



Committee of the Whole Report

Report Number RS2020-015

Meeting Date: September 1, 2020

Title: Proposed Direct Sale of City-Owned Property – Juniper Street, Fenelon Falls

Description: Proposed Direct Sale of City-Owned Property located on Juniper Street, Fenelon Falls for the Purpose of a Low Income Housing Development

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

Recommendations:

That Report RS2020-015, **Proposed Direct Sale of City-Owned Property – Juniper Street, Fenelon Falls**, be received;

That the sale of the City-owned property located on Juniper Street, Fenelon Falls and legally described as Lots 247, 248, 249, and 256 on Plan 57; Subject to R283173; Blake Street on Plan 100 Closed By R274935 Between Rock Street and Hill Street; Part of Hill Street on Plan 100 Closed by R274935; designated as Part 7 on Plan 57R-6341, in the Geographic Village of Fenelon Falls, City of Kawartha Lakes to the Fenelon Community Housing Initiative, 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 the subject property be sold for no less than the appraised value, plus all costs associated with the transaction;

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

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

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

That these recommendations be brought forward to Council for consideration at the next Regular Council Meeting.

Background:

At the Council Meeting of January 28, 2014, Council adopted the following resolution:

CR2014-101

Moved By Councillor Strangway

Seconded By Councillor Yeo

Resolved That Report LM2014-003, **Surplus Declaration of City Owned Lands in Wards 4, 5, and 6**, be received;

That the following City owned lands be declared surplus to municipal needs:

ID #	Roll Number	Legal Description	Street Location
54	165124000320140	PLAN 100 LOTS 247 TO 249 and 256 and PT HILL ST and PT BLAKE STBEING RP 57R6341 PARTS 1 3 and 7 TO 9 AM100	Juniper St

That notice be given in accordance with By-laws 2008-065 and 2010-118, as amended;

That the properties be investigated and, if suitable, prepared and marketed for sale to the general public in accordance with any current or future policies in place and be sold to the interested parties for no less than the appraised value plus any and all costs associated with the transaction;

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

That on completion of the public notice, Council shall consider any deputation or public input in opposition of the sale, if any, and if

appropriate, pass a by-law (with amendments deemed necessary) to authorize the disposition; and

That the Mayor and Clerk be authorized to execute any documents and agreements by the approval of this decision.

This report addresses that direction.

Following the surplus declaration of the property, Realty Services staff completed research into the property to determine its suitability for sale on the open market. As the property is zoned Recreational Open Space, the Land Management Committee determined that the property was not suitable for sale on the open market as is, and discussed the possibility of a City-initiated rezoning in order to make the property more saleable.

There is a creek through the property. Accordingly, a portion of the property is regulated by the Kawartha Region Conservation Authority. The KRCA regulated area is more specifically shown on Appendix D.

The property is also subject to an easement (registered as Instrument R283173) in favour of The Victoria County Board of Education (now Trillium Lakelands District School Board) for subsurface hydro-electric service and subsurface storm water drainage. The easement is shown as Part 8 on Plan 57R-6341, which is attached as Appendix E.

However, prior to taking any action to rezone the property, the Land Management Committee received a request from the Fenelon Community Housing Initiative requesting to purchase the City-owned property on Juniper Street for the purpose of developing affordable housing units.

The Land Management Committee reviewed this request at their meeting on March 9, 2020 and had no objections to the request.

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 13th, 20th, and 27th days of August, 2020. During this three-week advertising period, notice was also posted on the City's website and a "Potential Surplus Property" sign was posted on-site. Realty Services did not receive any public comments or concerns with regards to the proposed sale of the property.

The purpose of this report is to advise Council that the Land Management Committee recommends that direction for the subject property be amended to allow for a direct sale of the property, instead of a general market sale.

Rationale:

As noted above, this property was declared surplus on January 28, 2014 for the purpose of investigating its suitability for a general market sale. Research confirmed that the property is zoned Recreational Open Space and is not currently serviced, making the property not ideal for a general market sale.

The Land Management Committee had entertained several options for the property, including a City-initiated rezoning to Residential prior to listing or reaching out to the neighbouring school for a potential direct sale with current zoning.

Other Alternatives Considered:

Council could decide not to proceed with a direct sale and instead sell the property by placing it on the market for a 10-day period. Then, the highest offer received within the 10-day period will be accepted, subject to final approval. Although the City may be able to obtain more revenue this way, this offer indicates an interest in development for affordable housing, which is also a priority of the City.

Alignment to Strategic Priorities

The recommendations set out in this Report align with the following strategic priority:

- Good Government
 - Effective management of the municipal building and land portfolio

Financial Impacts:

The parties will be asked to enter into a conditional Agreement of Purchase and Sale with a \$4,500.00 deposit (which has already been provided) to cover initial costs. All costs of the transaction, plus a \$1,500.00 fee to cover the City's staff time expenses will be paid for by the purchaser.

The property value will be determined by an appraisal, which is currently in progress. The MPAC value of the property is \$32,000.00, so it is estimated that the City will recover a net amount in excess of \$32,000.00. The proceeds of the sale will be placed in the Property Development Reserve.

Consultations:

Land Management Committee
Land Registry Office
Mapping and GIS

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 – KRCA Regulated Area



Appendix D - KRCA
Regulated Area.pdf

Appendix E – Reference Plan 57R-6341 (TLDSB Easement)



Appendix E -
Reference Plan 57R-

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