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SALE OF SURPLUS PROPERTY TOWN OF NEWMARKET

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report, April 6, 2005 , from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council declare surplus and give notice of its intention to sell a triangular shaped parcel of land in Lot 31, Concession 3 in the Town of Newmarket shown as Part 3 on Attachment No. 1 at the intersection of Mulock Drive and Bogarttown Curve.
2. The lands described in Recommendation No. 1, the lands designated as Parts 15, 16, 17 and 18 on Plan 65R16446, and the area hatched on Attachment No. 1 be stopped up and closed in accordance with the notice and hearing requirements of the *Municipal Act*.
3. Regional Council authorize the transfer of the lands described in Recommendation No. 1 to Newmarket Hydro Ltd. for the nominal sum of \$2.00, plus an administration fee of \$1,500.00 together with all costs in connection with this transaction, including surveying, advertising and registration costs.
4. The appropriate Regional Officials perform all acts necessary to give effect to the foregoing.

2. PURPOSE

The purpose of this report is to obtain Regional Council's approval to:

- (1) Declare the lands described in Recommendation No. 1 above as surplus to the Region's requirements.
- (2) Do all acts necessary to stop up and close the lands described in Recommendation No. 2 above.
- (3) Transfer the lands in Recommendation No. 1 to Newmarket Hydro Ltd. for the nominal sum of \$2.00, plus an administration fee of \$1,500.00 together with all costs in connection with this transaction.

3. BACKGROUND

The lands described in Recommendation No. 1 are part of the daylighting triangle at the intersection of Mulock Drive (YR 74) and Bogarttown Curve in the Town of Newmarket (*see Attachment No. 1*). Bogarttown Curve has been physically closed where it meets Mulock Drive (YR 74) and has subsequently been transferred to the Town of Newmarket. As a result, the daylighting triangle at this intersection is no longer required for the Region's road needs.

Newmarket Hydro has notified the Region that it wishes to purchase a portion of this daylighting triangle, comprising approximately 108 square metres and shown as Part 3 on Attachment No. 1, to construct a hydro substation. It wishes to add this small parcel to a portion of the closed Bogarttown Curve which Hydro is in the process of acquiring from the Town of Newmarket. The balance of the daylighting triangle shown hatched on Attachment No. 1 can be consolidated with the abutting Regional property located at 1119 Mulock Drive.

Prior to any sale of the above daylighting triangle, it will be necessary to stop up and close the lands as a public highway. In addition, in order to create a .3 metre reserve along the north side of Mulock Drive to control access onto the Regional road, it will be necessary to stop up and close lands designated as Parts 15, 16, 17 and 18 on Plan 65R16446 (*see Attachment No. 1*).

An appraisal of the fair market value of the land is not required under the Municipal Act if the closed highway is sold to an owner of land abutting the closed highway. Considering the size of the lands required by Newmarket Hydro and the fact that they are or will be the abutting owner, it is appropriate that the lands be conveyed for a nominal sum, subject to the payment of the usual administration fee and all costs involved to complete this transaction.

4. LOCAL MUNICIPAL IMPACT

The sale of this property to Newmarket Hydro will assist in providing enhanced utility services to Newmarket residents.

5. CONCLUSION

With the elimination of the Mulock Drive/Bogarttown Curve intersection, the lands described in Recommendation No. 1 are no longer required for Regional road purposes. It is therefore recommended that Regional Council declare surplus and give notice of its

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intention to sell the lands in Recommendation No. 1 to Newmarket Hydro for the sum of \$2.00 and stop up and close the lands described in Recommendation No. 2.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the May 5, 2005 Committee meeting.)