



**LEGAL SERVICES DEPARTMENT
MEMORANDUM**

Page: 1
File: L17-78
Pending #:

TO: MAYOR J. LEHMAN AND MEMBERS OF COUNCIL

FROM: I. PETERS, DIRECTOR OF LEGAL SERVICES

NOTED: M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RE: 36 MULCASTER STREET PARKING LOT - WARD 2

DATE: April 27, 2020

The purpose of this Memorandum is to provide members of Council with an update concerning the status of the City run parking lot located at the southwest corner of Collier and Mulcaster Street on property municipally known as 36 Mulcaster Street.

The City transferred ownership of the property to Pacc Mulcaster Corporation on June 9, 2015 and continued to operate the parking lot post-closing. The sale transaction did not require the parking lot use to be reflected in a registered instrument. The arrangement to allow the City to use the property as a parking lot was therefore not binding on subsequent purchasers of the property.

Not included in the City's sale to Pacc Mulcaster Corporation were:

- (i) The land and Armoury building currently occupied by the Grey and Simcoe Foresters' Regiment Museum; and
- (ii) The Firefighters' Monument.

The City has two registered easements that continue in perpetuity over the property sold, which are:

- (i) An easement to facilitate access and maintenance of the Firefighters Monument, as the property under the monument was sold; and
- (ii) A 3 metre strip surrounding the Armoury building for purposes of access and maintenance of the Armoury building.

Staff have been advised that ownership of the property has now transferred from Pacc Mulcaster Corporation to Vitmont Holdings (Barrie) Inc. The current owner has requested that the City discontinue its parking lot use to allow for remediation work to proceed. Closing of the parking lot is anticipated to occur prior to the end of this May.

All parking related infrastructure will be removed prior to the parking lot closure and the City's website, social media platforms and mapping will be updated to ensure the public is made aware of the closure.