



The Corporation of the Township of Huron-Kinloss

Staff Report

Report Title: Huron Road Public Right of Way - Expropriation

Prepared By: Emily Dance, Clerk

Department: Clerk

Date: Sep. 21, 2020

**Report Number: CLK-2020-09-75
Expropriation**

File Number: 450

Attachments: Draft Plan, Map

Recommendation:

THAT the Township of Huron-Kinloss Council hereby approves the expropriation of the lands described as Part Lot 3, Concession Lake Range or Concession A Huron; Huron-Kinloss, being all of PIN 33329-0871 to establish a public right of way AND that the property be registered within 3 months of granting approval of the expropriation AND that all registered owners with Notice of Expropriation and Notice of Possession of the property after the registration of the Plan of Expropriation and all other actions related thereto pursuant to the Expropriations Act AND FURTHER authorize the Deputy Mayor and Clerk to sign all necessary documents AND FURTHER THAT the appropriate by-law come forward on tonight's agenda.

Background:

In 2017, the developer of the Point Clark Subdivision approached the Township to inquire on beach access across from the subdivision development to allow new residents close access to the beach.

A small strip of land between 145 & 147 Huron Road that runs west from Huron Road to Lake Huron was identified.

When a title search was done it was discovered that the walkway was still in the ownership of the original developer. The subdivision was registered in the 1950's and it is our belief that the original developer is now deceased. It appears that original developer's intention was to convey the walkway to the Township for access purposed, but this was never done.

On June 18, 2018 Council directed staff to take the necessary actions with respect to the expropriation of the lands for the purpose of establishing a public right of way.

Discussion:

The lands have been surveyed and notice has been provided and the following actions are required to move the expropriation forward.

- Recommendation: Council approve the expropriation of the lands;
- Recommendation for Council's approval to enact the by-law to expropriation the lands;
- Recommendation for Council's approval for the Plan of Expropriation of the property to be registered within 3 months of the granting of the approval to expropriation the property;
- Recommendation for Council's approval to serve all registered owners with Notice of Expropriation and Notice of Possession of the property after the registration of the Plan of Expropriation and all other actions related thereto pursuant to the Expropriations Act;

Financial Impacts:

Legal and survey fees and the development of the walkway will apply. The developer has agreed to share in the costs for obtaining the walkway.

Strategic Alignment / Link:

We are a spirited community that takes pride in calling Huron-Kinloss home and welcoming others. S2.1 Resident Attraction,

Respectfully Submitted By:

Emily Dance, Clerk

Approved By:

Mary Rose Walden, Chief Administrative Officer