

**TOWN OF MOUNT MORIAH
TRANSFER OF LAND TO AUTHORITY REGULATIONS**

PUBLISHED BY AUTHORITY

Pursuant to the Authority conformed by Section 414 of the *Municipalities Act*, these regulations may be referred to as ‘Transfer of Streets to Authority’.

1. Interpretations. In these regulations unless the context otherwise requires:
 - (a) “Authority” means the Municipality of Mount Moriah, incorporated the 12 day of October A. D. 1971;
 - (b) “Council” means the Town Council of the Town of Mount Moriah;
 - (c) “Street” means a street, road, highway or other way designed for the passage of vehicles and pedestrians and which is accessible by fire department and other emergency vehicles;
 - (d) “Street Line” means the edge of a street reservation under the jurisdiction of the Town of Mount Moriah;
 - (e) “Street Reservation” means the land reserved for a public road, street, lane, sidewalk or other public way under the jurisdiction of the Town of Mount Moriah;
 - (f) “Grandfather Clause” means an exemption that allows persons or entities to continue with activities or operations/services that were approved before the implementation of new rules, regulations or laws. Grandfather clauses often apply to zoning laws when the purpose of the development changes.

2. In accordance to property being private road/driveway with the Authority ceasing services, these regulations pertain to the following private roads/driveways, as per motion # 2021-054, made on 19 May 2021.
 - (a) Bennett’s Lane
 - (b) Butt’s Lane
 - (c) Birchy Drive
 - (d) Cochrane’s Lane
 - (e) Hussey’s Lane

3. Based on the ‘grandfather clause’, the above mentioned private roads/driveways can be considered by the Authority when:
 - (a) All private roads/driveways in the area proposed for transfer must be approved by the Authority for public uses as streets, street reserves or other right of way or for other public use.
 - (b) Before the Authority shall accept the transfer of private roads/driveways:
 - (i) a copy of a current land survey conveying transfer to the Authority must be provided by the principle owner to the Authority, at the owners expense.

- (ii) the engineer shall, at the expense of the owner, ensure/certify his/her/their satisfaction with the approved Standards of the Authority, as per Section 81 of the Town of Mount Moriah Development Regulations. But in the absence of such standards, the owner shall conform to the following minimum standards. (See Table 1)
- (iii) the area proposed will require proper ditching, 18” width (w) 10” depth (d) (See Table 1)
- (iv) proposed area must have approved final grade (ie millings, class A)

Table 1 (All Current Street Reservations are based on measurements at the beginning of each private road/driveway)

Street Name	Current Street Reservations	Required Street Reservations	Ditching Requirements
Birchy Drive *	4.3 m (14 ft)	6.1 m (20 ft)	18 inches (w) 10 inches (d)
Cochrane’s Lane	12.2 m (40 ft)	6.1 m (20 ft)	18 inches (w) 10 inches (d)
Bennett’s Lane	6.4 m (21 ft)	6.1 m (20 ft)	18 inches (w) 10 inches (d)
Butt’s Lane	10.4 m (34 ft)	6.1 m (20 ft)	18 inches (w) 10 inches (d)
Hussey’s Lane	9.1 m (30 ft)	6.1 m (20 ft)	18 inches (w) 10 inches (d)
Hussey’s Lane (Extension)	7.6 m (25 ft)	6.1 m (20 ft)	18 inches (w) 10 inches (d)

* Exemption of 14 ft easement at entrance of Birchy Drive

- 4. After the approval of these regulations, any new/future development will be referred to Section 80 of the Town of Mount Moriah Development Regulations.
- 5. Once the transfer has been approved by the Authority, the Authority shall provide maintenance/services to the approved public road within the Town of Mount Moriah. No upgrades (ie paving, ditching, etc) will be completed based on the grandfather clause.
- 6. These regulations were adopted by resolution of Council at a meeting held on the 15 day of ~~September~~ 2021 and come into effect on the 15 day of ~~September~~ 2021.



 Lisa Duffney-Hunt
 Mayor