



Subject: Surplus Land Declaration – Ball Alley Between Tillson Street and First Alley

Report Number: EDM 24-026

Department: Economic Development Department

Submitted by: Cephas Panschow

Meeting Type: Council Meeting

Meeting Date: Monday, July 8, 2024

RECOMMENDATION

- A. THAT report titled EDM 24-026 Surplus Land Declaration – Ball Alley between Tillson Street and First Alley be received; and,
- B. THAT the municipally owned Ball Alley between Tillson Street and First Alley, as described on Plan 500, be declared surplus to the needs of the Town of Tillsonburg in accordance with Bylaw 2021-031 (land disposition) including suitable notification to the public; and,
- C. That the Development Commissioner be authorized to negotiate an Agreement of Purchase and Sale with the adjacent property owner(s) subject to being brought back to Council for approval.

BACKGROUND

The Town of Tillsonburg has been contacted by a property owner who is interested in acquiring a portion of the Town owned Ball Alley, which runs adjacent to a number of properties controlled by related parties. In reviewing this request, it has been determined that these lands are not required for municipal purposes, and hence, can be considered for surplus and potential sale.

The purpose of this report is to seek Council direction with respect to declaring these lands as surplus to the Town's needs and proceed with soliciting interest the adjacent property owners.

DISCUSSION

The Alley lands are approximately 5 metres (16 feet) wide and 77 metres (253 feet) long, more or less.

Figure 1 – Subject Property



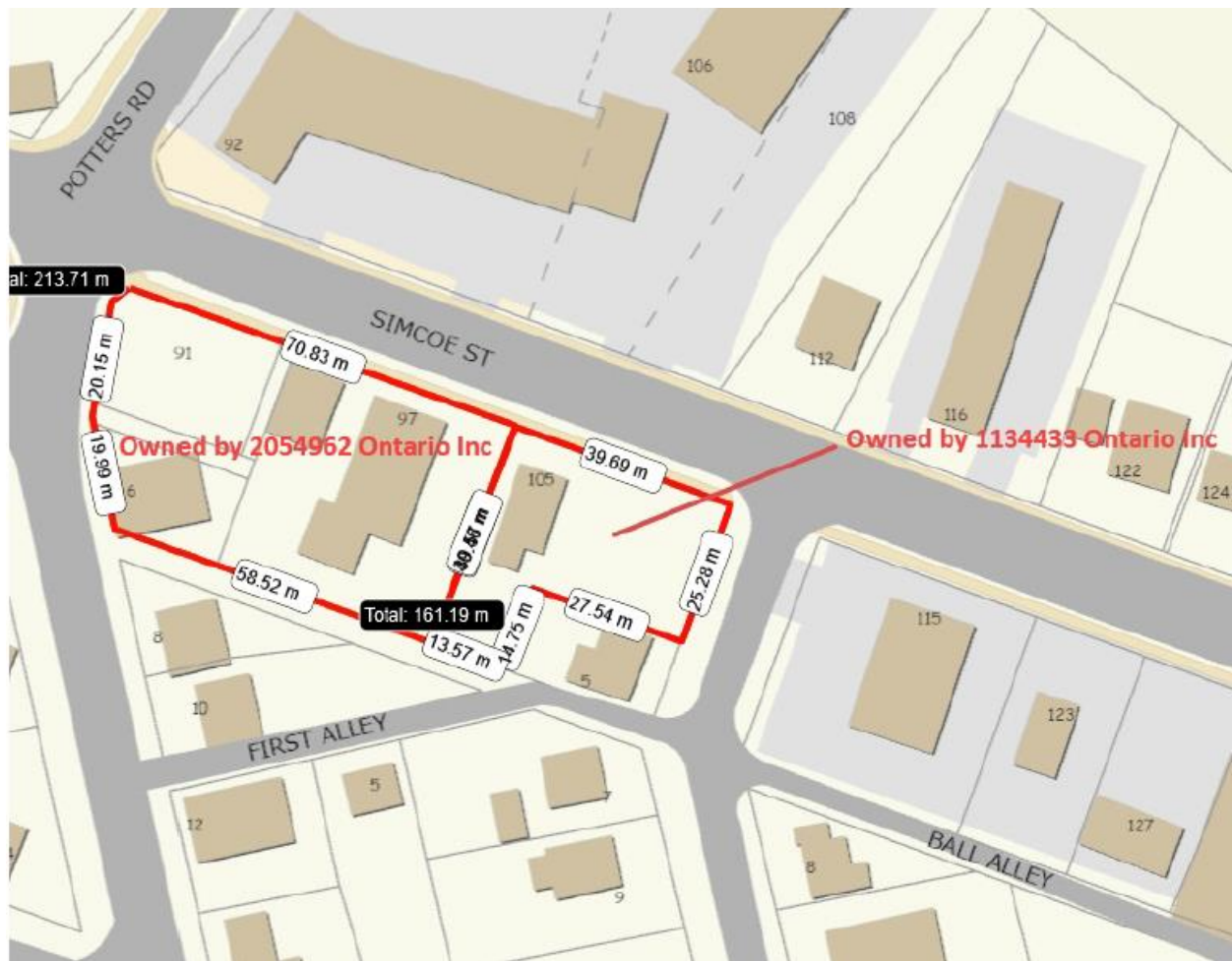
In terms of declaring these lands surplus, the lands to the North of Ball Alley are owned by two numbered companies who are exploring options to redevelop their lands and the additional municipal right-of-way lands would increase the amount of available lands for redevelopment.

In terms of the other adjacent properties at 8 and 10 Tillson Street, their driveway access is located off of Tillson Street although they do currently have rear lot access off Ball Alley.

The other consideration is the 105 Simcoe Street property, which also has rear access through Ball Alley. It would make sense for the property owner of this property to consider acquiring the small portion of Ball Alley that is immediately adjacent, to and in line with, their west property line.

It would be the intention to offer Ball Alley to all adjacent property owners and to bring back the best opportunities to Town Council for consideration.

Figure 2 – Adjacent Properties with Ownership



CONSULTATION

Department	Comment	Response/Reason
Building and Bylaw	Specific consideration will be needed for 105 Simcoe and 5 Ball Street in order	As indicated above, the portion of Ball Alley would either be sold to 105

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	<p>to maintain driveway access or connection of their rear properties to First Alley</p> <p>Looks like a good one to clean up. Looking forward to the redevelopment of 91/97 Simcoe & 6 Tillson St</p>	<p>Simcoe St or 10 Tillson St property owner. 5 Ball St does not appear to be impacted by the loss of access</p>
Clerks	No comments received	
Engineering	<p>Would the Town need to surplus the entire length of the alley or is the request to extend the property line between 97 and 105 Simcoe to the south and the property line between 6 Tillson Street and the road allowance to the south? The existing driveways for 105 Simcoe and 5 Ball Street are both off of this alley and they will need to have their access retained.</p> <p>There is no other infrastructure in this alley and I don't foresee the Town ever needing to extend Ball Alley to the west. In my opinion, I don't see any issues with declaring this land surplus other than my concerns above.</p>	<p>No, we don't have to surplus the entire length, but your suggestion to do so and sell the remnant south of the 105 Simcoe St property to that property is a good one. First Alley appears to be the access for the 5 Ball St property and would remain.</p> <p>If the Town was able to sell the east portion of the unnamed Alley to the 105 Simcoe St property, then we would be declaring the entire length of this alley as surplus while maintaining the enabling the access to 105 Simcoe St to remain.</p>
Fire Department	No comments received	
Planning	How does this affect 8 Tillson Street?	<p>From my perspective, I don't see any impact to 8 Tillson St property, but that's what the public notice will help ascertain.</p>

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	<p>Maintain access and connections to First Alley for 105 Simcoe Street and 5 Ball Street.</p> <p>Is additional land assembly anticipated (i.e. to add 105 Simcoe and 5 Ball to the block)? If “no”, does the entire laneway need to be declared surplus in lieu of the fact that 105 Simcoe and 5 Ball utilize the laneway?</p> <p>Overall, has consideration been given to how proposals like this (which propose removing laneways/parkland/OS from the public) correlate with Tillsonburg’s forthcoming RCP Master Plan, Parkland Dedication requirements, and the Transportation policies in the Official Plan, both in terms of removing actual connections & land, and in terms of the perception of removing pedestrian trails, accesses, land?</p>	<p>Not necessary</p> <p>It would make sense for the property owner of this property to consider acquiring the small portion of Ball Alley that is immediately adjacent, to and in line with, their west property line</p> <p>No</p>
Public Works	No comments received	
Recreation, Culture & Parks	No comments received	
Tillsonburg Hydro Inc	No comments received	
Duncan, Linton LLP	Not circulated	

Notice of the potential surplus property has been provided in accordance with Bylaw 2021-031, and specifically, by:

- Posting a notice on the Town’s website (June 10, 2024); and,
- Posting a notice on the property (June 24, 2024);

- Publishing a notice in the Tillsonburg News (June 13, June 20, June 27 and July 4, 2024).
 - Note: As report was originally targeted towards the June 24 meeting, additional notices with the date of the July 8 Council meeting were published.

FINANCIAL IMPACT/FUNDING SOURCE

The value of the property will be established through an Opinion of Value obtained from a local real estate broker. The purchasers will be responsible for the negotiated value of the land as well as legal and survey costs related to the transaction.

CORPORATE GOALS

How does this report support the corporate goals identified in the Community Strategic Plan?

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

Goal – The Town of Tillsonburg will strive for excellence and accountability in government, providing effective and efficient services, information, and opportunities to shape municipal initiatives.

Strategic Direction – Not applicable.

Priority Project – Not applicable.

ATTACHMENTS

Appendix A – Excerpt from Plan 500

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