Meeting Date: October 22, 2019

Subject: Proposed Disposition of Part Road Allowance between Lots 25 and 26, Concession 4 east of Hurontario Street (Caledon)

Proposed or pending acquisition or disposition of land by the municipality

Submitted By: Alexis Alyea, Town Solicitor, Legal Services

RECOMMENDATIONS

That a portion of Town land described as Part Road Allowance between Lots 25 and 26, Concession 4 east of Hurontario Street (Caledon) being an unnamed road lying southwest of Fourth Line East; Town of Caledon; Regional Municipality of Peel presently bearing PIN: 14283-0050 (LT) and further identified as Schedule “A” to Confidential Staff Report 2019-0207, be declared surplus to the needs of the Town;

That a by-law be enacted to stop-up and close the road allowance between Lots 25 and 26, Concession 4 east of Hurontario Street (Caledon); and

That the Mayor and Clerk be authorized to execute an Agreement of Purchase and Sale and any other documents necessary to transfer the Subject Lands to the Applicant, subject to the terms and conditions set out in Confidential Staff Report 2019-0207.

REPORT HIGHLIGHTS

- The owner of 20424 St. Andrew’s Road, identified as 2252489 Ontario Inc (the “Applicant”), has applied to purchase the road allowance between Lots 25 and 26, Concession 4 east of Hurontario Street (Caledon) (the “Subject Lands”). The Subject Lands are 3.481 acres in size, zoned Rural (A2) and abut the Applicant’s property.

- Notice of the application has been circulated to Town staff, external agencies and the other abutting landowners. At this time, there is no objection to the sale of the Subject Lands, and Town staff have identified no public purpose requiring retention of the Subject Lands.

- The value of the Subject Lands, as determined by appraisal, is $12,000.00, which the Applicant has agreed to as the purchase price. This valuation is premised on the fact that the Subject Lands do not meet the minimum building lot standards for its Rural (A2) Zoning and therefore is a candidate for assembly to an abutting property. This application therefore likely represents the Town’s best opportunity to maximize the return on the lands.

DISCUSSION

In April 2019, the Applicant submitted an application to purchase the Subject Lands identified on Schedule “A” to this Report. The Subject Lands are comprised of a road allowance approximately 3.481 acres in size, and abut the Applicant’s property.
In May 2019, the Applicant was informed that in order for the Town to consider their application they would have to remove any vehicles that were stored on the Subject Lands and maintain site plan compliance. Regulatory Services issued a trespass notice and all access to the Subject Lands was blocked. The Applicant conformed to this request. It is staff’s understanding that the Applicant intends to use the Subject Lands as another access point to their property to the north. The Applicant will be required to submit a request for road access approval to the Town once they become the owners of the Subject Lands.

Notice of the application has been circulated to Town staff, external agencies and the other abutting landowners.

Town staff have identified no public purpose requiring retention of the Subject Lands, which do not connect to any public roads or trails. There were no concerns or objections received from internal Town staff or external agencies and to date no other offers or expressions of interest have been received from any other abutting land owners.

Based on an appraisal report prepared by Blake, Matlock and Marshall Ltd. for the Town, dated September 18, 2019, the fair market value of the Subject Lands is $12,000.00. This valuation is premised on the fact that the Subject Lands do meet the minimum lot standards for its Rural (A2) Zoning and therefore is a candidate for assembly to an abutting property. This application therefore likely represents the Town’s best opportunity to maximize the return on the lands. The Applicant has agreed to a purchase price of $12,000.00.

Town legal staff is recommending that the application to purchase be approved by Council and that the Subject Lands be declared surplus to the needs of the Town.

In order to complete this transaction, the following steps are therefore required:

- Enact a by-law to stop-up and close the road allowance;
- Execute an agreement of purchase and sale and any other documents necessary to facilitate the transfer of the Subject Lands; and
- A one-time payment of the Town’s legal fees in accordance with the Town’s Fees By-law No. 2019-01 in the amount of $3,648.46.

**FINANCIAL IMPLICATIONS**

The proposed sale will be for $12,000.00 plus HST. Net proceeds from the sale of the Subject Lands will be applied to the Surplus Land Sales Reserve Fund as per By-law No. 2010-29, account number 08-00-900-35005-000-25000.

**COUNCIL WORK PLAN**

The initiatives of the Council Work Plan do not relate to this report.

**ATTACHMENTS**

Schedule “A” – Map of the Subject Lands
Schedule “B” – Proposed By-law