

To: **Inverness Planning Advisory Committee**
From: **EDPC Planning Staff**
Date: **July 24, 2024**
Reference: **Enabling private roads in the Port Hood Plan Area**

It has come to the attention of District Planning that private road development is not currently enabled in the Port Hood Plan Area. The Port Hood Municipal Planning Strategy does not address private roads, which appears to be an oversight.

Previous Councils have expressed concern about private roads, particularly regarding potential future pressure for the Municipality to assume ownership and maintenance responsibilities. However, allowing private roads can facilitate infill development where building new public roads is not feasible, thereby promoting growth in the County's communities. The prevailing approach has been to allow private road development and make it clear that the roads will not be assumed by the Municipality. Consequently, private roads are currently permitted in all other plan areas except for Port Hood.

There is no apparent justification for the private road regulations to differ in Port Hood specifically. To ensure consistency across plan areas, the Council of Inverness County should adopt a similar approach to the one implemented outside of Port Hood. To accomplish this, the Port Hood Municipal Planning Strategy and Land Use By-law should be amended as outlined in Appendix A and B of this report.

Appendix A

A BYLAW TO AMEND THE MUNICIPAL PLANNING STRATEGY FOR THE PORT HOOD PLAN AREA

Chapter 6, General Policies of the Port Hood Municipal Planning Strategy is hereby amended by:

1. Inserting the following text in bold immediately following Policy G-9:

Private Roads

The Municipality's Subdivision By-law allows for private roads to be incorporated in the subdivision of land and for development to have frontage on a private road. It is felt that this should continue and should be regulated by the Subdivision By-law.

Policy G-10 It shall be the policy of Council to allow subdivision of lands on private roads within the Port Hood Plan Area subject to the Municipality of the County of Inverness Subdivision By-law.

This is to certify that the by-law of which this is a true copy, was passed at a duly called meeting of the Municipal Council of the Municipality of the County of Inverness held on the _____ day of _____ 2024.

Given under the hand of the Municipal Clerk and under the corporate seal of the Municipality this _____ day of _____ 2024.

Mr. Keith MacDonald, CAO

Appendix B

A BYLAW TO AMEND THE LAND USE BY-LAW FOR THE PORT HOOD PLAN AREA

The Port Hood Land Use By-law is hereby amended by:

1. Inserting the following text in bold and removing the text in strikethrough in Chapter 6, Section 25 Frontage on a Street:

FRONTAGE ON STREET

25. No development permit shall be issued unless the lot or parcel of land intended to be used or upon which the building or structure is to be erected, abuts, **and** fronts upon a public street or **an approved private road that the lot is shown on an approved plan of subdivision, or is otherwise shown on an approved plan of subdivision.**

2. Inserting the following text in bold in Part 19: Definitions immediately following Section 45. Private Club:

46. Private Road means a private road shown on an approved plan of subdivision.

This is to certify that the by-law of which this is a true copy, was passed at a duly called meeting of the Municipal Council of the Municipality of the County of Inverness held on the _____ day of _____ 2024.

Given under the hand of the Municipal Clerk and under the corporate seal of the Municipality this _____ day of _____ 2024.

Mr. Keith MacDonald, CAO