



City of
Peterborough

To: Members of General Committee

**From: Patricia Lester
Commissioner of Corporate and Legislative Services**

Meeting Date: September 17, 2018

**Subject: Report CLSRE18-010
Surplus Declaration and Disposition of 237 Denne Crescent**

Purpose

A report to recommend that 237 Denne Crescent be declared surplus to the needs of the City and offered for sale through a public process.

Recommendations

That Council approve the recommendations outlined in Report CLSRE18-010 dated September 17, 2018 of the Commissioner of Corporate and Legislative Services, as follows:

- a) That the property described as Blocks 37, 38, 39, 40 on Plan M-58, Peterborough, known municipally as 237 Denne Crescent, Peterborough be declared surplus to the needs of the Municipality.
- b) That Staff give Notice to the public of the proposed sale in accordance with City's Property Disposal By-law 95-62.
- c) That the City retain a Real Estate Agent to publicly list and, in consultation with the City Solicitor, negotiate the transfer of the aforementioned 4 Blocks comprising 237 Denne Crescent.
- d) That, as required, a by-law or by-laws be passed, at a future Council meeting, to authorize the transfer of Blocks 37, 38, 39 and 40 to new owners.

- e) That the Mayor and Clerk be authorized to execute such documents to give effect to the transfers on terms and in forms acceptable to the City Solicitor.

Budget and Financial Implications

No budget or financial implications arise out of the adoption of these recommendations. The proceeds of any sales will be deposited in the General Property Reserve account. The Real Estate Agent's commission will be payable from the proceeds of the sale. The City's Sale of Real Property By-Law 95-62 contemplates obtaining an opinion of value before disposing of land. This opinion of value will be obtained from the real estate agent that Staff retains.

Background

The property at 237 Denne Crescent (shown in Appendix "A") has been identified as a property no longer being required for City purposes. Staff completed a circulation to City Departments and outside agencies to determine whether there were any objections to the proposed sale.

The property was conveyed to the City in 1979 pursuant to a Subdivision Agreement. The southerly portion of the property is separated from Highway 115 by property owned by the Ministry of Transportation. Land in private ownership abuts both the eastern and western sides of the property's rear. It appears that the 1979 conveyance of 237 Denne Crescent was done to facilitate a potential municipal road connection that would be needed if the Ministry of Transportation ("MTO") ever disposed of its adjacent lands. As a result of the circulation, MTO has informed the City that it will not be disposing of any of its adjacent lands because they will be retained for possible future highway improvements.

237 Denne Crescent is currently zoned D.1 – Development district (see Appendix "B" attached) and it is composed of Blocks 37, 38, 39 and 40 on Plan M-58. Due to the configuration of the driveways that service the adjoining properties at 231 and 243 Denne Crescent the City (See Appendix "C" attached) Blocks 37 and 38, being small triangular pieces of land, will first be offered for sale to the adjacent existing landowners. If either Block 37 or 38 is not transferred to the respective adjacent owner, the part(s) not transferred will be marketed together with Blocks 39 and 40 so as to ensure that neither remains in City ownership. Development of Blocks 39 and 40, and Blocks 37 and 38 if included in the sale of Blocks 39 and 40, will be subject to the owner obtaining a Zoning Amendment. Blocks 39 and 40 are not currently serviced. The purchaser of Blocks 39 and 40 will be required to pay development charges and will incur other expenses in order to proceed with the development of those Blocks. Once the purchaser of Blocks 39 and 40 has satisfied the conditions contained in a site plan agreement, the City will remove the one foot reserve across the frontage of Block 39, thus permitting access to Denne Crescent.

City staff therefore recommends that Blocks 37 to 40 inclusive on Plan M-58 be declared surplus, that a Real Estate Agent be engaged to list and, in consultation with the City Solicitor, transfer those Blocks to new owners as set out below:

- a. Block 37 first be offered to the owner of 243 Denne Crescent;
- b. Block 38 first be offered to the owner of 231 Denne Crescent; and
- c. Blocks 39 and 40 Denne Crescent to a successful purchaser together with Blocks 37 and 38, as applicable, if not transferred to the respective adjacent owners, as noted above.

The real estate agent will be retained in accordance with the City's Purchasing By-Law 14-127.

Submitted by,

Patricia Lester
Commissioner of Corporate and Legislative Services

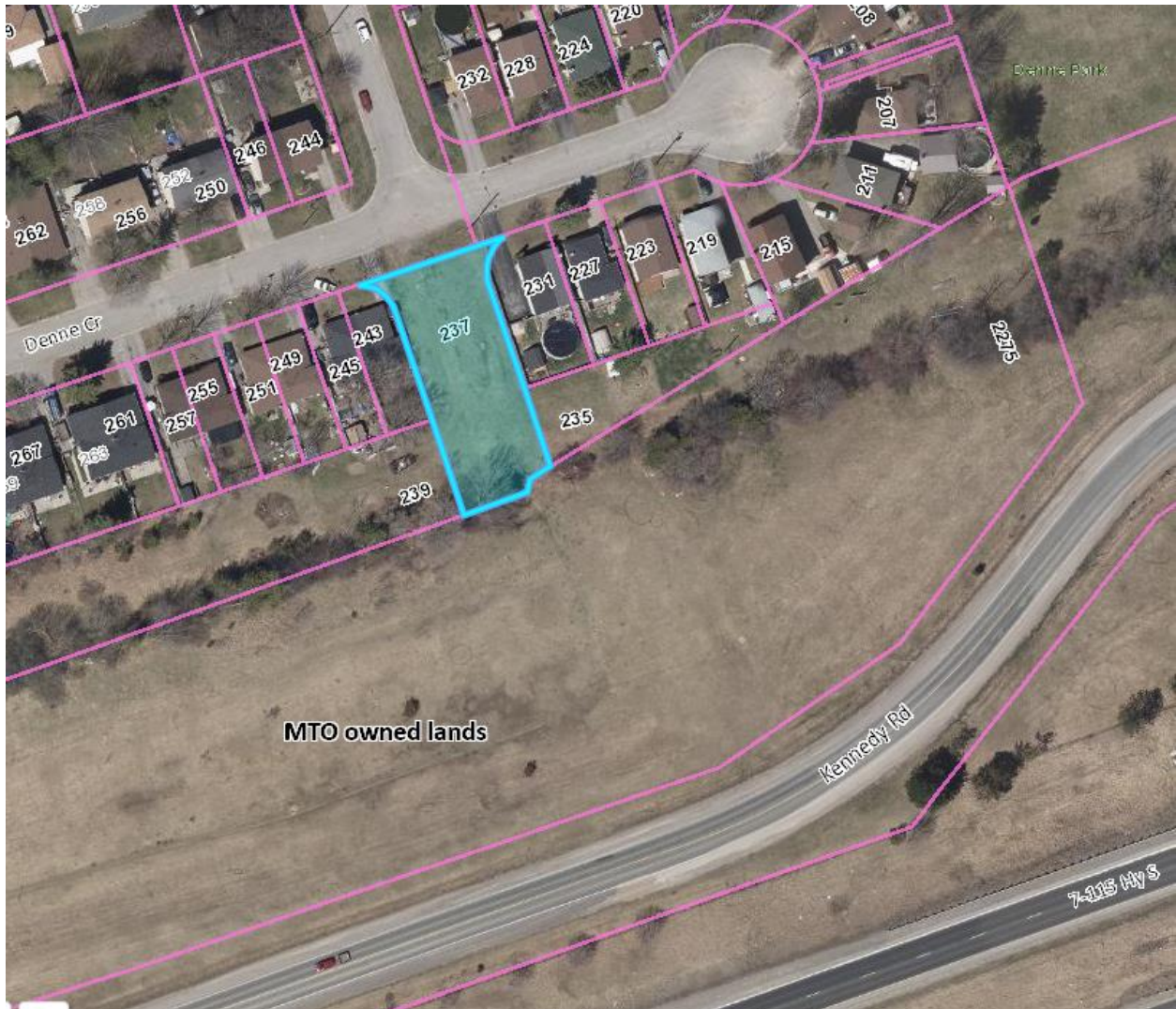
Contact Name:

David J. Potts, City Solicitor
Phone: 705-742-7777, Extension 1603
Toll Free: 1-855-738-3755
Fax: 705-742-3947
E-mail: dpotts@peterborough.ca

Attachments:

Appendix A – Aerial view of 237 Denne Crescent
Appendix B – D.1 Zoning
Appendix C – Part of Subdivision Plan M-58

Appendix A – Aerial View of 237 Denne Crescent



Appendix B - D.1 Zoning

SECTION 27

DEVELOPMENT DISTRICT 1 (D.1)

PERMITTED USES

27.1 No person shall within any D.1 District use any land, or erect, alter or use any building or part thereof for any purpose other than;

- (a) an established use
- (b) agriculture
- (c) a greenhouse or nursery
- (d) a riding stable
- (e) a park

REGULATIONS

27.2 No person shall within any D.1 District use any land or erect, alter or use any building or part thereof except in accordance with the following regulations;

Type	Requirement
a) minimum lot area for agriculture, greenhouse or nursery, or riding stable	8 hectares
b) minimum building setback i) side lot line ii) rear lot line	3 metres 7.6 metres
c) the floor area of any building used in connection with an established use may not hereafter be increased by more than 10 %	
d) a feed-lot, manure pile, lagoon, barn or stable shall not be located within 150 metres of a residential district	
e) a single-unit dwelling shall be permitted as an accessory use to agriculture, a greenhouse or nursery or a riding stable provided the following regulations are complied with: i) minimum floor area ii) maximum number of storeys	70 square metres 2
27.3 D.1 District is hereby designated as a development district.	

Appendix C – Part of Subdivision Plan M-58

