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Public Hearings Committee – November 04, 2025

Subject: Proposed Closure and Conveyance of Part King Street South,
Plan 139, Norfolk County
Report Number: CDS 25-076
Division: Community and Development Services
Department: Realty Services
Ward: Ward 4
Purpose: For Public Meeting

Recommendation(s):

That Report CS 25-076, Proposed Closure and Conveyance of Part King Street South, Plan 139, Norfolk County, be received as information;

And Further That any comments received as part of the Public Hearings Committee meeting, in addition to those already received, be considered in a future recommendation staff report.

Executive Summary:

The purpose of this report is to provide Council with information to consider the proposal to declare the unopened portion of Part King Street South, Plan 139, Norfolk County, surplus to municipal needs, to authorize the closure, and approve the conveyance of same to the abutting property owners.

This report is presented as part of the requirement under Policy EBS-22: Permanent Road Allowances, Lanes and Alleys Closure. A subsequent report will be brought forward containing a recommendation.

Discussion:

Norfolk County received an application from the solicitor for Kevin and Anne Gosse for the closure and conveyance of a portion of the road allowance adjacent to their property, as shown in red on the attached mapping. The cottage that currently exists on the property was built in 1933 and has been in their family for many generations. The cottage and surrounding lands, including the requested portion of the unopened road allowance, has been occupied and maintained by the applicants since the construction of the cottage. They are now requesting to formalize their interest in this portion of the road allowance by obtaining ownership.

As the unopened road allowance abuts the shoreline of Lake Erie, staff reached out to the Ministry of Natural Resources (the “MNR”) to obtain consent for the disposition of the lands. The MNR responded that it has no interest in the subject lands and consented to this portion of road allowance being conveyed to the applicants as adjoining property owners. Staff note that after many years of shoreline erosion, the shoreline now sits within the limits of the County road allowance. The conveyance will only include the portion of road allowance up to the water’s edge at the time of the procurement of the Reference Plan.

Merger of Lands:

Policy EBS 22: Permanent Road Allowances, Lanes and Alleys Closure requires that the conveyance of any road allowance, lane or alley merge in title with the abutting owner’s property as it is not intended to create a separate lot. Realty staff will ensure that the necessary steps are taken to facilitate the merger of the road allowance with the applicants’ existing parcels.

Policy Exemption

Policy EBS-22: Permanent Road Allowances, Lanes & Alleys Closure states that a request to close and convey a road allowance, lane or alley will not proceed if: (f) the parcel of land leads to or abuts any body of water.

As this is a unique circumstance, staff are recommending that Council provide an exemption to the policy to close and convey the subject lands to the adjacent property owners. Staff have obtained confirmation from the Ministry of Natural Resources for our records that it consents to the conveyance of the road allowance to the adjoining property owners.

Valuation:

Staff Report CS 21-70 established the following valuations for the sale of road allowances, streets, lanes and alleys:

A predetermined valuation based on the geographic location of the road allowance, street, lane and alley sale request is set out below:

a. Rural location

\$12,000 to \$18,000 per acre (workable land) *

Staff is recommending a valuation of \$13,000 per acre, being more reflective of current market values

b. Urban location

\$1.07 per sq. ft. (\$46,609.20 per acre) to \$3.76 per sq. ft. (\$163,785.60 per acre)

Staff is recommending a valuation of \$2.00 per sq. ft. (\$87,120 per acre), being a reasonable increase and more reflective of current market values

c. Unique locations and/or situations (i.e. waterfront area, etc.)

With unique properties or situations, located within rural or urban locations, the County would reserve the right to review each road allowance, street, lane and alley sale request on a case by case basis in regards to the valuation to be applied, and seek an appraisal where it is deemed necessary. The cost of the appraisal would be the responsibility of the applicant(s).

As noted above, according to Policy EBS-22 and Staff Report CS 21-70, the County reserves the right to review each road closure on a case by case basis in regards to the valuation to be applied. Given the uniqueness of this location due to its proximity to the water's edge of Lake Erie, staff will be obtaining a Narrative Appraisal Report for the subject lands to set the valuation.

In addition to the cost of the land, all associated costs incurred by the County for the sale of part of the road allowance is the responsibility of the applicants.

Interdepartmental and External Comments:

County departments were circulated for comments or objections to the closure and conveyance of the road allowance and no concerns were received.

External service providers were also circulated with respect to the closure and conveyance of the road allowance and again, no concerns were received.

Regard for Public Input:

The proposed closure and conveyance of Part King Street South, Plan 139, Norfolk County was advertised in the local newspaper and on the Norfolk County website throughout the period of October 13th to 31st, 2025. At the time of the writing of this report, no inquiries/objections were received by Realty Services.

Consultation(s):

Chief Administrative Officer
General Manager, Community and Development Services
Treasurer/Director, Financial Management and Planning

Strategic Plan Linkage:

This report aligns with the 2022-2026 Council Strategic Priority Serving Norfolk - Ensuring a fiscally responsible organization with engaged employees who value excellent service.

Explanation: The direction that Council provides with respect to the requested closure and conveyance of the road allowance will assist Council in meeting its priority initiatives in “Serving Norfolk” by divesting itself of assets that are no longer strategic for the County’s long-term needs assuring oversight and accountability for the County’s finances.

Conclusion:

Declaring the portion of Part King Street South, Plan 139, Norfolk County surplus to municipal needs and authorizing the closure and conveyance of same to the adjoining property owners will allow the County to divest itself of lands that are of no significance to the County’s present or future needs.

Attachments:

GIS Mapping

Click or tap here to enter text.

Approval:

Approved By:
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