

The Corporation of the City of Kawartha Lakes

Committee of the Whole Report

Report Number RS2019-019

Date: April 9, 2019
Time: 1:00 p.m.
Place: Council Chambers

Ward Community Identifier: 8

Title: Propose Surplus Land Declaration and Sale of City-Owned Property – 1449 Highway 7A, Bethany, City of Kawartha Lakes (“Old” Bethany Fire Hall)

Author and Title: Christine Oliver, Law Clerk – Realty Services

Recommendations:

That Report RS2019-19, **Proposed Surplus Declaration, Closure and Sale of Shoreline Road Allowance adjacent to 1449 Highway 7A, Bethany (“Old Bethany Fire Hall”)**, be received;

That a portion of the City-owned property municipally known as 1449 Highway 7A, Bethany and legally described as Part of Lot 23, Concession 8, Part of Lot 6 on Plan 6, Manvers, in the Geographic Township of Manvers, City of Kawartha Lakes, be declared surplus to municipal needs;

That the subject property be prepared and marketed for sale to the general public in accordance with City of Kawartha Lakes By-Law 2018-020, as amended, and any policies in effect as of the date of sale, and sold for no less than the appraised value plus any and all costs associated with the transaction;

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

That the Manager of Realty Services be permitted to fully execute all surplus municipal land listing documentation and any documentation associated with the receipt of an offer to purchase surplus municipal land for the full appraised value plus any and all costs associated with the transaction;

That all costs associated with investigating, preparing or marketing the property be financed from the Property Development Reserve;

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

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

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

Background:

The subject property has been vacant for approximately two months and was previously occupied by the Fire Department. Accordingly, the potential for surplus and sale, or alternatively continued City use, was reviewed by the Land Management Committee at their meeting held on February 11, 2019.

The Land Management Committee was supportive of the subject property being advanced to Council for consideration as surplus land and sale on the open market. Circulation to the Paramedic Chief has concluded this location is unable to accommodate their needs.

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 14th, 21st and 28th days of March and circulation in the Peterborough This Week on the 15th, 22nd and 29th day of March, 2019. Due to the fact that Council, by resolution dated March 26, changed the schedule of Committee of the Whole dates, the first week of newspaper advertising indicated incorrectly that the matter would be heard at Committee of the Whole on April 16. Subsequent advertising provided a notice that the April 16 date may be amended by Council on March 26.

In addition to newspaper advertising, a “Potential Surplus Property” sign was present on the building on March 22, 2019 to April 9, 2019 and notice was posted on the City of Kawartha Lakes website for the duration of the three week newspaper advertising period.

- 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 the registered plan 57R-9585 outlining the easement in favour of the Ministry of Transportation
- Appendix D is the Parcel Registrar for PIN 63265-0338

The purpose of this report is to recommend that the subject property be declared surplus to municipal needs and that approval be given, in principle, for disposition in accordance with City of Kawartha Lakes By-Law 2018-020, as amended.

Responsibility for the property has been transferred to the City's Building and Property Division for Interim Management, pending disposal.

Rationale:

Initial Records and Registry searches have been conducted and there are no restrictions noted on title that would prevent the City from selling the subject property. An easement in favour of Bell Telephone Company of Canada is present but Bell has agreed to release their interest. An easement in favour of Ministry of Transportation for drainage purposes over the portion of the property to the west of the watercourse will need to remain.

A building is present on the subject property. The property is zoned "community facility", accordingly, a purchaser will likely be required to rezone the property.

The subject parcel was transferred to the Corporation of the Township of Manvers in the County of Victoria from Charles Frederick Weatherilt, Earl James Weatherilt and Ruby Weatherilt for the purpose of park purposes.

As of March 26, 2016, Realty Services has not received comments from members of the public regarding the potential surplus declaration and sale of this property.

Other Alternatives Considered:

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

Financial/Operation Impacts:

In keeping with past practice, we are requesting that all costs associated with investigating and preparing the subject property for sale, including but not limited to registry search costs, survey fees, appraisal fees, real estate listing fees, real estate commission, and legal fees, be funded by the Property Development Reserve. The designated substance survey will be expensed to of a Building and Property Operating Budget line. The net proceeds of the sale of this property will be transferred to the Property Development Reserve.

From a financial perspective: The Operating Budget line of Fire Department will continue to be expensed for operating costs, due to the in-year vacancy. This business unit will be transferred over to a budget line item within the Building and Property Department for the 2020 Operating Budget if the building remains vacant past the end of the year. From an operational perspective: The Building and Property Department will administer the building.

The consideration paid for the subject property shall be no less than the current appraised value, plus all costs associated with the transaction.

The successful sale of the subject property will result in net proceeds to the City which will be credited to the Sale of Land Revenue Account and then transferred to the Property Development Reserve currently at \$706,548.59.

Relationship of Recommendations 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 (including Directors of Community Services,
Public Works and Engineering)
Fire Chief
Manager of Building and Property
Treasurer

Attachments:

Appendix A – General Location Map



Appendix A-Location
map.pdf

Appendix B – Aerial Photo



Appendix B-Aerial.pdf

Appendix C – Survey 57R-9585



Appendix
C-57R9585.pdf

Appendix D – Parcel Register



Appendix D-Parcel
Register - 63265-0338

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