Information Report

Report From: Jay Pausner, Supervisor, Development Services

Meeting Date: December 19, 2022

Subject: Update on Surplus Town Lands for Attainable Housing

Report Summary

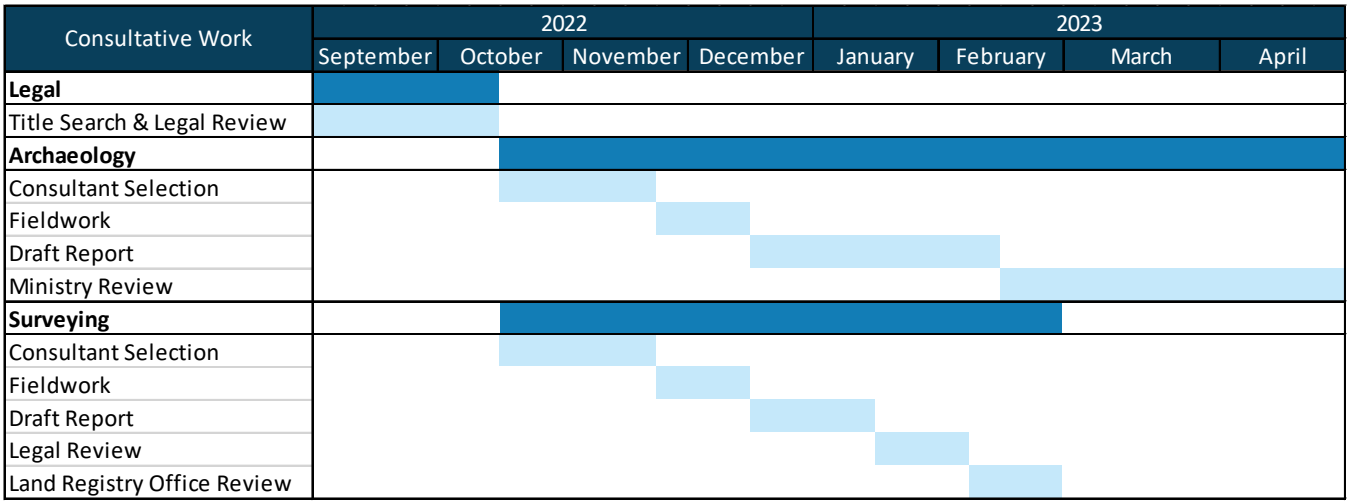
Through site visits, scans of financial and legal records, and staff reviews from various departments, an inventory of Town lands has been examined to determine the potential surplus properties that may support the Town's attainable housing priorities. Four properties that were determined to have the least complications for potential sale or development were presented to Council on August 8, 2022.

Council authorized $50,000 from the Sale of Surplus Lands Reserve Fund to cover the costs associated with the work to prepare these properties for sale or development, including any necessary administrative and regulatory review costs. Staff have retained legal, surveying, and archeological counsel as part of the due diligence review on these properties.

Background/Analysis

The following is an update on the Town's due diligence review for the four properties identified in August where the Town's attainable housing priorities could be advanced.

Staff have engaged legal, surveying, and archeology consultants as part of the due diligence review on these properties. It is expected that archaeological and surveying work will be completed in 2023, a brief timeline is provided below.



Once that work is complete, the following next steps to dispose of land (sell or transfer) are outlined:

1. Council will need to pass a resolution declaring the land surplus at a public meeting.
2. Council will determine the preferred method of disposal and approve the disposition, including any terms and conditions.
3. If the land is not exempt from appraisal by Council, then at least one appraisal of fair market value will need to be obtained prior to the sale.
4. The Clerk will need to provide public notice of the sale.
5. Staff will prepare an Agreement of Purchase and Sale.
6. The CAO or designate shall have the authority to negotiate, approve, and arrange for the execution of any additional terms and conditions in the Agreement of Purchase and Sale on behalf of the Town.

This is as per the most recent draft of the Town's Sale and Other Disposition of Land Policy. It is expected that an updated version of this draft policy will be bought forward for consideration to replace the current Sale and Other Disposition of Land Policy (By-law 28-99 as amended by By-law 17-00) by Q1 2023, thus it is referred to as the Draft Land Disposition Policy hereafter.

Section 6 of this Policy exempts steps 3-4 for the several classes of land, including

- Land 0.3 metres or less in width acquired in connection with an approval or decision under the *Planning Act*; and
- Closed highways, roads and road allowances if sold to an owner of land abutting the closed highways.

All costs associated with the preparation of the land for sale shall be paid by the purchaser in accordance with this Policy.

Specific procedures for each property, including exemptions, are noted below.

1. Bluewater Estates

The subject land is located along Bruce Street with accesses to Bluewater Drive, Sunset Boulevard and Ridge Street. It is a 3.59-hectare (8.53-acre) property that is mostly empty, with a wooded strip across the middle. It is in a Residential 1 zone, with planned development in Residential 3 zones toward the south and the east, and a YMCA day care in an Institutional zone attached to the northeast corner. The property was received by the Town as parkland dedication.

Prior to deeming the land surplus, legal counsel for the Town recommends the following.

1. The Town review its records to determine if there is a drain and a stilling pond that would require the Town to maintain an easement if the lands were to be disposed.
2. The Town sever the portion of the property it wants to retain as parkland, which will require a Reference Plan to identify the parklands.
    - Community Services staff will be engaged to identify the specific boundaries of the parkland(s).

Further review is being explored to optimize the use of the lands for housing and parkland. A future report will be brought forward specifically outlining this property' disposal process.


Izzard Rd
Wales
Parkview
Bruce St
Prov
Peirson Ave
Buckby Ln
Ridge St
Bluewater Dr
Ray St
Amanda's Way
Sunset Blvd
Stickel St
Irvings Dr


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Sunset Blvd

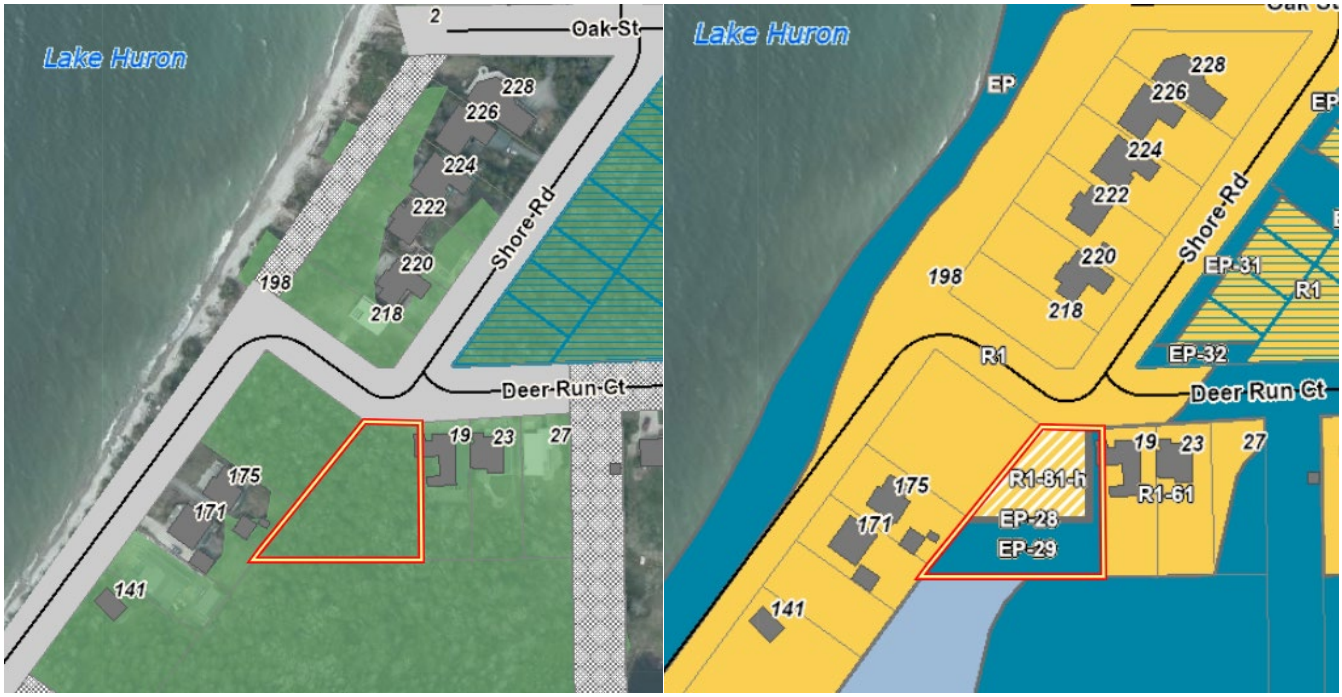

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2. Deer Run Court

The subject land is located at the intersection of Deer Run Court and Shore Road. It is a 0.28-hectare (0.69-acre) property that is wooded. It includes a Residential 1 zone with a holding symbol and two Environmental Protection zones. It has detached homes in Residential 1 zones toward the north, the east, and the west, and wooded areas in an Environmental Protection zone towards the south.

Prior to deeming the lands surplus, legal counsel for the Town recommends the following.

1. The Town retain an archaeologist to prepare archaeological assessment(s) to remove the holding provision.
    - Detritus Consulting Ltd. has been retained as the archaeologist to conduct a Stage 1-2 Archaeological Assessment.
2. The Town retain a surveyor to identify any encroachments, and potentially convey the portion lost by adverse possession prior to the sale.
    - Dinsmore & England Ltd. has been retained as the surveyor.



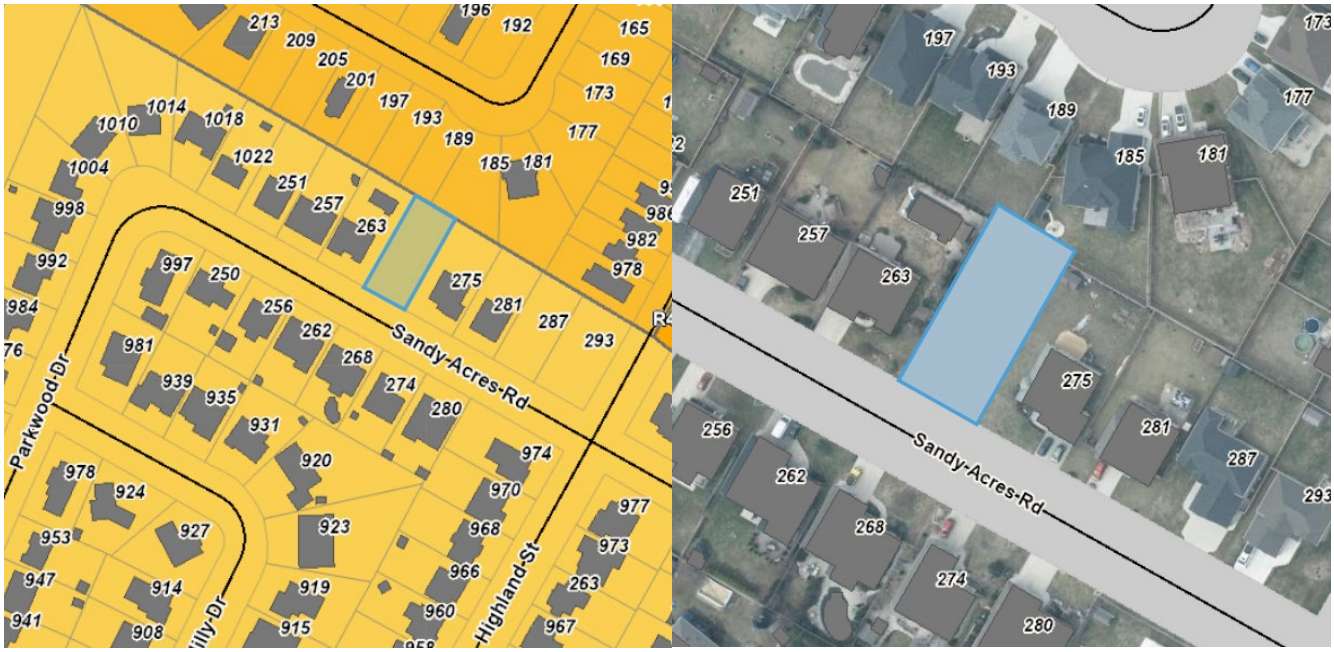


3. Sandy Acres Road

The subject land is located between 263 and 275 Sandy Acres Road. It consists of two portions: a public highway and a 0.3 meter reserve. It is empty and roughly 800-900 m^2 (8700-9600 ft^2). It is in the Residential 1 zone, with a Residential 2 zone towards the north. It has been determined that the property is no longer needed as a road reserve in the area.

Prior to deeming the lands surplus, legal counsel for the Town recommends the following.

1. The Town stop up and close the public highway portion of the land in accordance with the Town's Procedural Guidelines for Road Closings.
    - Once the highway is closed, both portions of the land may be exempt from the appraisal and public notice processes in accordance with the Draft Land Disposition Policy





4. South Rankin Street

The subject land is located between 145 and 155 South Rankin Street. It is roughly 20 meters (66 feet) wide and 43 meters (141 feet) deep, wooded, and includes a decommissioned but not yet demolished utility building onsite. It is at the intersection of a Residential 1 zone towards the east, a Commercial Recreation zone towards the west, and an Environmental Protection zone towards the south. It is an Unopened Road Allowance (URA), as well as a Shore Road Allowance (SRA). However, it has been determined that the property is no longer needed as a road allowance in the area.

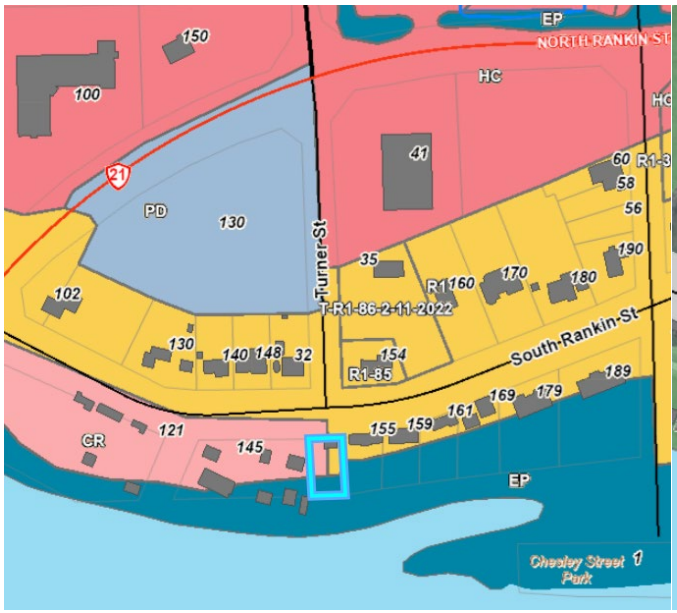
According to the Land Disposition Policy, if an URA or a SRA is deemed to be of insufficient size to be developable on its own, the property owners directly abutting the road allowance have the first right of refusal.

Prior to deeming the lands surplus, legal counsel for the Town recommends the following.

1. The Town circulate the intention to close the highway with Public Works Canada and appropriate Ministries. The Town requires consent from the Government of Canada to close the road allowance since it abuts Crown land (the Saugeen River shore).
2. The Town stop up and close the highway, in accordance with the Town's Procedural Guidelines for Road Closings.
    - Once the highway is closed, the land may be exempt from the appraisal and public notice processes in accordance with the Draft Land Disposition Policy.
3. The Town retain a surveyor to prepare a new Reference Plan.
    - Dinsmore & England Ltd. has been retained as the surveyor.

In addition, planning staff recommends the following as per best practices for lands abutting or adjoining the Lake Huron shore.

4. The Town retain an archaeologist to prepare archaeological assessment(s) to clear any archaeological potential.
    - Detritus Consulting Ltd. has been retained as the archaeologist to conduct a Stage 1-2 Archaeological Assessment.
5. The Town circulate the intention to close the highway with the Saugeen Valley Conservation Authority (SVCA).
    - The land is within the SVCA Regulated Area.







Financial Impacts/Source of Funding

Current expenditures are in accordance with the August resolution.

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