



Committee Report

To: Councillor Milt McIver, Chair and
Members of the Transportation & Environmental Services
Committee

From: Amanda Froese
Director of Transportation & Environmental Services

Date: January 26, 2023

Re: Transfer of Bruce Road 23 from Municipality of Kincardine to
County of Bruce

Staff Recommendation:

That a by-law be introduced to establish portions of Bruce Road 23 as public highway within the jurisdiction of the County of Bruce.

Background:

Staff from the Municipality of Kincardine approached County staff requesting that we work together to transfer Bruce Road 23 to the County of Bruce formally. The Real Estate Clerk researched the information at the Registry Office and confirmed that the Municipality of Kincardine is identified as the owner of portions of County Road 23, comprising of 5 PINS (see Figure 1).

County and Kincardine staff are in agreement that the road has been part of the County system for decades and this action will simply clean up the records on title at the Registry Office. The level of service and maintenance activities do not change due to this effort.

The original attempt to register the road was turned down by the Registry Office, citing a lack of documentation that the road was within the County's jurisdiction.

The legal advice received to correct this on title was:

- 1) County of Bruce to pass a by-law regarding the lands and register the bylaw on title of the subject land
- 2) Register an Application General for the subject lands amending the registered Owner name from the Municipality of Kincardine to the County of Bruce.

If this is not accepted, then;

- 1) Register a Change of Name Application for PIN 33303-0025 to amend the registered owner from The Corporation of the Township of Kincardine to The Corporation of the Municipality of Kincardine;
- 2) Register a Transfer from The Corporation of the Municipality of Kincardine to The Corporation of the County of Bruce for PINS: 33303-0025, 33303-0002 & 33293-0001;

- 3) Bruce County will pass a By-Law regarding the lands contained in PINS 33287-0349 and 33293 - 0640 which will be registered on title to the subject lands; 4. Register an Application General - to change name from Public Authority Having Jurisdiction to The Corporation of the County of Bruce for PINS 33287-0349 and 33293 - 0640.

PIN 33287-0349 – Public Authority Having Jurisdiction
PIN 33293-0001 - The Corporation of the Municipality of Kincardine
PIN 33293-0640 – Public Authority Having Jurisdiction
PIN 33303-0025 – The Corporation of the Township of Kincardine
PIN 33303-0002 (Queen St) - The Corporation of the Municipality of Kincardine

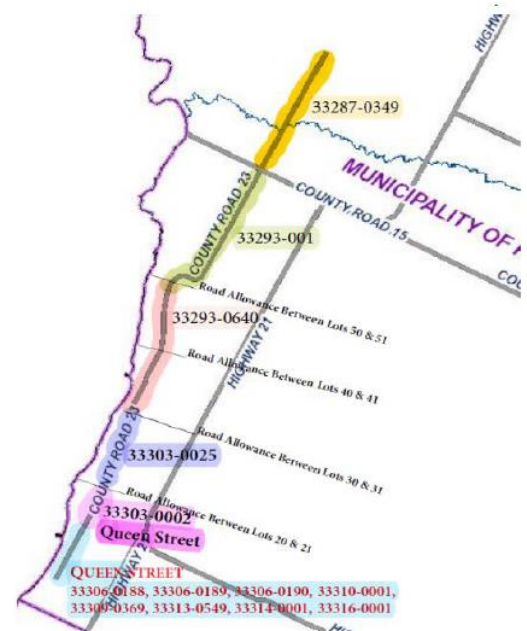


Figure 1

Financial/Staffing/Legal/IT Considerations:

There are no staffing, legal or IT considerations associated with this report. There is a nominal fee for the registration of the by-law at the registry office, and minimal fees for legal work to register as most of the work has been carried out through the Real Estate Clerk.

Interdepartmental Consultation:

The Office of the CAO (Clerk and Real Estate Clerk) worked with the Transportation and Environmental Services Department to determine the appropriate process to complete.

Link to Strategic Goals and Elements:

Goal #5 Eliminate our own red tape.

Element A: All work processes designed for the fewest steps and the easiest completion.

Element E: Focus on the internal and the external customer/client first.

Goal #6 Explore alternative options to improve efficiency and service.

Element B: Develop system for measuring our processes and their successful desired outcome.

Approved for Submission:

Derrick Thomson
Chief Administrative Officer