

Havelock Belmont Methuen (HBM) Official Plan

Submission #1 to Peterborough County Planning

Department by Ambrose Moran Dated May 11 2013

Subject-Private Roads 2.1.5.4

BACKGROUND

A very large percentage of waterfront properties in HBM Township are access by private roads constructed on both crown lands and private lands without any financial contribution to capital cost or maintenance cost by HBM. As an example on Jack lake within HBM, I would estimate 100% of the waterfront residences are accessed by private roads.

COMMENTS

RESTRICTING DEVELOPMENT ON PRIVATE ROADS

The proposed OP policies restrict development on private roads and encourage development on lots fronting on municipally maintained roads. Economic development in the HBM area is greatly dependent on construction activity (development) around lakes on properties access by private roads. The construction activity fall within the definition of development (page #22) being "...construction of buildings and structures or significant addition thereto..."

Section 2.1.5.4 Private Roads In Waterfront and Rural Areas

Included the following:

New development in the shoreline area should generally occur on lots containing frontage on a municipally maintained road

This policy is inappropriate since most of the lots within the shoreline area are on private roads and in the case of Jack Lake ALL the lots are on private roads –so this would mean development should generally not occur on Jack Lake and the many other lakes which have lots predominantly access by private roads.

PROHIBITING NEW PRIVATE ROADS

Section 2.1.5.4 States:

The development of new private roads will not be permitted

The creation of new private roads in not permitted Page #10

Comment

Does the Planning Act regulate construction of private roads?---the Planning Act through subdivision and condo approval process can regulate roads as part of the development approval process but

in my opinion the Planning Act does not regulate construction of private roads on either public or private properties. Most private roads in HBM and typically in cottage country are built on provincial crown lands with permits issue issued through the Public Lands Act (PLA) and for the purpose of accessing privately owned waterfront lots. This is historically how many lakes have developed in Northern Peterborough County. The townships have benefited from the economic benefit of the lakes being available for year round use and also have benefited from additional property taxation revenue as MPAC generally increase the property value assessment by 30% once road is available to the property.

Why would a municipality adopt a policy to prohibit new private road when this would negatively affect the economic development of the township and hinder increased municipal assessment?

Section 2.1.5.4 states *Minor extensions to private roads not exceeding 591 feet mat be permitted to existing private roads..any extension to a private road shall be designed by a professional engineer or person competent in road construction—*

Comment

-so either a professional engineer or bulldozer operator!

How could twp regulate or require competence for constructors of private roads on Crown lands permitted under the Public Lands Act?

Section 2.1.4.5 States:

A new private condominium road may not be created by way of extension or addition to an existing private road. A new private condominium road may only be permitted if the new road directly connects to a public road and where the subject land has legal frontage on the same public road

Comment

It would make no good business sense to have a condominium development rather that a subdivision if the condominium road and development had direct access to and frontage on a public road.

The above policy would not have allowed the Jack Lake Estates development to be approved which would negatively affect the economic development of HBM township and deny the current and continuing windfall assessment increase.

RECOMMENDATIONS

#1

Section 2.1.5.4

- be revised significantly prior to approval by Peterborough County Planning Department**
- development not be restricted generally to lots frontage on municipal roads**
- township not prohibit new private roads**
- township not dictate competence of private road builders**
- condominiums not be require to front on or be directly connected to township roads**

Ambrose Moran

Jack lake