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**Date:** February 16, 2021  
**To:** Mayor and Council  
**Author:** G.A. Plancke / Director of Infrastructure & Engineering  
**RE:** Briarwood Lot Line Adjustments & Disposal of Surplus Municipal Land  
**Report No.:** IED 2020 06

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## **AIM**

To obtain approval to complete Road Allowance Lot Line Adjustments for portions of Briarwood Crescent, and further to deem the portions surplus to the needs of the municipality and dispose by conveyance as lot additions to local private properties.

## **BACKGROUND**

In a written request to Municipal Services, the property owners of 965 Briarwood Crescent have applied to acquire portions of the road allowance or receive consideration for Lot Line Adjustment which impacts the Briarwood Crescent municipal road allowance.

The current Town Policy for Disposal and Sale of Road Allowances is the governing document that outlines the procedures for these types of requests.

965 Briarwood Crescent is located south of County Rd 20, southwest of the Graham Side Road intersection. The plan of subdivision was originally registered in 1925 (attached) and included 105 single family lots, and two Blocks (A&B). The creation of Block B appears to be the reason for the inconsistency in lot lines. Block B was originally assumed as Greenspace, but has subsequently been consolidated into lots 93 & 94 (1925) revised lots 1 & 2 (1966).

## **DISCUSSION**

The current alignment of the road allowance in the section adjacent to 965 Briarwood is inconsistent with normal road allowance / lot line alignment practice. This is likely due to the creation of previous Block B and the uniqueness of the lot configuration in this area. The existing alignment places a large portion of land not required for municipal infrastructure/purpose within the road allowance. This could become complicated if and

when planned improvements for the area are undertaken, and any time requests for service within the road allowance are received. The perception is that these lands are currently private. Lot line adjustments would clarify private property boundary limits and allow the property owners to proceed with plans to improve their lands, and validate construction set back limits relative to the road allowance.

The conveyed parcels will be required to merge with existing adjacent parcels and may not be owned by a corporate or other legal entity that would prevent the merger. These parcels should be merged with adjacent owners so that they do not become orphaned lots or result in future requests for separate usage.

The cost to survey and register complete with legal and administrative fees is estimated at no greater than \$10,000. The estimated land value is insignificant in this case and as such an appraisal is not deemed warranted or recommended. The residents are aware of the logistic cost related to this request, and are agreeable to incur the expenses to finalize the adjustment(s).

During the required survey work, additional remnant Town parcels in the area were also identified as surplus to the needs of the municipality. It is proposed to consolidate these remnant parcels with the adjacent properties in order to create a consistent R.O.W. and reduce future ownership ambiguity.

All lot line adjustments have been discussed and agreed to by adjacent property owners as applicable.

A final property line adjustment plan has been prepared by an Ontario Land Surveyor (OLS).

One of the two owners of 965 Briarwood is a municipal employee.

## **LINK TO STRATEGIC PLAN**

Effectively manage corporate resources and maximize performance in day-to-day operations.

## **FINANCIAL CONSIDERATIONS**

The cost to survey and register c/w legal and administrative fees is estimated at no greater than \$10,000. The residents are aware of the costs related to this request, and are agreeable to incur the expenses to finalize the adjustment(s).

## **CONSULTATIONS**

Manager of Development & Planning Services  
Infrastructure & Engineering  
Verhaegen Land Surveyors  
Applicants  
Affected adjacent Briarwood property owners.

## **RECOMMENDATION**

That Council deem Parts 1,2,3,4,5 of Registered Plans 1205 and 1372 (reference drawing # 19-49-015-01,02 File # E-1205 Streets), surplus to the needs of the municipality and to dispose by lot line addition to adjacent properties;

And Further That Council approve a road allowance lot line adjustment performed by an OLS and registered with the Province of Ontario as outlined specifically that the municipal lands known as Parts 1, 2, be consolidated with Registered Plan 1205 BLK B (Roll # 310-04602), Part 3 be consolidated with Registered Plan 1372 Lot 3 ( Roll # 310-04500), Part 4 be consolidated with Registered Plan 1372 Lot 6 (Roll #310-04500), and Part 5 be consolidated with Registered Plan 1372 Block A ( Roll # 310-04300);

And Further That the Clerk prepare the necessary by-law, for adoption at a future meeting of Council, to reflect the lot line adjustment related to the Briarwood Crescent road allowance and ensure that the requisite paperwork is prepared and filed with the land registry office to reflect the adjustments and disposal of municipal land, as may be required.

*G.A. Plancke*  
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G.A. Plancke, Civil Eng.Tech (Env)  
Director of Infrastructure & Engineering