

# Staff Report

Presented By: Mark Paoli, Director, Development Services

Meeting Date: April 28, 2025

Subject: Sale of Part of Eckford Road Allowance at 536 Eckford Avenue

Attachment(s): Staff Report- May 13, 2019  
Public Notice – August 7, 2019  
Public Notice – April 2025

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## **Recommendation**

That Council direct a by-law be prepared to close and sell the unopened section of Eckford Avenue located adjacent to 536 Eckford Avenue.

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## **Report Summary**

If approved, the recommended By-law would provide the legal pathway towards final sign-off on the building permit at 536 Eckford Avenue. This approach would be consistent with how the Town has dealt with similar situations along Eckford Avenue in the past that was initiated but not completed for 536 Eckford Avenue.

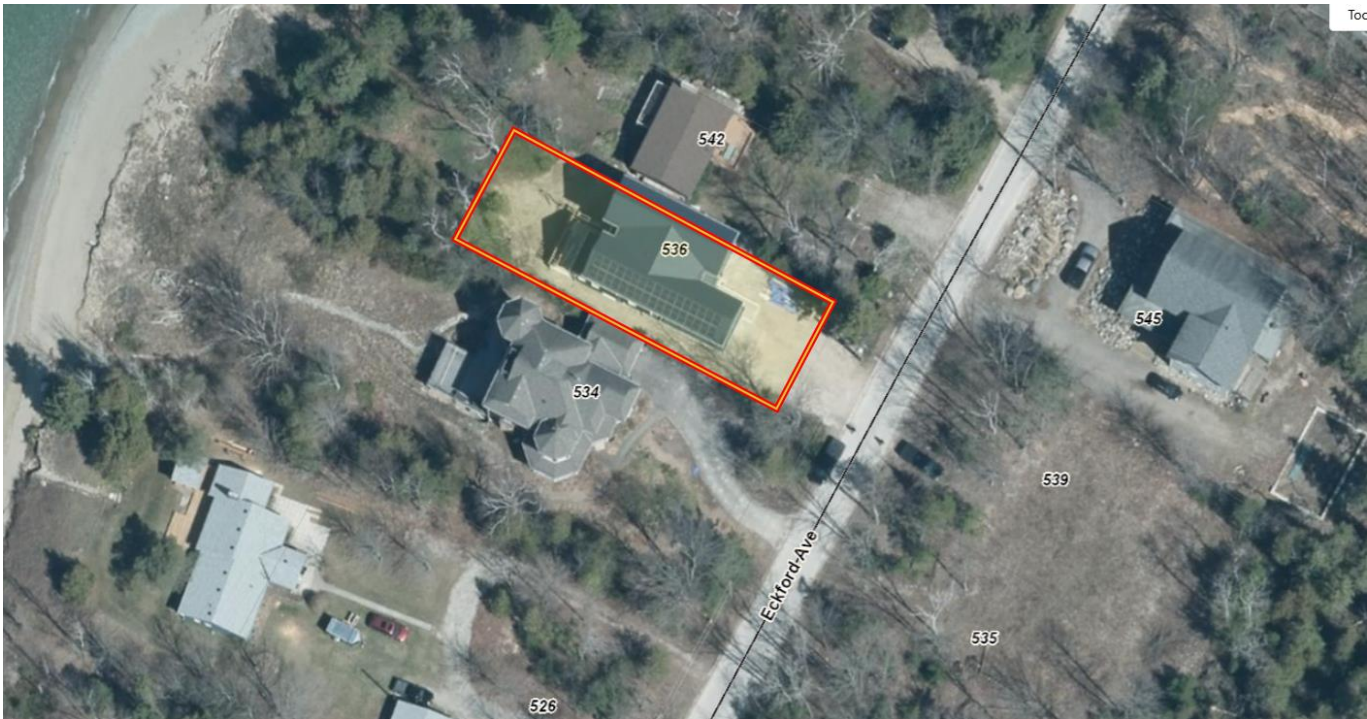
## **Background/Analysis**

In similar fashion to a large number of other properties (25) on the west side of Eckford Avenue, Council passed the following in May 2019: "That Council declares surplus to the municipality's needs and gives notice of Council's intention to pass a By-law to close and sell the unopened section of Eckford Avenue located adjacent to 536 Eckford Avenue".

Pursuant to this direction, a deposit and a survey were received from the landowner and Notice of Council's intent was published in August, 2019 (see attached). It appears that the matter was not advanced in 2019 due to the ongoing Land Claim with Saugeen Ojibway Nation that was then settled by the municipality in September 2021.

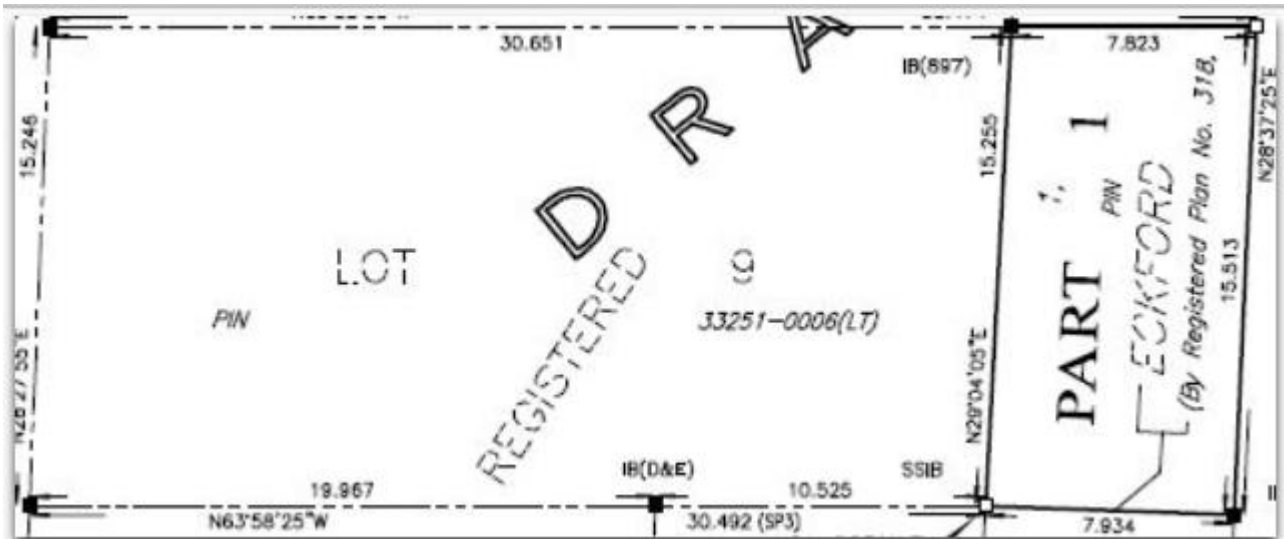
Since that time, the building permit for the house at 536 Eckford Avenue has since been essentially completed (house is built and meets code); however, the permit cannot be finalized because, in order to comply with the Zoning requirement to have frontage and access, the subject Part of the Eckford Avenue allowance needs to be added to the lot.

Location Map of 536 Eckford Avenue



Note: property boundary shown in orange is approximate

Draft Reference Plan Excerpt:



## Policy Basis:

The Town “Sale and Other Disposal of Land Policy” includes the following relevant points:

- Overall Policy Exemption:  
Reviewing Section 5, Exemptions from the Policy, the sale of this land is not exempt from the policy.
- Valuation Exemption:  
Reviewing Section 6, the sale of this land is exempt from the valuation policies because it meets Subsection 6.1.1 which exempts closed highways, roads and road allowances, including shore allowances, of insufficient size to be developable on their own sold to an owner of land abutting the said road. As shown above, the depth of the Part to be sold is 7.823m on the north side and 7.934 on the south side with lot area of approximately 120 m<sup>2</sup>, and as such development on that part would neither be feasible due to its location nor meet the provisions of the Zoning By-law.

The previous process in 2019 did publicly state a price for the land (see attached report from May 13, 2019) of \$3,900.00. In consideration of the fact that the abutting owner would have budgeted for the purchase on that understanding, it would be reasonable to maintain that price for this transaction.

- Methods of Sale or Disposition:  
Reviewing the provisions of Section 7, Council’s discretion to select the method includes Subsection 7.1.4 Private Sale. It is recommended to use a private sale as that has been the method used by the Town in the other similar situations (25) along Eckford Avenue and 536 Eckford Avenue is the only property that could logically merge with this parcel.

## **Linkages**

- Strategic Plan Alignment: Pillar 1: Meeting the Needs of a Growing Community
- Business Plan Alignment: Development Services Business as Usual

## **Financial Impacts/Source of Funding**

The purchaser is responsible for all survey and legal costs and has submitted a deposit. The estimated value of the land identified in 2019 of \$3,900.00 will be used for this transaction.

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Prepared By: Mark Paoli, Director, Development Services

Approved By: Kara Van Myall, Chief Administrative Officer