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STOP UP AND CLOSE AND TRANSFER OF LANDS TOWN OF EAST GWILLIMBURY

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report, April 27, 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 convey the lands described as being Part 4 on Reference Plan 65R21125, Town of East Gwillimbury (*see Attachment 1*).
2. The lands described in Recommendation 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 above described lands to the abutting land owner as provided for in the expropriation settlement agreement.
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 and give notice of its intention to sell the lands.
- (2) Do all acts necessary to stop up and close the lands described above.
- (3) Transfer the lands in Recommendation No. 1 to the abutting land owner as provided for in the expropriation settlement agreement.

3. BACKGROUND

The lands described in Recommendation No. 1 were created due to the jog elimination at Herald Road (YR 19) and Woodbine Avenue (YR 8). These lands are located in the northwest corner of the new intersection. The Region expropriated land from the owner of the property located in this corner for the widening of Herald Road (YR 19) to the

west. Herald Road (YR 19) was moved to the south at the intersection thus creating a parcel of land that separated the owner from the new road in this location. This portion of road is physically closed and surplus to the Region's road needs.

The expropriation settlement agreement with the owner, which was approved by Regional Council, stated that these lands would be transferred to the owner and the value of the lands was deducted from the compensation.

Prior to any conveyance of the land described in Recommendation No. 1, it will be necessary to stop up and close the land as a public highway.

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, which is the case in this situation.

4. LOCAL MUNICIPAL IMPACT

There are no local municipal implications associated with this report.

5. CONCLUSION

The portion of the road described in Recommendation No. 1 above, is now physically closed and surplus to the Region's road needs. It is now in order to declare these lands surplus, authorize the stopping up and closing of these lands as public highway, and authorize the conveyance of the lands to the abutting property owner, as provided for in the expropriation settlement agreement previously approved by Regional Council.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the June 2, 2005 Committee meeting.)