



ACTION REQUEST – TPS

To:	Warden and Members of Council
Date of Meeting:	June 18, 2018
Subject:	Sale of Surplus Land at Corner of County Road 37 and 7 Chesterville
Relevance to priorities:	2 - Economic Development

RECOMMENDATIONS:

THAT Council of the United Counties of Stormont, Dundas and Glengarry declare part of County Road 37 (Queen Street), specifically shown as Part 1 on the attached plan as surplus to County needs;

AND THAT Article 5 of Policy No. 1-14, Sale and Disposition of Surplus Land, is hereby waived due to exceptional circumstances;

AND THAT the surplus portion be sold to Grant Castle Corp. at fair market value;

AND THAT notice to the public of the proposed sale shall be posted on the County's website only;

AND THAT Council approve up to a 0 meter setback from the revised right-of-way for the construction of a redeveloped gas bar and convenience store.

EXECUTIVE SUMMARY:

As Council is aware, MacEwen's will be redeveloping their gas bar and convenience store in Chesterville. Part of the redevelopment includes the expansion of their site, specifically incorporating the two properties located west of the current store.

To redevelop, MacEwen's requires the use of the right-of-way, currently encroached by the two residential properties which will be incorporated into the site. Similar to what was completed on County Road 2 in Glen Walter, the surplus land, even though owned by SDG, is occupied and used by the residential properties.

BACKGROUND:

Pursuant to County Policy 1-14, prior to the sale/disposal of any real property owned by the municipality, Council is required to declare the property to be surplus. Article 5 of Policy 1-4 states that notice of the proposed sale is to be

made by advertising in the local publications. In this circumstance, the advertising requirements as noted in the policy is not practical because the property cannot be sold to anyone other than Grant Castle Corp.

Provided Council approves the surplus declaration, it is the expected that staff will bring forward the report to make a final recommendation of sale at the next meeting.

In addition to dealing with the encroachment, County Council is required to approve the 0m setback for the new building. Approval of the reduced setback will ensure that all the issues associated with rebuilding to the extents of the existing buildings is permitted.

OPTIONS AND DISCUSSION:

1. **Declare the lands surplus.** By declaring the lands surplus, the County can proceed with the sale per the process described above. Although staff do not regularly support the sale of right-of-way, in this circumstance, staff recognize the challenges associated with the site, and, support the request since the impending reconstruction of County Road 37 will shift the road northerly and improve access and the intersection; making the overall impact of the redevelopment a significant improvement compared to the current condition. **This option is recommended.**
2. **Do not declare the lands surplus.** If Council chooses not to declare the lands surplus, staff can review alternative arrangements with the owner, including an encroachment agreement, or, advising the property owner that they must reconstruct the building off the right-of-way. **This option is not recommended.**

FINANCIAL ANALYSIS:

When this opportunity was originally considered, the design of County Road 37 was more-or-less complete at the intersection. Recognizing the opportunity, MacEwen's have covered the cost to revise the County's design based on their preferred site plan, including, entrance and intersection improvements.

Per policy 1-14, the sale of the land is to be done at no cost to the County. The owner will be required to pay for the outstanding costs associated with this process, including the cost to finalize the appraisal, register the attached plan, complete the legal transaction, and, pay the fair market value for the property.

LOCAL MUNICIPAL IMPACT:

The Township of North Dundas has been involved from the outset of this process, and, supports the sale of the land.

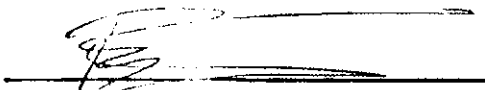
OTHERS CONSULTED:

- MacEwen's
- EVB Engineering

ATTACHMENTS:

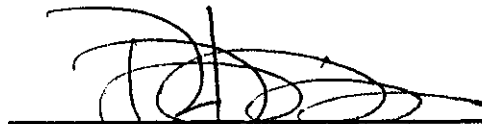
Draft Reference Plan showing surplus portion (Part 1)

RECOMMENDED BY:



Benjamin de Haan, P. Eng
County Engineer

REVIEWED & APPROVED BY:



T.J. Simpson, CAO