

## Report to Corporate Services Committee

**To:** Chair and Members  
Corporate Services Committee

**From:** Anna Lisa Barbon, Deputy City Manager, Finance Supports

**Subject:** Declare Surplus - City Owned Property  
Part of 108 Clarke Road

**Date:** November 28, 2022

## Recommendation

That, on the recommendation of the Deputy City Manager, Finance Supports, on the advice of the Director, Realty Services, with respect to City owned property legally described as Part Lot 17, Plan 761 designated as Parts 1, 2, 5 and 6, Plan 33R-11453, S/T Ease over Parts 1 and 2, Plan 33R-11453 as in LT361005; London Township and Part Lot 18, Plan 761 designated as Parts 9 and 10, Plan 33R-11453 London Township, known municipally as 108 Clark Road, 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 in exchange for lands required for road widening along Clarke Road.

## Executive Summary

This report recommends that a portion of the City owned land along Clarke Road be declared surplus and disposed of in accordance with the City's Sale and Other Disposition of Land Policy.

The abutting owner of 112 Clarke Road (U-Haul Company (Canada) Limited) currently licences the subject property from the City for use as outdoor storage and operations. The subject property would assist the owner in completing expansion plans for their business and it would potentially make their lot more viable. The subject property is a portion of a regular interior land parcel located on the east side of Clarke Road north of Gore Road (Location Map - Appendix A) and is no longer required for a municipal purpose.

## 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.

### Strengthening our Community

- Londoners have access to the services and supports that promote well-being, health, and safety in their neighbourhoods and across the city
- London's neighbourhoods have a strong character and sense of place

### Building a Sustainable City

- Londoners can move around the city safely and easily in a manner that meets their needs
- Build infrastructure to support future development and protect the environment

The recommendation in this report will support the aforementioned strategic areas by declaring the subject property surplus as the first step in ultimately transferring ownership to the abutting owner.

A property inquiry liaison report was circulated and no objections were raised. The land will be disposed of in accordance with the City's Sale and Other Disposition of Land Policy.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

None

#### 1.2 Summary

Part of Clarke Road adjacent 112 Clarke Road is located north of Gore Road and is legally described as Part Lot 17, Plan 761 designated as Parts 1, 2, 5 and 6, Plan 33R-11453, S/T Ease over Parts 1 and 2, Plan 33R-11453 as in LT361005; London Township and Part Lot 18, Plan 761 designated as Parts 9 and 10, Plan 33R-11453 London Township, known municipally as 108 Clark Road.

The subject property is a square shaped parcel, approximately 0.52 acres in size. The land is currently part of the City's right of way and is zoned as RSC - restrictive service commercial zone. The subject parcel is located beside 112 Clarke Road and is surplus to the municipal needs of the City. A strip of the lands owned by the City will be retained for road widening.

The abutting owner reached out to Realty Services stating an interest in purchasing the subject parcel as it would assist the owner in completing expansion plans for their business and it would potentially make their lot more viable as their property surrounds the subject property.

The lands will be transferred to the abutting owner at fair market value in accordance with the City's Sale and Other Disposition of Land Policy in exchange for a road widening along the owner's property from 112 Clarke south to the rail line subject to a negotiated outcome which is identified in the Location Map - Appendix A.

### 2.0 Discussion

Earlier in 2022, Realty Services was contacted by the property owner of 112 Clarke Rd in advance of the 2023 licence renewal to see if they would be able to acquire the subject land from the City rather than renew the licence agreement.

The City's 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 is 0.45 acres in size net of lands to be retained by the City.

### 3.0 Benefits to the City

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

well as accomplish the acquisition of municipally desired road widening requirements for nominal consideration.

**4.0 Financial Impact**

There are no significant cost implications to the City to declare the property surplus and transfer ownership to the owner of 112 Clarke Rd in accordance with the City’s Sale and Other Disposition of Land Policy. The area of land to be exchanged is close to a 1:1 ratio. Any remainder will be compensated by using fair market value principles and is subject to valuation of the respective lands contemplated for exchange.

**Conclusion**

The subject land subsequent to a liaison process are surplus to the needs of the municipality net of lands to be retained.

The benefits in declaring the subject land surplus include releasing the City from liability and maintenance, generating potential future revenue as part of the transfer, and gaining a road widening at nominal cost subject to the negotiated terms of a future agreement.

It is therefore recommended that the subject property be declared surplus and transferred to owner of 112 Clarke Road in accordance with the City’s Sale and Other Disposition of Land Policy

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

<b>Prepared by:</b>	<b>Bryan Baar, Manager II, Realty Services</b>
<b>Submitted by:</b>	<b>Bill Warner, Director, Realty Services</b>
<b>Recommended by:</b>	<b>Anna Lisa Barbon, Deputy City Manager, Finance Supports</b>

cc: Gary Irwin, Division Manager and Chief Surveyor, Geomatics  
Sachit Tataavarti, Solicitor

## Appendix A Location Map – Area to be Declared Surplus

- *The subject land is outlined in red.*
- *Area to be retained by the city outlined in green.*
- *Area to be exchanged outlined in blue.*

