

# Staff Report to Council

**Title:** Transfer of Easements Kelden Development

**Report Number:** Development Services-2023-25

**Director:** Infrastructure & Development

**Manager:** Development Services

**Meeting Date:**  
Wednesday, September 13, 2023

**Date to be considered by Council:**  
Wednesday, September 13, 2023

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## Recommendation:

That the properties identified as LT 1 PL 664; Huron Terrace, Municipality of Kincardine being part of PIN 33304-0061 and PLAN 10 PARK PT LOT 1, Queen Street Municipality of Kincardine; being Part 1 of PIN 33304-0123 and Part 2 of PIN 33304-0061; be registered as easements by the Municipality of Kincardine for municipal servicing purposes; and

Further that Council authorize the Mayor and Clerk to execute all required documentation on behalf of the Municipality.

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## Executive Summary:

Transfer Easements in favour of the Municipality are required in order to install and maintain municipal sanitary services across Part 1 of PIN 33304-0123 and Part 2 of PIN 33304-0061. This servicing easement will enable sanitary servicing to two separate development properties.

## Strategic Priorities:

B.5-Evaluate and proactively plan for infrastructure to meet population growth and long-term sustainability

## Financial Considerations:

The developer from 1182 Queen will cover all costs associated with the easement process.

**Policy:**

N/A

**Context and Background Information:**

The current sanitary service is undersized at Queen Street for the proposed Site Plan for Keldon Development (1182 Queen Street, Kincardine). Plans indicated that sewer could be serviced off Huron Terrace. The acquisition of easements through the development approval process provides the Municipality an opportunity to secure lands for maintenance of infrastructure and conservation of natural assets.

In order to provide services to the development lots the Municipality requires easements over private lands. A reference plan has been created and the easement would be for Part 1 of PIN 33304-0123 and Part 2 of PIN 33304-0061 within LT 1 PL 664; Huron Terrace, Municipality of Kincardine being part of PIN 33304-0061 and PL 10 PARK PT LOT 1, Queen Street Municipality of Kincardine. (attached). The terms of each easement will be registered on title along with the easement description and accompanying reference plan that illustrates the limits. For the type of easement being discussed in this report, the terms generally speak to the ability for the Municipality's to be able to maintain its infrastructure.

The acquisition of the easement will also allow for municipal servicing of future development in the area.

There are two property owners involved in the easement and all have agreed with the terms. Each Part will require separate agreements that will be registered on title.

**Consultation Overview:**

Municipal staff, property owners, land surveyor, and legal counsel.

**Origin:**

Site Plan approval and development application.

**Implementation Considerations:**

Once approved by Council staff will work with stakeholder to finalize the agreements and have the easements registered on title.

**Risk Analysis:**

The easements are required in order to move the development forward.

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**Attachments:** 1182 Queen Street Sanitary Sewer Easement to Huron Terrace**Prepared by:** Lisa Ambeau, Executive Assistant**Submitted by:** Adam Weishar, Director of Infrastructure and Development