

---

**TO:** GENERAL COMMITTEE

**SUBJECT:** SURPLUSING OF CITY OWNED PROPERTY – UNTRAVELLED PORTION OF EAST STREET

**WARD:** 2

**PREPARED BY AND KEY CONTACT:** A. MILLS, MANAGER OF LEGAL SERVICES, EXTENSION #5051

**SUBMITTED BY:** I. PETERS, DIRECTOR OF LEGAL SERVICES

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

---

### **RECOMMENDED MOTION**

1. That the property known municipally as the untravelled portion of East Street, as shown on Appendix “A” to Staff Report LGL002-23 (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 first offered for sale to the abutting property owners located at 156 Clapperton Street and 95 Drury Lane (the “Abutting Owners”) at fair market value as determined by the City’s appraisal.
3. That in the event the Abutting Owners elect not to purchase the Subject Property, it be listed with a real estate brokerage and advertised for sale by a realtor.
3. That the purchaser(s) be permitted to include the Subject Property in a Pre-Consultation, Site Plan Control application and/or Zoning By-law Amendment application if/as required to facilitate future development.
4. That the City Clerk be authorized to execute Agreements of Purchase and Sale that are conditional upon future Council approval and in a form approved by the Director of Legal Services.

### **PURPOSE & BACKGROUND**

#### Report Overview

5. The purpose of this staff report is to recommend that the Subject Property be declared surplus to the needs of the City and first offered for sale to the Abutting Owners at the appraised value and should they elect not to proceed with the acquisition it be listed for sale with a real estate brokerage and placed on the open market.
6. The City acquired the Subject Property by dedication through Plan of Subdivision Registration on April 9, 1851.
7. The Subject Property is zoned Residential Multiple Dwelling Second Density (RM2) in the City’s Zoning By-law and designated Neighbourhood Area in the Official Plan.
8. An application requesting the Subject Property be declared surplus and sold to the applicant was submitted by the owner of 156 Clapperton Street in June 2022.

- 
9. The request was circulated among City staff for comments and there were no concerns or objections to disposing of the Subject Property identified.
  10. Staff wrote to every property owner whose property adjoins the Subject Property in order to advise them of the potential sale and to determine if they had any interest in acquiring a portion of it themselves.
  11. Several of the adjoining property owners responded to the City's correspondence and advised they were interested in acquiring a portion of the Subject Property but needed to know what the asking price was before taking any next steps.
  12. An appraisal of the Subject Property was obtained by the City which estimated the fair market value to be \$295,000 or \$419.79 per square metre as of the effective date of the appraisal being February 19, 2023.
  13. The appraisal was shared with the adjoining owners who had expressed an interest in acquiring a portion of the Subject Property and the applicant.
  14. None of the adjoining property owners were interested in acquiring a portion of the Subject Property after receiving the appraisal except the owners of 95 Drury Lane who remain interested in acquiring the rear portion of the Subject Property that adjoins their property.
  15. The applicant was seeking to acquire the entirety of the Subject Property at the time of submitting the application but is agreeable to acquiring just the portion that adjoins their property located at 156 Clapperton Street.

#### **ANALYSIS**

16. A reference plan to delineate and create a legal description for the Subject Property will be obtained by the City.
17. Staff will report back to Council seeking approval of any negotiated Agreement of Purchase and Sale the City enters into with a purchaser.
18. The purchaser(s) shall pay all of the City's costs and fees associated with the transfer of the Subject Property including appraisal, advertising, survey and legal.
19. Disposition of the Subject Property will create a revenue source for the City through the sale proceeds, development charges and future property taxation while also reducing potential liability and ongoing maintenance costs.

#### **ENVIRONMENTAL AND CLIMATE CHANGE IMPACT MATTERS**

20. There are no environmental matters related to the recommendation. Staff anticipate the purchaser(s) will be completing their own environmental due diligence investigations.

#### **ALTERNATIVES**

21. 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 a sale to the Abutting Owners or the open market.

This alternative is not recommended as the Subject Property is not required for City purposes and its sale will provide the City with revenue and reduce potential liability and maintenance costs associated with unutilized property.

**FINANCIAL**

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

**LINKAGE TO 2022–2026 STRATEGIC PLAN**

23. The recommendation(s) included in this Staff Report are not specifically related to the goals identified in the 2022-2026 Strategic Plan.

APPENDIX "A"

Subject Property

