

Staff Report

Report To: City Council
Report From: Dana Goetz, C.E.T., Engineering Technologist
Meeting Date: July 19, 2021
Report Code: OP-21-027
Subject: Conveyance of Public Land Adjacent to 590 2nd St 'A' West

Recommendations:

THAT in consideration of Staff Report OP-21-027 respecting Conveyance of Public Land Adjacent to 590 2nd St 'A' West, City Council;

1. Approves the conveyance of Block G, Plan 1025 for the purpose of a lot addition to Lot 20, Plan 1025 at the sole expense of the owner of Lot 20, Plan 1025; and
2. Exempts the conveyance of Block G being added to Lot 20, Plan 1025, from the requirements of Land Disposition By-law No. 2012-195 in accordance with section 5.g.

Highlights:

- Block G, Plan 1025 was inadvertently retained by the City.
- The City does not require this block for any municipal purpose.
- Block G should be transferred as a lot addition to Lot 20, Plan 1025.

Strategic Plan Alignment:

[Strategic Plan](#) Priority: This report supports the delivery of Core Service

Background:

A recent building permit application and title search revealed that Block G, Plan 1025, was one part of five blocks (D, E, F, G & H) in a cul-de-sac designed by the original developer of the subdivision when Plan 1025 was drawn in

1978. Blocks D, E, F and G were owned by the City as triangular blocks comprising the bulb in the roadway required prior to the extension of 6th Avenue West to the north.

It appears as though Block G remains in City ownership despite the extension of 6th Avenue West.

Analysis:

Blocks D, E and F became part of the adjoining privately owned lots at some point in each title history since 1988, when 6th Avenue West was extended, as is the practice when the cul-de-sac is no longer required. Block H, being an original 0.3 metre reserve across 6th Avenue West remains in the municipal roads system, as part of the northerly extension of 6th Avenue West.

An oversight resulted in Block G not being conveyed in the same manner as D, E, and F to the adjacent Lot 20 when 6th Avenue West was extended, resulting in an isolated, small, remnant parcel.

The City did not intend to retain Block G when 6th Avenue West was extended, but rather that the adjoining lot should have the block as a lot addition, in keeping with the other conveyances of blocks D, E, and F to the adjacent lots. The City does not require Block G to be retained for any municipal purpose.

Therefore, Engineering Services recommends that Block G be conveyed for the purpose of an addition to Lot 20 as intended at such time as the cul-de-sac was no longer required.

The Land Disposition By-law, 2012-195, does not apply in this case as the By-law provides an exemption for land transferred to, or vested in the City which neither the City nor the registered owner intended to vest or be transferred (Clause 5g). This conveyance meets the intent of the By-law.

Financial Implications:

Block G does not hold any fair market value and would only be useful as an addition to Lot 20. Therefore, there would be no additional income for the City to be obtained by divesting the block. However, there would be an

incremental tax assessment increase due to the additional lot area for Lot 20.

The property owner of Lot 20 would be responsible for all costs involved in transferring ownership and merging Block G on title for Lot 20, Plan 1025.

Communication Strategy:

The report is listed in the Council Agenda package and is presented at a regularly scheduled Council meeting.

Consultation:

The Engineering Services Division of the Public Works & Engineering Department and the Planning & Heritage Division of the Community Services Department were consulted for this report.

Attachments:

Sketch: PL 1025 – block G highlighted

Recommended by:

Dana Goetz, C.E.T., Engineering Technologist III

Reviewed by:

Dennis Kefalas, Director of Public Works & Engineering

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Dana Goetz, Engineering Technologist at dgoetz@owensound.ca or (519) 376-4440 ext.3308.