

APPENDIX 3:

TOWN OF SOUTH BRUCE PENINSULA SUBSTANDARD ROAD ALLOWANCE DEVELOPMENT POLICIES

The following is an excerpt from the 2001 Town of South Bruce Peninsula Official Plan, April 2015 Consolidated Version, Section 5 – Transportation Policies, 5.3 *Private, Substandard and Unopened Road Allowance*, p. 78-79

5.3 PRIVATE, SUBSTANDARD AND UNOPENED ROAD ALLOWANCE

It is a policy of Council that no building or structure shall be erected, extended or enlarged on any lot unless such lot fronts on an improved public road. For the purpose of this plan:

- a private road
- a substandard municipal road
- an unopened road allowance
- a road which is not maintained year round
- a road defined as Class II in the Zoning By-law

is not considered an improved public road. Notwithstanding the above, a building permit may be issued for a building or structure to be erected, extended or enlarged providing the applicant complies with the following conditions:

1. The lot in question meets the requirements of the zoning by-law.
2. The use for which the lot is proposed is permitted by the zoning by-law.
3. Approval of the method of servicing for a year round use is obtained from the appropriate approval authority.
4. The building or structure complies with the Ontario Building Code for a year round use.
5. The lot is subject to site plan control.
6. The applicant at his expense prior to a building permit being issued enters into a site plan control agreement with the municipality. This agreement shall include the following:
 - a) the owner(s) acknowledge and agree that the lot in question does not front on an improved public road.
 - b) the owner(s) acknowledge and agree that the Town does not or will not maintain or snow plow the said road.
 - c) the owner(s) acknowledge and agree that the Town is not required to assume a private road, provide winter maintenance or open a road allowance unless such road is built to municipal standards.
 - d) the owner(s) acknowledge and agree not to request the Town to upgrade the road allowance, private road or provide winter maintenance.
 - e) the owner(s) acknowledge and agree that they understand that fire and emergency vehicles may have difficulty accessing sites on unimproved roads and agree not to hold the municipality liable.

Council is not compelled to open any road allowance, provide winter maintenance or upgrade any road unless it is established as part of the capital works program.

Council further will not open any road allowance or upgrade any road where such road would negatively impact on a wetland or hazard land area.