

The Corporation of the City of Kawartha Lakes

Committee of the Whole Report

Report Number RS2019-016

Date: March 19, 2019
Time: 1:00 p.m.
Place: Council Chambers

Ward Community Identifier: 2

Title: Proposed Surplus Declaration and Sale of City – Owned Property – Part of Blk D on Plan 386 and Part of Road Allowance between Lots 18 and 19, Concession 2 – River Road

Author and Title: Christine Oliver, Law Clerk – Realty Services

Recommendations:

That Report RS2019-016, Proposed Surplus Declaration and Sale of City – Owned Property – Part of Blk D on Plan 386 and Part of Road Allowance between Lots 18 and 19, Concession 2– River Road, be received;

That a portion of the City-owned property legally described as Block D on Plan 386 (PIN: 63119-0232 [LT]) and Part of the Road Allowance between Lots 18 and 19 Concession 2 (PIN: 63119-0195 [LT]), in the Geographic Township of Somerville, City of Kawartha Lakes, be declared surplus to municipal needs;

That Council support the closure of part of the road allowance and a direct sale of municipal property to the abutting landowner be supported, in accordance with the provisions of By-Law 2018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale;

That staff be directed to commence to process to stop up and close the said portion of the road allowance;

That a by-law (with any amendments deemed necessary) to close the road and authorize its disposition shall be passed;

That the Mayor and Clerk be authorized to sign all documents to facilitate the conveyance of the lands;

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

That the net proceeds of the sale of the shoreline road allowance be placed into the Property Development Reserve;

That the net proceeds of the sale of Part of Block D on Plan 386 be placed into the Parkland Reserve, pursuant to the provisions of the Planning Act; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Background:

The subject property was reviewed by the Land Management Committee at their meeting held on March 12, 2018.

The Land Management Committee was supportive of the subject property being advanced to Council for consideration as surplus land with road closure and direct sale to the abutting land owner being 90 River Road, in the Geographic Township of Somerville, City of Kawartha Lakes.

Public Notice advertising the potential surplus declaration and sale of the subject property was completed by newspaper circulation in the Kawartha Lakes This Week on the 14th, 21st and 28th days of February, 2019. In addition, a “Potential Surplus Property” sign was posted on the subject property and posted on the City of Kawartha Lakes website for the duration of the three week advertising period.

During that period, and to the date of the authoring of this Report (March 6, 2019), Realty Services did not receive any concerns from the public with respect to this proposed disposition.

Appendix A is a map showing the general area of the subject property, Appendix B is an aerial photo of the subject property, and Appendix C is a map of the subject property.

The purpose of this report is to recommend that the subject property with road allowance be declared surplus to municipal needs, as well as stop up and close the road allowance, and that approval be given, in principle, for disposition in accordance with City of Kawartha Lakes By-Law 2018-020, as amended.

Rationale:

Initial Records and Registry searches have been conducted and there are no restrictions noted on title which would prevent the City from selling the subject property. The subject property is vacant land and would require an easement in favour of Hydro for existing infrastructure.

The subject parcel (Part of Block D on Plan 386) was transferred to the Corporation of the Township of Somerville from S. J. Glenn Bird and Charles F. Riley pursuant to the requirements of the Township of Somerville consenting to the registration of a Plan of Subdivision.

Other Alternatives Considered:

Council could refuse to close and convey the parcel and road allowance and derive no financial benefit. That would be inconsistent with past practice and is not recommended in this circumstance.

Financial/Operation Impacts:

The parties will be asked to enter into a conditional Agreement of Purchase and Sale with a non-refundable \$1,000.00 deposit to cover initial road closing costs. The price for an interior road allowance was established by By-Law 2018-020, as amended, and is set at \$15.00 per linear foot (based on a 66 foot width). Additionally, fair market value for the vacant portion of land (Part of Block D on Plan 386) will be obtained and based on appraised value. All costs of the transaction, plus a \$1,500.00 fee to cover the City's staff time expenses will be paid for by the purchasers.

As the vacant property (Part of Block D on Plan 386) was conveyed to the City upon registration of the subdivision agreement pursuant to the Planning Act, the net funds from that portion of the transfer are required to be placed into the Parkland Reserve. The balance will be placed in the Property Development Reserve.

Relationship of Recommendations To The 2016-2019 Strategic Plan:

This report aligns with the strategic goal of a “vibrant and growing economy” and the strategic enabler of “efficient asset management.”

Consultations:

Land Management Committee
Land Registry Office
Planning – Maps

Attachments:

Appendix A – General Location Map



Appendix A - General
Location Map.jpg

Appendix B – Aerial Photo



Appendix B - Aerial
Map -AS.jpg

Appendix C – Map



Appendix C - Map -
AS.pdf

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Department File: L06-18-RS014