



## TOWNSHIP OF NORTH HURON

## REPORT

Item No.

**REPORT TO:** Reeve Vincent and Members of Council  
**PREPARED BY:** Pat Newson, Director of Recreation and Facilities  
**DATE:** 07/05/2018  
**SUBJECT:** Temporary Easement Agreement for Blyth Memorial Community Hall  
**ATTACHMENTS:** Temporary Easement Agreement

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### **RECOMMENDATION:**

THAT the Council of the Township of North Huron hereby receives the report May 7, 2018 from the Director of Recreation and Facilities for the Temporary Easement Agreement for Blyth Memorial Community Hall;

AND FURTHER THAT Council accepts the terms of the Temporary Easement Agreement for 431 Queen Street, Blyth;

AND FURTHER THAT Council approves and exception to Section 19.1 of the Procedural By-Law to allow By Law 49-2018 to be passed at the May 7, 2018 Council meeting.

### **EXECUTIVE SUMMARY**

The property north of Blyth Memorial Community Hall, address of 437-441 Queen St. Blyth, is undergoing renovations and the owner has requested a temporary easement to be granted on the property of Blyth Memorial Community Hall to conduct the renovations. This report outlines the recommended terms for that request.

### **DISCUSSION**

The owners of 437-441 Queen Street, DEAMS Holding Inc. have requested a temporary easement onto the property of 431 Queen Street, Blyth Memorial Community Hall, owned by the Township of North Huron. The property space between the two buildings is approximately 1 foot apart, making it impossible for the owner of 437-441 Queen Street to perform the necessary work without accessing the property of 431 Queen St.

The Township supports new businesses in North Huron and this renovation will be an improvement to the downtown core of Blyth. Best practice is for the Township of North Huron to enter into a Temporary Easement Agreement with DEAMS Holding Inc. to protect the Township's interests, and any potential damages caused during the renovation and access to the 431 Queen Street property.

The access requested is the landscaped area and the sidewalk on the north property line of 431 Queen Street that will be occupied during the renovation period. A temporary easement agreement has been prepared to establish the access granted by the Township of North Huron, and to clarify how public safety will be addressed, and clarify how much property will be accessed. In discussions with the owner and contractor, fencing around the area will be erected to protect public using Blyth Memorial Community Hall courtyard and north doors of the property.

Staff are working with BFL Canada, the Township's insurance provider to ensure that the contractor has sufficient insurance to allow access onto the North Huron property for construction work.

For Council's information there is a North Huron permanent easement agreement on the property of 437-441 Queen Street to allow for the kitchen exhaust equipment and the north door of the Blyth Memorial Community Hall. This has been taken into consideration in the design of the renovation to 437-441 Queen Street. The plan of the property adjacent to the north wall of Blyth Memorial Community hall is for parking only.

#### **FINANCIAL IMPACT**

None

Any damage to the property is the responsibility of DEAMS Holding Inc. The landscape plantings disturbed by the easement will be guaranteed by DEAMS Holdings Inc. for 12 months after the easement is concluded.

#### **FUTURE CONSIDERATIONS**

During the access to the North Huron property, Dave Cook, Blyth Facilities Manager will be conducting regular site visits to ensure compliance with the agreement. The contractor has provided the Blyth Festival with contact information if noise or any activities during the renovation is disruptive to the activities at the Hall.

#### **RELATIONSHIP TO STRATEGIC PLAN**

Our community is attractive and welcoming to new businesses and Residents.  
Our administration is fiscally responsible and strives for operational excellence.



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Pat Newson, Director of Recreation and  
Facilities



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Dwayne Evans, CAO