



Staff Report

Council Meeting Date: June 9, 2025

Subject: Easement Agreement – Knapp – 187 Balaklava Street

Report from: Emily Dance, Chief Administrative Officer

Attachments: May 27 2025 GSS Engineering Consultants Ltd Correspondence

Recommendation

Be It Resolved that Council hereby approves Report PLAN-2025-01;

AND approves entering into an Encroachment Agreement with IWBE Rentals Incorporated c/o Rick Knapp to ensure long-term access and maintenance of the storm sewer;

AND FURTHER authorizes the appropriate By-law coming forward.

Background

On September 9, 2024, the Committee of Adjustment for the Municipality of Arran-Elderslie approved a [minor variance](#) for IWBE Rentals Incorporated c/o Rick Knapp to facilitate the development of a five-unit townhouse at 187 Balaklava Street in Paisley.

The approved variance allowed:

- Increasing total lot coverage from 40% to 44%
- Reducing the rear yard setback from 7.5 m to 3.0 m
- Reducing the interior side yard setback from 7.5 m to 4.5 m
- Reducing the exterior side yard setback from 7.5 m to 6.0 m
- Increasing permitted yard encroachments for 10 patios from 1.5 m to 1.8 m
- Permitting direct access to parking spaces from the road, contrary to the by-law requirement for access via a maneuvering aisle for cluster townhouses

As a condition of approval, a stamped, engineered stormwater management plan be submitted and approved by the Municipality's engineer prior to the issuance of a building permit, at the owner's expense.

Analysis

There have been multiple communications between the Developer's Engineer and the Municipal Engineer to find a solution to satisfy the requirements of the Minor Variance.

Our Municipal Engineer, Rakesh Sharma GSS Engineering Consultants analyzed the storm sewer system on Balaklava St., after exposing the buried manhole at the intersection of Duke and Balaklava. The analysis showed that there is spare capacity available in the existing storm sewers to accommodate the runoff from the proposed development and provided direction for revisions to the storm water management plan.

As noted in the attached correspondence, the developer must transfer the easement of this storm sewer to Arran-Elderslie to maintain.

Staff support the recommendation for an easement agreement to ensure long-term access and maintenance of the infrastructure. This agreement must be executed to the satisfaction of the Municipality and passed by By-law prior to final approval of the stormwater management plan.

Staff recommends entering into an easement agreement with IWBE Rentals Incorporated c/o Rick Knapp in order to allow the development to proceed.

Link to Strategic/Master Plan

6.1 Protecting Infrastructure, Recreation and Natural Assets

Financial Impacts/Source of Funding/Link to Procurement Policy

In accordance with the Municipal Fees and Charges By-law, the encroachment agreement fee is \$750, with the applicant responsible for any associated legal and professional consultant costs.

Approved by: Emily Dance, Chief Administrative Officer