

# The Corporation of the City of Kawartha Lakes

## Council Report

Report Number RS2019-020

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**Date:** April 23, 2019  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** 1

**Title:** Proposed Surplus Declaration, Closure and Sale of Shoreline Road Allowance adjacent to 76 Fulsom Crescent, Carden

**Author and Title:** Laura Carnochan, Law Clerk – Realty Services

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### Recommendations:

**That** Report RS2019-020, **Proposed Surplus Declaration, Closure and Sale of Shoreline Road Allowance adjacent to 76 Fulsom Crescent, Carden** be received;

**That** the subject property, being the shoreline road allowance adjacent to 76 Fulsom Crescent, Carden and legally described as Part of the Shoreline Road Allowance Lying in Front of Lots 13-14 on Plan 360, in the Geographic Township of Carden, City of Kawartha Lakes, be declared surplus to municipal needs;

**That** the closure of the portion of road allowance and sale to the adjoining landowner be supported, in principle, 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 the process to stop up and close the said portion of road allowance;

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

**That** the Mayor and Clerk be authorized to sign all documents to facilitate the road closing and conveyance of the lands.

**Department Head:** \_\_\_\_\_

**Financial/Legal/HR/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

## **Background:**

At the Committee of the Whole meeting of March 19, 2019, Council made the following recommendation:

### **CW2019-071**

**Moved By** Councillor Dunn

**Seconded By** Councillor Ashmore

**That** Report RS2019-018, **Proposed Surplus Declaration, Closure and Sale of Shoreline Road Allowance adjacent to 76 Fulsom Crescent, Carden**, be received and referred back to staff to provide additional mapping to show the degree of continuity of the shoreline road allowance with a report back to Council; and

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

**Carried**

This report addresses that direction.

## **Rationale:**

As noted in Report RS2019-018 (attached as Appendix A), various portions of the shoreline road allowance have already been stopped up, closed, and conveyed to adjoining landowners. Earlier this year, Council approved the surplus declaration, closure and sale of the portion of shoreline road allowance abutting 82 Fulsom Crescent, which is located just to the north of the subject property.

Attached as Appendix B is a map showing the continuity of the shoreline road allowance. The subject portion of shoreline road allowance is inaccessible from the north due to the fact that portions of shoreline road allowance have been previously stopped up, closed and conveyed to the adjacent owners. From the south, while the shoreline appears to be continuous to the next road allowance leading to water, it should be noted that an inlet breaks continuity of the shoreline road allowance, making the subject portion inaccessible from the south.

Attached as Appendix C is an aerial photo, which more clearly outlines the inlet which breaks continuity in the shoreline road allowance.

## **Other Alternatives Considered:**

Council may decide not to sell the shoreline road allowance and derive no financial benefit whatsoever. That would be inconsistent with past practice and is not recommended in this circumstance.

## **Financial Impacts:**

The purchaser 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 a shoreline road allowance adjacent to a lake was established by By-Law 2018-020, as amended, and is set at \$23.00 per linear foot (based on a 66 foot width). 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. In addition to cost recovery, the City will receive net revenue of approximately \$2,875.00 as consideration for the subject land. This net revenue will be placed into 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 – Report RS2019-018



Appendix A - Report  
RS2019-018.pdf

Appendix B – Map



Appendix B -  
Map.pdf

Appendix C – Aerial Photo



Appendix C - Aerial  
Photo.pdf

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**Department Head:** Robyn Carlson

**Department File:** L06-18-RS042