

Municipality of East Ferris

Report to Council

Report No.: PLAN-2024-01

Date: May 14, 2024

Originator: Greg Kirton, Director of Community Services

Subject: McLaughlin Surplus Land Request – Kyle Road

RECOMMENDATION

1. THAT Council for the Municipality of East Ferris approve, in part, the application from Jennifer and Bryan McLaughlin (owners of 52 Kyle Road) to purchase a portion of the road allowance between 50 Kyle Road and 52 Kyle Road in accordance with **Schedule C** and be disposed of in accordance with the policies of By-law 2218 (Option # 1).
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BACKGROUND

The Municipality of East Ferris owns an unopened road allowance between 50 Kyle Road and 52 Kyle Road. The road allowance runs in a north-south orientation, intersects Kyle Road, and continues north all the way to Big Moose Road. The Applicant has indicated that they wish to purchase the road allowance adjacent to their property from the lake to Kyle Road.

Schedule A shows the property location and the portion of the road allowance that the applicant has requested to purchase. **Schedule B** shows the drawing that was submitted with the application and the extent of the road allowance the applicant is seeking to purchase.

This section of road allowance was previously part of a request before Council in 2019, made by the owners of 50 Kyle Road. At that time, the owners wished to purchase the section of road allowance that is subject to this application as well as an additional section to the north of Kyle Road. Although the 2019 request never formally proceeded to Council for a decision, it did face numerous challenges. The most significant issue with 50 Kyle Road acquiring this piece of land would be that the well that services 52 Kyle Road is located on the road allowance. Further, there is a formal encroachment agreement for the well on record with the municipality for 52 Kyle Road.

The location of the well on the road allowance is one of two major reasons outlined by the owners of 52 Kyle Road as to why they are seeking to purchase the land. The second is that their home is directly against the property line with a 0m setback between the dwelling and property line that borders the road allowance. By purchasing the road allowance, the applicant could resolve both of these issues.

These issues were both concerns for the municipality when the request to purchase the lands came from the owner(s) of 50 Kyle Road but are not concerns if the road allowance is purchased by the owners of 52 Kyle Road.

Generally speaking, this section of road allowance is not well suited to any municipal use. It is steep with varied terrain, has poor access to the shore and is located off of a private road that is not maintained by the municipality. Further, this is not a suitable location for the East Ferris Fire Department to access the lake to draw water from.

However, staff do have a remaining concern regarding access to 54 Kyle Road, the adjacent property to the east. If the road allowance were closed and sold to the extent requested by the applicant, it would result in a landlocked section of road allowance that currently allows a physical connection between 54 Kyle Road and Kyle Road itself. In order to address this concern, if Council wishes to dispose of any of this section of road allowance, staff recommend only the extent outlined in **Schedule C** be closed and sold.

OPTIONS

1. Option 1

That the application from Jennifer and Bryan McLaughlin (owners of 52 Kyle Road) to purchase a portion of the road allowance between 50 Kyle Road and 52 Kyle Road be approved in part, in accordance with **Schedule C** and disposed of in accordance with the policies of By-law 2218.

2. Option 2

That the application from Jennifer and Bryan McLaughlin (owners of 52 Kyle Road) to purchase a portion of the road allowance between 50 Kyle Road and 52 Kyle Road be approved in full, in accordance with **Schedule B**, and be disposed of in accordance with the policies of By-law 2218.

3. Option 3

That the application from Jennifer and Bryan McLaughlin (owners of 52 Kyle Road) to purchase a portion of the road allowance between 50 Kyle Road and 52 Kyle Road not be approved.

FINANCIAL IMPLICATIONS

The municipality would be able to generate revenue from the sale of a portion of road allowance that will not be used for municipal operations. The approximate sale revenue of this land, based on the recommended option, would be around \$11,500.00.

RECOMMENDATION

It is recommended that the application from Jennifer and Bryan McLaughlin (owners of 52 Kyle Road) to purchase a portion of the road allowance between 50 Kyle Road and 52 Kyle Road be approved in part, in accordance with **Schedule C** and disposed of in accordance with the policies of By-law 2218 (Option # 1).

Respectfully Submitted,



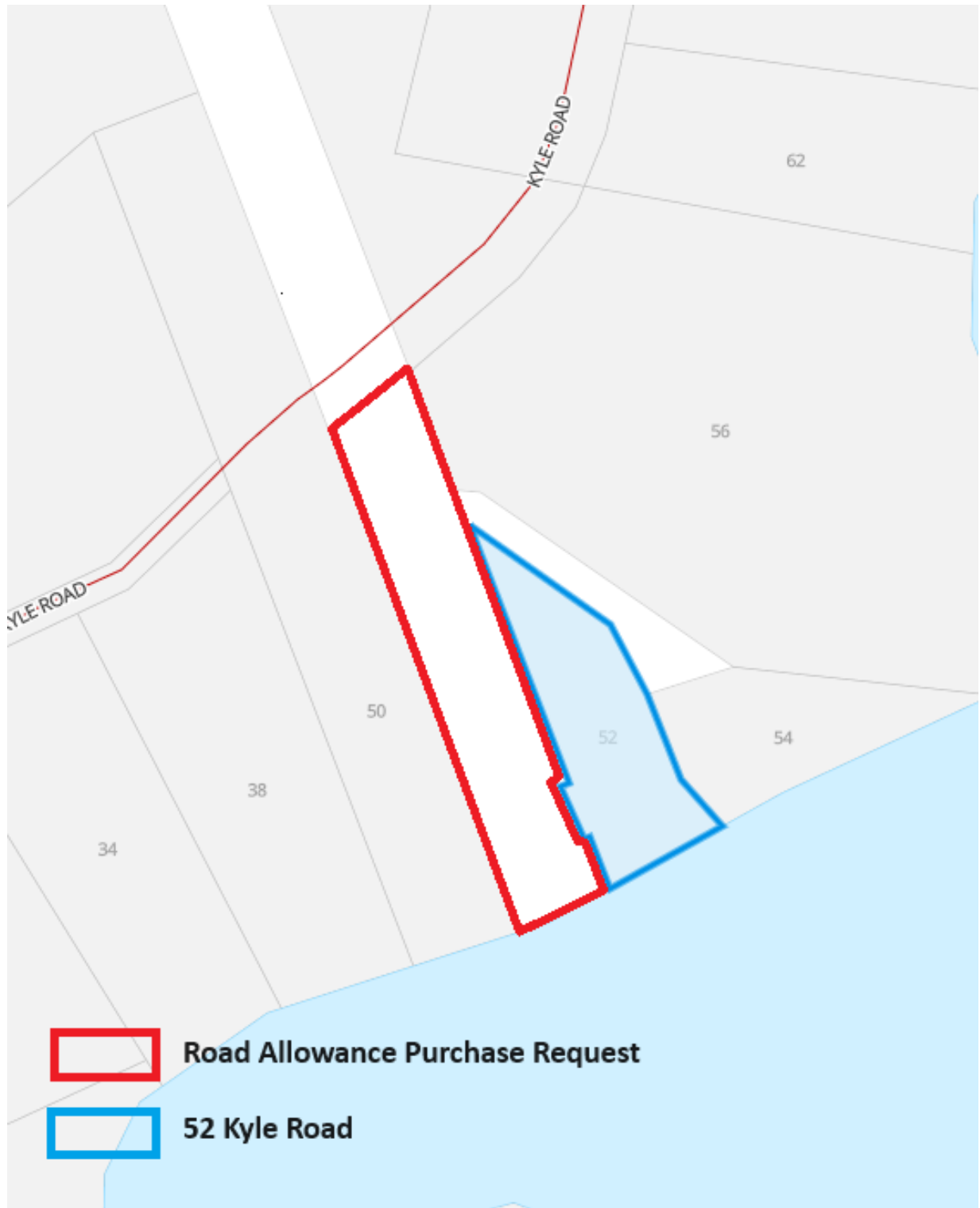
Greg Kirton, RPP, MCIP
Director of Community Services

I concur with this report,
and recommendation

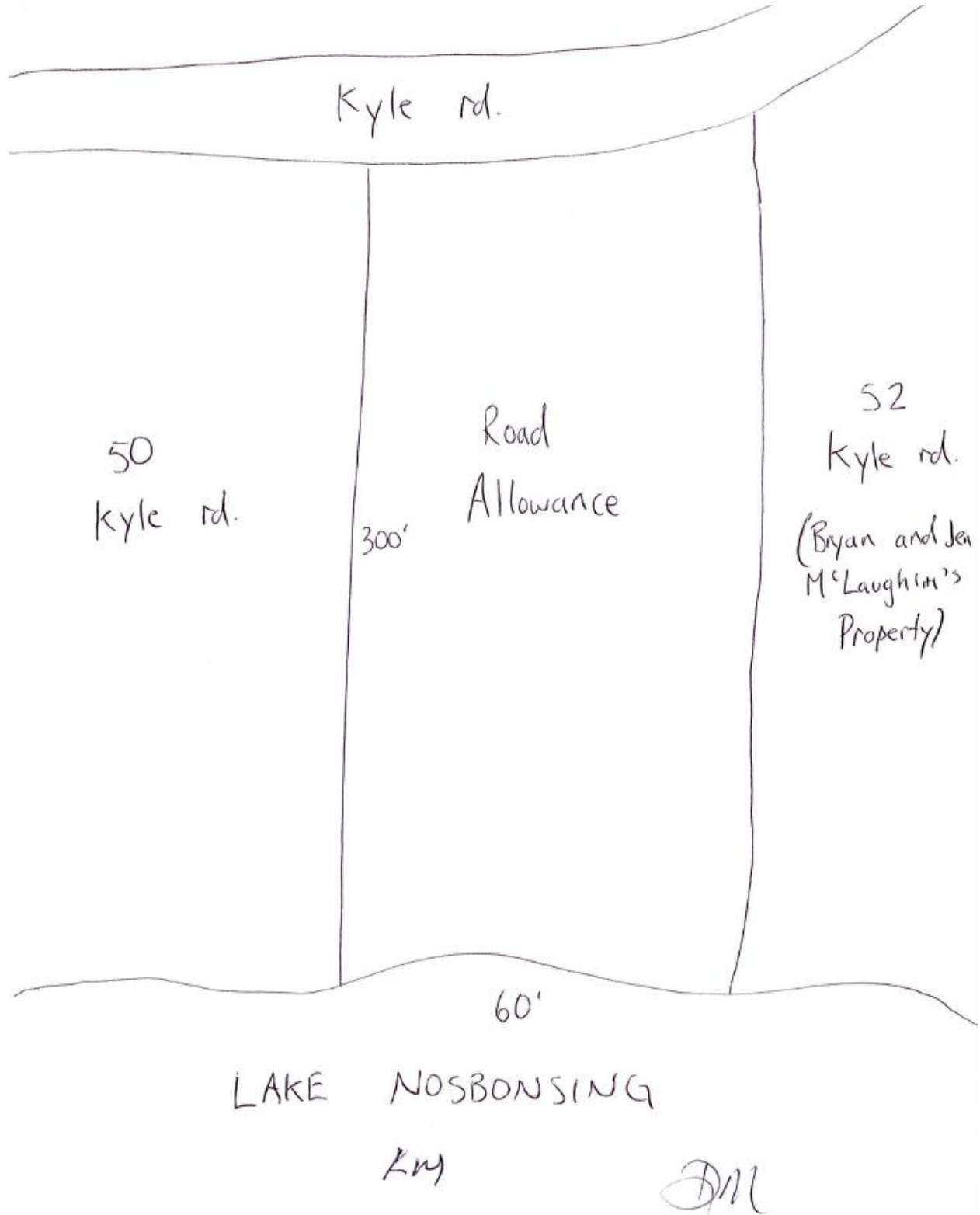


Jason H. Trottier, HBBA, CPA, CMA
CAO/Treasurer

Schedule A – Subject Lands



Schedule B – Applicant's Submission



Schedule C – Recommended Extent of Closure and Sale

