



## **The Corporation of the Town of LaSalle**

**To:** Mayor and Members of Council

**Prepared by:** Domenic Dadalt, Legal Counsel

**Department:** Administration

**Date of Report:** April 4, 2024

**Report Number:** AD-2024-09

**Subject:** Sale of Part Lot 22, Concession 1 to the owners of 7770 Matchett Road

### **Recommendation**

That the report of the Legal Counsel dated April 4, 2024 (AD-2024-09) regarding the sale of Part of Lot 22, Concession 1 to the owners of 7770 Matchett Road be received;

That Council authorizes the sale of Part of Lot 22 on Concession 1 immediately to the north of the 7770 Matchett Road, subject to the buyer entering into a Memorandum of Understanding with the Town to the satisfaction of the Town's Legal Counsel;

And further that the Mayor and Clerk be authorized to execute any and all documents that may be necessary to complete this transaction for the above-noted land.

### **Report**

Administration has received a request from the owners of 7770 Matchett Road (the "Owners") to purchase a Part of Lot 22 on Concession 1 immediately to the north of the Owners property. The overall area of the parcel requested can be found on Schedule "A", attached. This parcel of Town-owned land is approximately 10 feet wide by 300 feet deep. The precise measurements will be confirmed by a future reference plan to be commissioned by the Owners.

Currently, there is a Town-owned 300mm storm pipe running through the 10-foot portion of the land, as depicted in Schedule "B", attached.

The land in question is currently zoned as Rural Residential. The purpose of the request is that the Owners are tentatively set to acquire the property immediately to the north at 7750 Matchett Road but wish to consolidate their land holdings and create one contiguous parcel.

Administration supports the recommendation for two reasons. Firstly, as part of the arrangement with the Town selling the 10-foot portion to the Owners, the Owners have agreed to convey back to the Town an easement over the existing storm pipe with a width of 20 feet. This additional width is depicted on Schedule B. From an operational standpoint, if any work is required on the storm pipe, having the additional width allows for greater ease of movement for Town staff and equipment. Secondly, the Owners have agreed to a fair market value purchase price, based on the price per square foot of their purchase of 7750 Matchett Road. This price has been provided to Administration for review and it meets the expectations for the sale of Town-owned property. As the transaction has not formally happened and in an effort to protect the bargaining interests of both private parties, it is Administration's opinion that the specific dollar amount be withheld from this report. However, once the transfers take place, the consideration given will be searchable via title search.

Administration notes that in addition to the land costs to be paid by the Owners, the Owners will also commission a reference plan at their expense, as well as pay for their legal fees associated with this process.

### Next Steps

Should Council concur with Administration to proceed with the sale of this parcel of land, these are the following steps to be taken by Administration. Firstly, as the purchase price agreed upon between the Owners and the owners of 7750 Matchett Road is contingent on the Owners' ability to purchase the Town-owned parcel, the Town will enter into a memorandum of understanding ("M.O.U.") with both the Owners and the owners of 7750 Matchett Road. This M.O.U. will outline the timing of the transfers required, the costs associated and will be prepared to the satisfaction of the Town's Legal Counsel.

Once the M.O.U. has been executed, the parties will move to finalize the reference plan identifying the parcel to be sold to the Owners as well as the larger parcel that will be subject to an easement. The easement language shall be prepared by the Town's Legal Counsel to ensure Town staff retain full rights of access to the storm pipe for the purpose of any future maintenance.

Finally, the necessary transfers and easements will be registered by the Town's Legal Counsel in coordination with the respective legal representative of the Owners.

In summary, Administration requests that this report be received by Council and that Council authorize the Mayor and Clerk to execute any documents required to facilitate the transactions proposed herein.

## **Consultations**

Jonathan Osborne, Director of Public Works

## **Financial Implications**

The Owners shall pay all legal fees, Reference Plan costs and the fair market value for the land to be sold.

**Prepared By:**

A handwritten signature in black ink, appearing to read 'D. Dadalt', with a horizontal line extending from the end.

Legal Counsel

Domenic Dadalt, Legal Counsel

**Link to Strategic Goals**

1. Enhancing organizational excellence - Not Applicable
2. Strengthen the community's engagement with the Town - Not Applicable
3. Grow and diversify the local economy - Not Applicable
4. Build on our high-quality of life - Yes
5. Sustaining strong public services and infrastructure - Yes

**Communications**

Administration has been in contact with representatives for both the Owners and 7750 Matchett Road throughout this process.

**Notifications**

The representatives of both the Owners and 7750 Matchett Road have been provided a copy of this report in advance of the Council Meeting.

**Report Approval Details**

Document Title:	Sale of Part Lot 22, Concession 1 to the owners of 7770 Matchett Road.docx
Attachments:	- Schedule A.pdf - Schedule B.pdf
Final Approval Date:	Apr 8, 2024

This report and all of its attachments were approved and signed as outlined below:



Chief Administrative Officer

Joe Milicia