shall be the parliamentary guide for all business sessions.

**Duties of Officers:**

1. The co-chairs shall preside at all meetings of the Committee. If a co-chair is absent, the other co-chair shall assume his/her duties. The co-chairs, in discussion with the Secretaries, shall prepare the Agenda for each regularly scheduled meeting, copies of which will be available prior to each meeting.
2. The Secretaries shall record minutes of each meeting of the Committee and shall distribute said minutes to each Committee member prior to the next meeting of the Committee.
3. The co-chairs shall only vote in the case of a tie.

**Budget:**

It is not anticipate that the Committee will incur any financial costs. The Committee may have access to the Township facilities and assistance to the Township staff for Council approved meetings and projects. Requests for staff assistance shall be made in the form of a recommendation to Council for approval. The use of such is to be considered and "in kind" contribution from the Township.

**The Committee:**

1. Shall set a specific list of realistic goals, objectives and overall plan.
2. Involve interested expertise.
3. Shall provide council with written reports, resolutions in a timely manner.
4. Shall recognize that Council will only act on recommendations in the form of a report adopted by resolution from the committee and forwarded to Council through the Clerk/Administrator.
5. Shall recognize that Council ultimately has the discretion of approving, amending or defeating a committee resolution.
6. The committee may ask Council for a legal opinion on Rental matters.

**Items to be addressed:**

1. To define short term rentals, related problems and issues
2. Provide accurate evidenced-based information on rental property issues and concern
3. To review the positive and negative aspects of By Law 95-12 and related municipal documents.
4. Look at the benefits and concerns with rental properties.
5. To improve By-Laws that relate to rental properties.
6. Review a variety of alternatives to rental issues in other similar Municipalities, organizations
7. To develop an educational package for all rental properties outlining a checklist of owners and renters responsibilities and market it through websites and social media.
8. Consider options to enhance/support/control rental properties
9. Other

**NOTES:**

The Short Term Rental Adhoc Committee shall, by resolution of Council, exist and operates as a Committee of the Council of the Township of McKellar.

The Short Term Rental Adhoc Committee members shall be appointed by resolution of Council.





## Township of McKellar

701 Hwy #124, P.O. Box 69, McKellar, Ontario POG 1C0

Phone: (705) 389-2842

Fax: (705) 389-1244

### Short Term Rental Committee Members – Revised September 6/2022

\*Peter Hopkins – Council Representative

\*\*Kim Ten Hoeve – Secretary

Don Gallagher

Eric Klimstra

\*\*Vanessa McBride

Wanda Muirhead

Leslie Rich

\*Douglas Hunt

LeAnne Armano

Howard Sproxton

Owen Lennox

Doug Moore

Tony Best

Eric Holmberg

David Murray

#### Resource People:

Axy Leighl

Brian Johnson

Chris Bordeleau

Chris Everitt

Adam Beauchemin

\*Co-Chairs

\*\*Co-Secretaries

**CORPORATION OF THE TOWNSHIP OF MCKELLAR**

**BY-LAW NO. 2022-48**

**Being a By-law to Amend By-law 2011-21 Being a By-law to establish fees or charges for services or activities provided or done by on behalf of the Township of McKellar**

**WHEREAS**, under Section 391 of the Municipal Act 2001, c. 25 as amended authorizes a municipality to pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of the municipality;

**WHEREAS** The Council of the Township of McKellar deems it expedient to amend and update the fees and charges to be collected by the various departments;

**WHEREAS** municipal recovery rates have been added to the By-law in Schedule "B";

**NOW THEREFORE** the Council of the Township of McKellar hereby enacts that Schedule "B" of By-law 2011-21 be included as attached of this By-law.

**READ a FIRST and SECOND** time this 28th day of September, 2022.

\_\_\_\_\_  
Peter Hopkins, Mayor

\_\_\_\_\_  
Ina Watkinson, Clerk

**READ a THIRD** time and **PASSED** in **OPEN COUNCIL** this 28th day of September, 2022.

\_\_\_\_\_  
Peter Hopkins, Mayor

\_\_\_\_\_  
Ina Watkinson, Clerk

Schedule "B" to By-law 2021-21

**Municipal Recovery Rates**

**Administration**

Administration Staff	\$ 43.00 per hour
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**Public Works Equipment**

Tandem Dump Truck (5 ton)	\$ 40.00 per hour
Backhoe	\$ 65.00 per hour
Grader	\$ 85.00 per hour
Public Works Staff Labour	\$ 35.00 per person, per hour

**CORPORATION OF THE TOWNSHIP OF MCKELLAR****BY-LAW NO. 2022-49**

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**Being a By-law to Confirm the Proceeding of Council  
of the Township of McKellar**

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**WHEREAS** Section 5 of the *Municipal Act, 2001, S.O. 2001, c.25 as amended*, provides that the powers of a municipality shall be exercised by its Council; and

**WHEREAS** Section 9 of the *Municipal Act, 2001, S.O. 2001, c.25 as amended*, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under the Municipal Act or any other Act; and

**WHEREAS** Section 5(3) of the *Municipal Act, 2001, S.O. 2001, c.25 as amended*, provides that a municipal power, including a municipality's capacity rights, powers and privileges under Section 9 of the Municipal Act, 2001, S.O. 2001, c 25 as amended, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

**WHEREAS** it is deemed expedient that the proceedings of the Council of the Corporation of the Township of McKellar at this Session be confirmed and adopted by By-law.

**NOW THEREFORE** the Council of the Corporation of the Township of McKellar hereby enacts as follows:

1. **THAT** the actions of the Council of the Corporation of the Township of McKellar at its meeting held on September 28, 2022 in respect to each resolution and each action passed and taken by Council at the meeting, are, except where the prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed as if the same were expressly embodied in this By-law.
2. **THAT** the Mayor, or in his/her absence the Acting Mayor, and the proper officials of the Corporation of the Township of McKellar are hereby authorized and directed to do all things necessary to give effect to the said action of the Council of the Corporation of the Township of McKellar during the said meeting referred to in Section 1 of this By-law.
3. **THAT** the Mayor, or in his/her absence the Acting Mayor, and the proper officials of the Corporation of the Township of McKellar are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-law and to affix the Corporate Seal of the Corporation of the Township of McKellar to all documents referred to in said Section 1.

**READ a FIRST and SECOND** time this 28th day of September, 2022.



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Peter Hopkins, Mayor

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Ina Watkinson, Clerk

**READ** a **THIRD** time and **PASSED** in **OPEN COUNCIL** this 28th day of September, 2022.

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Peter Hopkins, Mayor

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Ina Watkinson, Clerk