

## **COMMITTEE OF THE WHOLE MAY 6, 2002**

### **SALE OF CITY SURPLUS LANDS TO CALVARY BAPTIST CHURCH CLOSED PORTION OF ROE ROAD CITY OF VAUGHAN**

#### **Recommendation**

The Manager of Real Estate in consultation with the Director of Legal and Real Estate recommends that a By-Law be enacted to:

Declare the lands, being the closed portion of Roe Road, and shown on Attachment 1, surplus;

Provide that pursuant to the Disposal of Property By-Law, notice of sale of the lands be the inclusion of the matter on the Council Agenda;

Authorize the sale of the surplus lands, in accordance with the provisions of Section 315 of the Municipal Act and subject to any permanent easement requirements by the City of Vaughan, Bell Canada and Hydro Vaughan Distribution Inc., to the Calvary Baptist Church for the sum of \$1,410.00 plus applicable GST and appraisal costs; and

That the Mayor and Clerk be authorized to execute all documentation necessary to complete the transaction.

#### **Purpose**

The purpose of this report is to obtain Council authorization to complete the sale of City land.

#### **Background**

The Calvary Baptist Church submitted an application for site plan approval (DA.98.081) to the City proposing the construction of a 27,341 square foot (2,540 square metre) church and day school on a 25 acre site located on the north side of Roe Road, more or less where Roe Road intersects with Nashville Road. City Council, at its meeting on July 12, 1999, approved the site plan which showed a closure of Roe Road where it intersects with Nashville Road, and for the construction of a cul-de-sac approximately 300 feet to the east. As a result, the applicant requested the City commence road closure procedures pursuant to the Municipal Act. The portion to be stopped up and closed contains 0.469 acres and is legally described as Parts 2 and 3, plan 65R-23743

On June 11, 2001, City Council directed the Clerk to take the necessary steps to stop-up, close and convey the lands to the abutting owners pursuant to the provisions of the Municipal Act. Notice of the proposed road closure was advertised as per the provisions of the Municipal Act; the appropriate agencies have been notified and have no objections to the road closure. Bell Canada and Hydro Vaughan Distribution Inc. have requested easement protection for their existing pole lines on the lands to be disposed of. Road Closing By-law Number 333-2001 was registered on September 10, 2001 as Instrument Number YR47146. On November 26, 2001 the site plan agreement between the Church the City and the Region was executed by the parties.

The various City Departments were circulated for their comments with respect to the proposed road closure. All of the City Departments indicated they had no objections to the road closure and disposition to the abutting owners. Public Works Department has requested easement protection for an existing drainage ditch.

An appraisal report was completed for the City to estimate the current market value of the closed portion of Roe Road. Due to its very irregular shape and extremely small size, the appraiser concluded that it had no value as a stand-alone parcel and that its only value was in contribution

to the values of adjacent properties. The adjacent parcels consist of the Calvary Church property to the north and one adjoining owner to the south.

Under the provisions of Section 315 of the Planning Act, the City can only dispose of the northern half of the closed portion of the road allowance to the Calvary Baptist Church. This portion contains about 1465 sq. metres (.36 ac) and is subject to required easements to the City, Bell Canada and Hydro Vaughan Distribution Inc. Based on the appraisal and recognizing the size, limited utility, and encumbrances of the required easements of the required easements, the value estimate is \$1,400.00 Staff consider this a fair value for the land.

### **Conclusion**

Pursuant to the Disposal of Property By-Law, the disposal of the subject property was circulated to other City Departments and there are no objections to declaring the lands surplus. All requirements noted in the Disposal of Property By-Law have been adhered to.

The Church has agreed to purchase the City property as outlined and pay for the appraisal costs. Upon development of the church facility the lands will form part of the landscape area of the development. Staff, therefore, recommends the disposition of the subject property, as shown on the sketch on Attachment 1, to the Calvary Baptist Church.

### **Attachments**

1. Map

### **Report prepared by**

Respectfully submitted,

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Liana Haughton  
Manager of Real Estate





