



Staff Report

Report To: Council Meeting

From: Robert Brown, Planner

Date: 2024-07-16

Subject: Dedication & Establishment of Public Highway – Colley Road – Crinan to Stalker

Recommendation:

That West Elgin Council hereby receives the report from Robert Brown, Planner, regarding Dedication and Establishment of Public Highways – Colley Road, municipal portion of PIN 35144-0101 between Crinan Line and Stalker Line (Planning Report 2024-22);

And that West Elgin Council approve the dedication and establishment of a public highway for the municipal portion of Colley Road - Property Identification Number 35114-0101;

And further that West Elgin Council consider the by-law to dedicate and establish the above noted portion of Colley Road, as public highway, as presented in the by-law portion of the July 18, 2024 Council Agenda.

Purpose:

The purpose of this report is for Council to consider dedicating and establishing a portion of Colley Road between Crinan Line and Stalker Line as public highway, in order to recognize how the said road has been utilized for an extended period of time.

Background:

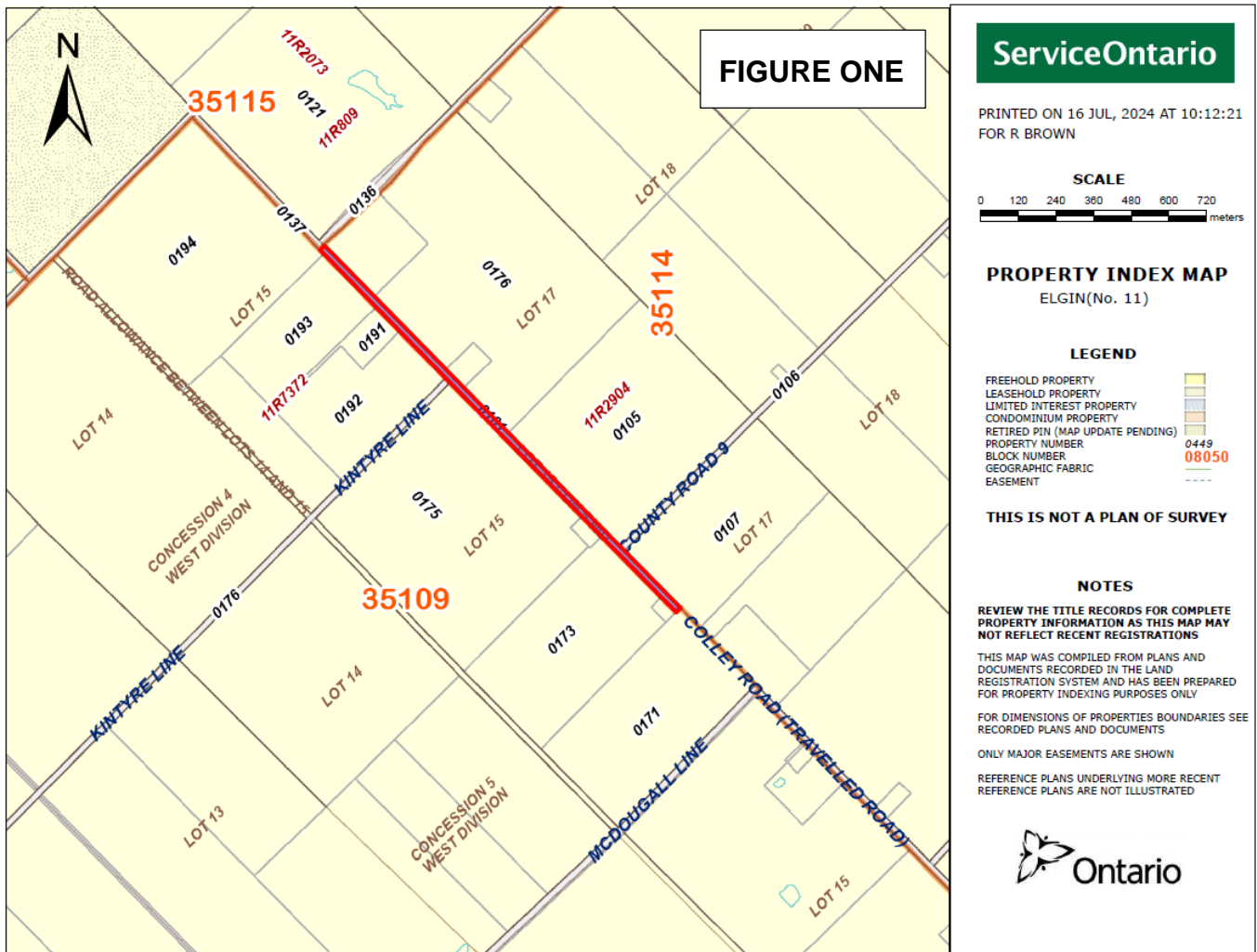
Through the due diligence process resulting from a recent surplus dwelling severance, it has come to Municipal Administration's attention that a portion of Colley Road, although having been conveyed to the former Aldborough Township in 1887, was not dedicated or established as a public highway through the typical process.

Municipal Administration reviewed the information that was provided and determined that there does not appear to be a dedication by-law for the section of road in question between Crinan Line and Stalker Line and identified as PIN 35114-0101.

Section 31 of the Municipal Act gives the ability for Municipality's to dedicate and establish public highways through by-law, as an alternative form to lands that would be outside of a plan of subdivision registration process through the Planning Act.

As Council is aware, Colley Road has been utilized as a public road, likely since its conveyance in 1887. The associated Property Identification Number is depicted in Figure One for additional context. The majority of the affected PIN is a West Elgin road allowance however a small portion of it from Stalker Line south to the southerly edge of 13689 Colley Road is with the County of Elgin.

Administration will advise the County and expect that they too may need to dedicate their portion as public highway.



Financial Implications:

Any cost related to the dedication would include Administration time as well as any legal cost associated with the registration of the by-law on the lands affected.

Policies/Legislation:

The dedication of the West Elgin portion of the affected PIN will be undertaken in accordance with the relevant policy. There are no land use planning considerations since the use of the road allowance has been well established and no change is proposed.

By Council enacting a By-law, this will provide properties with public road frontage formally on title, when the By-law is registered with Land Registry; and would allow for development in accordance with Section 4.8 provisions of the Municipality of West Elgin Zoning By-law 2015-36, as amended, through typical planning and building approval processes.

Alignment with Strategic Priorities:

Infrastructure Improvement	Recreation	Economic Development	Community Engagement
<input checked="" type="checkbox"/> To improve West Elgin's infrastructure to support long-term growth.	<input type="checkbox"/> To provide recreation and leisure activities to attract and retain residents.	<input type="checkbox"/> To ensure a strong economy that supports growth and maintains a lower cost of living.	<input type="checkbox"/> To enhance communication with residents.

Administration was advised of the issue with the undedicated road allowance. There was no objection or concerns expressed as this is a technical exercise to close the loop on the original conveyance that was done for the purpose of providing a road allowance at that time.

Respectfully submitted by,



Robert Brown, H. Ba, MCIP, RPP
Planner, Municipality of West Elgin