

Date: September 29, 2021
To: Mayor and Council
Author: G.A. Plancke / Director of Infrastructure & Engineering
RE: Dix Alley Surplus & Disposal
Report No.: IED 2021-31

RECOMMENDED ACTION

That Council approve the surplus and disposal declaration of the unopened portion of Dix Alley, and further explore the offer for sale process for the recognized unopened sections of registered Plan # 1348 forming part of the Dix Alley Road allowance with the abutting landowners and further that,

Council approve - Table 1. Proposed Dix Alley Disposal Apportionment Schedule.

BACKGROUND

330-2021- May 25, 2021

Moved By Councillor Tony Gaffan

Seconded By Councillor Thomas Neufeld

That Council requests Administration to provide a report and recommendation

Re: Dix Alley being declared surplus lands. CARRIED

Dix Alley is located within the Linden Beach area of Kingsville between Scratch Lane to the west and Lake Drive to the east, and joins to County Rd 50 (Heritage Rd.). It is approximately 73 m (240 ft) in length and 6.0 m (20 ft) in width. The unopened portion represents approximately 150 m² (1615 ft²) of the northern portion, with the extreme northern 13 m (42 ft) fenced off and inaccessible to all but one residential property.



DISCUSSION

Over the last few years, some residents that own property along and abutting Dix Alley have expressed interest in the Town opening the unopened portion to traffic, and or acquiring the unopened section of the Dix Alley allowance for public and personal use. The unopened section represents approximately 24 m (79 ft) of the total road allowance length and does not have an accessible road surface. There are no utilities or underground services in the unopened section.

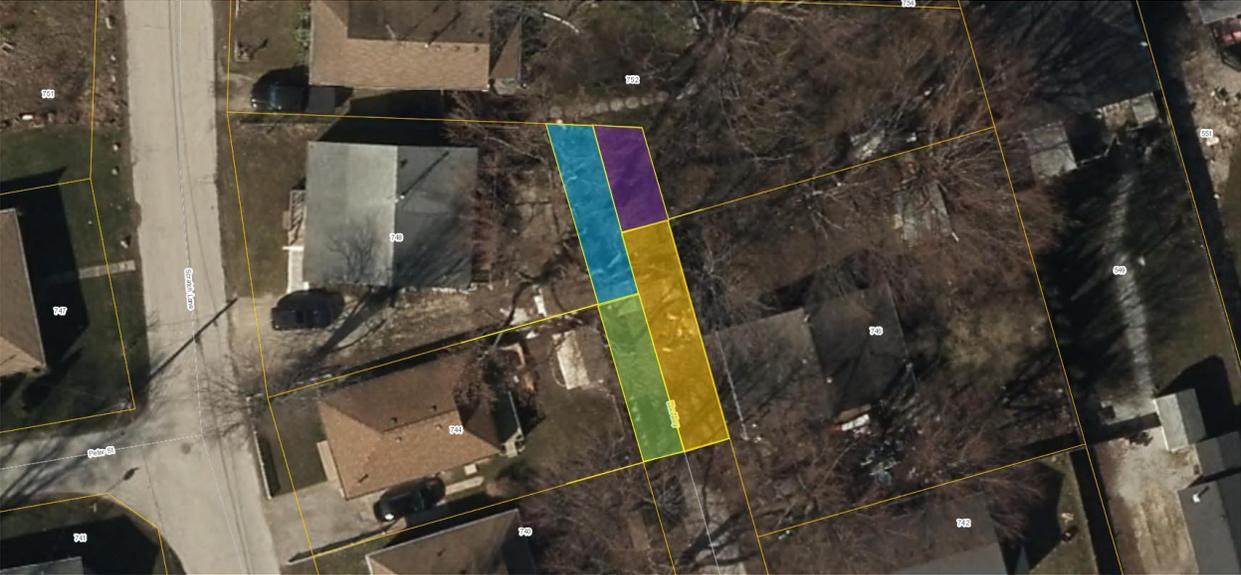
There are no plans for upgrading this section, or plans to extend municipal services into this area.

Some local residents have placed structures such as sheds, fences, patios and driveways within the unopened section, and have maintained and used the unopened ROW as an extension of their own property. This has exasperated tension between the local property owners, which has translated into multiple service requests to several departments at the Town, and additional requests for Councilors to intervene in an attempt to mitigate the issue and concerns.

Infrastructure and Engineering has no short or long term plans to utilize the unopened portion of Dix alley, and further provides no justification to retain the unopened portion of Dix Alley for future use.

The unopened portion of Dix Alley would not be considered suitable as a building lot and therefore the fairest solution to disposal is to declare the unopened portion of Dix Alley surplus to the needs of the municipality and dispose by conveyance to abutting property owners in a fair and reasonable manner, consistent with the Sale and Other Disposition of Land Policy .

Table 1. Proposed Dix Alley Disposal Apportionment Schedule



Address	Total m ² (ft ²)	% to receive approximately
746 Dix Alley	53.30 m ² (573.7 ft ²)	35.5%
744 Scratch Lane	34.55 m ² (371.8 ft ²)	23.0%
748 Scratch Lane	38.05 m ² (409.6 ft ²)	25.5%
752 Scratch Lane	24.10 m ² (259.4 ft ²)	16.0%

To be confirmed by an Ontario Land Surveyor (OLS).

All costs related to the conveyance of the parcels would be at the expense of the receiving property owners. This would include legal land transfer agreements, an (OLS) field survey, draft plan creation, and submission to the Land Registry Office. It is important to note that all property owners would have to be agreeable to the conveyances and related costs, otherwise the conveyances could not be realized.

There is no benefit to the Town to consider partial conveyances.

LINK TO STRATEGIC PLAN

Effectively manage corporate resources and maximize performance in day-to-day operations.

Link to Council 2021-2022 Priorities

- COVID-19 and the health and safety of the community
- Customer Service: Training, Technology, Staff, Review Standards/Level of service
- Housing: Affordability (lot sizes, developer incentives, second dwellings, density, etc.)
- Greenhouse: lights & dark sky, odours (site plan compliance, bylaws, other tools)
- Programming Increase: Youth and Seniors
- A development plan for Downtown Kingsville / Main Street
- Financial savings: Schools closings, Migration Hall
- Economic Development: strengthen tourism/hospitality
- COVID - economic recovery
- Communications: Strategy – Policy (social media), Website refresh and other tools, Public engagement
- Housing: Migrant Worker Housing – Inspections (Building/Fire), regulate, reduce, or increase
- Committees / Boards: Review and Report
- Policy Update: Procedural Bylaw
- Economic Development: diversify the economy, create local jobs, industrial, Cottam
- Infrastructure (non-Municipal): Union Water expansion & governance
- Infrastructure (Municipal): Asset Management Plan update, the infrastructure funding deficit
- No direct link to Council priorities

FINANCIAL CONSIDERATIONS

It is estimated that all legal costs related to the conveyances would not exceed \$10,000. These costs would be shared in proportion to the Table 1. Schedule.

There is minimal real land value to the unopened portion of Dix Alley; however, \$5.00 ft² (representing a total of approximately \$8,000) would be a reasonable value for these lands (based on recent local land appraisals) should Council wish to pursue compensation for the lands. If directed these costs would also be apportioned as per Table 1.

CONSULTATIONS

Residents abutting the unopened portion of Dix Alley
Senior Management Team (SMT)

Respectfully Submitted.

G.A Plancke

G.A. Plancke Civil Eng.Tech (Env)
Director of Infrastructure & Engineering