

<b>TO:</b>	<b>CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE  MEETING ON JANUARY 21, 2014</b>
<b>FROM:</b>	<b>MARTIN HAYWARD MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER</b>
<b>SUBJECT:</b>	<b>DECLARE SURPLUS CITY OWNED PROPERTY – 575 FRANKLINWAY GATE</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Manager of Realty Services, with respect to a portion of the vacant City owned property, municipally known as 575 Franklinway Gate, described as Concession 5, Part Lot 10, Plan 1028, Part Lot 20, Plan EER14204, Parts 1 and 2, measuring approximately 21' X 188' (6.4m x 57.3m), containing an area of approximately 3,948 square feet (366.78 square meters), the following actions be taken:

- a) the subject property **BE DECLARED SURPLUS**; and
- b) the subject property **BE OFFERED** for sale to the abutting property owners at fair market value, failing which it will be tendered for sale in accordance with the Sale and Other Disposition of Land Policy.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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None

<b>BACKGROUND</b>
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Official Plan:	Low Density Residential
Zoning:	R1-14
Area:	3,948 square feet
Site Description:	Former Access Pathway to Environmentally Sensitive Area (ESA) Lands described as a non-viable parcel between 569 Franklinway Gate and 581 Franklinway Gate

The subject land has served as a pathway in order to allow access to the Medway Valley Heritage Forest ESA-North at the rear of the Franklinway Gate subdivision. The land also serves the purpose of allowing access to the storm sewer which runs directly through the property.

An internal liaison process has concluded that no Civic need exists for the subject property, other than the need for access to the property for storm sewer maintenance. With recent development around the subject property, the Parks Planning Division has had another access pathway secured which will allow access to the Medway Valley. As a result it is no longer necessary to retain the access pathway at 575 Franklinway Gate.

Any future disposition of these lands will be subject to an easement in favour of the City associated with an existing storm sewer.

The two abutting property owners have expressed an interest in acquiring an equal portion of the subject lands, which will alleviate the City from all maintenance costs and liability associated with the upkeep of the land.

The original parcel will be severed, creating two new parcels and both parcels will be encumbered by a storm sewer easement in favour of the City. Considering the property will be encumbered by an easement and no buildings will be permitted, the highest and best use of the property is a site amalgamation with the adjoining residential properties and used for greenspace.

This disposition is subject to the completion of a reference plan at the expense of the purchaser(s). Legal expenses for the conveyance are also to be at the expense of the purchaser(s).

**Conclusion**

The property is surplus to the needs of the City and should therefore be declared surplus and subsequently sold to the abutting property owners at fair market value in keeping with the Sale and Other Disposition of Land Policy.

A location map is attached for the Committee's information.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>CAMERON BAZILLI PROPERTY APPRAISER &amp; NEGOTIATOR</b>	<b>BILL WARNER MANAGER OF REALTY SERVICES</b>
<b>RECOMMENDED BY:</b>	
<b>MARTIN HAYWARD MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER</b>	

December 9, 2013  
Attach.

File No. P-2376

cc: David G. Munteer, Solicitor

### Location Map



