

**Township of Southgate**  
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## **Staff Report CL2021-015**

**Title of Report:** CL2021-015 - Purchase and Sale Agreement – Road Allowance – Concession 4, Lots 25 and 26, Geographic Township of Egremont

**Department:** Clerks

**Branch:** Legislative and Council Services

**Council Date:** June 2, 2021

### **Recommendation:**

**Be it resolved that** Council receive Staff Report CL2021-015 for information; and **That** Council consider approval of By-law 2021-080 being a by-law to enter into a purchase and sale agreement for the surplus road allowance between Lots 25 and 26, Concession 4, Geographic Township of Egremont.

### **Background:**

On February 17, 2020, staff received correspondence from a resident who expressed interest in purchasing road allowance from the Township located between Lots 25 and 26, Concession 4, former Township of Egremont. For background information please see [Staff Report CL2020-008](#).

At the March 4, 2020 Council Meeting, Council voted in favour of directing the Planner to bring back a report outlining the future related use, restrictions and/or any Planning implications on the subject lands.

At the April 8, 2020 Special Council meeting [Staff Report PL2020-009](#) was received and the following motion was approved:

Mayor Woodbury requested a recorded vote on the main motion.

No. 2020-151

**Moved By** Councillor Sherson

**Seconded By** Councillor Rice

**Be it resolved that** Council receive Staff Report PL2020- 009 for information; and **That** Council proceed with **Option B**, and direct staff to take all necessary actions in relation to this option as outlined in this staff report.

Yay (5): Mayor Woodbury, Deputy Mayor Milne, Councillor Sherson, Councillor Rice, and Councillor Frew

Nay (2): Councillor Dobreen, and Councillor Shipston **Carried (5 to 2)**

**Option B** included that Council sell the road allowance and declare the lands surplus and direct the Clerk to take all necessary actions to bring about the sale of the entire road allowance between Concession 4 and Concession 5, lot 25 and lot 26.

At the May 20, 2020 Council meeting, Council declared the lands as surplus and directed staff to proceed with acquiring an opinion of value on the lands using Padfield Nelson Realty and return to Council with the opinion of value to establish the selling price of the road allowance. [Staff Report CL2020-016](#) can be reviewed for further information.

Staff received an opinion of value for the road allowance from Padfield Nelson Realty dated July 24, 2020 and reported at the August 5, 2021 Closed Session Council meeting with that information. The following motion was approved following Closed Session:

No. 2020-347

**Moved By** Councillor Rice

**Seconded By** Councillor Dobreen

**Be it resolved that** Council receive Staff Report CL2020-023C as information; and **That** Council direct staff to offer the sale of the property to the two adjacent land owners and return to Council with further information as directed in Closed Session.

**Carried**

Staff reached out to both abutting landowners and returned to Council with further information at the October 7, 2020 Closed Session Council meeting. The following motion was approved following Closed Session:

Councillor Dobreen requested a recorded vote on the motion.

No. 2020-457

**Moved By** Councillor Rice

**Seconded By** Councillor Dobreen

**Be it resolved that** Council receive Staff Report CL2020-032C for information; and **That** Council direct staff to develop a purchase and sale agreement to offer the property to the interested party for the price of \$21,115.00, plus the cost of the opinion of value, a survey, if required, and any legal costs to also be paid by the purchaser.

Yay (6): Mayor Woodbury, Deputy Mayor Milne, Councillor Dobreen, Councillor Sherson, Councillor Rice, and Councillor Frew

Nay (1): Councillor Shipston **Carried (6 to 1)**

**Staff Comments:**

A survey was conducted by Wilson Ford Surveying of Mount Forest to establish the property lines and staff have been working with the abutting landowner who is purchasing the road allowance to develop a Purchase and Sale agreement for Council approval. The Purchase and Sale agreement has been reviewed by Southgate's lawyers and staff are recommending approval of the agreement by By-law.

**Financial Implications:**

There is no financial impact to the municipality as a result of this report. The resulting sale of the property generates revenue for the Township.

**Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.

**Concluding Comments:**

That Council receive Staff Report CL2021-015 for information and that Council consider approval of By-law 2021-080 being a by-law to enter into a purchase and sale agreement for the surplus road allowance between Lots 25 and 26, Concession 4, Geographic Township of Egremont.

Respectfully Submitted,

**Dept. Head:** *Original Signed By*  
Lindsey Green, Clerk

**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

**Attachments:** None