

City of Mississauga Corporate Report



13.1

Date: October 25, 2021

To: Chair and Members of General Committee

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

Originator's files:
PO.11.WIL

Meeting date:
November 17, 2021

Subject

Surplus Land Declaration for the purposes of disposal of city-Owned lands located at 46 William Street (Ward 11)

Recommendation

1. That City-owned lands located at 46 William Street, south of Britannia Road and east of Queen Street, containing an area of approximately 1,319.92 square metres (14,207.91 square feet), legally described as Lot 78 and Henry Street, according to a plan of the Village of Streetsville being a plan of part of Lot 5, Concession 5, West of Hurontario Street, Township of Toronto, referred to as Plan STR-2, designated as Parts 1, 2, 3, 4, 5 and 6, Plan 43R-20224, under the *Land Titles Act* as PIN #13128-0165 (LT), in the City of Mississauga, Regional Municipality of Peel (Ward 11), be declared surplus to the City's requirements.
2. That Realty Services staff be authorized to proceed to dispose of lands described as part of Lot 78 and Henry Street, Plan STR-2, designated as Part 6, Plan 43R-20224, being comprised of approximately 249.8 square metres (2,688.82 square feet) for the purpose of a proposed sale to adjacent owner of the railway corridor, The Ontario and Quebec Railway Company/The Credit Valley Railway Company, at fair market value.
3. That Realty Services staff be authorized to proceed to dispose of lands described as part of Lot 78 and Henry Street, Plan STR-2, designated as Parts 1, 2, 3, 4 and 5, Plan 43R-20224, being comprised of approximately 1,070.12 square metres (11,518.67 square feet), at fair market value on the open market.
4. That all steps necessary to comply with the requirements of Section 2.(1) 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 subject lands.

Executive Summary

- That the City-owned lands at 46 William Street were utilized as a public works yard until 1990 and are now surplus to the City requirements.
- It is proposed that a portion of 46 William Street identified as Part 6, Plan 43R-20224, being comprised of approximately 249.8 square metres (2,688.82 square feet), be declared surplus for the purpose of sale to the adjacent owner of the railway corridor, The Ontario and Quebec Railway Company/The Credit Valley Railway Company, at fair market value.
- It is proposed that the remainder of 46 William Street identified as Parts 1, 2, 3, 4 and 5, Plan 43R-20224, being comprised of approximately 1,070.12 square metres (11,518.67 square feet), be declared surplus for the purpose of a sale at fair market value on the open market.
- An easement shall be retained for the maintenance of the existing 900 mm municipal storm sewer infrastructure which travels beneath the property.
- An Agreement of Purchase and Sale to convey the subject property will be processed pursuant to Delegated Authority by-law 0148-2018. Should the market value of the property exceed the limits of delegated authority, staff shall report to Council to seek authority to execute an Agreement of Purchase and Sale

Background

The City is the registered owner of 46 William Street. The lands were utilized by Transportation & Works as a public works yard until February 1990.

At its meeting of November 25, 1992, Council authorized that part of the unopened Henry Street located west of William Street, described as part of Lot 78 and part of Lot 79, Plan STR-2, be closed and sold at market value to the adjoining property owners together with the surplus City-owned property at 46 William Street described as part of Lot 78, Plan STR-2. The portion of this property west of William Street, being Parts 3, 4, 5 and 6, Plan 43R-20224 was closed by By-law 0279-1994.

In January 1993, the adjacent owner at 48 William Street, Jean Watt expressed an interest in purchasing the City-owned lands, however, agreement was not reached.

Later in 1997 Joe Ponzo, President of Quickchill Mobile Refrigeration (“Quickchill”) approached the City and requested to lease the lands for storage of refrigeration trailers. The license agreement with Quickchill commenced June 11, 1998 for a term of 5 years. The license agreement has subsequently been renewed and Mr. Ponzo continues to occupy the City-owned lands.

Part 6, Plan 43R-20224, being comprised of approximately 249.8 square metres (2,688.82 square feet) extends into the railway corridor, and shall be offered for purchase by The Ontario and Quebec Railway Company/The Credit Valley Railway Company, at fair market value.

Comments

The lands were initially used as a public works yard and subsequently leased to Quickchill for storage of trailers pursuant to a license agreement commencing in June 1998.

Realty Services has completed its circulation and received confirmation that there are no concerns with the lands being declared surplus to the City’s requirements and sold. The lands shall be sold as is.

Transportation and Works advised that a minimum 8 metre wide municipal easement is to be retained over the existing 900mm municipal storm sewer which travels beneath the property.

The lands have been circulated to external utility companies and no easement protection is required. However, a municipal storm sewer easement shall be retained for the maintenance of the existing infrastructure.

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 requirement of the City Notice By-law 0215-2008, as amended by by-law 0376-2008.

If agreement is reached with the owner of the railway corridor or if a sale of the remaining lands are successfully negotiated, Agreements of Purchase and Sale to convey the properties will be processed pursuant to Delegated Authority by-law 0148-2018. Should the market value of the properties exceed the limits of delegated authority, staff shall report to Council to seek authority to execute any Agreements of Purchase and Sale.

Financial Impact

There are no financial impacts resulting from the Recommendations in this report. There will, however, be revenue generated to the City by any subsequent sales.

Conclusion

As the City lands identified in this report are not required for municipal purposes, it is reasonable to declare the parcel surplus to the City needs. Easement protection shall be retained in advance of disposition, as required.

Attachments

Appendix 1: Approximate location of the lands to be declared surplus

Appendix 2: Reference Plan 43R-20224 identifying the lands to be declared surplus as Parts 1, 2, 3, 4, 5 and 6



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

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