

THE MUNICIPALITY OF LAMBTON SHORES

Report CL 25-2021

Council Meeting Date: November 9, 2021

TO: Mayor Weber and Members of Council

FROM: Stephanie Troyer-Boyd, Clerk

RE: Declaration of Surplus Property – Northville Crescent

RECOMMENDATION:

THAT Report CL 25-2021 regarding the Declaration of Surplus Property – Northville Crescent be received; and

THAT the unopened road allowance between the properties described as Con LRE Lot 35 and Con LRE Pt Lot 36 and Pt Lot 37 known municipally as 8604 Lakeshore Road and 9780 Northville Crescent be declared surplus to the needs of the municipality; and

THAT the unopened road allowance between the properties described as Con LRE Lot 35 and Con LRE Pt Lot 36 and Pt Lot 37 known municipally as 8604 Lakeshore Road and 9780 Northville Crescent be sold directly to the abutting landowner in accordance with Section 4(iv) of Policy #43 – Sale and Other Disposition of Land.

SUMMARY

The purpose of this report is to provide information on a request to purchase municipal land and to receive Council direction to declare surplus and to dispose of such land in accordance with Policy #43 – Sale and Other Disposition of Land.

BACKGROUND

Staff has received a request to purchase the unopened road allowance between the properties described as Con LRE Lot 35 and Con LRE Pt Lot 36 and Pt Lot 37 known municipally as 8604 Lakeshore Road and 9780 Northville Crescent in Northville. The request was received from the owner of Grogs Restaurant located at 8604 Lakeshore Road. The applicant would like to purchase a portion of the undeveloped, unopened road allowance that abuts their land to the east (see the attached sketch). The applicant would like to purchase the identified lands, which measure approximately 2,000 sqm, and utilize them for vehicle parking and access in association with her ongoing restaurant use.

The proposal was circulated to staff internally and there were no concerns with disposing of the subject property. Staff note that the portion of land under consideration is only part of the unopened road allowance lands which would become inaccessible from a roadway but accessible through larger tracts of public lands. The municipality may wish to consider an easement over the subject lands to address this issue although there is no need to access these lands. The remaining unopened road allowance is of no value to the municipality and could be considered for disposal at a future time.

ALTERNATIVES TO CONSIDER

Council could choose not to declare the property surplus to the needs of the municipality which would prevent the sale of the subject property.

RECOMMENDED ACTIONS

Staff recommends that the subject property be declared surplus to the needs of the municipality and that notice of the proposed sale be given to the public in accordance with the Lambton Shores Notice By-law and Policy #43. After the expiry of the notice period, a further report will be presented to Council outlining any comments received as a result of the notice. At that time, Council will also be provided with the value of the land to be disposed of which will be determined in accordance with Policy #43. Council will be asked to make a decision on the cost at that time.

FINANCIAL IMPACT

There is no financial impact as a result of declaring the property surplus. The requester has paid the \$1000.00 deposit in accordance with Policy #43. All costs associated with the land transfer will be the responsibility of the purchaser. Funds generated from the sale will be placed in the "Acquisition of Capital Assets – Real Property Reserve."

CONSULTATION

Kevin Williams, CAO
Steve McAuley, Director of Community Services
Janet Ferguson, Treasurer
Will Nywening, Planner
Lawrence Swift, Fire Chief