

Staff Report

Presented By: Matt Prentice, Director, Operations
Meeting Date: December 8, 2025
Subject: Easement with Mill Creek Developments Limited
Attachment(s): Draft Reference Plan

Recommendation

That Council authorizes the Director, Operations to negotiate and execute an easement for sanitary wastewater outflow with Mill Creek Developments Limited.

Report Summary

The Town has an unregistered easement for municipal infrastructure over land owned by Mill Creek Developments Limited. It is desirable to maintain this easement, and as a result, an easement agreement is being negotiated with Mill Creek Developments Limited to permit the registration of the easement in the Bruce County Land Registry Office.

Background/Analysis

Mill Creek Developments Limited (“MC Development”) is the registered owner of the property legally described as Part of Lot 12, Concession 3, all of Block F and Part of Blocks A, G and H on Registered Plan No. 47 and Part of Park Lot 22 and Part of Blocks E and H on Registered Plan 111, Town of Saugeen Shores, County of Bruce; being all of PIN 33248-0543 (LT) (“Subject Lands”).

The Town of Saugeen Shores is the registered owner of the abutting lands to the west and operates a Wastewater Treatment Plant on the said lands. Since on or before 1967, the Town has maintained an unregistered sewer easement from its property, crossing over the Subject Lands to the Saugeen River. The location of the municipal infrastructure is identified as Parts 1, 2 and 3 on the draft reference plan attached. Recently, MC Development inquired whether the Town continues to have an interest in the easement, as it is in the process of bringing a Land Titles Absolute Application to the Director of Land Titles and is contemplating future development.

On investigation, there are two outflow pipes located within the easement area (Parts 1, 2 and 3 on Figure 2), one pipe flows to Mill Creek and the other pipe flows to the Saugeen River. The

purpose of this infrastructure is to provide an outflow for the Town's wastewater treatment plant. Staff have determined that preserving the easement is necessary at this time, and as a result, it is recommended that the Town enter into an easement agreement related to Parts 1, 2 and 3 on the draft reference plan, which will be finalized and registered on title to MC Development's lands.

The easement agreement will include the standard wording for easements and provide the following:

- The term of the easement is indefinite;
- The Town, and its employees, agents, representatives are permitted to access the easement area for the purposes of construction, maintenance, repair and replacement of the municipal infrastructure;
- The Town's access and easement will be unobstructed; and,
- Any other terms that may be recommended by the Municipal Solicitor to protect the Town and its infrastructure.

Linkages

- Strategic Plan Alignment: Pillar 1: Meeting the Needs of a Growing Community
- Business Plan Alignment: Operations Business as Usual

Financial Impacts/Source of Funding

Cost associated with this program are contained within the existing budget.

Prepared By: Tammy Grove, Municipal Solicitor

Reviewed By: Matt Prentice, Director, Operations

Approved By: Kara Van Myall, Chief Administrative Officer