

Council Report

Report Number:	RS2021-17
Meeting Date:	April 20, 2021
Title:	Acquisition of Land for Road Purposes – Lorneville Road
Description:	Acquisition of land to complete the connectivity of the travelled road known as Lorneville Road. Currently a portion of the road is on private property and the adjacent owner (283 Hartley Road, Eldon) would like to clear title.
Author and Title:	Christine Oliver, Law Clerk – Realty Services

Recommendation(s):

That Report RS2021-17, **Acquisition of Land for Road Purposed – Lorneville Road**, be received;

That the acquisition of Part of the north half of Lot 5, Concession 9, further described as Part 1 on 57R-10869 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 applicants;

That the City be authorized to use the same solicitor as the applicant's for the closing of the transaction;

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

That the Mayor and Clerk be authorized to execute any documents and agreements required to release the municipality's interest in the subject property, and

That the by-law be forwarded to Council for adoption.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

On January 6, 2020, Realty Services received an application from the owners of the property municipally known as 283 Hartley Road, in the Geographic Township of Eldon. The applicants advised that their property is subject to a registered municipal interest due to a portion of Lorneville Road being located within the north side of the applicants' property.

To clear the title by removing the "subject to" interest, the applicant is required to obtain a survey and convey the portion of the road to the municipality.

The issue was reviewed by the Land Management Committee on February 10, 2020; the Committee had no objections to obtaining title to the subject land at no cost to the municipality and releasing the municipality's interest in the applicant's property following the transfer.

The applicants subsequently had a registered reference plan completed, at their expense, and have identified the extent of lands to be conveyed to the City. Circulation to the department of Engineering and Corporate Assets confirmed the draft reference plan was acceptable. The registered reference plan was deposited on February 5, 2021.

Appendix A is a general location map, Appendix B is an aerial photo of the subject lands and Appendix C is a copy of Registered Reference Plan 57R-10869.

The purpose of this report is to recommend that the City proceed with obtaining title to the subject lands and releasing the municipality's interest in the applicant's property.

Rationale:

The Land Management Committee has concluded the municipality can release its interest in the applicants' property following obtaining title to the necessary land.

The applicants are agreeable to conveying the land for no consideration, and the applicant will pay all costs associated with the transaction. The applicant has requested the City retain their solicitor for the closing of the transaction.

Other Alternatives Considered:

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

Alignment to Strategic Priorities

The recommendations set out in this Report is supported by the Strategic Plan through Good Government, more specifically asset management to ensure municipal assets are well maintained and well managed.

Financial/Operation Impacts:

The land will be conveyed to the City for no consideration, with all associated costs of the transaction payable by the applicants.

Consultations:

Land Management Committee

Attachments:

Appendix A – Location Map



Adobe Acrobat
Document

Appendix B – Aerial Map



Adobe Acrobat
Document

Appendix C – Registered Reference Plan 57R-10869



Adobe Acrobat
Document

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