
Meeting Date: June 24, 2025

Submitted by: Alex Bondarenko, Senior Legal Counsel and Chris Traini,
P.Eng., Deputy CAO/County Engineer

Subject: Request to Remove 0.3 m (1 foot) Reserve
11726 Petty Street (County Road 19)

BACKGROUND:

The County of Middlesex occasionally acquires 0.3-meter (1 foot) reserves across properties as a condition of severance applications in an effort to legally control access to County roads. Typically, reserves are used to create shared driveways for new residential development in rural areas or to prevent access along stretches of roadways where these driveways would be unsafe and create hazards to road users in those areas.

ANALYSIS:

In 2020 the County of Middlesex acquired a number of reserves across the frontages of properties along County Road 19 (Petty Street) south of the village of Ailsa Craig as part of the conditions of severance (Notice of Decision B16/2019) for the creation of 4 residential lots with shared driveway accesses. Road widenings and reserves were transferred to the County as part of this initial lot creation process. A copy of GIS mapping showing the initial 4 lots is attached. The original intent of the developer was to demolish the existing home at 11734 Petty Street but since the initial severance a new owner of this property has restored that existing building. The retention of that building made it impractical to create a shared driveway to service the existing home and the newly created lot.

Since that time, the original 'Retained Parcel' from the B16/2019 (outlined in red) severance has been further subdivided into 2 smaller lots through severance consents in Notice of Decision B6/2024 and B7/2024. A copy of GIS mapping showing the 2024 severance is enclosed. As a result, the owner of that parcel submitted a request in the summer of 2024 to the County for the lifting of the applicable reserve to provide legal access to both smaller lots. County staff do not have the authority to lift reserves without the approval of County Council. Council approved that request at its August 13, 2024, meeting.

The owner of the most southerly parcel has approval from North Middlesex to divide this land into two smaller lots. In order to maintain the same total number of driveways the shared driveway originally intended to service the lands to the north needs to be shifted to the new common property line between the newly created lots. The existing reserves need to be modified to allow for the new shared driveway to be constructed without crossing over a 0.3 m reserve.

The owner of the subject lands has requested that the County consider lifting the applicable reserve to provide legal access to both parcels and to accept a transfer of Part 8 on the Draft Plan for the purpose of satisfying Condition #'s 11 and 14 contained in the Notice of Decision B1/2025. A copy of the letter requesting this action from the owner's solicitor is enclosed along with the Draft Plan and GIS mapping.


It is recommended that the reserve be lifted through a transfer of Parts 6 and 7 on the Draft Plan as opposed to through the passing of a By-law deeming said reserves as forming part of County Road 19 as requested by the owner, in satisfaction of Condition #11. It is further recommended that the County accept the transfer of Part 8 on the Draft Plan from the owner as requested, in satisfaction of Condition #14.


FINANCIAL IMPLICATIONS:

None. The owner of the property will be responsible for all legal and survey costs associated with the request to lift the reserve.

ALIGNMENT WITH STRATEGIC FOCUS:

This report aligns with the following Strategic Focus, Goals, or Objectives:

Strategic Priority	Goal	Objectives
<div>Sustainable Infrastructure Development</div> <div></div>	Expand and upgrade critical infrastructure to enhance resilience, efficiency, and accessibility while prioritizing sustainability and long-term cost-effectiveness	<ul style="list-style-type: none">Enhance and maintain road infrastructure to improve connectivity, traffic efficiency, and encourage active transportation, while preserving the unique character of municipal main streets.

Strategic Priority	Goal	Objectives
Adaptability and Agility 	Modernize the County's administrative capabilities to strengthen decision-making, improve service delivery, and achieve better community outcomes	<ul style="list-style-type: none"> • Transform, modernize and continuously improve administrative systems and processes to increase efficiency and enhance the experience of residents and partners. • Strengthen internal administrative capabilities to ensure key support services have the necessary resources to meet community needs and support organizational growth.

RECOMMENDATION:

THAT the request to lift the reserve across a portion of the frontage of 11726 Petty Street (County Road 19) in the Municipality of North Middlesex be approved;

THAT the request to accept a transfer of Part 8 on the Draft Plan by the County be approved;

THAT staff be directed to complete the transfer of Parts 6 and 7 on the enclosed Draft Plan from the County to the owner of 11726 Petty Street (County Road 19) to give effect to the lifting of the reserve for the purpose of a shared driveway access;

AND THAT staff be directed to complete the transfer of Part 8 (1-foot reserve) on the enclosed Draft Plan from the owner of 11726 Petty Street (County Road 19) to the County for the Applicant to comply with Condition #11 of the Notice of Decision.

Attachment