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DATE: August 18, 2009

REPORT TITLE: **PROPOSED PROPERTY ACQUISITION AND TRANSFER OF REGION OWNED LANDS AS PART OF A LAND EXCHANGE FOR REGIONAL ROAD 8 (THE GORE ROAD) WIDENING FROM REGIONAL ROAD 107 (QUEEN STREET) TO CASTLEMORE ROAD  
CAPITAL PROJECT 03-4020  
CITY OF BRAMPTON, WARD 10**

FROM: R. Kent Gillespie, Commissioner of Employee and Business Services  
Dan Labrecque, Commissioner of Environment, Transportation and Planning Services

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#### **RECOMMENDATION**

1. That the lands described as Part of Lot 10, Concession 9 Northern Division, City of Brampton (formerly Township of Toronto Gore), Regional Municipality of Peel, being more particularly identified as Part 2 on draft reference plan 77-43-07 prepared by David B. Searles Surveying Ltd. be declared surplus to the needs of the Regional Corporation.
2. That The Regional Municipality of Peel enter into an agreement with 1439468 Ontario Inc. for the fee simple sale of lands described as Part of Lot 10, Concession 9 Northern Division, City of Brampton (formerly Township of Toronto Gore), Regional Municipality of Peel, being more particularly identified as Part 2 on draft reference plan 77-43-07 prepared by David B. Searles Surveying Ltd. and for the purchase by The Regional Municipality of Peel from 1439468 Ontario Inc. of the fee simple lands described as Part of Lot 10, Concession 9 Northern Division, City of Brampton (formerly Township of Toronto Gore), Regional Municipality of Peel, being more particularly identified as Part 1 on Reference Plan 43R-32661 and Parts 8 and 10 on draft reference plan 77-43-07 prepared by David B. Searles Surveying Ltd.;

And further, that the net proceeds from the sale of lands be deposited into Capital Project 03-4020.

#### **REPORT HIGHLIGHTS**

- The Region is undertaking Capital Project 03-4020 to widen The Gore Road from Queen Street to Castlemore Road to meet existing and future traffic demands.
- Phase two of the road construction, from Cottrelle Boulevard to Castlemore Road, is scheduled to begin in the spring of 2010.
- Council approval is required to declare certain Region owned vacant lands as surplus to the needs of the Regional Corporation in connection with a land exchange for this project.

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**DISCUSSION**

**Background**

The Gore Road is a major north-south arterial road providing an important transportation corridor that connects the City of Brampton with the Town of Caledon. Phase one of The Gore Road widening, from Queen Street to Cottrelle Boulevard, has been completed. Phase two, from Cottrelle Boulevard to Castlemore Road, is still in the property acquisition stage with road construction planned to begin in the spring of 2010.

In order to secure the property requirements for this project in time for construction, Council approved commencement of expropriation proceedings in April, 2009 and subsequently approved the expropriations from 12 properties in July 2009.

Staff continued to negotiate with the Owners throughout the expropriation process. During the negotiations, an Owner expressed an interest in acquiring a parcel of Region owned vacant lands, which abuts their lands to the north, as part of a land exchange.

Real Estate conducted a surplus land circulation for the adjacent Region owned property. Staff received no objections to disposing of the Region owned lands at this location. An appraisal was conducted on the Region's proposed surplus parcel to determine if the lands have any contributory value to the adjoining Owner's lands.

Real Estate has received a signed Offer to Sell and Release Agreement that secures the Region's ultimate road widening requirement, a release from all potential damage claims related to the expropriation proceedings and the purchase of the Region's surplus lands for \$31,250.

The proposed deal will involve the Region and the Owner exchanging "land for land" for the required road widening, with the Owner paying the Region market value for the excess surplus lands beyond the land exchange.

The Owner agrees to transfer to the Region 5,528.35 square feet (514.2 square metres) of land, shown as Part 1 on Reference Plan 43R-32661, plus one foot reserves shown as Parts 8 and 10 on draft reference plan 77-43-07 prepared by David B. Searles Surveying Ltd. in exchange for a transfer of the same amount of land from the Region Owned lands within Part 2 on draft reference plan 77-43-07 prepared by David B. Searles Surveying Ltd.

This then leaves a remainder of 18,520.38 square feet (1,720 square metres) of Region Owned lands that the Owner has agreed to purchase from the Region for market value for \$31,250.

The Region of Peel will retain ownership of Parts 1, 3 and 4 on draft reference plan 77-43-07 prepared by David B. Searles Surveying Ltd. to re-establish 0.30 metre reserves and a portion of the Region owned lands identified as Parts 5, 6 and 7 on the same draft plan will be dedicated as part of the public highway in connection with the road widening project. The residual 0.55 acres (0.22 hectares) is the proposed surplus lands described in this report.

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The attached Appendix I identifies all parts of the above noted proposed exchange of lands.

Staff fully supports this land exchange which is conditional upon Council of The Regional Municipality of Peel declaring the land surplus and accepting the Offer to Sell and Release Agreement prior to September 24, 2009. The closing date of this transaction is scheduled for October 1, 2009, at which time expropriation proceedings will discontinue.

The Offer to Sell and Release Agreement is based on the Region's standard terms and conditions with additional clauses listed on Appendix II.

Regional By-law 23-95 established procedures governing the sale and disposition of real property. As such, the following applies to the Region owned property:

1. In accordance with By-law 23-95, Section 3, the subject land is classified as having no general demand or market.
2. In accordance with Section 4(a), an appraisal of the surplus property has been completed.
3. In accordance with Section 4(b), the transferee is 1439468 Ontario Inc.

Notice of the proposed sale will have been given by the posting of a Public Notice from September 3, 2009 to September 17, 2009 inclusive in the front lobby of Suite A and B of Regional Headquarters at 10 Peel Centre Drive, Brampton and on the Notice Page of the Region's Web Site, as designated by the Deputy Clerk.

### FINANCIAL IMPLICATIONS

The net proceeds associated with the proposed sale of lands will be deposited into Capital Project 03-4020.



R. Kent Gillespie  
Commissioner of Employee  
and Business Services



Dan Labrecque  
Commissioner of Environment, Transportation  
and Planning Services

### Approved for Submission:



D. Szwarc, Chief Administrative Officer

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

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*For further information regarding this report, please contact  
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*Authored By: Ryan Gulyas/da*

c. Legislative Services

 Patrick O'Connor Regional Solicitor  
 Manager, Financial Support Unit (FSU)

 D. Albanese, Director of Transportation  
 S. Hall, Director of Real Property Asset Management  
 G. Gorman, Manager of Real Estate  
 J. Payne, Deputy Clerk

PF-01131.24  
Attachment



# APPENDIX I

August 18, 2009

**PROPOSED PROPERTY ACQUISITION AND TRANSFER OF REGION OWNED LANDS AS PART OF A LAND EXCHANGE FOR REGIONAL ROAD 8 (THE GORE ROAD) WIDENING FROM REGIONAL ROAD 107 (QUEEN STREET) TO CASTLEMORE ROAD CAPITAL PROJECT 03-4020 CITY OF BRAMPTON, WARD 10**

