

City of Mississauga Corporate Report



<p>Date: May 4, 2023</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files: PO.11.NIN</p>
<p>From: Shari Lichterman, CPA, CMA, Commissioner of Corporate Services & Chief Financial Officer</p>	<p>Meeting date: May 24, 2023</p>

Subject

Surplus Land Declaration for the purposes of disposal of City-owned lands located on the southwest corner of Eglinton Avenue West and Ninth Line (Ward 8)

Recommendation

1. That the City-owned lands located on the west side of Ninth Line, south of Eglinton Avenue West, having an area of approximately 0.284 hectares (0.702 acres), legally described as road allowance between Lots 5 and 6, Concession 2, North Dundas Street (Trafalgar), on Reference Plan 20R-18446, under the *Land Titles Act* as part of PIN #24930-0137, in the City of Mississauga, Regional Municipality of Peel (Ward 8) (the "City-owned Lands"), be declared surplus to the City's requirements and offered for sale on the open market at fair market value as outlined in the corporate report dated May 4, 2023, entitled "Surplus Land Declaration for the purposes of disposal of City-owned lands located on the southwest corner of Eglinton Avenue West and Ninth Line (Ward 8), from the Commissioner of Corporate Services and Chief Financial Officer.
2. That Realty Services staff be authorized to proceed to dispose of lands described as road allowance between Lots 5 and 6, Concession 2, North Dundas Street (Trafalgar), on Reference Plan 20R-18446, under the *Land Titles Act* as part of PIN # 24930-0137, in the City of Mississauga, Regional Municipality of Peel (Ward 8), on the open market, at fair market value.
3. 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.

Executive Summary

- ☐ • Transportation and Works staff confirmed that the City-owned Lands, comprising an

area of approximately 0.284 hectares (0.702 acres) are not required for the approved future Ninth Line road widening and the potential future widening of Eglinton Avenue West, and that, provided that right-of-way setback requirements are maintained, the un-traveled road allowance can be declared surplus to its requirements.

- A circulation to the various City departments confirmed that the City-owned Lands are not required for any other City purpose and may be declared surplus to the City's requirements.
- It is proposed that the City-owned Lands be declared surplus for the purpose of sale on the open market, at fair market value.
- An Agreement of Purchase and Sale to convey the City-owned Lands will be processed and it is anticipated that the market value of the property will exceed the limits of Delegated Authority by-law 0136-2022, and in this event, staff shall report to Council to seek authority to execute an Agreement of Purchase and Sale.

Background

The City is the registered owner of the road allowance between Lots 5 and 6, Concession 2, North of Dundas Street, Trafalgar (Ninth Line Road) lying between Old Base Line Road and Burnhamthorpe Road East. The Province of Ontario, Minister of Affairs, transferred the Lands to the City and Housing Annexation Order dated December 17, 2009. The Order was registered on title on February 4, 2010 by Instrument No. HR817684.

Comments

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 on the open market, at fair market value. The lands shall be sold as is.

Transportation and Works completed the Ninth Line Municipal Class Environmental Assessment (MCEA) Study (Eglinton Avenue West to Derry Road West) and advised that the City-owned Lands are outside of the approved Ninth Line improvements area, and there is no objection to the City-owned Lands being declared surplus, provided that the City retains sufficient lands to meet the right-of-way requirements as per the City's Official Plan. In this regard, the successful purchaser will have to submit a draft reference plan for review and approval by the City Surveyor.

Planning and Building/Zoning advised that the City-owned Lands is zoned "D", which effectively permits nothing and the onus will be on the successful purchaser to zone and designate that portion of the road allowance parcel upon acquisition.

A circulation to various utility companies has been undertaken and easement protection over the subject lands shall be granted, if required.

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

Financial Impact

There are no financial impacts resulting from the Recommendations in this report. Revenue to the City will be generated by any subsequent sale.

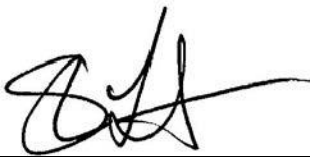
Conclusion

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: Sketch of the City-owned Lands to be declared surplus



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

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