



Council report

Meeting date:	October 5, 2021
Title:	Request for purchase of lands - PELLETIER
Prepared by:	Lorelie Spencer, Manager of Planning and Development
Reviewed by:	Laura Johnston, CAO

Recommendation

That council receive report – Request for purchase of lands – Pelletier, and further

That council declare a portion of the lands along Concession 14 NDR as surplus, and further

That council direct staff to commence the municipal disposal of property process in accordance with by-law 23-2008, and further

That council support staff's further recommendation that the lands be sold in their entirety for clarity, which is identified as those lands identified as the entire portion of Concession 14 NDR between the 20th Sideroad NDR and Mulock Road.

Executive summary

A request has been provided to council regarding a portion of concession 14 NDR between the 20th Sideroad NDR and Mulock road. The request has been made by Yvonne Pelletier and James K. Hewitson, owners of lots 22 and 23, concession 14, roll number 4205.280.007.11900.0000. The request is intended to facilitate access to a landlocked portion of their property, which is currently inaccessible from the unopened and unmaintained road. The lands are used for cash cropping purposes involving large farm implements that cannot be accommodated through their residential access.

Background and discussion

Ms. Pelletier and Mr. Hewitson have made an initial request to council in the past to gather if council was interested in selling the property. The unopened road allowance is approximately 4 hectares in size. None of the adjacent landowners require access from the portion of the unopened and unmaintained road in question.

Planning staff have reviewed the proposal and find the request to be a reasonable solution.



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Notice would be provided to all adjacent landowners in question with an option to purchase the entire roadway as defined.

Planning staff do note that the middle portion of the unopened road allowance in question is identified as provincially significant wetlands. Development in this location would not be permitted. Any road improvements in this location by the landowner or the municipality would require approval from the conservation authority as a result of the use of fill and alteration within this area.

Legal and legislated requirements

The lands must be disposed of in accordance with municipal by-law no. 23-2008, which requires notice and a tender process.

Provided council is satisfied that it has no future interest in the road allowance in question, the road can be permanently closed pursuant to section 34 of the Municipal Act, 2001 and dispose of the lands in accordance with the land disposition by-law noted above. Liability for the road would pass completely as part of the transfer to the new landowner.

Financial and resource implications

Proceeds from the sale of the lands.

Staffing implications

None.

Consultation

- Municipal solicitor

Alignment to strategic vision plan

Pillar: Working together

Goal: Listen and empower

Strategy: Promotion of effective development

Attachments

Map of the lands in question

Next steps



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That council declare the lands surplus and dispose of the lands in accordance with by-law 23-2008.

Respectfully submitted:



Lorelie Spencer, Ba.U.R.PI, MCIP, RPP