

The Corporation of the City of Kawartha Lakes

Committee of the Whole Report

Report Number RS2019-013

Date: February 12, 2019
Time: 1:00 p.m.
Place: Council Chambers

Ward Community Identifier: 7

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

Author and Title: Laura Carnochan, Law Clerk – Realty Services

Recommendations:

That Report RS2019-013, Proposed Surplus Declaration and Sale of City-Owned Property – Portion of Logie Street Park, Lindsay, be received;

That a portion of the City-owned property known as Logie Street Park and legally described as Block 74 on Plan 57M797 (PIN: 63238-0327 (LT)) and Part of the West Half of Lot 18 Concession 6 Ops, Part 3 on Plan 57R10306, Part of Logie Street Stopped Up and Closed by By-Law 2015-007 as in KL105959; Subject to an Easement over Part 3 on Plan 57R10306 as in KL106557 (Part of PIN: 63234-0130 (LT)), in the Geographic Town of Lindsay, City of Kawartha Lakes, be declared surplus to municipal needs;

That a direct sale to the abutting landowner be supported, in principle, in accordance with the provisions of By-Law 2018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale;

That a by-law (with any amendments deemed necessary) to authorize its disposition shall be passed;

That the Mayor and Clerk be authorized to sign all documents to facilitate the conveyance of the lands; and

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Background:

At their meetings on February 12, 2018 and June 11, 2018, the Land Management Committee reviewed the subject property due to the adjacent landowner expressing an interest in purchasing the property.

The Land Management Committee felt that as the subject land is not proposed to be used as part of the Logie Street Park redesign, it would be appropriate to sell the lands. The lands are large enough that they could be an independently-developable parcel, however, a more efficient infill development would likely occur if the property was sold as a direct sale to the adjacent landowner. A condition of the sale would be that the parcels would merge.

It was noted by the Committee that Enbridge has a gas main located within the portion of road allowance that is proposed to be included in this sale. An easement for this infrastructure is already in place, registered as Instrument KL106557, and would carry forward to any new owner of the land.

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 17th, 24th, and 31st days of January, 2019. In addition, a “Potential Surplus Property” sign was posted on the subject property for a three week period and a notice was posted on the City’s website. Realty Services did not receive any public comments or concerns with regards to the proposed sale of the subject land.

Appendix A is a general location map, Appendix B is an aerial photo, and Appendix C is a map.

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 by direct sale to the adjacent landowner, in accordance with City of Kawartha Lakes By-law 2018-020, as amended.

Rationale:

The subject portion of Logie Street Park was acquired by the City of Kawartha Lakes in 2014 as parkland related to the Country Club Subdivision. The property is currently zoned as Open Space.

At the Land Management Committee meeting on February 12, 2018, Community Services confirmed that this section of the parkland is not intended to be used as part of Logie Street Park and is therefore surplus to its departmental needs.

While the lands are large enough to be an independently-developable parcel, the Land Management Committee felt that a direct sale to the adjacent landowner could allow for a more efficient infill development.

Other Alternatives Considered:

Council may decide not to sell the subject property and receive no financial benefit. This would be inconsistent with past practice and not recommended in this circumstance.

Council may decide to list the property for sale on the open market, instead of a direct sale. This is not recommended in this circumstance, given that the property could likely be more efficiently developed if merged with the property adjacent to the West.

Financial Impacts:

The parties will be asked to enter into a conditional Agreement of Purchase and Sale with a non-refundable deposit of \$1,000.00 to cover initial costs related to this transaction. As per By-Law 2018-020, as amended, an appraisal must be obtained to determine fair market value. The subject property will be sold for the appraised value, together with all costs associated with the transaction and a \$1,500.00 fee to cover the City's staff time expenses.

As the property was obtained as parkland dedication pursuant to the Planning Act, all proceeds from the sale would be transferred to the Parkland Reserve.

Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

This report aligns with the strategic goal of a “vibrant and growing economy” and the strategic enabler of “efficient asset management.”

Consultations:

Land Management Committee

Land Registry Office

Planning – Maps

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

Department Head E-Mail:

Department Head E-Mail: rcarlson@kawarthalakes.ca

Department Head: Robyn Carlson

Department File: L06-18-RS004