



## **Council Report**

**Report Number RS2020-021**

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**Meeting Date:** October 20, 2020

**Title:** Acquisition of a portion of Centennial Park Road and Assumption as Public Highway

**Description:** Acquisition of Part of Lot 19, Concession North Portage Road, in the Geographic Township of Eldon, More Specifically Described as Part 5 on Plan 57R-3336, to Become Part of Centennial Park Road and Assumption as Public Highway

**Author and Title:** Christine Oliver, Law Clerk, Realty Services – Legal Services

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### **Recommendations:**

**That** Report RS2020-021, **Acquisition of a portion of Centennial Park Road and Assumption as Public Highway**, be received;

**That** the City acquire Part of Lot 19, Concession North Portage Road, in the Geographic Township of Eldon, More Specifically Described as Part 5 on Plan 57R-3336, to become part of Centennial Park Road for assumption as a public highway;

**That** staff be directed to commence the process of obtaining ownership of the required land for nominal consideration, with all related costs payable at the property owner's expense;

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

**That** the necessary by-law be forwarded to Council for Adoption.

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

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

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

## **Background:**

On September 29, 2020, Leslie Allan, solicitor for the owners of the property municipally known as 807 Centennial Park Road, in the Geographic Township of Eldon, contacted the City of Kawartha Lakes and advised that Part 5 on 57R-3336, which is in private ownership and part of 807 Centennial Park Road should be transferred to the City as part of Centennial Park Road.

Centennial Park Road is forced over 807 Centennial Park Road. Centennial Park Road is a fully assumed and maintained City road. The City has acquired ownership interests in a portion of Centennial Park Road.

The ownership of 807 Centennial Park Road indicates that it is subject to the right of public passage over it. The owner wishes to clear this title restriction.

Appendix A is a location map. Appendix B identifies Centennial Park Road in blue, the adjacent property in green and Part 5 on Plan 57R-3336 in red. Appendix C plan 57R-3336. Appendix D is the By-Law.

The purpose of this report is to advise Council that Public Works and Realty Services is supportive and recommends that the City proceed with the conveyance option.

## **Rationale:**

The matter was referred to Public Works and Public Works confirmed Part 5 on Plan 57R-3336 should be part of Centennial Park Road.

Realty Services and Public Works has concluded that it is appropriate to obtain title to the necessary land. The owner is motivated to resolve this title issue prior to closing a sale of their land.

The property owners are agreeable to conveying the land for no consideration with the city's associated costs payable by the property owners.

## **Other Alternatives Considered:**

Council may decide to not convey the land. This option is not recommended as it resolving a title discrepancy.

## **Alignment to Strategic Priorities**

### **Good Government**

- Ensure municipal assets are well maintained and well managed

## **Financial/Operation Impacts:**

The land will be conveyed to the City for no consideration. The owner will be responsible for all costs associated with the transaction including the costs for the legal fees.

## **Consultations:**

Director of Public Works

## **Attachments:**

### **Appendix A – Location Map**



Appendix A -  
Location Map.pdf

### **Appendix B – Map**



Appendix B -  
Map.pdf

### **Appendix C – Plan 57R-3336**



Appendix C -  
57R3336.PDF

### **Appendix D – By-Law**



Appendix D - Draft  
By-law for Centenni

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**Department Head: Robyn Carlson**