



Committee of the Whole Report

Report Number: RS2025-038

Meeting Date: November 4, 2025

Title: **Proposed Surplus Declaration, Closure and Sale of Road Allowances adjacent to Lot 2 and Lot 3, Concession 3, Laxton**

Description: Proposed Surplus Declaration, Closure and Sale of Road Allowances Legally Described as Part of the Road Allowance between Concession 2 and Concession 3; Laxton; Kawartha Lakes (Part of PIN: 63112-0209); and Road Allowance between Lot 3 and Lot 4, Concession 3, Laxton; Kawartha Lakes (PIN: 63112-0223)

Author and Title: Madison MacCormack, Law Clerk – Realty Services

Recommendations:

That Report RS2025-038, **Proposed Surplus Declaration, Closure and Sale of Road Allowances adjacent to Lot 2 and Lot 3, Concession 3, Laxton**, be received;

That the subject property, being road allowances legally described as Part of the Road Allowance between Concession 2 and Concession 3; Laxton; Kawartha Lakes (Part of PIN: 63112-0209); and Road Allowance between Lot 3 and Lot 4, Concession 3, Laxton; Kawartha Lakes (PIN: 63112-0223), be declared surplus to municipal needs;

That the sale of the road allowance to the adjoining landowner be supported, in principle, in accordance with the provisions of By-Law 018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale (including a condition that the subject road allowance merge with the purchaser's adjacent properties on closing);

That the sale of the road allowances be conditional upon the subject road allowances reverting to City ownership at the conclusion of the purchaser's project term (estimated at 30 years);

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

That Council set the value of the land at the set price of \$2.50 per square foot of interior road allowance, unless the purchasers wish to pay for an appraisal, in which case, Council set the value of the land at the lower of the set price of \$2.50 per square foot of interior road allowance or the appraised value;

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

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

That a deeming by-law be passed contemporaneously with the disposition by-law, if required;

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

That these recommendations be brought forward to Council for consideration at the next Regular Council Meeting.

Background:

The City of Kawartha Lakes received a request from the Department of National Defence to acquire usage of the road allowance that is adjacent to their property, which is legally described as West 1/2 of Lot 2 Concession 3 Laxton; East 1/2 of Lot 2 Concession 3 Laxton; Lot 3 Concession 3 Laxton; City of Kawartha Lakes (PIN: 63112-0127 (LT)).

The Land Management Team reviewed this request at its meeting on September 8, 2025. The Team noted that there was no municipal need for the road allowance. Accordingly, the Team recommended a disposition of the road allowances with the condition that ownership of the road allowances revert back to the City of Kawartha Lakes following the end of the (estimated) 30-year project.

Public Notice advertising the potential surplus declaration and sale of the subject road allowance was completed by posting on the City's website commencing on September 24, 2025. Realty Services received notice of concerns from a resident with regards to the proposed closure and sale of the subject lands, which the resident will be presenting to Council via deputation on this Agenda.

Rationale:

The Land Management Team has determined that this portion of the road allowance is not required for municipal purposes.

The interested party owns property that borders the subject road allowance. As a result, pursuant to the City's By-Law to Regulate the Disposition of Municipal Real Property (By-Law 2018-020, as amended) the road allowance can be conveyed to the adjoining landowner.

The north/south road allowance (PIN: 63112-0209) does not lead to water, it borders private property, and therefore, the stop up, closure and sale would not contravene section 8.00 of By-Law 2018-020, as amended. The east/west road allowance (PIN: 63112-0223) does lead to water (Duck Lake); however, access to the water is maintained via the remaining sections to the west of the intersection of the north/south road allowance and the east/west road allowance. In addition, access to Duck Lake remains via Curl's Road to the west.

As per section 4.04 of By-Law 2018-020, as amended, an appraisal is not required for closed road allowances being sold to an adjacent landowner, as long as the price set out in Schedule C of By-Law 2018-020 is recovered, being \$2.50 per square foot of interior road allowance. Use of the set price results in a cost and time savings to the

purchaser, as they are not required to pay for an appraisal or wait while an appraisal is completed. However, Staff have found that some purchasers are of the opinion the set price is too high for the land they are purchasing. Section 4.03 of By-Law 2018-020, as amended, does note that an appraisal may be required in order for Council to set the price of the land to be disposed of. Accordingly, if the purchasers are of the opinion that the set price is too high, Staff recommend offering the purchasers the option of paying for an appraisal so that the land value can be set at the lower of the set price or the appraised value.

Other Alternatives Considered:

Council may decide not to sell the road allowance and derive no financial benefit whatsoever.

Alignment to Strategic Priorities:

The recommendations set out in this Report align with the following strategic priority:

- Good Government
 - Effective management of the municipal building and land portfolio

Financial/Operation Impacts:

The purchaser will be asked to enter into a conditional Agreement of Purchase and Sale. 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.

The revenue from the sale will be placed in the Property Development Reserve.

Consultations:

Land Management Team

Attachments:

Appendix A – Map



Appendix A -
Map.pdf

Appendix B – General Location Map



Appendix B
General Location Map

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Department Head: Robyn Carlson

Department File: L06-25-RS020