

My name is Patrice Schad. My husband and I are permanent residents of Steenburg Lake South Road. We are also members of the Steenburg Lake Community Association.

How did this situation start? A simple request for full maintenance in 2012 of Steenburg Lake South Road one of the most populated roads in Tudor and acknowledging said road as a Boundary Road. The Tudor portion of Steenburg Lake South Road contributes 12.2% of the total tax revenue generated by Tudor Township. These statistics alone should warrant full maintenance of Steenburg Lake South Road.

Every 2 years the township pays for a mandatory road study which highlights needed improvements on all township roads. As one of the most populated roads in Tudor Twp no effort has been made by the township to correct any of the recommended road improvements to Steenburg Lake South Road.

The Ontario Municipal Act does state a Municipality can close a road, but nowhere in the Municipal Act does it state liability ceases when a road is temporarily closed. You have indicated liability is your sole cause for closing seasonal roads. You can post signs or not, pass bylaws or not, your liability for the road still exists regardless. Lack of road maintenance in accordance to township bylaws is your sole liability issue no court of law will overlook this issue. Next question too Township Lawyer should be if the road is not maintained to bylaw standards are we liable regardless of signage? The answer will be yes!

Section 44 (1) (2) of the Municipal Act clearly states a Municipality must maintain its roads, failure to do so results in legal liability.

Lack of resources will not negate this liability on the townships part!

I would like to discuss the letter dated December 17, 2018.

Libby Clark clearly stated "Council has considered the cost of bringing these roads to current Township standards but unfortunately, the cost to bringing these roads to current Township standards is prohibitive".

This statement confirms the townships negligence. The onus is on the Municipality to prove due diligence in a road related lawsuit.

"Bylaw temporarily restricting motor vehicle access"

The word temporarily implies a few days, when in fact you are closing the road for 6 months.

Public Transportation and Highway Improvements Act

Part 1 31 (1)(b) (2)

Municipality cannot change the use of a road as means of access to a Kings Highway

"cannot accommodate modern snow removal equipment"

Township 3/4 ton truck could be considered modern snow removal equipment used to plow Steenburg Lake South Road

Two solutions to the plowing argument:

- (1) The township has the truck and plow so a sander would be the only expense.
- (2) Contract out snowplowing on Steenburg Lake South Road. Many townships use this method for snow removal.

No other taxpayer would be affected from either proposal

“No winter maintenance now or in the future!”

In 2012 members of Steenburg Lake South Road spoke before council requesting our road be changed from seasonal to fully maintained. We did a lot of research on Limerick and Tudor roads in comparison to Steenburg Lake South Road, length, population, tax contributions and road classifications. While researching we determined Steenburg Lake South Road to be a Boundary Road. Now the road is considered a shared road Limerick Twp and Tudor Twp must come up with a shared maintenance plan for the whole road not just part of it.

Steenburg Lake South Road cannot be part of the proposed bylaw, as stated previously, it is a boundary Road any bylaws must be passed by both Limerick and Tudor Municipal Act Part III 27(2) 29(3) Deviation of boundary lines.

If this bylaw is passed I will be contacting legal council for financial compensation from Tudor Township because this bylaw will directly impact our property value in a substantially negative manner and I will forward my claim to the township. How about our insurance costs do we not help support Limerick Fire Department? If the road is closed we have no access to fire protection as access is at the discretion of the Fire Chief. Residents are already having trouble renewing mortgages due to the proposed bylaw, confirming decreased property values.

“Now or in the future” indicates the Township is once again ignoring the people who pay the majority of the tax dollars this statement screams discrimination. Is this not a democratic township where if a part of the community proposes a change it has to be voted upon by all members of council and not dictated by one?

As the Reeves letter states the objective is to “reduce the Townships liability”. If you want to reduce liability exposure the best solution is to maintain our road year

round. This proposed bylaw is a band-aide solution to the larger problem of road maintenance.

By not maintaining Steenburg Lake South Road to bylaw standards your liability excuse is null and void. So to make my point clear it won't matter if its summer or winter or if you post signs or not your liability will not change, as you have not maintained Steenburg Lake South Road to your road bylaw standard. Municipal Act Part III 44(2)

The proposed bylaw was a blessing in disguise. Steenburg Lake South Road residents were complacent with the level of service provided by Tudor Township. In Tudor's portion of Steenburg Lake South Road that level of service has been virtually none. The Tudor and Cashel Roads Supervisor is doing a great job with an inadequate roads budget trying to correct years of neglect. However the residents of Steenburg Lake South Road have joined together to demand the services we pay for and deserve. So we thank the previous council for proposing a bylaw which has joined us together in a fight for our rights as taxpaying members of Tudor and Cashel Twp.

In the 18 years my husband and I have owned property on Steenburg Lake, our road has contributed 5 million dollars to Tudor and Cashel Twp, at current rate. Having said that there are residents who have been paying taxes to Tudor for over 50 years. We want equitable distribution of tax dollars related to roads.

Could it be "them vs us" meaning non permanent residents vs permanent residents. I would like to read a portion of an article written by Nate Smelle published in Bancroft This Week Oct 2, 2018:

"Although this seasonal resident who cares about this community enough to muster up the courage to voice her concerns to the large crowd made valid arguments in regarding the po-

tential of traffic issues, noise and water pollution generated by the proposed quarry, in some folks' opinion she is still not considered a part of this community.

Does not she and her family pay property taxes and spend money in and around the Bancroft area whenever they choose to escape the hustle of Toronto and enjoy the peacefulness of North Hastings? We all know that waterfront property owners pay significantly more property taxes than the rest of us. Therefore, if we define the value of one's opinion on simply their monetary contribution to the community then should not our waterfront property owners – most of which who are seasonal residents-at the very least have the opportunity to share their opinion about a project such as mine or quarry”

This article highlights the attitude seasonal residents have to endure. Whether the topic is a quarry or road maintenance, seasonal residents are not given the same considerations as the permanent residents. It is our hope that this new council will see the value seasonal residents have to the Tudor and Cashel community. The proposed bylaw 2019 draft in my opinion should never have been proposed by an outgoing council which 3 were not reelected. Who in their right mind would propose a bylaw which virtually denies access to dwellings for 6 months of the year? We are fully aware 2 members of the previous council were reelected. Because this bylaw was proposed during a closed door meeting we have no knowledge what your opinion of the proposed bylaw was nor have you voiced your opinion. We can only hope that the returning council members and new members are working for the taxpaying members of this community and appose the bylaw 2019 draft or any other bylaw temporarily closing seasonal roads.

This proposed bylaw is not the end of the discussion for Steenburg Lake South Road residents.

Facts

- Steenburg Lake South Road is one of the most populated roads in Tudor and Cashel Twp.
- 12.2% of total tax contributions come from Steenburg Lake South Road.
- Non permanent residents make up 2/3's of the total tax base for Tudor.
- Township is liable for all roads open or temporarily closed.
- Role of Council to represent the public.
- A bylaw which involves a boundary road must be passed by both townships Municipal Act Part III 27(2) 29(3)
- Steenburg Lake South Road is a boundary road running the entire length of the road

What residents of Steenburg Lake South Road want?

1. A bylaw for Steenburg Lake South Road which changes said road from seasonal to fully maintained. Reasonable request based on road population, tax contributions, and average daily traffic.
2. A effort to bring Steenburg Lake South Road up to Township bylaw standards.
3. Fair distribution of roads budget. If based on tax contributions 12.2% of the roads budget should go to Steenburg Lake South Road

4. Do not pass a bylaw temporarily closing seasonal roads. Address the real problem road maintenance and snowplowing.