



Welcome, and  
thank you for attending

Mississippi Lakes Association

PRIVATE ROADS COMMITTEE  
TOWN HALL

19 Jun 2019



# Agenda

- 7:00 pm Introductions
- 7:05 Background
- 7:10 Updates on Road Issues
- 7:30 PREP Program
- 7:45 Way Ahead
- 8:00 Q + A
- 8:30 Adjournment



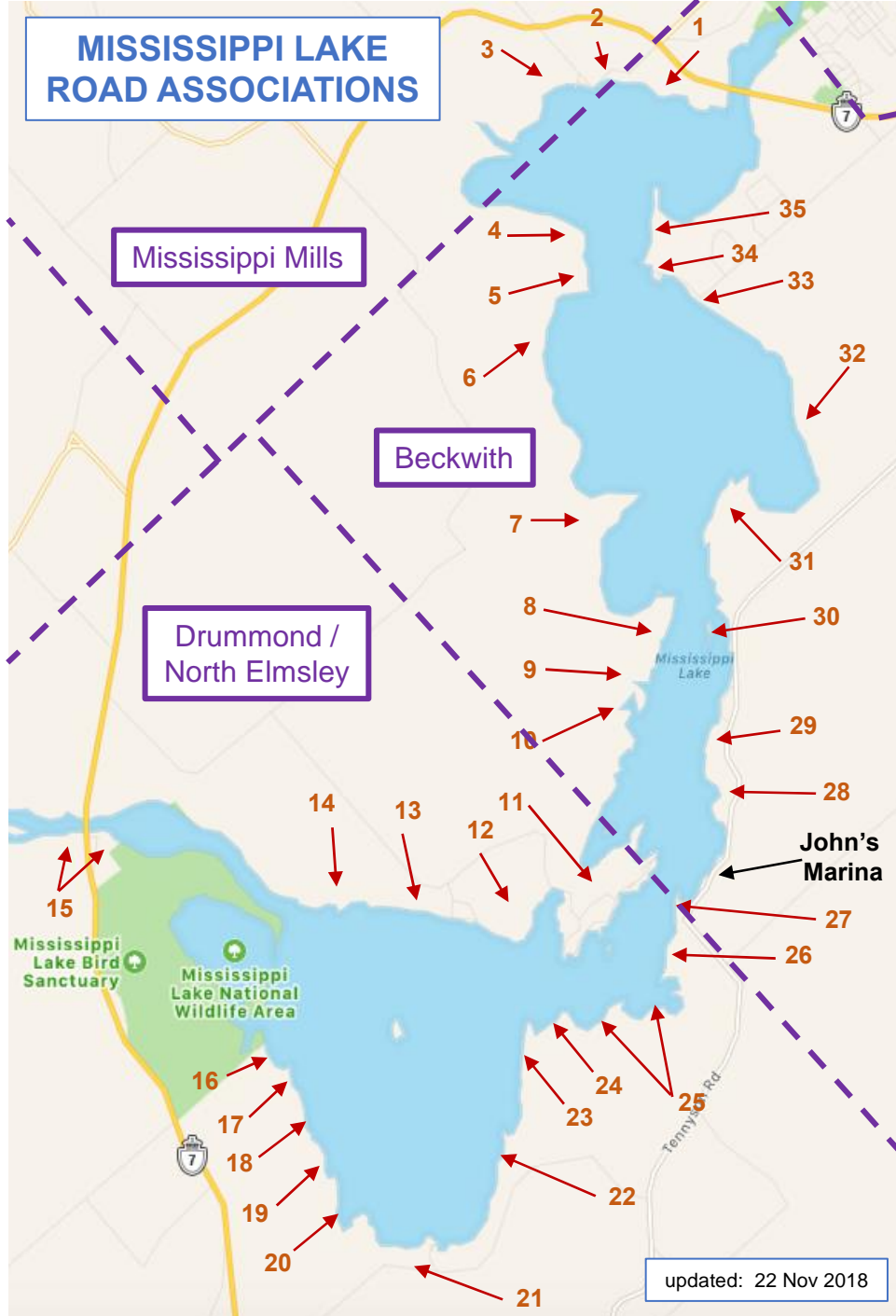
# Disclaimer

The MLA is not qualified to provide legal advice. Instead, the the Roads Committee conducts research on various topics and consolidates its findings on the website to assist property owners and residents of private roads to understand the various issues involved.

This Town Hall further serves to inform the membership regarding possible options at their disposal.

Private road issues can often be specific and complex matters. Individual circumstances should always be addressed and confirmed with independent legal counsel or other professional input as appropriate.

# MISSISSIPPI LAKE ROAD ASSOCIATIONS



- 1 McDiarmid's Shore
- 2 Knowlton Place Road Association
- 3 Montgomery Park
- 4 Dowdall Shore Homeowners Association
- 5 Rathwell Shore Community Association
- 6 McCann's Shore
- 7 Abs Road Association
- 8 Squaw Point Association (Sinclair Shore)
- 9 Willis Island Road Association (Sinclair Shore)
- 10 Otterslide Lane (Sinclair Shore)
- 11 Pretties Island Property owners Association
- 12 Ebbs Bay Property Owners Association
- 13 Cooke's Shore Association
- 14 Rothwell Park Road Association
- 15 Innisville South
- 16 Grasshopper Point Road Association
- 17 Islandview Association
- 18 McCreary's Shore
- 19 McCullough's Landing
- 20 Flintoff bay
- 21 Mallochs Bay
- 22 Robertson's Shore
- 23 Beck's Shore (McNaughton Shore)
- 24 Red Rock Bay
- 25 Black Bass and Hunters Bay Property Association
- 26 Craig Shore
- 27 Father Point
- 28 Coleman's Shore (Moonlight Bay Rd. and Sunset Ln.)
- 29 Munro Lane (High Bank)
- 30 Longview Island
- 31 Petrie Shore (Avenues 1, 2, and 3)
- 32 Gardiner Shore Association (10<sup>th</sup> Line Shore)
- 33 Lakeside Drive Homeowners Association (Hay's Shore)
- 34 Lake Park Hunting and Fishing Club
- 35 Lake Park Community Association



# Update on Issues

- Liability
- Incorporate... or not ?
- Rules and Regulations
- Road Fees
- Road Maintenance



# Liability

## Who is responsible?

- no immunity from lawsuits
- Commercial General Liability (CGL)
- Directors and Officers Liability Insurance (DOLI)



# Incorporation

there are both benefits and responsibilities

- separate legal entity
- limited liability
- well defined structure
- administrative requirements
- Directors, Reviewer
- more complex structure

is incorporating right for you?

excellent advice is available on the  
Corporations Canada website:

<https://www.ic.gc.ca>



# Rules and Regulations

## Who's in charge?

- verbal agreements
- written By-laws
- contracts maintenance/snow)
- financial arrangements





# Road Fees

## Who should pay?

- FOCA advice: equal share of costs among properties
- Principle of Undue Enrichment
  - Point Abino vs. Lee, 1997
- Small Claims Court
  - written agreements, Minutes, etc.
  - Notices to defaulters, registered mail, etc.



# Road Maintenance

## June 2019 survey results

- 106 responses: 76 are MLA members, 104 live on a private road
- 75% with a history of flooding
- 50% access blocked in 2019
- 98% agree that emergency vehicle access is important
- 92% are aware that lakefront properties pay higher taxes
- 88% are aware that most municipalities do not provide road maintenance assistance for private roads
- 98% agree that maintenance assistance should be provided



# Road Maintenance

## Private Roads Equalization Program (PREP)

- MLA advocacy during 2006 municipal elections
- Beckwith Township Study Group, 2008
- Private Roads Equalization Program (PREP), 2009
- to date: only available to lake residents in Beckwith
- other (but few) municipalities in Ontario have a PREP or equivalent program



# Proposed Way Ahead

- use the Beckwith PREP example
- form a MLA Study Group
- form Township subcommittees for the municipalities of Mississippi Mills and Drummond & North Elmsley
- work towards introducing a PREP program for all private roads on Mississippi Lake



# Questions ?



# Adjournment

*Thank you very much for  
attending*