



Municipality of North Grenville

To: **Council**

Meeting Date: October 15, 2024

Subject: Beulah Road Allowance Assumption Report No: CAO-2024-021

Prepared by: Chloe Preston, Municipal Clerk

Recommendation(s)

THAT Council enact By-Law 87-24 to amend By-Law 54-02, being a By-law to Establish Municipal Highways in the Township of North Grenville, to include an unmaintained portion of the Beulah Road road allowance between Limerick Road and Black Road.

Executive Summary

Purpose

- To correct a misregistration by the Province of an unmaintained road allowance that was registered to a private landowner in error rather than the municipality

Key Findings

- An unmaintained road allowance between Limerick Road and Black Road, legally known as Part 2 on Plan 15R-12367, was registered incorrectly in the Land Registry system to a private owner rather than the Municipality
- It is in contravention of legislation for a private landowner to own a roadway, including an unmaintained road allowance, that has not been stopped up and closed by the Municipality
- The Municipality intends to retain this road allowance as a municipal asset; and
- In order to rectify the misregistration and convey the road allowance to the Municipality, the Municipality must formally acknowledge the unmaintained portion of the road into the roads system via By-law and register same with the provincial land titles system

Financial Implications

- The cost to fix this administrative error was not an anticipated cost in 2024 but can be accommodated within the budget

Background/Analysis

Earlier in 2024, the Municipality was contacted by a solicitor representing a private landowner who had become aware of an unopened road allowance that was incorrectly registered to their client. The Municipality provided this correspondence and property search to the Municipal Solicitor for comment and direction. It was noted that it is in contravention of legislation for a roadway, even an unmaintained portion, to be held in ownership of a private owner. Only roadways which have been stopped up and closed by Municipal By-law may be transferred into private ownership.

The Municipal Solicitor directed that staff bring forward an amending By-law to re-establish the unmaintained portion of Beulah Road between Black Road and Limerick Road into the municipal roads system, as established in By-Law 54-02.

Relevance to Strategic Priorities

Strategic Pillar	2	A Strong, Connected, and Vibrant Community
Goal	2.1	Strengthen Community Engagement
Key Action	2.1.1	Foster engagement and partnerships among community organizations and leverage benefits of partner organizations, including on organizing events, art and culture, and improving face-to-face and digital town halls etc.

Options and Discussion

1. Approve the recommendation – this is the recommended action to resolve the administrative error in the land titles system.
2. Do not approve the recommendation – this will maintain the administrative error and be in contravention of legislation.

Financial Impact

This item has been identified in the current budget: Yes No N/A

This item is within the budgeted amount: Yes No N/A

Staffing implications, as they relate to implementing Council’s decision on this matter, are limited to the existing staff complement and applicable administrative policies as approved by Council.

Internal/External Consultation

The Municipal Solicitor was consulted on this matter and provided the necessary steps to rectify and remedy the administrative error.

Communications

Communication of Council's decision will be provided to the Municipal Solicitor to register with the Province to rectify the misregistration.

Attachments

- Draft By-Law 87-24