

# **The Corporation of the City of Kawartha Lakes**

## **Committee of the Whole Report**

**Report Number RS2019-009**

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**Date:** January 22, 2019

**Time:** 1:00 p.m.

**Place:** Council Chambers

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**Ward Community Identifier:** 1

**Title:** Acquisition of Land for Road Purposes – Buller Road

**Author and Title:** Laura Carnochan, Law Clerk – Realty Services

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### **Recommendations:**

**That** Report RS2019-009, Acquisition of Land for Road Purposes – Buller Road, be received;

**That** the acquisition of Part of Lot 1, Concession B, Somerville as in A14830 Except R301722 & R377599, AKA Buller Road, in the Geographic Township of Somerville, City of Kawartha Lakes, being PIN: 63120-0203 (R) for road purposes be approved;

**That** staff be directed to commence the process of obtaining ownership of the required land, for nominal consideration, with all related costs payable by the applicant;

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this decision;

**That** the necessary By-laws be forwarded to Council for adoption; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

In June 2015, the Land Management division (now Realty Services) received an application requesting confirmation of ownership for a segment of Buller Road adjacent to the applicant's property.

It was determined that the subject segment was not in municipal ownership, as noted on the Parcel Register attached as Appendix A. According to the applicant's legal counsel, the entirety of Lot 1, Concession B was once a single parcel, with one owner. At one time, the parcel was severed (without Planning consent) using the segment of Buller Road as a "natural severance" between the northern and southern portions of the property. This caused all of the parcels to remain in the Registry system, unable to be converted to Land Titles.

The applicant is seeking to clear title to his property, located at 179 Buller Road, and has been advised that in order to do so, the subject portion of Buller Road must be in municipal ownership.

Therefore, the applicant is requesting that the City have the subject segment of Buller Road, being PIN: 63120-0203 (R), vested into City ownership.

The purpose of this report is to advise Council that the Land Management Committee recommends that the City proceed with obtaining title to the subject lands, with all costs payable by the applicant.

## **Rationale:**

The Land Management Committee has concluded that because Buller Road is fully maintained by the municipality, it is appropriate to obtain title.

The applicant is agreeable to paying all costs associated with the transaction.

## **Other Alternatives Considered:**

Council may decide not to proceed with obtaining title to the subject lands. That would be inconsistent with past practice and is not recommended in this circumstance.

## **Financial Impacts:**

None, as all costs of the transaction are payable by the applicant.

## **Relationship of Recommendations to the 2016-2019 Strategic Plan:**

The recommendations set out in this Report do not directly support any of the three goals in the Strategic Plan. However, the recommendations set out in this Report do align with the following Strategic Enabler of “efficient asset management.”

## **Consultations:**

Land Management Committee

## **Attachments:**

Appendix A – Parcel Register



Appendix A - Parcel  
Register.pdf

Appendix B – General Location Map



Appendix B - General  
Location Map.pdf

Appendix C – Aerial Photo



Appendix C - Aerial  
Photo.pdf

Appendix D – Map



Appendix D -  
Map.pdf

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**Department Head:** Robyn Carlson