

STAFF REPORT TO COUNCIL CROOKED ROAD OWNERSHIP

Report No: BP-2021-25

October 12, 2021

From: Jacob Rheume – Chief Building Official / Director of Building, By-law & Planning

RE: The ownership of part of Crooked Road Allowance

Recommended Motion:

THAT the Council of the Township of North Glengarry receives Staff Report No. BP-2021-25 to create a By-law for the dedication of a parcel as public highway.

Background / Analysis:

The property located at 21205 Crooked Road was sold earlier this year. When the lawyers wanted to complete the required Deed of Lands to the new owners, it was observed that part of the Road Allowance, also known as Crooked Road on West ½ Lot 21, East ½ Lot 22 & Part Lot 22 Con 6, former geographic Township of Lochiel was owned by the property owner and not by the Township of North Glengarry.



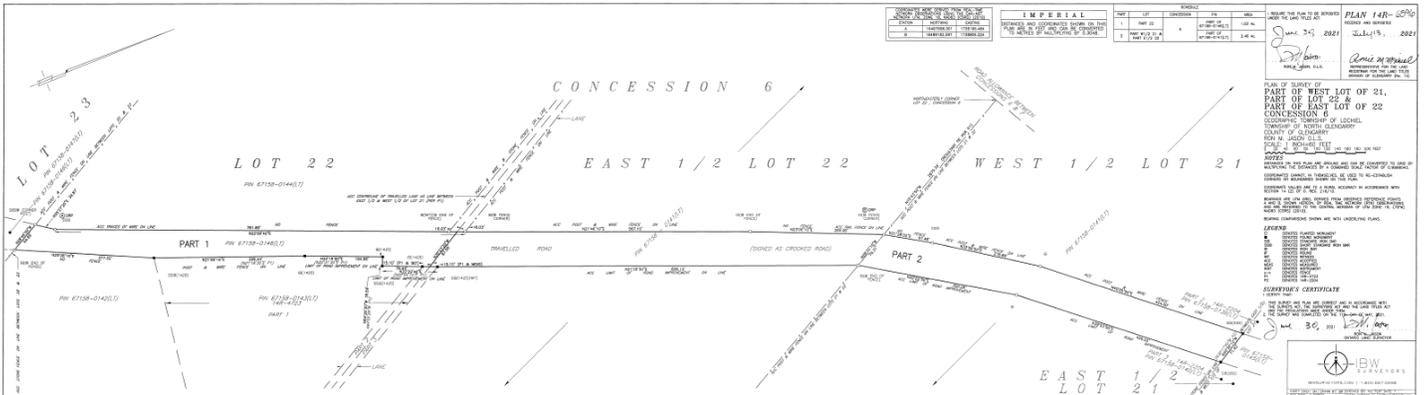
The parcel rolls show the properties laid out correctly, there should be 82.19 acres of land North of Crooked Road and 143.30 acres South of Crooked Road. The PIN number for the property, which is the number used for the legal aspect of selling/purchasing properties, shows the section of the road owned by the landowner.



The Municipal Act, Section 44 imposes a statutory duty of care for road maintenance on the road authority, in this case a Township Road. The Planning Act also states that the primary function of Township Roads is to provide direct access to abutting properties.

In this case, this is a land ownership, or title registration issue that occurred in the past and was never noticed. As per the Municipal Act, the Township was just as liable for that section of the road, as any other maintained road in the Township because of maintenance and public access.

The Transfer of Land for the property was completed on August 19, 2021, and the lands identified as PIN 67158-0141 LT; West ½ Lot 21 Concession 6, East ½ Lot 22 Concession 6 geographic Township of Lochiel, RP 14R6596 part 2, North Glengarry, & PIN 67158-0144 LT; Part Lot 22 Concession 6, geographic Township of Lochiel, RP 14R6596 part 1, North Glengarry was transferred in the name of THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY.



The parcel now must be dedicated for "Road Purposes" by By-law.

Alternatives:

No alternatives.

Financial Implications:

No financial implications. Surveyors and lawyers fees were paid the Transferor.

Attachments & Relevant Legislation:

- Deed of Land
- R-plan/survey 14R6596
- By-law No. 40-2021

Others consulted:

N/A

Reviewed and Approved by:
Sarah Huskinson, CAO/Clerk