

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: June 7, 2022

TO: Committee of the Whole

FROM: Cory Smith/A/Director of Roads and Public Works

SUBJECT: Sale of Non-Viable Lands Appleton

RECOMMENDATION:

THAT Committee of the Whole recommend Council direct staff to stop up and sell Lands described as being Parts 2, 7-8, 10-11, 13, a portion of 14, 15-16, 19-21, and 23-25 on Plan 26R-2678, as an unsolicited request for sale of Non-Viable Lands as per the procedures for sale of land as set out in By-Law 19-125.

AND THAT Committee of the Whole Recommend Council direct staff to proceed without an appraisal for the land and to sell the unopened road allowance to Southwell Homes Ltd., for the amount of \$1000.00

BACKGROUND:

On May 19, 2022 legal representatives of Southwell Homes Ltd., submitted an unsolicited request for the sale of lands described as being Parts 2, 7-8, 10-11, 13, a portion of 14, 15-16, 19-21, and 23-25 on Plan 26R-2678. These lands are located within the immediate vicinity of a former industrial facility that was destroyed in a fire and subsequently required significant environmental clean up it's surrounding lands. This request is considered to be an unsolicited request for sale of non-viable lands as described in By-Law 19-125.

The lands abutting the unopened road allowance are owned by Southwell Homes Ltd. And they are the abutting landowner on all sides of the unopened road allowance.

DISCUSSION:

The lands in question are part of an unopened road allowance that runs through a former industrial site. The requested lands do not appear to have any legal encumbrances on them.

A portion of the unopened road allowance that meets the private road XXXX will remain as an opened road allowance and will not be stopped up and sold. Access for this

larger parcel of land will be protected for future development via frontage on a road either the private road XXX or via Apple Street.

This request has been reviewed by both Public Works and Planning and there is currently no plans or advantages to keeping these lands. They do not serve as a viable corridor to extend any municipal accesses or services. In addition, there is risk that the requested lands may have been impacted by the former industrial site. By-Law 19-125 provides the following definition for Non-Viable Land;

“Non-viable Land” means land that is deemed as being a potential liability to the Municipality and is determined to be of a size, shape or nature for which there is no general demand or market.”

The requested lands expose the Municipality to potential liability related to potential impacts of from the former industrial site. The lands were for the purposes of a historical right of way and had several curves, which do not conform to current local street design standards. The potential for use as developable lands is not viable due to the size and shape of the lands. It is the opinion of staff that the requested lands meet both criteria to be deemed as Non-Viable Land.

The requestor has also provided a submission meeting all the requirements for an unsolicited request by a purchaser as per By-Law 19-125. The requestor also owns the property bordering both sides of the requested lands.

OPTIONS:

1. Direct staff to sell the lands to the requester as per the requirements of By-Law 19-125 for \$1000.00 without an appraisal.
2. Direct Staff to reject the request.

FINANCIAL IMPLICATIONS:

Lands will be sold to a abutting landowner thus reducing the cost of advertising and marketing rot he sum of \$1000.00. Legal fees and all costs associated with the transfer to be covered by the requestor.

Further exposure of financial risk resulting from potential impacts to the Municipally owned lands are eliminated by this sale.

SUMMARY:

It is recommended that Council Direct staff to sell the lands to the requester as an Unsolicited request for sale of Non-Viable lands.

Respectfully submitted by,

Reviewed by:

Name,
Title

Name,
Title

ATTACHMENTS:

1. Map of the unopened road allowance with parcels identified.