



Municipality of the District of Argyle

Item: Agreement to access property - Belleville

Date: December 9, 2019

VISION

We see Argyle as home to a healthy and thriving rural population. Our municipality promotes and supports economic and social opportunities for the region and engages in the active expression of our unique Acadian heritage. We are a place of choice for rural living and are widely recognized for our warm hospitality and joie de vivre. Surrounded by fresh air and cool ocean breezes, we work and play in the great outdoors. People choose to live in Argyle because of our commitment to each other, to our community and to our neighbors. Argyle is a place we are proud to call home.

Background:

As part of Recreation's work on improving walkability in our municipality, an opportunity was developed that requires Council approval.

An agreement has been drafted allowing the municipality access to a property across from Ecole Belleville School, that will allow safer access from the school to the multiuse trail near the school.

The agreement is a license agreement between the owners Hubert and Phyllis Pothier and the municipality. A license agreement is a temporary agreement to access property, and, unlike a Right of Way, can be taken away at any time by the owner. Subsequent to accessing the property through this agreement, a small path would be cut out allowing access to the multiuse trail. The distance from the property to the trail is quite short, possibly 200 meters. The owner is showing great interest in this small project that should result in improved walkability and safety. The draft agreement is attached for your reading.

MGA considerations:

Municipalities may enter such legal agreements, and in most cases, the CAO may enter these agreements on behalf of Council, depending if Council has delegated that authority by policy.

CAO's Recommendation:

The owner wishes to pass along responsibility to the Municipality for insurance purposes, which is appropriate in these circumstances. Access is to all public not only students at the school.

Costs to maintain are expected to be minimal and well within our recreation departments existing budget levels.

Recommend that Council give permission for the CAO to sign on behalf of council, pending legal advice.

Suggested motion:

That the CAO obtain legal advice, and be given authority to sign the license agreement between the Municipality and Hubert and Phyllis Pothier for access to PID 90049032 on Belleville Road