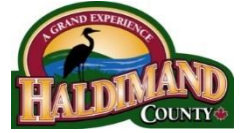

HALDIMAND COUNTY

Report CS-SS-10-2018 Road Closure and Conveyance of Parts of Forfar Street West, Caledonia

For Consideration by Council in Committee on March 27, 2018



OBJECTIVE:

To declare parts of Forfar Street West, in Caledonia as surplus to the County's needs and authorize staff to proceed with the road closure and conveyance process.

RECOMMENDATIONS:

1. THAT Report CS-SS-10-2018 Road Closure and Conveyance of Parts of Forfar Street West, Caledonia be received;
2. AND THAT Part of PIN # 38162-0140(LT), being Part of Forfar Street, Plan 331, geographic township of Oneida, now Haldimand County, shown in yellow on draft reference plan (Attachment #1), be stopped up and closed;

AND THAT Part of PIN # 38162-0140(LT), being Part of Forfar Street, Plan 331, geographic township of Oneida, now Haldimand County, shown in pink on draft reference plan (Attachment #1), be declared surplus to all County needs and transferred to the Grand River Conservation Authority, for the purchase price of \$1.00 plus HST, conditional on easements over the subject property being given for existing infrastructure;
3. AND THAT public notice of the proposed closure and conveyance be published for one week in the local newspaper;
4. AND THAT a By-law be passed to authorize the closure and conveyance;
5. AND THAT the Mayor and Clerk be authorized to execute all necessary documents.

Prepared by: Sandra Marsh, Property Coordinator

Reviewed by: Dana McLean, Risk Management and Insurance Coordinator

Respectfully submitted: Karen General, CPA, CGA, General Manager of Corporate Services

Approved: Karen General, CPA, CGA, Deputy Chief Administrative Officer

EXECUTIVE SUMMARY:

The County is seeking authorization to close and convey part of the road allowance known as Forfar Street West, in Caledonia. Staff have determined that a portion of the subject road allowance can be closed, deemed surplus to the County's needs and sold to the Grand River Conservation Authority, in order to satisfy the recent outcome of the Ontario Municipal Board settlement plan related to the redevelopment of the Caledonia Old Mill site.

BACKGROUND:

In December 2016, Council approved an Official Plan & Zoning By-law Amendment application (PLOP-HA-2016-128 & PLZ-HA-2016-129), which was submitted to facilitate the redevelopment of the historic Caledonia Old Mill site with a replica building to be used as professional offices. The approval was appealed to the Ontario Municipal Board (OMB) by a neighbouring landowner; however, the matter has been recently settled based upon a revised parking plan/design and an associated land transfer between Haldimand County and the Grand River Conservation Authority (GRCA). All parties are supportive of the settlement, with Council authorizing staff to proceed with the implementation of the plan, including the necessary land transfer with the GRCA. Further authorization from Council is required related to the formal road closure and conveyance process.

Preliminary survey work identified that some of the lands to be transferred are contained within the boundaries of the road allowance known as Forfar Street West in Caledonia, lying west of the Old Mill property (shown in yellow on Attachment #1), which will require closure before portions can be conveyed. Once closed, the lands identified by the pink hatched area on Attachment #1 can be transferred from the County to the GRCA. The remainder of the lands will be retained by the County.

ANALYSIS:

In order to determine the feasibility of closure of the subject road allowance, staff circulated a “Road Closure Inquiry Form” to Hydro One, Union Gas, Bell Canada, Rogers Cable and the following Haldimand County Divisions: Building Controls & By-Law Enforcement, Community Development & Partnerships, Economic Development & Tourism, Emergency Services, Engineering Services, Environmental Services, Facilities & Parks Operations, Planning & Development, and Roads Operations. All comments received support the closure. Hydro One, Bell Canada and the County’s Water and Waste Water division indicated the requirement of easements to be given for existing infrastructure. The required easements are typically identified on a draft reference plan; however, due to the recent flooding and weather conditions, at the time of writing this report, the reference plan has yet to be completed. In order to keep the development moving forward and avoid any further delays, the conveyance recommendation is conditional on ensuring all necessary easements are given for the subject lands. It is anticipated that the reference plan will be completed in the near future.

The subject property is zoned HL – Hazard Lands and is regulated by the GRCA and will be added to the property they currently own, in accordance with the agreed to OMB settlement. Also, as agreed to by all parties, the County is responsible for the closure process and will absorb all costs of the associated conveyance.

FINANCIAL/LEGAL IMPLICATIONS:

As a result of the OMB settlement, all costs associated with the land transfer proposal, including road closure application fee, survey, legal, searching and registration costs, will be the County’s responsibility, to an upset limit of \$20,000, and will be funded through the Land Sales Reserve. Further Council approval will be required if costs exceed the upset limit.

In accordance with the County’s Notification Policy, a proposed road closure and conveyance is to be advertised in the local newspaper prior to consideration of a By-law.

STAKEHOLDER IMPACTS:

Planning and Economic Development Division has provided information for this report.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Map of the subject lands