
TO: GENERAL COMMITTEE

SUBJECT: SURPLUSSING OF PROPERTY – PART OF BLOCK 183, PLAN 51M-751

WARD: 5

PREPARED BY AND KEY CONTACT: A. MILLS, MANAGER OF LEGAL SERVICES, EXT. 5051

SUBMITTED BY: I. PETERS, DIRECTOR OF LEGAL SERVICES

CHIEF ADMINISTRATIVE OFFICER APPROVAL: M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RECOMMENDED MOTION

1. That the Property identified as Appendix “A” to Staff Report LGL007-18, being part of PIN# 587651129 (LT) respectively (the “Subject Property”) be declared surplus to the needs of the Corporation of the City of Barrie (the “City”).
2. That the Subject Property be offered for sale to Previn Court Homes or an affiliated company (the “Purchaser”) for the purpose of developing a Storm Water Pond in support of its draft plan approved subdivision.
3. That the City Clerk be authorized to execute an Agreement of Purchase and Sale (“APS”) conditional upon a future Council approval in a form approved by the Director of Legal Services.
4. That the Purchaser be permitted to make Official Plan and Zoning By-law Amendment applications for the Subject Property and the subject property be included in Development Applications.

PURPOSE & BACKGROUND

5. The purpose of this Staff Report is to request that the Subject Property being approximately 0.17 hectares in area be declared surplus to the needs of the City and be offered for sale to the Purchaser at fair market value as determined by an appraisal taking into consideration its highest and best use and any benefit to the Purchaser’s draft plan approved subdivision.
6. Approval was issued by the Ontario Municipal Board on December 15, 1999 for the Purchaser’s draft plan approved subdivision. This approval has been extended on several occasions.
7. The Subject Property was acquired by dedication to the City on September 2, 2003 pursuant to the registration of Plan 51M-751.

ANALYSIS

8. A circulation of City departments for staff input on the potential disposition of the Subject Property was completed following the receipt of the application to purchase the Subject Property. No concerns or objections were raised by staff.

9. The current development proposal for the draft plan approved subdivision includes both a Commercial and Residential component and road that would link Sproule Drive to Ferndale Drive North (the "Proposed Development").
10. The Subject Property is zoned Environmental Protection (EP) and designated Environmental Protection Area in the Official Plan. Staff are of the opinion the Subject Property retains little EP value given its deteriorated state and low quality woodlot. The Lake Simcoe Regional Conservation Authority was consulted on the disposition and proposed use of the Subject Property and had no objections.
11. The Purchaser may require an Official Plan and Zoning By-Law amendment for its Proposed Development. This is entirely at the Purchaser's risk and expense.
12. The Subject Property, once developed as a Storm Water Pond will be dedicated to the City following the registration of the plan of subdivision for the Proposed Development.
13. Subsequent to declaring the Subject Property surplus to the City's needs, an appraisal will be requisitioned to determine its market value. The Purchaser shall be responsible for requisitioning the appraisal and all associated costs. The City will choose the appraisal firm and be named the client in the report.
14. If the City and Purchaser agree on terms set out within an APS, staff will report back to Council seeking approval of the transaction.
15. Disposition of the Subject Property will create a revenue source for the City through the sale proceeds, development charges and future property taxation resulting from the Proposed Development being constructed.
16. The Purchaser shall pay all of the City's costs and fees associated with the transfer of the Subject Property including appraisal, advertising, survey and legal.

ENVIRONMENTAL MATTERS

17. There are no environmental matters related to the recommendation. Staff anticipate the Purchaser will be completing its own environmental due diligence investigations in the context of the APS.

ALTERNATIVES

18. The following alternative is available for consideration by General Committee:

Alternative #1 General Committee could choose not to declare the Subject Property surplus to the City's needs for the purpose of disposal to the Purchaser.

This alternative is not recommended as pursuant to an internal circulation, the Subject Property is not required for City purposes and its sale would assist the Purchaser with bringing its Proposed Development to fruition.

FINANCIAL

19. Staff will recommend where the sale proceeds should be transferred to within a future staff report that seeks approval to sell the Subject Property.



LINKAGE TO 2014-2018 STRATEGIC PLAN

The recommendation(s) included in this Staff Report are not specifically related to the goals identified in the 2014-2018 Strategic Plan.

APPENDIX "A"
Subject Property

