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STAFF REPORT: Planning & Building Services Department



REPORT TO: Council
MEETING DATE: March 4, 2012
REPORT NO.: PL.13.27
SUBJECT: Disposition of Town Land – Road Allowance between Lots 15 and 16, Concession 2, from Grey Road 119 to Scenic Caves Road
PREPARED BY: David Finbow, Director Planning & Building Services

A. Recommendations

1. **THAT** Council receive Staff Report PL.13.27 with respect to “Disposition of Town Land – Road Allowance between Lots 15 and 16, Concession 2, from Grey Road 119 to Scenic Caves Road”; and,
2. **THAT** Council either:
 - A. Direct that Town staff proceed with the process related to the sale of Town owned land as set out in Town Policy POL.COR.07.02;
 - or,
 - B. Determine at this time that the subject lands are not surplus to the needs of the Corporation.

B. Background

The purpose of this Report is to receive direction from Council with respect to an inquiry from Blue Mountain Resorts Limited related to the proposed acquisition of Town owned land. Specifically, the acquisition of the road allowance between Lots 15 and 16, Concession 2, from Grey Road 119 to Scenic Caves Road.

The subject road allowance (highway) was stopped up and closed by By-law No. 70-9, enacted September 18, 1970. The road allowance was then subsequently leased to Blue Mountain Resorts Limited for a period of 99 years with said lease registered as Instrument No. 126725.

As Council is aware, Blue Mountain Resorts Limited recently stated an intention to develop The Orchard as skiable terrain, including the installation of a new lift and snow making infrastructure, with same opening for the 2013/2014 ski season. The subject road allowance, as depicted on Appendix A, is located within this area.

Town Policy POL.COR.07.02 respecting Sale and Other Disposition of Land, indicates the following:

1. Subject to any other provisions contained in the *Municipal Act, 2001*, prior to the sale of land Council shall:
 - a) at a regularly scheduled Council meeting deem that any land to be sold or conveyed is surplus to the needs of the Corporation;
 - b) obtain at least one appraisal of the fair market value of the land to be sold or conveyed and this appraisal may include consideration of a public benefit in the case of any land transfer or exchange;
 - c) give notice to the public of the proposed sale of land by publication of notice of the proposed sale for two successive weeks in a local newspaper having general circulation in the area and by posting on the Town website and by e-mail message to any person who requests provision of Town notices.
2. Council may, at their sole discretion and acting in good faith, upon compliance with clause 1. of this Policy, advertise to request sealed tenders or bids for the sale of land or to engage a real estate firm or broker for the sale of land or utilize an alternative method of sale or disposal of land to be determined by Council.
3. Council may, at their sole discretion, add or delete any costs incurred by the municipality with regard to the sale of land to or from the sale price of the land.

Town staff has reviewed this request and advises that the subject lands are not seen to be necessary for any future infrastructure works, including trails, roads, sewer or water, and requests Council's direction on this matter.

C. The Blue Mountains' Strategic Plan

Providing a strong, well managed municipal government.

D. Environmental Impacts

N/A

E. Financial Impact

TBD

F. In Consultation With

SMT

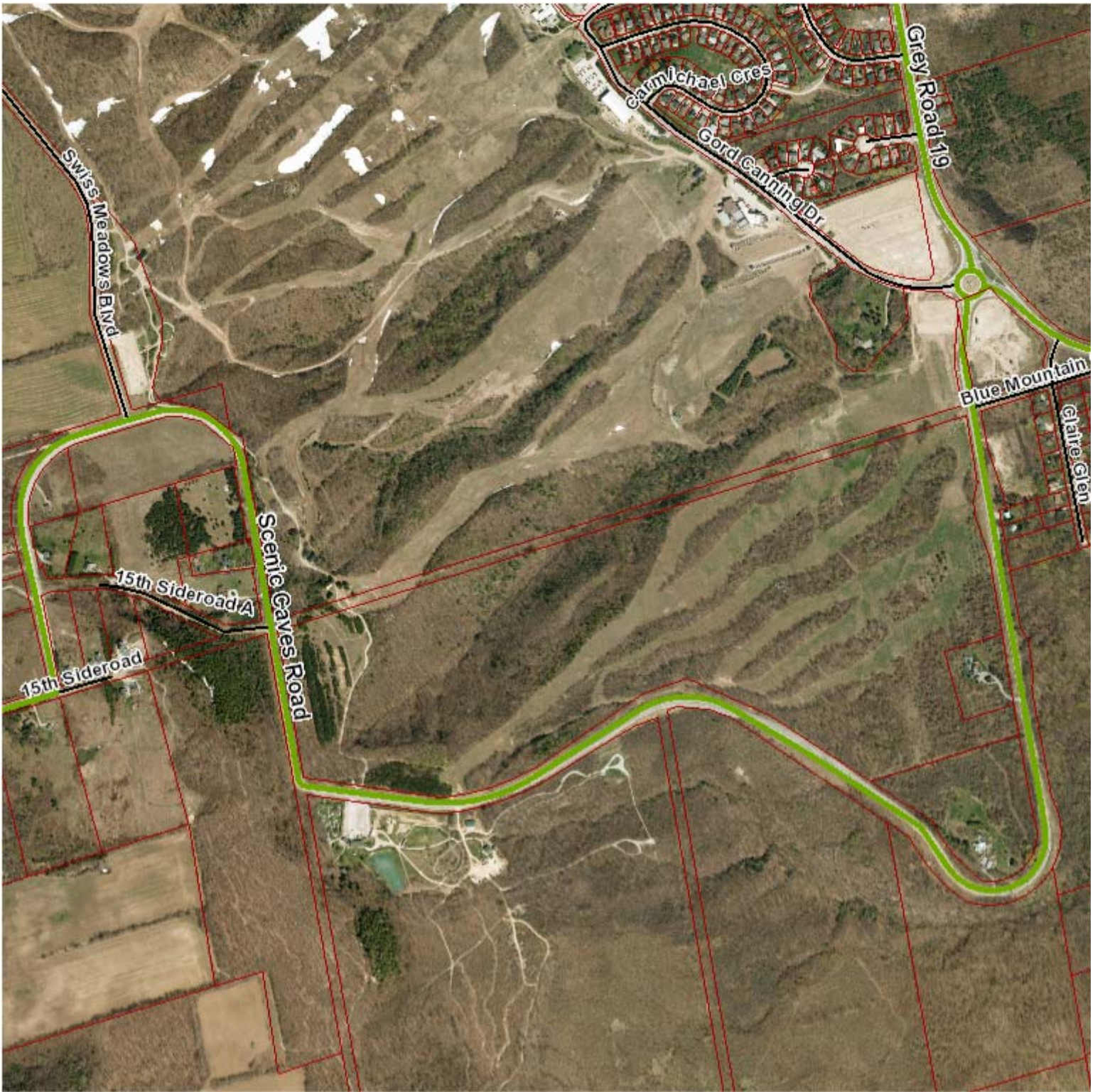
G. Attached

Aerial
Key Map
Plan of Survey, Patten & Thomsen

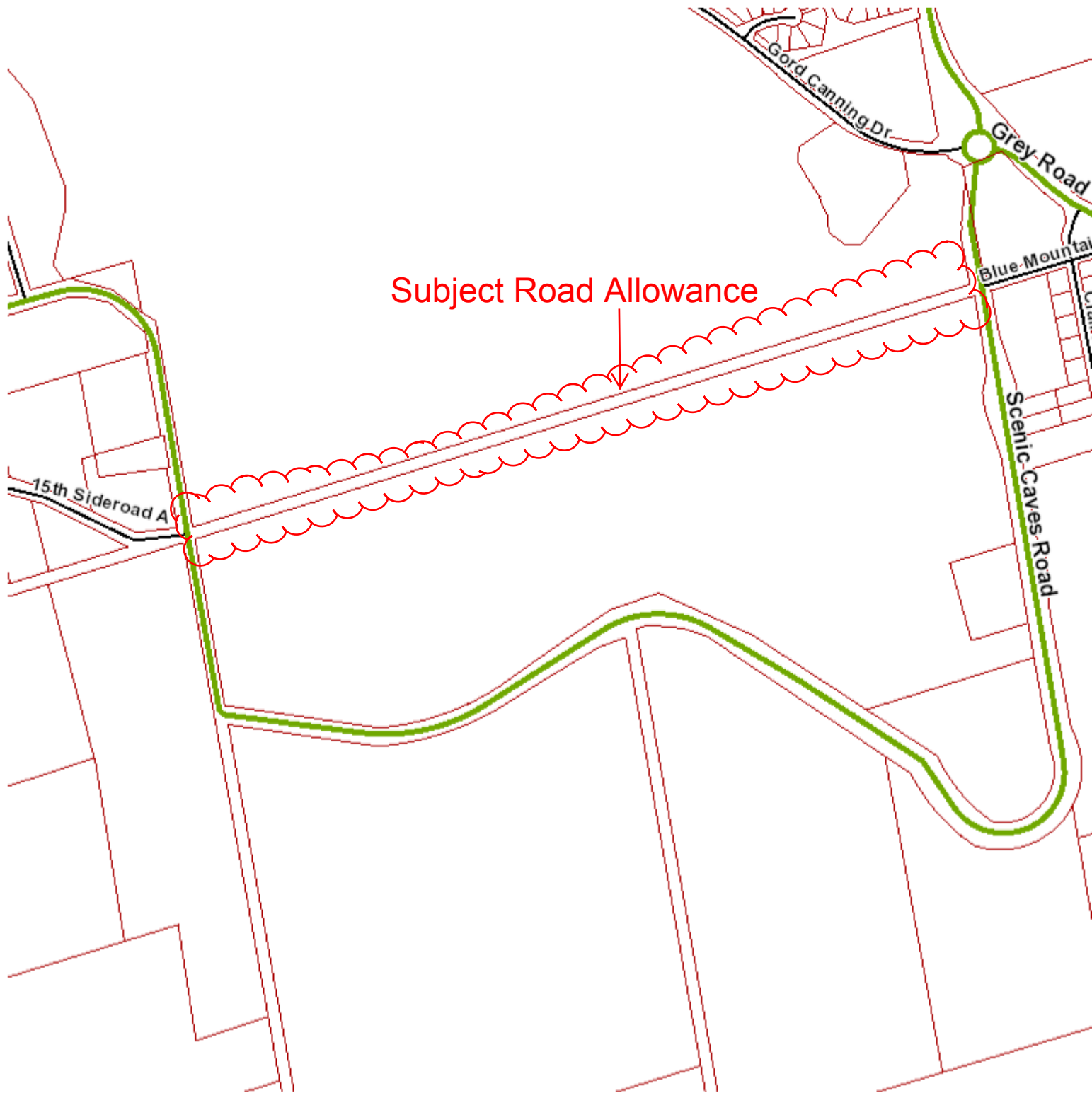
Respectfully submitted,

D. Finbow
Director, Planning & Building Services

TBM GIS DATA



TBM GIS DATA



Subject Road Allowance

15th Sideroad A

Gord Canning Dr

Grey Road

Blue Mountain

Scenic Caves Road



PLAN OF SURVEY OF
 BLOCK A AND PART OF BLOCK E
 REGISTERED PLAN 915
 AND PART OF LOT 16
 AND CONCESSION 1
 AND PART OF LOT 16
 CONCESSION 2
 AND LOT 1 AND PART OF LOTS 2 AND 3
 REGISTRAR'S COMPLETED PLAN 950
 (GEOGRAPHIC TOWNSHIP OF COLLINGWOOD)
 TOWN OF THE BLUE MOUNTAINS
 COUNTY OF GREY

SCALE 1:750
 ZUBER, EMO, PATTEN & THOMSEN LTD.
 2005
 METRIC
 DISTANCES ON THIS PLAN ARE IN METRES AND CAN
 BE CONVERTED TO FEET BY DIVIDING BY 0.3048

NOTES:
 1. BEARINGS HEREON ARE ASTROMOMIC AND ARE REFERRED TO THE
 BEARING OF THE EASTERLY WINKER LIMIT OF GREY COUNTY ROAD
 No. 19 BEING N9°47'00"W IN ACCORDANCE WITH PLAN 16R-159.

- ◆ DENOTES SET
- DENOTES ROUND IRON BAR
- ◆ DENOTES IRON BAR
- ◆ DENOTES SHORT STANDARD IRON BAR
- ◆ DENOTES CUT CROSS
- ◆ DENOTES CONCRETE PIN
- ◆ DENOTES WINKER OF CURVAUTURE
- P1 REFERS TO PLAN OF SURVEY BY ZUBER, EMO, PATTEN & THOMSEN LTD., O.L.S., DATED DECEMBER 23, 1974.
- P2 REFERS TO PLAN OF SURVEY BY LLOYD PETERS O.L.S., BEBBS TO PLAN OF SURVEY BY ZUBER, EMO, PATTEN & THOMSEN LTD., O.L.S., DATED JUNE 14, 2005
- P3 REFERS TO PLAN OF SURVEY BY ZUBER, EMO, PATTEN & THOMSEN LTD., O.L.S., DATED JUNE 14, 2005
- P4 REFERS TO PLAN OF SURVEY BY ZUBER, EMO, PATTEN & THOMSEN LTD., O.L.S., DATED JUNE 12, 1996

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
 WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE
 REGISTRY ACT AND THE REGULATIONS MADE THEREIN.
 2. THE SURVEY WAS COMPLETED ON THE DAY OF
 2005.
 SEPTEMBER . 2005
 PAUL R. THOMSEN
 ONTARIO LAND SURVEYTOR
 COLLINGWOOD

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 ZUBER, EMO, PATTEN & THOMSEN
 PATRICK F. PATTON
 &
 THOMSEN
 FARRIO LAND SURVEYORS
 39 STEWART ROAD
 COLLINGWOOD, ONTARIO L9Y 4W7
 1 1 M 1 1 E 0 PHONE: (709) 445-4910 FAX: (709) 445-9866
 JOB NO. Z-251-39 SURVEY FOR: BLUE MOUNTAIN RESORTS
 JOB FILE: C:\DATA\2005-08\251-39.dwg