

REPORT TO: Mayor and Members of Council...

PREPARED BY: Carolyn Tripp, Chief Administrative Officer

DEPARTMENT: Administration & Finance

DIVISION: Administration

MEETING DATE: December 18, 2024

SUBJECT: Declaration of Lands Surplus to the Needs of the Municipality
Part of lands previously part of Prince William Street

PROPOSED MOTION

THAT Council declares the following lands surplus:

Lands previously known as part of Prince William Street being Part 1 and 2 on Plan of Survey prepared by Archibald, Gray and McKay Ltd., dated December 4, 2024.

AND THAT Council authorizes staff to prepare, post and circulate notices of council's intent to dispose of the lands to the public and applicable agencies.

STAFF RECOMMENDATION

THAT Council declares the following lands surplus:

Lands previously known as part of Prince William Street being Part 1 and 2 on Plan of Survey prepared by Archibald, Gray and McKay Ltd., dated December 4, 2024.

AND THAT Council authorizes staff to prepare, post and circulate notices of council's intent to dispose of the lands to the public and applicable agencies.

EXECUTIVE SUMMARY

A request has been made to transfer a road allowance on Prince William Street to the adjacent property. To proceed, the Municipality must declare the road allowance surplus and meet the notice requirements under By-law 56 of 2017, which governs land sales.

LINK TO STRATEGIC PRIORITIES

Plans: To Support Robust Industrial, Commercial and Residential Growth By Managing Growth And Land Use Wisely

BACKGROUND

Don and Ruth Ann Cunningham approached staff in June 2024 regarding the acquisition of the lands which were formerly part of Prince William Street

“We live at 5208 Prince William Street. We own land on both sides of Prince William Street, just east of Neil Road. At the back of one of the farms on the north side there is an old road allowance that was left there many years ago due to the straightening of Prince William Street. When they straightened the road, they cut a piece off of the south farm so that the property has two parts. That left an acre and a half on the north side of Prince William that is naturally severed and has its own pin. It is right beside our home farm on the north side. We were under the impression from my father that we owned the old road allowance. That it was given to him when the road was straightened. We had it surveyed last year and found out that we don't actually own it. We are in the process of selling this acre and a half. We would like to know if it is possible to acquire the old road allowance and join it to the home farm on the north side of the road. This old road allowance has been cultivated and farmed by us for many years.”

DISCUSSION

Staff reviewed the request and determined that there is no municipal need for the lands. As a result, Don and Ruth Ann Cunningham arranged for the lands to be surveyed in order to obtain a legal description and boundary description for the lands. The survey is still in draft form to allow council and staff to ensure that the lands described are appropriately described for the purposes of disposition. Staff are satisfied that the draft survey correctly describes the lands.

By-law 56 of 2027 requires that the prior to the disposal of lands owned by the municipality that a notice of the intent to dispose of the lands be circulated to all applicable agencies and be posted publicly for a minimum of 1 week.

Staff will bring back a further report following the notice requirements have been met; in order to authorize the transfer of the lands to the adjacent property owner.

FINANCIAL

There are no costs to the municipality for the disposition of the lands except for those costs associated with the notice requirements. The purchaser will be required to pay all legal, surveying and registration fees for the transfer of the lands.

ATTACHMENT

- A copy of the draft survey plan showing the subject lands.

Prepared By: Carolyn Tripp, Chief Administrative Officer

ic Township of McGillivray)

Lot 25, Co

CE WILLIAM STREET

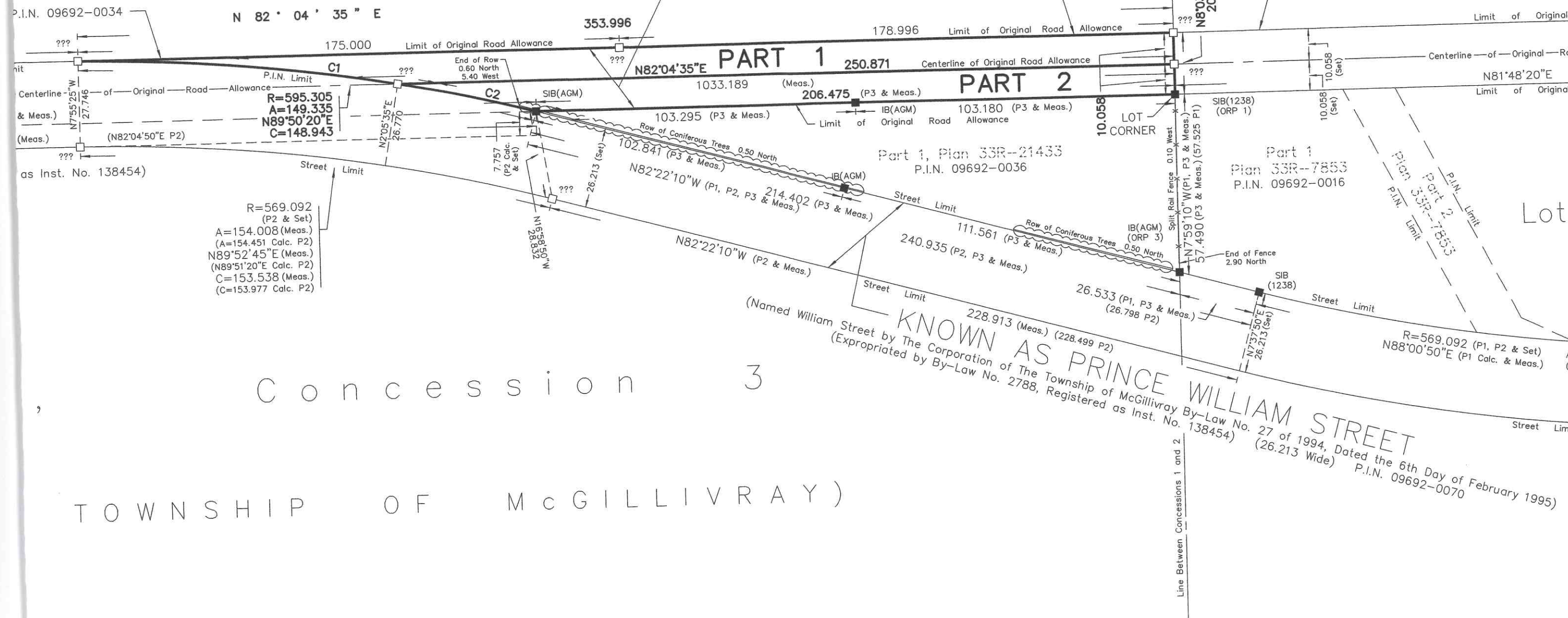
The Township of McGillivray By-Law No. 27 of 1994,
Day of February 1995)
e Between Lots 25 and 26)
P.I.N. 09692-0070

ORIGINAL ROAD ALLOWANCE

(20.116 Wide) P.I.N. 09692-0020

BETWEEN LOTS 25 AND

(Not Travelled)



$R=595.305$
 $A=149.335$
 $N89^{\circ}50'20''E$
 $C=148.943$

$R=569.092$
 (P2 & Set)
 $A=154.008$ (Meas.)
 $(A=154.451$ Calc. P2)
 $N89^{\circ}52'45''E$ (Meas.)
 $(N89^{\circ}51'20''E$ Calc. P2)
 $C=153.538$ (Meas.)
 $(C=153.977$ Calc. P2)

Concession 3

TOWNSHIP OF MCGILLIVRAY)

UTM GRID NOTES

BEARINGS ARE U.T.M. GRID IN NAD83 (C.S.R.S.) (2010.0) DERIVED FROM G.P.S. OBSERVATIONS AND THE LEICA SMART-NET BASE STATION NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN 81°00' WEST LONGITUDE, ZONE 17.

LINEAR VALUES SHOWN ON THIS PLAN ARE ADJUSTED GROUND LEVEL DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999581666.

NOTES AND LEGEND

- DENOTES SURVEY MONUMENT FOUND
- ⊕ DENOTES SURVEY MONUMENT SET
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- CALC DENOTES CALCULATE
- 1270 DENOTES CHARIFS MURRAY FRASER, O.L.S.