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The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: #2025-W-26
Date: September 3, 2025

Subject:

Declaration of Lands as Surplus and Closure of a Portion of Harmony Road (Regional Road 33), in the City of Oshawa and Approval to Transfer Lands to 825901 Ontario Limited; 821015 Ontario Limited; and 821017 Ontario Limited

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That a portion of Harmony Road (Regional Road 33) legally described as Part of Lot 5, Concession 4, City of Oshawa being Part 1 on Registered Plan 40R-32998 (the Lands) be declared as surplus to Regional Municipality of Durham requirements;
- B) That the Regional Municipality of Durham pass a by-law, generally in the form included in Attachment #2 to this report, to stop-up and close the portion of Harmony Road (Regional Road 33) (the Lands) as a public highway;
- C) That the requirements of Section 3, and 4 of Regional Municipality of Durham By-Law #52-95 be waived to facilitate the land transfer from the Regional Municipality of Durham to 825901 Ontario Limited, 821015 Ontario Limited, and 821017 Ontario Limited;
- D) That Regional staff be authorized to transfer the Lands (409m²), having an estimated fair market value of \$172,000, to 825901 Ontario Limited, 821015 Ontario Limited, and 821017 Ontario Limited, for a nominal amount. In exchange,

825901 Ontario Limited, 821015 Ontario Limited, and 821017 Ontario Limited will provide lands of equivalent size and value to the Regional Municipality of Durham (24m²) and the City of Oshawa (385m²), at a nominal value;

- E) That authority be granted to the Regional Clerk and Regional Chair to execute any notices and forms associated with this partial road closure; and
- F) That the Commissioner of Works be authorized to execute all documents associated with the transaction, including but not limited to Agreement of Purchase and Sales.

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain Regional Municipality of Durham (the “Region”) Council approval to stop up and close a portion of Harmony Road (Regional Road 33), declare it surplus to the Region’s requirements, and authorize staff to transfer the Lands to 825901 Ontario Limited, 821015 Ontario Limited, and 821017 Ontario Limited for a nominal value. In exchange, 825901 Ontario Limited, 821015 Ontario Limited, and 821017 Ontario Limited will transfer an equivalent-sized property to the Region and the City of Oshawa for a nominal amount.

2. Background

- 2.1 In May 2012, the Region acquired 0.36 acres of land at a cost of \$165,000 for the Harmony Road (Regional Road 33) widening project. At that time the property was improved with a residence, and it was determined that purchasing the entire parcel was more cost effective than acquiring only the 0.22 acres needed for the Harmony Road widening, considering injurious affection.
- 2.2 The Region, in consultation and jointly with the City of Oshawa, are completing the design for intersection improvements at Harmony Road and Conlin Road. These improvements include additional through lanes on Conlin Road, right-turn lanes on Harmony Road, new sidewalks, multi-use paths and transit stops in the vicinity of the intersection. Construction funding is currently forecasted for 2027. The intersection falls under Regional jurisdiction, with the Region responsible for costs incurred.

2.3 As part of the project, the Region and the City of Oshawa will require 409m² of land from the adjoining property owners, 825901 Ontario Limited, 821015 Ontario Limited, and 821017 Ontario Limited. The Region and City of Oshawa propose an equivalent land swap with these property owners to facilitate the intersection improvements.

3. Previous Reports and Decisions

3.1 There are no previous reports and/or decisions.

4. Disposition of Property

4.1 The Region has determined that the 409m² parcel of land (as shown in Attachment #1) is surplus and not required for the future road widening of Harmony Road, or the proposed intersection improvements.

4.2 Regional Municipality of Durham by-law 52-95 established the procedures governing the sale of real property. The initial step in the disposal process is a declaration that the real property is surplus to the Region's requirements. Section 3 of the By-law requires staff to issue notices to the public and other authorities regarding the disposition of the surplus land. Section 4 of the By-law requires staff to offer the property for sale to local area municipalities. As 825901 Ontario Limited; 821015 Ontario Limited; and 821017 Ontario Limited are interested in acquiring the lands for future development and are likely the only property owners able to develop the property as part of an assemblage, a waiver of these requirements is recommended.

5. Relationship to Strategic Plan

5.1 This report aligns with/addresses the following Strategic Direction(s) and Pathway(s) in Durham Region's 2025-2035 Strategic Plan:

a. Connected and Vibrant Communities

- C1. Align Regional infrastructure and asset management with projected growth, climate impacts, and community needs.
- C2. Enable a full range of housing options, including housing that is affordable and close to transit.

- C3. Improve public transit system connectivity, reliability, and competitiveness.
 - C4. Improve road safety, including the expansion and connection of active transportation networks to enhance the range of safe mobility options.
- b. Strong Relationships
- S3. Collaborate across local area municipalities, with agencies, non-profits, and community partners to deliver co-ordinated and efficient services.
 - S5. Ensure accountable and transparent decision-making to serve community needs, while responsibly managing available resources.
- 5.2 This report aligns with/addresses the following Foundation(s) in Durham Region's 2025-2035 Strategic Plan:
- a. Processes: Continuously improving processes to ensure we are responsive to community needs.

6. Conclusion

- 6.1 Staff recommends that a By-law be passed by Regional Council to stop up and close, as public highway, that portion of Harmony Road (Regional Road 33) legally described as Part of Lot 5, Concession 4, City of Oshawa being Part 1 on Registered Plan 40R-32998); declare it surplus to the Region's requirements; and sell it to 825901 Ontario Limited, 821015 Ontario Limited, and 821017 Ontario Limited for a nominal amount. In exchange, 825901 Ontario Limited, 821015 Ontario Limited, and 821017 Ontario Limited will sell an equivalent-sized property to the Region and the City of Oshawa for a nominal amount.
- 6.2 This report has been reviewed by Legislative Services – Corporate Services and the Legal Services Department.

6.3 For additional information, contact: David Dunn, Director, Transportation and Field Services, at 905-668-4113 extension 3422 on behalf of Christine Dunkley, Director, Corporate Infrastructure and Strategic Business Services or Chidinma Amobi, Manager, Financial Services and Corporate Real Estate, at 905-668-4113 extension 3841.

7. Attachments

Attachment #1: Map of Affected Property

Attachment #2: Stop up and Close By-law

Respectfully submitted,

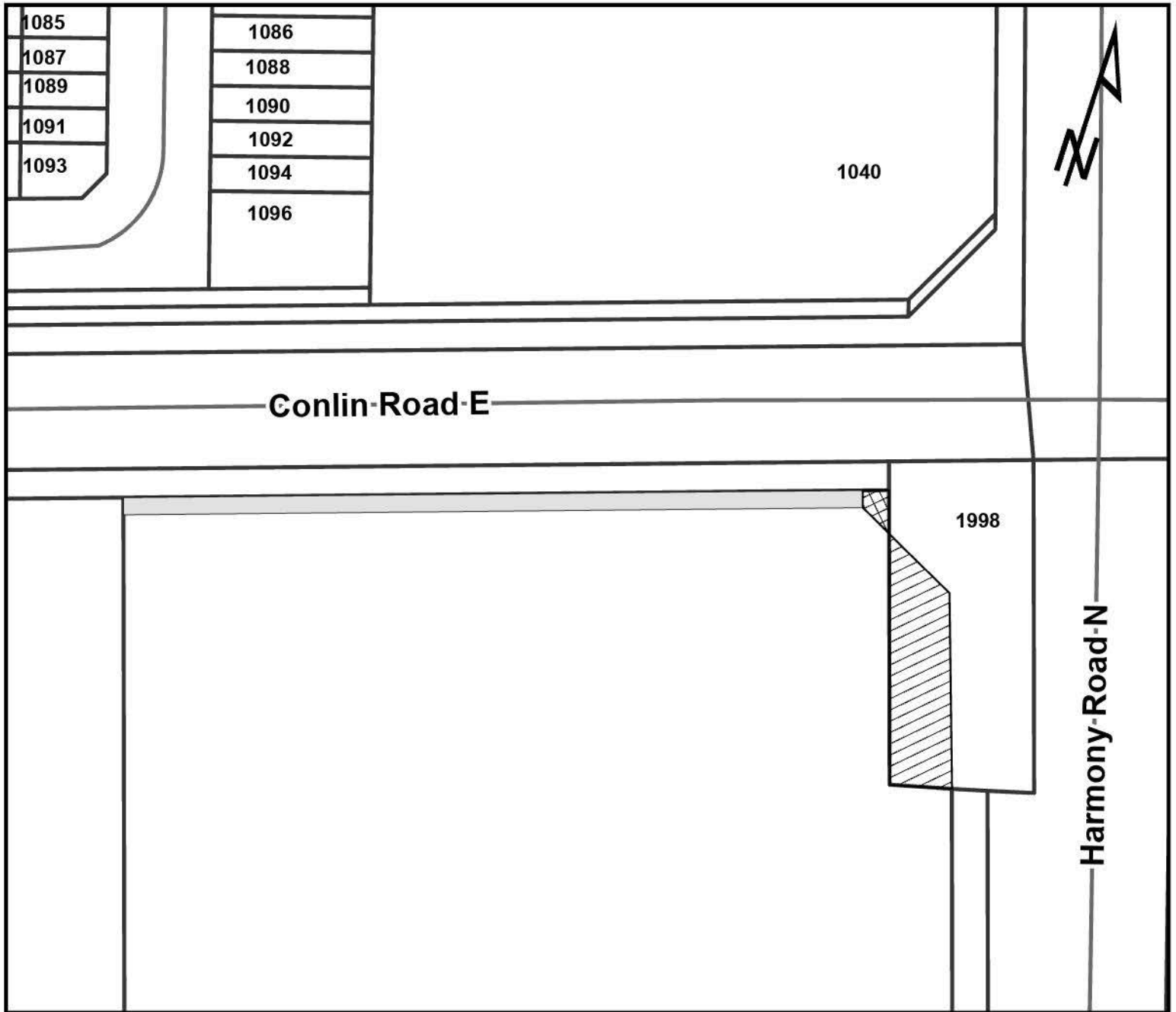
Original signed by:

Ramesh Jagannathan, MBA, M.Eng., P.Eng., PTOE
Commissioner of Works





Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



Attachment #1 - Location Map
Surplus Land
Conlin Road East & Harmony Road North
City of Oshawa

-  Ownership Parcel
-  Lands to be Transferred to 825901 Ontario Limited; 821015 Ontario Limited; and 821017 Ontario Limited from the Region of Durham.
-  Lands to be Transferred to the Region of Durham from 825901 Ontario Limited; 821015 Ontario Limited; and 821017 Ontario Limited.
-  Lands to be Transferred to the City of Oshawa from 825901 Ontario Limited; 821015 Ontario Limited; and 821017 Ontario Limited



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By-law Number 2025-XXXX
of the Regional Municipality of Durham

Being a by-law to stop up and close as a public highway, that portion of Harmony Road (Regional Road 33) legally described as Part of Lot 5, Concession 4, City of Oshawa being Part 1 on Registered Plan 40R-32998 (the "Lands").

Whereas the Lands were formerly part of the Regional Right of Way on Harmony Road (Regional Road 33).

And Whereas it is desirable to stop up and close the Lands.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That portion of the Regional Right of Way on Harmony Road (Regional Road 33) legally described as Part of Lot 5, Concession 4, City of Oshawa being Part 1 on Registered Plan 40R-32998, City of Oshawa, is hereby stopped up and closed.
2. The Regional Chair and Clerk are hereby authorized to execute all documents associated with this closure which has been approved by the Regional Solicitor for the Lands provided for in Section 1 of this by-law.

This By-law Read and Passed on the 25th day of September 2025.

J. Henry, Regional Chair and CEO

A. Harras, Regional Clerk