

DATE: May 23, 2023

REPORT NO: PW-15-2023

SUBJECT: **1989 Abingdon Road – Land Purchase for Road Allowance**

CONTACT: Jennifer Bernard, C.E.T., Coordinator of Engineering Services
Mike DiPaola, P.Eng., Director of Public Works & Recreation

OVERVIEW:

- 1989 Abingdon Road is located at the corner of Abingdon Road and Concession 5 Road, a portion of the Township's roadway and roadside ditch are located on a this property.
- In December of 2021, Council authorized Planning staff to complete a survey and obtain an appraisal, if required, to purchase the land from the Owner of 1989 Abingdon Road to become part of the road allowance.
- Staff have come to an agreeable price for the land with the Owner, had the survey completed, and drafted the Agreement of Purchase and Sale.
- Staff are seeking authorization to finalize the purchase of the land and dedicate it as public highway.

RECOMMENDATION:

1. That Recommendation Report, PW-15-2023, regarding "1989 Abingdon Road – Land Purchase for Road Allowance," dated May 23, 2023, BE RECEIVED; and,
2. That, a By-law be passed to authorize the Mayor and Clerk to sign an agreement for the purchase of Part 2 of Reference Plan No. 30R-15980, on the southeast corner of Abingdon Road and Concession 5 Road; and,
3. That, once the lands have been transferred to the Township of West Lincoln, a by-law be passed to declare Part 2 on Reference Plan No. 30R-15980, on the southeast corner of Abingdon Road and Concession 5 Road, as Public Highway.

ALIGNMENT TO STRATEGIC PLAN:

Theme #1

- **Strong Transportation Connections** - West Lincoln's goal is to have transportation infrastructure that is safe for motorists, cyclists and pedestrians, and networks that are well-maintained and connected within our community.

BACKGROUND:

The property owner of 1989 Abingdon Road, through the course of completing a survey for a minor variance application, determined a portion of the Township's roadway and roadside ditch were encroaching on his property.

It was agreed that the best option to resolve the issue was for the Township to purchase this land and dedicate it as Public Highway.

In December 2021, Planning staff brought Report PD-121-2021 (Appendix A) forward to Council and received authorization to have a survey completed and create a Reference Plan to identify the land to be purchased by the Township and obtain an appraisal of the land, if required.

CURRENT SITUATION:

Planning staff engaged Rasch and Hyde Ltd. to complete the survey work, Reference Plan No. 30R-15980 (Appendix B) identifies Part 2 as the land to be purchased by the Township.

Planning staff and the property owner of 1989 Abingdon Road came to an agreement that the sale price for the land will be \$2000 + HST with the Township paying for the legal costs associated with the sale and land transfer. An Agreement of Purchase and Sale was drafted and reviewed by the Township's Legal Counsel.

As this relates to a roads matter, Public Works staff were provided with this background work and are requesting authorization from Council to finalize the purchase of the land and dedicate the parcel as Public Highway.

FINANCIAL IMPLICATIONS:

The survey work was completed in 2022 at a cost of \$1,695.00 and was accommodated in the roads operating budget.

Planning staff received quotes to complete an appraisal of the land at \$2000 + HST which was believed to be close to the value of the land. In discussions with the property owner it was agreed to forego the appraisal and agree on the sale price for the land of \$2000.00 + HST. It was also agreed that the Township would pay the associated legal costs to execute the Agreement of Purchase and Sale, and, to prepare and file documents to transfer the lands to the Township. These costs will also be accommodated in the roads operating budget.

INTER-DEPARTMENTAL COMMENTS:

This report has been prepared in collaboration with the Planning, Finance and Clerks Departments.

CONCLUSION:

Township staff are recommending that a by-law be passed to allow for the purchase of the land, and once the lands have been transferred to the Township, a by-law be passed to dedicate the land as Public Highway.

ATTACHMENTS:

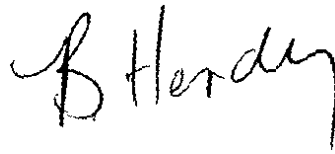
1. Appendix A – Planning Report PD-121-2021
2. Appendix B – Reference Plan No. 30R 15980
3. Appendix C – By-law to Authorize the Purchase of Land
4. Appendix D – By-law to Dedicate Land as Public Highway

Prepared and Submitted by:



Jennifer Bernard, C.E.T.
Coordinator of Engineering Services

Approved by:



Bev Hendry
CAO

Approved by:



Mike DiPaola, P.Eng.
Director of Public Works & Recreation