



Committee of the Whole Report

Report Number:	RS2024-019
Meeting Date:	May 7, 2024
Title:	Proposed Surplus Declaration and Conveyance of City-Owned Portion of 21 Canal Street, Bobcaygeon
Description:	Proposed Conveyance to Co-Owner of the Property, The A. Sheila Boyd Foundation
Author and Title:	Laura Carnochan, Law Clerk – Realty Services

Recommendations:

That Report RS2024-019, **Proposed Surplus Declaration and Conveyance of City-Owned Portion of 21 Canal Street, Bobcaygeon**, be received;

That the City's interest in the subject property municipally known as 21 Canal Street East, Bobcaygeon and legally described as Part of Lot 4 Range 6 on Plan 1; Part of Block M on Plan 11 as in R332827, in the Geographic Township of Verulam, City of Kawartha Lakes, being PIN: 63129-0092 (LT), be declared surplus to municipal needs;

That the conveyance of the City's interest in the property to the co-owner of the property, The A. Sheila Boyd Foundation, 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, if appropriate;

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

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

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

At the Council Meeting of December 12, 2023, Council adopted the following resolution:

CR2023-675

Moved By Councillor Warren

Seconded By Councillor Perry

That Report BP2023-002, **Facility Use and Disposition**, be received;

That Council declare the municipally owned portion of the Boyd Museum facility and lands known as 21 Canal Street, Bobcaygeon, as surplus to municipal needs for the purpose of transferring ownership to the Sheila A. Boyd Foundation; and

That staff prepare the required agreements with the Bobcaygeon Chamber of Commerce and the Manvers Historical Society for approval by Council for the use of the Bobcaygeon Service Centre and the Bethany Service Centre respectively by the appropriate parties.

Carried

This report addresses that direction.

Public Notice advertising the potential surplus declaration and conveyance of the subject property was completed by online posting commencing April 8, 2024. A "Potential Surplus Property" sign was also posted on-site commencing April 11, 2024. As of the date of drafting this Report, Realty Services had not received notice of any public concerns with regards to the proposed conveyance of the subject lands.

Rationale:

The property is currently owned by both The Corporation of the Township of Verulam (now The Corporation of the City of Kawartha Lakes) and The A. Sheila Boyd Foundation. Historically, the City has used the building to house the Bobcaygeon Public Library and lease space to the Bobcaygeon and Area Chamber of Commerce. The A. Sheila Boyd Foundation has used the building for the purpose of operating the Boyd Museum.

The Bobcaygeon Public Library and the Bobcaygeon and Area Chamber of Commerce have now relocated to the City-owned property located at 123 East Street South, Bobcaygeon.

As part of an Agreement dated October 8, 1998 (attached as Appendix A) between The Corporation of the Township of Verulam and The A. Sheila Boyd Foundation, it was set out that if either party wishes to vacate the property, the vacating party shall convey its interest in the property to the remaining party for five dollars (\$5.00). The remaining party will, on closing, release the vacating party from the terms of the Agreement and indemnify the vacating party from all future liability relating to the property. The remaining party shall then have exclusive ownership of the property, along with the exclusive right to sell or otherwise dispose of any or all of said property.

Given the relocation of all City services, and the Chamber of Commerce, the City has no further use of the property.

The A. Sheila Boyd Foundation has confirmed that they are interested in taking over full ownership of the building, as it will allow them to expand their usage of the building, protect the property's heritage and historical value, and access additional grants and funding opportunities.

The A. Sheila Boyd Foundation has expressed a desire for the City to re-assume ownership of the property and take ownership of the museum collection, should the Foundation ever cease to exist. The Foundation has been advised that this type of agreement is not tied to the current disposition of the City's interest in the property and would need to be discussed in further detail at such a time as The A. Sheila Boyd Foundation is contemplating dissolution. At this time, Staff are only recommending that the City convey its interest in the property to The A. Sheila Boyd Foundation as set out in the Agreement dated October 8, 1998.

Other Alternatives Considered:

Council may decide not to convey the City's interest in the property to The A. Sheila Boyd Foundation. This is not recommended because it is surplus to City needs, would not allow The A. Sheila Boyd Foundation to best manage their operations and would create confusion regarding responsibilities for the facility.

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. Each party will be responsible for their own legal fees associated with the transfer. The City's legal fees are estimated at \$2,000.00 - \$2,500.00, plus HST, and will be paid out of the Realty Services Legal Fees account.

Consultations:

Land Management Team

A. Sheila Boyd Foundation

Attachments:

Appendix A – Agreement between Township of Verulam and A. Sheila Boyd Foundation
(Registered Instrument R355968)



Appendix A -
Agreement between

Department Head E-mail: rcarlson@kawarthalakes.ca

Department Head: Robyn Carlson

Department File: L06-24-RS002