



To: Council
From: Karl Doyle, Director of Planning and Building
Date of Meeting: June 28, 2023
Subject: By-law No. 2023-053 Authorize the Transfer of a One Foot Reserve (Brown)

Recommendation:

That Council instruct staff to proceed with procedures outlined in the Disposal/Sale of Land Policy as it relates to the proposed transfer of a section of land along Mille Roches Road;

And further, that Council concurs with the following;

That the property described as a One Foot Reserve on Mille Roches Road on Plan 52M-41 being Reserve Block 13, PIN 60222-0590, approximately 0.003 acres in size, be declared surplus;

And, furthermore;

That By-law No. 2023-053, being a by-law to authorize the transfer of land, described as Reserve Block 13 on 52M-41, Mille Roches Road, Long Sault, be read and passed in open Council, signed and sealed this 28th day of June, 2023.

Executive Summary:

In order to support a development proposal, it is necessary to transfer a One-Foot-Reserve to the proponent to achieve contiguous and orderly development.

Background:

The Planning and Building department received concurrent consent applications (B-58-59-60-23) to create a new development parcel on a former planned Road Allowance for a future subdivision phase fronting Mille Roches Road. A conditional consent approval was issued on June 9, 2023. The Township imposed a number of conditions that must be satisfied in order to achieve a conveyable lot. One of the conditions is to transfer Reserve Block 13 on 52M-41 to the proponent.

A "one foot reserve" is a strip of land 30 cm (1 foot) wide, running along the street frontage or perimeter of a property, which is deeded, usually temporarily, to the municipality as a condition of a subdivision agreement.

This reserve has the effect of technically denying access to a property, because the law requires that all land must have frontage on a public street to qualify for

a building permit. The reserve is used to control development until such time as various conditions are met or to prohibit development on lands that are not yet scheduled for new homes to be constructed.

The subject reserve was originally established during the creation of Subdivision Plan 52M-41, a residential development in Long Sault. The vacant lands located immediately to the east will eventually be developed. The planned future right-of-way was deemed redundant by the proponent and consultant. The parcel will accommodate a future serviced residential dwelling.



The proponent's solicitor has prepared the necessary documentation to facilitate the transfer.

Alignment with Community Strategic Plan:

Goal 2: Sustainable Infrastructure
Objective 5.3: Housing

Risk and Asset Management Considerations:

As there will be no future Right of Way at the subject area and the newly created parcel will accommodate a future residential use, there is no risk to the Township associated with the transfer of the parcel.

Options:

1. That Council declare the parcel described as One Foot Reserve on Mille Roches Road surplus and that due to the small size and nature of the transfer, an appraisal is not required. Further, that Council approve the by-law authorizing the transfer.
2. That Council does not proceed with deeming the parcel surplus, nor authorize the transfer.

Financial Impact:

Should Council authorize the transfer, all legal, survey costs associated with the transfer will be undertaken by the interested party as previously agreed upon.

Others Consulted:

CAO
Director of Corporate Services/Clerk
Director of Public Work