

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee

From: Anna Lisa Barbon, Managing Director, Corporate Services and
City Treasurer, Chief Financial Officer

Subject: Declare Surplus - Portion of City Owned Property
2846 and 2870 Tokala Trail

Date: April 19, 2021

Recommendation

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to a portion of City owned land, being part of an undedicated road allowance fronting on 2846 Tokala Trail, closed and designated as Parts 4, 6, 8, 9, and 20, Plan 33R-17911, the following actions be taken:

- a) the subject property **BE DECLARED SURPLUS**; and,
- b) the subject property (“Surplus Lands”) **BE TRANSFERRED** to the abutting property owner, in accordance with the City’s Sale and Other Disposition of Land Policy.

Executive Summary

This report recommends that a portion of the City owned undedicated road allowance fronting on 2846 Tokala Trail be declared surplus and conveyed to the abutting owner for nominal consideration.

Linkage to the Corporate Strategic Plan

Municipal Council’s 2019-2023 Strategic Plan identifies “Building a Sustainable City” and “Growing our Economy” as strategic areas of focus.

The recommendation in this report will support the forementioned strategic areas by declaring the subject land surplus and transferring ownership to the abutting owner, generating revenue from the sale, and by eliminating the maintenance costs and liability risks associated with the City owning a parcel of land that is no longer useful to the City through the City’s Sale of Other Disposition of Land Policy.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None

1.2 Summary

2846 Tokala Trail is located in the northwest part of the City, between Fanshawe Park Road and Sunningdale Road West in proximity to Hyde Park Road. The vacant subject lands were transferred to the City for the Dalmagarry Road allowance in the early

stages of area development including a reserve. More recently, the reserves were “created” by Reference Plan 33R-17911 out of the land intended for the road allowance in order to properly form the roundabout which resulted in the creation of the remnant orphan parcels. The Tokala Trail road allowance has since been formally dedicated as public highway.

Options to provide final disposition to the orphaned parcels were discussed with Development Services. Surplus declaration was determined to be the appropriate option from a planning perspective. The abutting owner is the former owner and in consideration of the former owners having dedicated the land as part of a previous development application, the lands will be transferred back to the former owner for nominal consideration.

2.0 Discussion

On January 19, 2021 Realty Services was contacted by Geomatics and Development Services to examine surplus declaration of the subject property. The legal representative of the abutting owner, Foxwood Developments (London) Inc. reached out to see if they would be able to acquire the subject lands to ensure road access in the context of future development.

The City Sale and Other Disposition of Land policy under Section 4 Methods of Sale allows for the disposition of lands to abutting property owners through direct negotiation.

The area of the lands to be declared surplus is minor in nature and approximates 70.4 square meters or 758 square feet.

3.0 Benefits to the City

As part of the transfer of the lands to the abutting owner, revenue may be generated to the City as part of the sale and in accordance with fair market value principles, transferring the lands will eliminate potential liability and ongoing maintenance with the lands.

4.0 Financial Impact

There are no significant cost implications to the City to declare this property surplus and transfer ownership to Foxwood Developments (London) Inc. Foxwood Development (London) Inc. will be responsible for their own costs in terms of due diligence, legal and conveyancing costs.

Conclusion

The vacant subject parcel of land that comprises the reserves were transferred to the City for the Dalmagarry Road allowance in the early stages of area development. More recently, the reserves were “created” by Reference Plan 33R-17911 out of the land intended for the road allowance in order to properly form the roundabout which resulted in the creation of the remnant “orphan” parcels, being Parts 4, 6, 8, 9, and 20, Plan 33R-17911.

The Tokala Trail road allowance has since been formally dedicated as public highway.

The benefits in declaring the lands surplus include releasing the City from lands which presently serve no utility, release of liability and maintenance and generating some revenue as part of the transfer.

It is therefore recommended that the subject property be declared surplus and transferred to Foxwood Developments (London) Inc. for nominal consideration in accordance with the City's Sale of Other Disposition of Land Policy

A Location Map of the subject property is shown as Appendix A.

A Reference Plan detailing the subject site and parts to be conveyed is shown as Appendix B.

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Recommended by: Anna Lisa Barbon, Managing Director, Corporate Services and City Treasurer, Chief Financial Officer

cc: Gary Irwin, Division Manager and Chief Surveyor, Geomatics
Sachit Tataavarti, Solicitor
Michael Pease, Manager, Development Planning

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Appendix A Location Map



