

The Corporation of the City of Kawartha Lakes

Council Report

Report Number RS2018-018

Date: June 19, 2018
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: 10

**Title: Surplus Declaration and Proposed Sale of City-Owned Property –
Portion of Shaft Park, Lindsay**

**Author and Title: Robyn Carlson, City Solicitor and Acting Manager of
Realty Services**

Recommendations:

That Report RS2018-018, **Surplus Declaration and Proposed Sale of City-Owned Property – Portion of Shaft Park, Lindsay**, be received;

That a portion of the City-owned property known as Shaft Park and legally described as LT 1 N/S FRANCIS ST, 2 S/S FRANCIS ST, 2 N/S BOND ST PL TOWN PLOT; PT FRANCIS ST PL TOWN PLOT AS CLOSED BY TL15033; PT LT 2 N/S FRANCIS ST, 1 S/S FRANCIS ST, 3 S/S FRANCIS ST, 3 N/S BOND ST PL TOWN PLOT AS IN R225573 EXCEPT PT 1 57R8075, and more specifically identified in Appendix “B”, in the Geographic Town of Lindsay, City of Kawartha Lakes be declared surplus to municipal needs;

That on completion of public notice, Council shall consider any deputation or public input in opposition of any sales, if any, and if appropriate, pass a by-law (with any amendments deemed necessary) to authorize the disposition to the Kawartha Lakes Haliburton Housing Corporation for the purpose of affordable housing development, for nominal cost;

That the disposition be on the condition that the Kawartha Lakes Haliburton Housing Corporation incorporate environmentally friendly standards into its construction.

That the Mayor and Clerk be authorized to execute all legal closing documents required for the sale of the subject property.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The proposed surplus declaration and sale of the subject property, being the southerly portion of Shaft Park, Lindsay, excluding a strip of land along the waterfront to be retained for a trail, was discussed by the Land Management Committee on April 9, 2018.

This portion of Shaft Park is proposed to be declared surplus for the purpose of gift to the Kawartha Lakes Haliburton Housing Corporation (KLHHC). The KLHHC proposes to develop an affordable housing townhouse development on the site.

Appendix A is a map showing the general area of the subject property, Appendix B is an aerial photo of the subject property, Appendix C is a map of the subject property, Appendix D is the proposed site plan for the subject property and Appendix F is an aerial photo of the entire Shaft Park property.

The Committee approved the request, as modified by and on conditions imposed by the Committee.

Public Notice advertising the potential surplus declaration and sale of the subject property was completed by newspaper circulation in the Kawartha Lakes This Week on the 24th and 31st days of May and 7th day of June, 2018. In addition a “Potential Surplus Property” sign was posted on the subject property for the three week period corresponding with the newspaper circulation.

The purpose of this report is to advise Council that the Land Management Committee recommends that the subject property be declared surplus to municipal needs and that approval be given, in principle, for disposition to Kawartha Lakes Haliburton Housing Corporation in accordance with City of Kawartha Lakes By-law 2018-020, as amended.

Rationale:

A related report, HH2018-004, is being advanced on this same Council Agenda by Human Services, which more particularly describes the proposed development.

Shaft Park was acquired by the City using Wilson Estate Funds. The Wilson Estate Committee agreed to declaring the southerly portion of Shaft Park surplus for the sole purpose of affordable housing. The Committee did not approve the sale of the property for any other reason or to any other person. The property cannot be sold without the approval of the Committee.

At the Land Management Committee meeting on April 9, 2018, Community Services advised that the Parks, Recreation and Culture Division determined that the portion of park proposed could be declared surplus for Parks purposes and used for other Municipal or KLHHC purposes. This use was approved by the Wilson Estate Committee. The land being required is the northern portion of the park and a 9 meter wide linear strip along the waterfront for a trail. Community Services identified that there is a general trend away from rectangular or square parks, to more linear parks (trails) and this concept is also expressed in the City's Official Plan and Secondary Plan and the Community Services Department's Parks, Recreation and Culture Strategic Plan.

Although KLHHC had proposed a rectangular parcel be declared surplus, this would have the effect of cutting off trail access from Lindsay Street North, between properties municipally addressed as 77 Lindsay Street North and 81 Lindsay Street North. Accordingly, the Land Management Committee.

Other Alternatives Considered:

Council could approve the direction to surplus and sale, absent any environmental condition. This would reduce construction costs, but would not be in alignment with the Strategic Goal of "A Healthy Environment" and the value of Innovation as set out in the City's 2016-2019 Strategic Plan.

Council could alternatively approve the recommendations and conditions and additionally require compensation, to pay for the replanting of mature saplings to replace the mature trees lost.¹ Since this portion of Shaft Park is adjacent to residential and is heavily treed, this option would align with Strategic Goal of "A Healthy Environment" and the value of Innovation as set out in the City's 2016-2019 Strategic Plan. However, it would result in additional cost associated with the construction.

Financial Impacts:

As the recommendation is to gift the land, rather than sell the land, the City will not obtain revenue from this land transfer. Moreover, if the recommended amendment to section 10.01 of By-law 2018-020 (as set out in Report RS2018-017) is approved, the City will not recover from the KLHHC the expenses

¹ From Appendix B, it appears that approximately 16 mature trees would be lost due to construction. An appropriate compensation would be 4 mature saplings (at \$350 per tree) for every mature tree lost. A payment of \$22,400 is unlikely to be economically viable for KLHHC. Another option would be to shift the development envelope slightly north, with a driveway through the trees, to retain some of the trees. Connectivity from the trail leading to the Park from Lindsay Street would need to be retained, resulting in a narrowing of the development slightly.

associated with the sale.² These costs include: legal fees of approximately \$1,000.00, survey costs of approximately \$3,000.00 and staff time at \$1,500.00.

Relationship of Recommendations to the 2016-2019 Strategic Plan:

The recommendations in this report, to surplus and gift land for affordable housing, are in line with Goal 2 of the Council Adopted Strategic Plan: An Exceptional Quality of Life.

The City of Kawartha Lakes is the Municipal Service Manager (SM) for housing and homelessness programs and services for both the City of Kawartha Lakes and the County of Haliburton as mandated by the Province of Ontario through the *Housing Services Act*. In addition to goals and objectives of the Council approved (February 2014) 10 Year Housing and Homelessness Plan, a requirement of the Act, and more the recently the adoption of the Affordable Housing Framework by Council in December 2017, gifting land to our own initiatives is in line with the strategic enabler of “Responsible Fiscal Resource Management”.

In requiring the gift be made on the premise that the development is done in an environmentally conscious manner, these recommendations align with the Strategic Goal of “A Healthy Environment” and the value of Innovation.

Accessibility Implications:

The Accessibility Committee will review and have input into the site plan and engineering drawings for the building for this portion of the site, at the site plan stage of the development process, in accordance with section 29 of the Ontario *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11.

Servicing Implications:

The proposed development shall be on full municipal services: water and sewer. Engineering is not aware of capacity constraints affecting the proposed units, however, through the development process, the proponent’s Engineer must provide the City with the Functional Servicing Report and Servicing Design, to confirm that existing municipal infrastructure can service the proposed residential growth.

² Report HH2018-004 recommends that the costs associated with the sale be paid by the City to KLHHC. The amendment to section 10.01 of By-law 2018-020, proposed herein, addresses that request.

Consultations:

Land Management Committee:

- CAO
- Director of Community Services
- Director of Development Services
- Director of Engineering and Corporate Assets
- Director of Public Works
- Manager of Corporate Assets
- Land Use Planner, Large Developments

Attachments:

Appendix A – General Location Map



Appendix A - General
Location Map.pdf

Appendix B – Aerial Photo



Appendix B - Aerial
Photo.pdf

Appendix C – Map



Appendix C -
Map.pdf

Appendix D – Proposed Site Plan



Appendix D -
Proposed Site Plan.pdf

Appendix E – Aerial Photo (Shaft Park)



Appendix E - Aerial
Photo (Shaft Park).pdf

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