

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON DECEMBER 3, 2019
FROM:	ANNA LISA BARBON MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER
SUBJECT:	DECLARE SURPLUS PORTION OF CITY OWNED LAND – 65 BRISBIN STREET ABUTTING SOUTH SIDE OF 81 BRISBIN STREET

RECOMMENDATION

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to a portion of City owned land at 65 Brisbin Street, abutting the south side of 81 Brisbin Street, described as Part 2, Lot 94, Plan 484 C, containing an area of approximately 805 square feet, as shown on Schedule "A", the following actions **BE TAKEN**:

- a) the subject property **BE DECLARED SURPLUS**; and
- b) the subject property ("Surplus Lands") **BE TRANSFERRED** to the abutting property owner at 81 Brisbin Street, in accordance with the City's Sale and Other Disposition of Land Policy.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

BACKGROUND

Site Description

The subject property is a portion of City owned open space municipally known as 65 Brisbin Street. The parcel being declared surplus is located on the west side of Brisbin Street adjacent to the south side of 81 Brisbin Street. The subject City lands are located off the west end of a turning circle or bulb at the end of Brisbin Street. The proposed sale of the lands comprises of 805 square feet with 20 feet of frontage on Brisbin Street.

Official Plan:	Open Space (OS1)
Zoning:	Open Space (OS1)
Area:	805 square feet
Site Description:	Vacant City owned park land

Current Status of Site

The site is currently vacant City land abutting the south side of 81 Brisbin Street. A formal request to purchase a portion of the City owned lands was made on August 30, 2019. The property owner of 81 Brisbin Street advised that the proposed lands are required to replace an illegal driveway at the north end of his property. The owner was issued a citation from the adjoining owner to cease encroaching and using the lands as a driveway. He engaged the services of a lawyer and a surveyor and after a review of the situation by his lawyer it was confirmed that he indeed was using the lands lying to the north without permission and without legal rights.

A Property Liaison Inquiry Report was circulated on October 1, 2019. No responses or objections to the sale of the lands were raised, however after the process was completed, the following conditions on the sale were imposed:

1. That a Stage 1 and Stage 2 Archaeological Assessment be completed.
2. That the lands be rezoned from current Parkland to Residential.
3. That the new south limits of the lands be fenced with a 1.5 metre high black chain-link fence as per City standards.

An internal appraisal of the property has been recommended to determine the estimated fair market value of the property, which will be relied upon during disposition. The owner has requested that the City move forward with the process. He has accepted the conditions imposed and subject to the reasonable costs to purchase the lands as established by an appraisal, he will enter into an Agreement of Purchase and Sale with the City.

The Sale and Other Disposition of Land policy under Section 4 Methods of Sale allows for the disposition of lands to abutting property owner through direct negotiation.

Conclusion

The property is surplus to the needs of the City and therefore recommended to be declared surplus and sold at fair market value in accordance with the City's Sale and Other Disposition of Land Policy.

A location map is attached for the Committee's information.

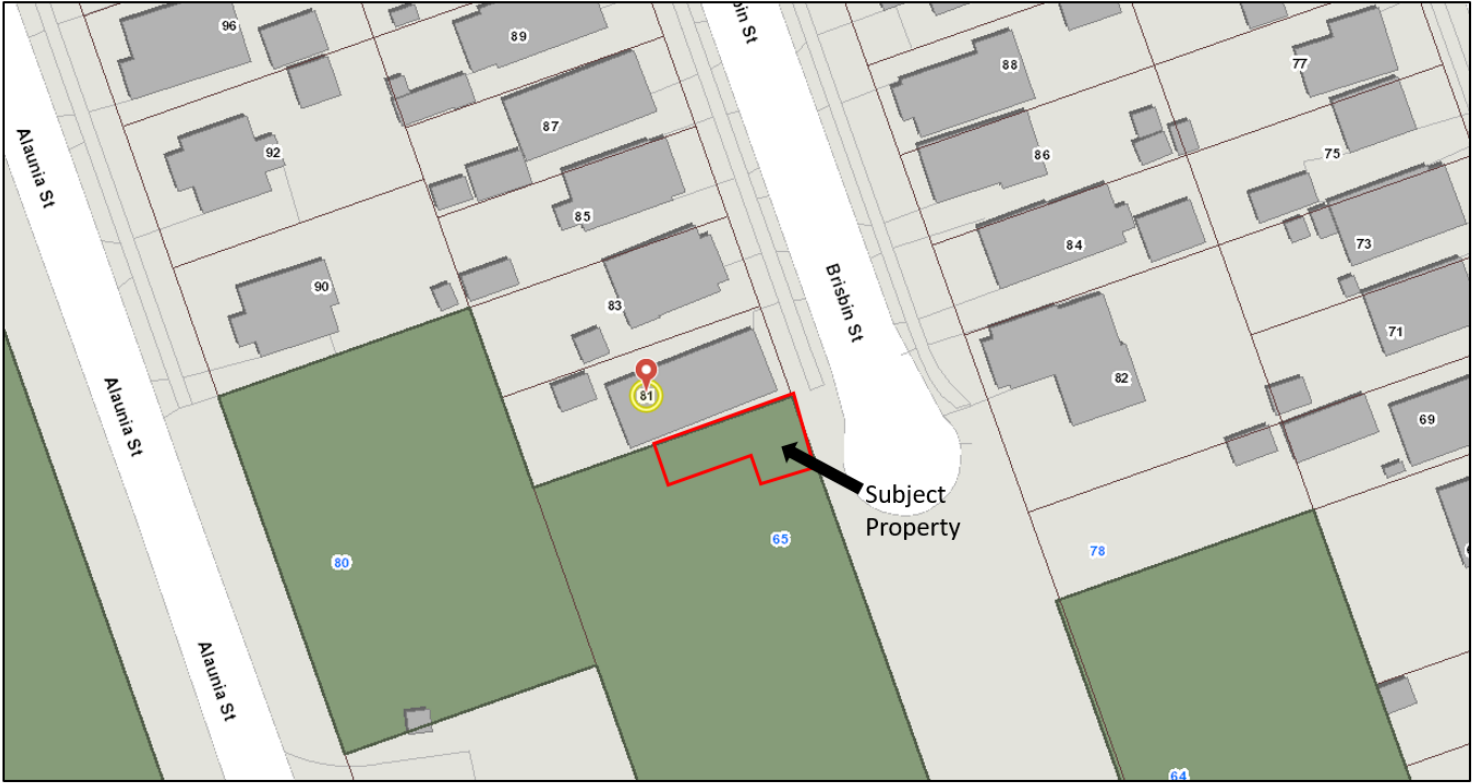
PREPARED & SUBMITTED BY:	RECOMMENDED BY :
BILL WARNER MANAGER OF REALTY SERVICES	ANNA LISA BARBON MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER

November 19, 2019
Attach.

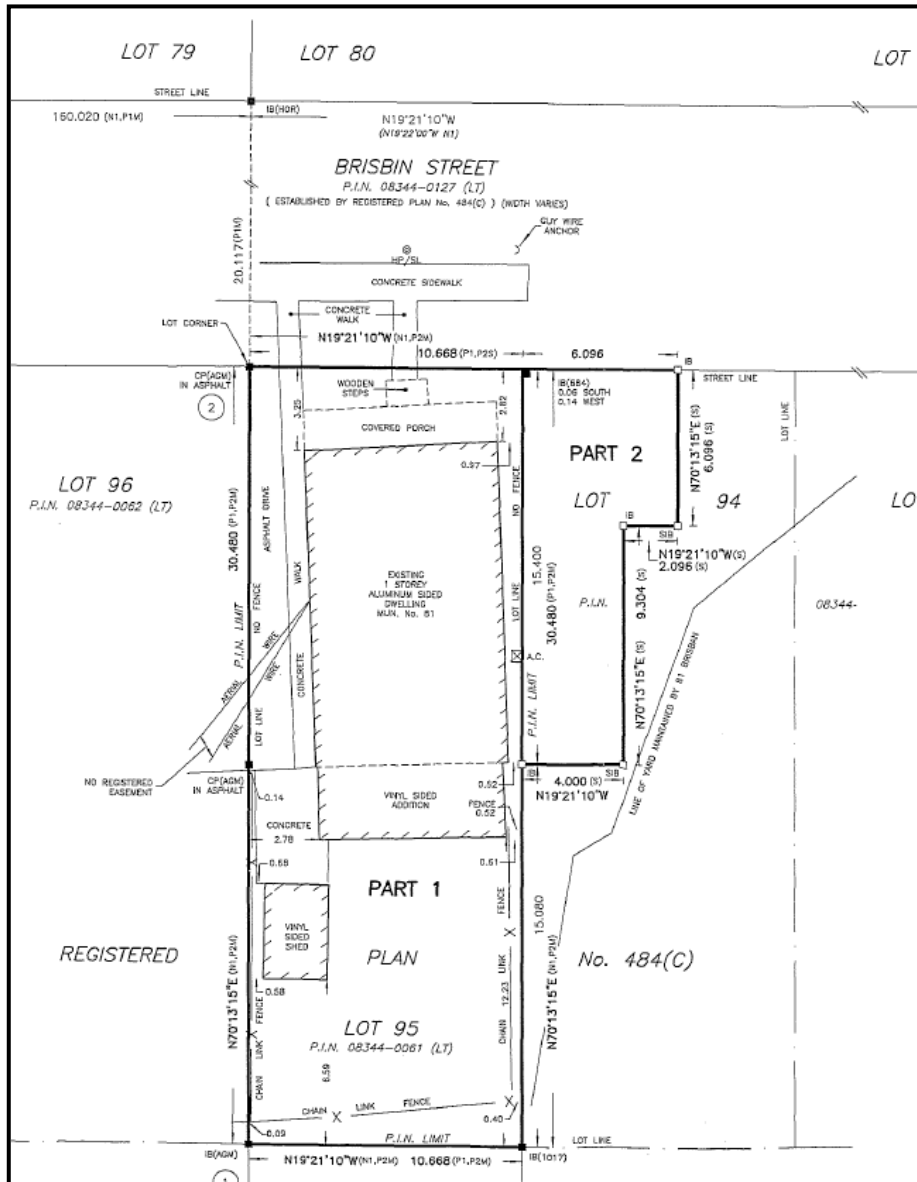
File No. P-2357 (1)

cc: Andrew Macpherson, Division Manager, Parks Planning and Operations

LOCATION MAP



Schedule "A"
Proposed Disposition Drawing



Subject Property Shown As Part 2