

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

## **Committee of the Whole Report**

**Report Number RS2019-008**

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**Date:** January 22, 2019

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

**Place:** Council Chambers

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**Ward Community Identifier:** 8

**Title:** Acquisition of Land for Road Purposes – St. Mary's Road

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

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### **Recommendations:**

**That** Report RS2019-008, Acquisition of Land for Road Purposes – St. Mary's Road, be received;

**That** the acquisition of a portion of Lot 16, Concession 12, in the Geographic Township of Manvers, City of Kawartha Lakes, being part of PIN: 63261-0137 (LT) for road purposes be approved;

**That** staff be directed to commence the process of obtaining ownership of the required land, for nominal consideration and all related costs to be paid by the City;

**That** all costs associated with the transfer (estimated at \$15,000.00) be drawn from the Property Development Reserve;

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

**That** the necessary By-law 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 2018, the City discovered that a segment of St. Mary's Road is located within the privately-owned property municipally known as 359 St. Mary's Road, Janetville.

The matter was referred to the Land Management Committee for review and it was confirmed that the subject segment of St. Mary's Road is a fully maintained, paved road. Therefore, the Land Management Committee felt that it would be appropriate to seek a transfer of the subject portion of road to the City.

Appendix A is a general location map, Appendix B is an aerial photo and Appendix C is a map.

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 segment of road, at nominal consideration and all costs payable by the City.

## **Rationale:**

The owners of the property municipally known as 359 St. Mary's Road, Janetville have been contacted and have confirmed that they are agreeable to transferring the subject land to the City for nominal consideration, with the City responsible for all costs associated with the transaction. These costs include a Reference Plan (quoted at \$8,750.00, plus HST), City's legal fees (estimated at \$2,000.00 +/-), and the vendor's legal fees (up to a maximum of \$1,000.00 inclusive of H.S.T.).

## **Other Alternatives Considered:**

Council may decide not to proceed with acquisition of the subject lands. This is not recommended as the road is a fully maintained, paved road, meaning the City would continue to expend maintenance costs regardless of ownership.

## **Financial Impacts:**

The subject land will be conveyed to the City for nominal consideration. The City will be responsible for any and all costs associated with the transaction, including, but not limited to, the costs of the Reference Plan and legal fees. The costs associated with acquiring the property are estimated at \$15,000.00. These funds will be drawn from the Property Development Reserve.

## **Relationship of Recommendation(s) 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 contained in the Plan: Responsible Fiscal Resource Management.

## **Consultations:**

Land Management Committee

## **Attachments:**

Appendix A – General Location Map



Appendix A - General  
Location Map.pdf

Appendix B – Aerial Photo



Appendix B - Aerial  
Photo.pdf

Appendix C – Map



Appendix C -  
Map.pdf

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**Department Head:** Robyn Carlson

**Department File:** L06-18-RS028