



Township of North Kawartha

280 Burleigh Street, PO Box 550, Apsley, ON K0L 1A0
Tel: 705-656-4445 | 1-800-755-6931 | Fax: 705-656-4446
www.northkawartha.ca

Report to Council

To: Mayor and Members of Council
From: Matt Aldom, Chief Building Official/By-law Enforcement Officer
Date: July 15, 2025
Subject: Purchase of Unopened Municipal Road Allowance, Eliot Beaubien,
Approval in Principle

Recommendation

That Council provide the applicant approval in principle for the purchase of the unopened municipal road allowance (MRA) including two inland portions of the MRA and two portions of flooded MRA as identified on the provided sketch adjacent to their property located within, Part of Lot 1, Concession 12, Burleigh Ward, having Roll #1536-020-003-12800 and municipally known as 3716 County Road 6.

Background

Township Staff have received a request from Mr. Eliot Beaubien to purchase the portions of the unopened MRA adjacent to the above-described property, as shown in the attached site plan provided by Mr. Beaubien (Attachment #2). As per Mr. Beaubien's letter to Council (Attachment #1), he is seeking to purchase two inland portions of the unopened MRA adjacent to the lake side of his property (labelled "Portion A(1)" & "Portion A(2)" on the provided site plan). These portions of the MRA are adjacent to where a boathouse and dock were located. The purchase of the portions of MRA would permit the owner to have ownership of the lands surrounding his boathouse and providing access to the dock.

Additionally, Mr. Beaubien is requesting to purchase two flooded portions of MRA (labelled "Portion B" & "Portion C" on the provided site plan). Portion B would include a 0.9 metre (3 foot) buffer around the boathouse to allow for maintenance to the boathouse. Portion C would also include a 0.9 metre (3 foot) buffer as well as include an area for future enlargement of the dock. The purchase of these two portions would allow Mr. Beaubien to obtain building permits for the reconstruction of the boathouse and dock without needing to enter into a license of occupation agreement with the Township.



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Analysis

The Township's policy for the sale of unopened MRAs identifies some considerations in assessing requests to purchase MRAs including, but not limited to, the requirement for future use of allowance by the Municipality, the requirement for public access, existing encroachments on municipal lands and sale of flooded lands.

The subject unopened MRA is on the lake side of Mr. Beaubien's property and although the MRA leads to Stony Lake, the portions of the MRA that Mr. Beaubien is requesting to purchase would not be completely cutting off public access to the lake. A portion of the MRA will remain in the ownership of the Municipality which is significant enough to allow for public access and potential future use by the Municipality.

As mentioned previously in the background of this report, the primary reason for the request to purchase the MRA is to allow for the re-construction of the boathouse and dock that encroach on municipal lands as well as access to, and around, the boathouse and dock. Although as a policy the Municipality does not typically sell flooded lands, in this case the sale of the flooded portions of the MRA, as identified as Portion B and Portion C, would be to address encroachments on municipal land.

As an alternative to selling the flooded portions of the MRA, Council may choose to address the encroachments of the boathouse and dock through a license of occupation agreement with Mr. Beaubien. A license of occupation would be for a set time period (typically 10 years) and may be renewed at the end of the licensing period. The license of occupant would require that Mr. Beaubien provide liability insurance and name the Township in the insurance policy. There would also be an annual review of the license of occupation by the Township to ensure there has not been any breach of the agreement and an annual fee associated with the license of occupation would be collected from Mr. Beaubien. The license of occupation would be registered on title of property. Although the license of occupation is an option for Council's consideration, it would require annual staff resources to monitor the agreement and it does not provide a level of comfort to Mr. Beaubien that his boathouse is situated on lands that he owns. There may also be a certain amount of liability on the Township by having the boathouse and dock on Municipal lands.

For this reason, Staff recommend the approval in principle of the sale of the subject portions of unopened MRA to Mr. Beaubien.

Financial Implications

Survey, land and legal costs would be the responsibility of the property owners.



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Strategic and/or Other Plans

County of Peterborough Official Plan, 1990

Strategic Plan, Protect and enhance the environment

In Consultation With

Breeanne Martin, Building & By-Law/Planning Assistant Secretary

Connie Parent, Clerk

John Ewart, Municipal Solicitor

Attachments

Attachment #1 – Request letter to Council from applicant

Attachment #2 – Scaled sketch of portion of unopened municipal road allowance proposed to be purchased