



Report to Council

Department: Office of the CAO
Division: Office of the CAO
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Report Number: Office of the CAO-2022-01
Subject: Town of Essex Support to ERCA for the Acquisition of the Abandoned CASO Line
Number of Pages: 6

Recommendation(s)

The following two (2) recommendations are provided for Council's consideration:

1. That Community Services Report 2022-05 entitled "Town of Essex Support to ERCA for the Acquisition of the Abandoned CASO Line" be **received**; and further
2. That Council **approve** a financial commitment to ERCA towards the acquisition of the CASO line for the Town of Essex portion of the line in the amount \$28,553, and the funds for the Town's commitment come from the Land Surplus Reserve account

Purpose

The purpose of this report is to provide background on the intended acquisition of the abandoned Canada Southern Railway Company (CASO) rail line corridor in the County of Essex by the Essex Region Conservation Authority (ERCA) and recommend that the

Town of Essex make a commitment to assist ERCA and other partners in the purchase of the corridor.

Background and Discussion

The former CASO rail line in Essex County ceased operations by CN Rail and CP Rail approximately 15 years ago (see Appendix A). Railway ties, steel rails, and other equipment were removed from the property approximately 7 years ago and the property has since been left to naturalize. The property within Essex County is approximately 43 kilometers long and the average width is 27.4 Meters (90 feet).

The opportunity to convert the abandoned CASO rail line into an off-road multi-use path (or greenway) was first identified in the 2012 CWATS Master Plan. This line begins outside the Windsor boundary at 8th Concession Rd, passes through the municipalities of Tecumseh, Essex, and Lakeshore and connects with an existing greenway in Chatham-Kent. Converting the CASO line into an active transportation corridor would provide an extensive multi-use trail loop throughout the County by connecting the existing Chrysler Canada greenway, the Cypher Systems greenway, the Leamington-Comber greenway, and the Trans Canada Trail in Chatham-Kent.

The corridor is included on the province-wide Cycling Network as a proposed off-road multi use path and represents a significant opportunity to develop another prime cycling and recreational trail in the County of Essex and to support the objectives of CWATS. An off-road multi use path connecting the municipalities of Essex, Tecumseh, Lakeshore and Chatham-Kent would be an exceptional tourism asset for the region and a unique feature of the CWATS network.

Since 2012, the Essex Region Conservation Authority (ERCA) has been in discussion with CN and CP Rail regarding the purchase of this rail corridor for use as an active transportation corridor.

ERCA has approached the County of Essex, the Town of Essex, the Municipality of Lakeshore, and the Town of Tecumseh to partner with them to purchase the corridor. All municipalities have expressed interest through the CWATS Committee to continue the discussions and a desire for the CASO rail line to become a greenway used for active transportation purposes.

The long-term value of this linear corridor to the Town of Essex and its residents for both recreational uses and economic development resulting from cycling tourism is significant.

In the past CN and CP Rail were Federal Rail companies and were willing to sell rail corridors to ERCA for a nominal fee. This is how the Chrysler Canada Greenway, and the Cypher Systems Group Greenway were acquired. The Rail Companies are now public companies and unwilling to sell the corridor for a nominal fee. Through preliminary negotiations with CN and CP, ERCA was informed that CN and CP would be agreeable to a reduced purchase price less than the appraised price. CN and CP also made it clear that the property purchase would be “as-is” and Essex Region Conservation Authority would be responsible for any environmental testing and remediation if necessary.

ERCA is pursuing support from the County of Essex and municipalities that the CASO line dissects. Discussions with the County, the Town of Essex, the Municipality of Lakeshore, and the Town of Tecumseh are proceeding based on proposed costs associated with the percentage of the CASO Rail Line area that exists within each municipality. These costs may be subject to change when property title searches are undertaken, and purchase agreements are finalized.

The percentage of the CASO trail that would run through the Town of Essex is approximately 17.9 acres or 6% of the total trail within Essex County. The trail within the Town of Essex would run from County Road 23 (Naylor Side Road) to County Road 8 (Maidstone Ave) which would be approximately 2.9 kms. ERCA would own the majority of the property and would be responsible for the construction, maintenance, and

insurance of the property. ERCA representatives have verbally committed to work with each municipality on their section of trail and potential additional agreements between the parties.

Financial Impact

ERCA has provided an estimate of what each municipalities contribution would be, and Administration is recommending that the Town of Essex make a financial commitment for their portion of the trail in the amount \$28,553 towards the acquisition of the CASO line but also to recognize the significance of these lands as part of the regional CWATS network. Administration recommends that the \$28,553 contribution be funded from the Land Acquisition Reserve account. It is anticipated that this transaction will occur in 2022 fiscal year, but there is the possibility that they occur in the 2023 fiscal year depending on the timing of sale.

Consultations

ERCA

County of Essex

Director of Corporate Services

Link to Strategic Priorities

- Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.