RECOMMENDATION:

THAT the Council of the Township of North Huron hereby receives the report of the CAO, dated August 12, 2019 regarding easement agreements with GJAJ Holdings Ltd and Rutling Holding Ltd (Rutledge Subdivision) for information,

AND FURTHER, THAT Council adopt By-laws 80-2019 and 81-2019 being By-laws authorizing the Reeve and Clerk to sign all necessary documents to complete easement agreements with GJAJ Holdings Ltd and Rutling Holding Ltd (Rutledge Subdivision);

AND FURTHER, THAT Council deems the easement agreements with GJAJ Holdings Ltd and Rutling Holding Ltd to be an administrative matter and grants an exception to Section 19.1 of the Procedural By-law allowing for By-laws 80-2019 and 81-2019 to be adopted at the August 12, 2019 regular meeting.

EXECUTIVE SUMMARY

In November, 2018 a subdivision agreement between the Township of North Huron and GJAJ Holding Ltd was executed. This agreement allows for GJAJ Holding Ltd to construct and install municipal services for a 16 lot residential subdivision at the north end of Blyth.

Section 7 of the agreement speaks to lands to be conveyed to the municipality. Section 7.2 requires the Developer to grant, at his expense, all easements and right-of-ways required for the installation and supply of municipal services to the subdivision. Schedule “H” of the agreement lists the easements to be granted to the municipality.

The Developer wishes to proceed with the conveyance of the necessary easements to the municipality for municipal services. For insurance purposes, a portion of the Rutledge Subdivision was transferred into the ownership of another company however, both companies are owned and managed by the same individual. As a result of this transfer in ownership, two (2) easement agreements are now required. It is recommended Council adopt By-laws 80-2019 and 81-2019 being By-laws authorizing the Reeve and Clerk to sign the necessary documents for registration of the easements on title.

DISCUSSION

In accordance with the agreement, the Developer is responsible for the design and installation of municipal services. Portions of the services will be installed on lands which will be eventually be conveyed to private ownership. When installation of the services has completed to the
satisfaction of the municipality, the municipality assumes ownership and responsibility for the services. Access to the portion of the municipal services installed on privately owned lands may be required in the future for maintenance purposes.

As noted above, Schedule “H” of the agreement lists the easements to be granted to the municipality and they are as follows:

A 4.0 m easement between Block 8, south of Lot 7
A 4.0 m easement between Block 8, north of Lot 8
A 5.0 m easement in the rear proportion of Lots 14 and 15 centred on the Whitfield Municipal Drain

The lands to which the easement agreements apply are identified in the attached survey.

**FINANCIAL IMPACT**
There is no financial impact on the municipality at this time. Upon completion of the work to the satisfaction of the municipality, the municipality assumes ownership and responsibility for the municipal infrastructure servicing the Rutledge Subdivision.

**FUTURE CONSIDERATIONS**
N/A

**RELATIONSHIP TO STRATEGIC PLAN**
Goal #4 Our administration is fiscally responsible and strives for operational excellence.
Goal #3 Our community is healthy and safe.

Dwayne Evans, CAO