

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON MAY 19, 2015
FROM:	MARTIN HAYWARD MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER
SUBJECT:	DECLARE SURPLUS CITY OWNED PROPERTY – PART OF UNOPENED ROAD ALLOWANCE ON REGISTERED PLAN 48(C) LYING NORTH OF CPR

RECOMMENDATION

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager, Realty Services, with respect to a portion of the vacant City owned property, described as Part of the unopened road allowance as shown on Registered Plan 48(C), also described as Parts 1, 2 and 3, Plan 33R-19116, containing an area of approximately 0.822 acres (0.333 ha), 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 in accordance with the Sale and Other Disposition of Land Policy.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

Closing Part of the Unnamed Road Allowance on Sarnia Road – Civic Works Committee meeting on November 3, 2014

BACKGROUND

Municipal Council, at its session held on November 11, 2014, approved the closing of part of the unnamed road allowance on Registered Plan 48(C) lying north of the Canadian Pacific Railway. Council also authorized the City's Chief Surveyor to start the process of legally closing that portion of the road allowance by by-law. Going forward, Realty Services is in the process of negotiating at market value a purchase and sale agreement with the road closing applicant, 905 Sarnia Road Inc.. The purpose of this report is to obtain Council's approval to have the road allowance, excluding that part comprising Reeves Avenue, declared surplus, thereby enabling the surplus portions to be conveyed to the applicant for the purpose of incorporating these lands into a proposed subdivision development.

Official Plan: Low Density Residential

Zoning: UR3 and ER

Area: 0.822 acres (0.333 ha)

Site Description: a 33 foot (10.058 m) wide unnamed road allowance that extends north from the CPR to the south limit of a residential subdivision registered as Plan 33M-585.

The lands immediately east of the roadway and north of the CPR have recently undergone residential development by Mountainview-Kenmore Ventures Inc. as 33M-597, which involved constructing Reeves Avenue over part of the unnamed road allowance. The road closing applicant, 905 Sarnia Road Inc., plans to develop the vacant lands on the west side of the road allowance north of the CPR.

As the City desires to deal with one applicant for road closure and conveyance, it has asked 905 Sarnia Road Inc. and Mountainview-Kenmore Ventures Inc. to enter into an agreement to exchange certain lands, including portions of the closed road to be purchased by 905 Sarnia Road Inc., to ensure that blocks on both sides of the closed road are combined to form buildable lots. The two parties have entered into an agreement acceptable to the City and the applicant desires to proceed with the land sale.

With Council's approval of declaring the lands surplus, the road being closed and the City reaching a sale agreement approved by Council, the portions of the road allowance to be conveyed are to be incorporated into the plan of subdivision proposed by 905 Sarnia Road Inc.. As per the exchange agreement between the developers of adjoining lands, they will ultimately form part of Sandbar Street, Lawson Road and a number of blocks in the proposed subdivision that will be assembled with blocks on Plan 33M-597 into buildable lots. In addition, the City is to receive by dedication through the subdivision approval process, but not as part of the 5% parkland dedication clause in the subdivision agreement, a portion of the road allowance lying between the future Sandbar Street and the CPR, which is intended to be used as a multi-purpose park pathway link.

Conclusion

The unnamed, untraveled road allowance lying north of the CPR, excluding that portion comprising Reeves Avenue, is not publicly travelled and is surplus to the City's needs. Since the surplus portion of the road allowance lying north of the CPR serves no public purpose, it is recommended the surplus portion of the road allowance be declared surplus and sold to the abutting property owners at fair market value in keeping with the Sale and Other Disposition of Land Policy.

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

PREPARED BY:	SUBMITTED BY:
CHARLES ABROMAITIS SENIOR PROPERTY APPRAISER & NEGOTIATOR	BILL WARNER MANAGER, REALTY SERVICES
RECOMMENDED BY:	
MARTIN HAYWARD MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER	

May 6, 2015
Attach.

File No. P-2436

cc: Gary Irwin, Division Manager, Chief Surveyor, Geomatics
David G. Munteer, Solicitor, City Solicitor's Office
Bill Warner, Manager, Realty Services

Location Map and Site Plan

