

City of Mississauga

Corporate Report



Date: June 17, 2021

To: Mayor and Members of Council

From: Shari Lichterman, CPA, CMA, Commissioner of
Corporate Services and Chief Financial Officer

Originator's files:
PO.11.BRI

Meeting date:
June 30, 2021

Subject

Request for Authority to Stop-up, Close and Declare Surplus City owned land adjacent to 1240 Britannia Road West (Ward 6)

Recommendation

1. That a by-law be enacted authorizing the closure of a portion of untravelled road allowance, located on the north side of Galesway Boulevard, being comprised of approximately 102.78 square metres (1,106.31 square feet), and legally described as Cabrera Crescent, Plan 43M-1563, lying south of Block 75 on Registered Plan 43M-1563, and being all of PIN 13194-3496(LT).
2. That City staff be authorized to register a certified copy of the Closure By-Law against title to the lands described within Schedule 'A' of the By-Law in the appropriate Land Registry Office.
3. That Blocks 71, 74, 75 on Registered Plan 43M-1563, and Cabrera Crescent, Plan 43M-1563, lying south of Block 75 on Registered Plan 43M-1563, comprising a combined area of approximately 639.87 square metres (6,887.50 square feet), be declared surplus to the City's requirements for the purpose of a proposed sale to National Homes (1240 Britannia) Inc. at fair market value, for the inclusion in a future development application under File OZ 20/004 W6.
4. That all steps necessary to comply with the requirements of Section 2(3) of the City Notice by-law 215-08 be taken, including giving notice to the public by posting a notice on the City of Mississauga's website for a two week period, where the expiry of the two week period will be at least one week prior to the execution of an agreement for the sale of the subject lands.
5. That, following Council approval of the road closure and surplus declaration, easements be granted to protect the existing services and utilities within Cabrera

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Crescent, Plan 43M-1563, lying south of Block 75 on Registered Plan 43M-1563 if necessary.

Background

In November 2002, Council executed a Servicing Agreement under File T-M98012 with Mattamy (Country Club) Ltd., which deeded certain lands to the City to be held in escrow until such time that the lands municipally known as 1240 Britannia Road West could be developed, and in addition, deeded gratuitously to the City, Blocks 71, 74 and 75 on Plan 43M-1563 as partial road blocks to be established as the future extension of Cabrera Crescent. The Servicing Agreement for Plan 43M-1563, further required that Cabrera Crescent, Plan 43M-1563, lying south of Block 75 on Registered Plan 43M-1563 be dedicated to the City as public highway.

On October 24, 2019 the lands located at 1240 Britannia Road West were purchased by National Homes (1240 Britannia) Inc. In consultation with Mattamy (Country Club) Ltd., a zoning by-law amendment application and subdivision application were made to the City on March 31, 2020 under Files OZ 20/004 W6 and T-M20001 W6. The applications include lands currently owned and held in escrow by the City. National Homes (1240 Britannia) Inc. is interested in acquiring ownership of all the lands to be included within the draft plan of subdivision.

Comments

By its approval of Recommendation PDC-0037-2021 on May 31, 2021, the Planning and Building Committee directed Realty Services:

- to order an appraisal of Blocks 71, 74, 75 and Cabrera Crescent, Plan 43M-1563, lying south of Block 75 on Registered Plan 43M-1563, to establish a purchase price for the lands, and prepare an Agreement of Purchase and Sale between National Homes (1240 Britannia) Inc. and the City for these lands once the value of the lands has been determined;
- to prepare a report for consideration at General Committee, to declare Blocks 71, 74, and 75 of Plan 43M-1563 and Cabrera Crescent, Plan 43M-1563, lying south of Block 75 on Registered Plan 43M-1563 surplus and recommend that Cabrera Crescent, Plan 43M-1563, lying south of Block 75 on Registered Plan 43M-1563 be closed by by-law.

A circulation to various utility companies will be undertaken and easement protection over Cabrera Crescent, Plan 43M-1563, lying south of Block 75 on Registered Plan 43M-1563 shall be granted if required.

Notice of the road closure contemplated in this report has been undertaken to satisfy the requirements of City Notice By-law 0215-2008, as amended by By-law 0376-2008. Once the

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road closure and the surplus declaration are completed, City staff will negotiate with National Homes (1240 Britannia) Inc. towards the completion of a sale.

It is anticipated that the sale price of the subject property will fall under the \$1,000,000.00 threshold authorized for the approval and execution of real estate agreements under Real Estate Delegation Authority By-Law 0418-2018. Subsequently, following successful negotiations for the sale of the City-owned lands to National Homes (1240 Britannia) Inc., the Agreement of Purchase and Sale, any other ancillary documents or agreements required, will be executed by the appropriate level of authority as outlined under By-Law 0418-2018.

Prior to the sale of the subject lands, public notice will have been given by the posting of a notice of proposed sale on the City of Mississauga's website for a two week period, where the expiry of the two week period will be at least one week before the execution of the agreement for the sale of the said lands. This notice satisfied the requirements of the City Notice By-law 0215-2008, as amended by by-law 0376-2008.

Financial Impact

There is no financial impact from declaring the lands surplus. There will, however, be revenue generated to the City by the subsequent sale.

Conclusion

Cabrera Crescent, Plan 43M-1563, lying south of Block 75 on Registered Plan 43M-1563 is not required for municipal purposes and can be permanently closed. It is reasonable to declare the lands outlined in this report surplus in order to facilitate the proposed sale to National Homes (1240 Britannia) Inc.

Attachments

Appendix 1: Reference Plan 43M-1563 showing Blocks 71, 74, 75 and Cabrera Crescent, Plan 43M-1563, lying south of Block 75 on Registered Plan 43M-1563 to be declared surplus.



Shari Lichterman, CPA, CMA, Commissioner of Corporate Services and Chief Financial Officer

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