

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON JULY 13, 2020
FROM:	ANNA LISA BARBON MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER
SUBJECT:	DECLARE SURPLUS PORTION OF CITY OWNED LAND – 124 CAVENDISH CRESCENT

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 located on south side of Cavendish Crescent, abutting the west side of 124 Cavendish Crescent, described as Part of Lot 16, Part Lots 15, 14 and 13, Plan 308 (W), as in W10912; Part Lot 15, Plan 308(W), as in ED38082, being part of PIN 080770394, as shown on Schedule “A” (the “Property”), 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 124 Cavendish Crescent, 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. The proposed sale of the lands comprises of 5,430 square feet with 30 feet of frontage on Cavendish Crescent.

Estimated Frontage:	Approx. 30.4 feet - 9.3 metres – (aerial measurement)
Estimated Area:	Approx. 5,430 Sq. Ft. (aerial measurement) 0.12 acres
Shape:	Roughly rectangular
Topography:	Flat and level
Zoning:	OS4
Use:	Adjacent zoning R2-2(19) Being used for residential related purposes

Current Status of Site

The site is encroached with an existing driveway, shed, and part of a garage since the early 1970's. Given the age of the improvements, the use is considered legal non-conforming, and the parcel does not require rezoning (i.e. Realty Services has checked with Development and Compliance Services and the use was deemed legal non-conforming due to the fact that the building and driveway have been in existence prior to July 1, 1973, as such the land does not require rezoning). The adjacent property owner met with Realty Services last December to discuss entertaining entering a license agreement, or purchase from the City. Since this time the property owner has expressed interest to proceed and purchase the property. The property owner was advised that the parcel would need Council's approval for the parcel to be declared surplus. The purchase of the parcel will resolve the existing encroachments built on City property.

An internal property liaison process has been completed and no objections to declaring the parcel surplus were received. The City will secure a multi-utility easement at the time of sale to protect for any existing and future infrastructure planned for the property. Conditions would be built into the Agreement of Purchase and Sale that no further changes or alteration would be permitted except for what is currently there.

An internal appraisal of the property has been completed 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. The adjacent property owner has accepted the conditions imposed and subject to the reasonable costs to purchase the lands, as established by an appraisal, the owner 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

June 26, 2020
Attach.

File No. P-2105

cc: Gary Irwin, Manager, Geomatics
Adam Salton, Manager, Zoning & Public Property Compliance

**SCHEDULE "A"
THE "PROPERTY"**

