

THE MUNICIPALITY OF LAMBTON SHORES

Report DPW 21-2024

Council Meeting Date: October 1, 2024

TO: Mayor Cook and Members of Council
FROM: Nick Verhoeven, Director of Public Works
RE: Southcott Pines Roads Maintenance Agreement

RECOMMENDATION:

THAT Report DPW 21-2024 regarding the Southcott Pines Roads Maintenance Agreement be received; and

THAT the Southcott Pines Park Association request to terminate the Road Maintenance Agreement be accepted; and

THAT the Municipality maintains Southcott Pines Roads in accordance with Municipal standards effective October 15, 2024; and

THAT staff be directed to prepare an encroachment agreement with the Southcott Pines Park Association for the kiosks and signage within the municipal road allowance.

SUMMARY

This report provides a recommendation to terminate an existing agreement with the Southcott Pines Park Association for roads maintenance within Southcott Pines. The report also recommends entering into a new encroachment agreement with the Association on similar terms to the existing agreement for various encroachments on Municipality rights-of-way.

BACKGROUND

The Southcott Pines subdivision was developed and organized as a private subdivision with private roads owned and maintained by the Park Association. In the mid 1990's requests were made to the Bosanquet Township and the Village of Grand Bend to assume the roads as public roads which subsequently was completed in 1995. Although the roads were now public roads the Park Association wished to continue maintenance of the roads and agreements were entered into with both Bosanquet and Grand Bend. In 2000, with the creation of Lambton Shores by amalgamation, a new agreement was signed between Southcott Parks Association and Lambton Shores which outlined the parameters and requirements of road maintenance on the subject roads. The current agreement is provided as an attachment to this report.

In 2024 the Association reported increasingly difficult and expensive issues related to insurance requirements required by the agreement. Subsequent to informal conversations and a meeting between municipal staff and association executives, a letter was received from the Park Association requesting the termination of the road maintenance agreement and requesting the Municipality take over road maintenance starting October 15 ,2024.

Staff agree that the road maintenance agreement should be terminated, and that the Municipality assume maintenance of the public roads within Southcott Pines. Since the current road maintenance agreement was signed in 2000, there have been many changes to road maintenance standards including the Minimum Maintenance Standards in 2002. Similarly there have been many changes in public infrastructure risk management and insurance. The Municipality being directly responsible for maintenance of its public roads is the best outcome from a risk management perspective. There is not a practical available solution, with appropriate risk management in place, where a third party board controls maintenance activities on public roads.

The addition of the Southcott Pines roads into the municipality's road maintenance program can be made immediately and seamlessly. The Southcott Pines roads would be maintained similarly to all other roads within Lambton Shores. Staff are reviewing options to adjust the deployment of available equipment in order cover the new responsibilities. Staff have also added the Southcott Pines roads into our route patrol inspection and record keeping process. Minimum maintenance standards will be met in Southcott Pines and continue to be met across Lambton Shores. Staff will be undertaking a fulsome review in order to suggest possible additional resources in the proposed 2025 budget.

The Park Association also requested that the existing encroachments listed as a schedule to the agreement be maintained. Staff have no objection to this request and would suggest that a new encroachment agreement with the same terms be created between the Municipality and Southcott Pines Park Association.

ALTERNATIVES TO CONSIDER

There are no alternatives to consider at this time.

RECOMMENDED ACTIONS

Staff are recommending the Road Maintenance agreement between Southcott Pines Park Association and Municipality of Lambton Shores be terminated and a new encroachment agreement be prepared.

FINANCIAL IMPACT

There are no immediate financial impacts.

There is a budget amount of \$47,550 for contracted services to the Southcott Pines Park Association as part of the 2024 budget. That budgeted amount and any additional resources or changes required will be reviewed as part of the 2025 budget deliberations.

CONSULTATION

Steve McAuley, CAO

Stephanie Troyer-Boyd, Director of Corporate Services

Dan Wood, Transportation Manager

Southcott Pines Park Association