

The Regional Municipality of York

Committee of the Whole
Finance and Administration
November 14, 2019

Report of the Commissioner of Corporate Services

Disposition of Land 1256 Barnwood Square City of Pickering

1. Recommendations

1. Council authorize the disposition of land that has been deemed surplus to Regional requirements in the City of Pickering, as set out in Attachment 1.
2. The Commissioner of Corporate Services be authorized to execute the agreement of purchase and sale and all necessary documents to complete the transaction, in accordance with the Region's Sale and Other Disposition of Regional Lands Policy.
3. Staff report back to Council with final sale price upon completion of the transaction.

2. Summary

This report seeks Council authority for staff to negotiate the disposition of lands that are surplus to the Region, in the City of Pickering, in accordance with the Sale and Other Disposition of Regional Lands Policy. The location of the subject property is shown on the map in Attachment 2.

Private Attachment 1 to this report will be considered in private session because it relates to the disposition of land by the Region

Key Points:

- The two storey residential property was acquired for the construction of the York Durham Sewer System (YDSS) South East Collector Trunk Sewer
- The portion of the property not required for the project is surplus to the Region's needs and is proposed for disposition on the open market
- The house is in need of some general maintenance, renovation work, and the purchaser will be required to construct a private attached garage, as per City of Pickering bylaw 1104/80

- Based on an independent appraisal, staff will list the property for sale on the open market, complete the disposition and report the final sale price back to Council

3. Background

The Region acquired lands for the South East Collector Trunk Sewer Project in the City of Pickering

In June 1997, York Region, Durham Region and the Ontario Clean Water Agency agreed to the transfer of assets, liabilities and rights related to the water works or sewage works, pursuant to the Municipal Water and Sewage Transfer Act. In response, the Region and Durham Region entered into a Co-Owner's agreement which set out the working parameters, cost sharing and management responsibilities for the York Durham Sewage System (YDSS).

The property located at 1256 Barnwood Square was required to facilitate construction of an access shaft for the YDSS at the corner of Liverpool Road and Finch Avenue. The shaft was used to launch the tunnel boring machine. At the time, the property was improved with a two storey house with a double garage and in-ground pool.

A portion of the subject property was not required for the York Durham Sewage System project

In [May 2010](#), Council authorized the acquisition of the subject property for the YDSS. The project necessitated demolition of the garage and decommissioning and removal of the pool to accommodate the access shaft. The balance of property not required for the project includes the existing house, and is the subject of this report.

Staff circulated a notice to Region departments and the local and Regional municipalities to solicit an expression of interest in the surplus property. No expressions of interest were received.

A sanitary sewer is located on the subject property. The Region will retain a permanent easement over the property to protect the sewer.

4. Analysis

The subject property was appraised by an independent appraiser, and a real estate broker will be retained to market the property

The property will be sold in "as is, where is" condition and the purchaser will be required to construct an attached single car garage as per City of Pickering bylaw 1104/80. This will be stated in the listing and included as a condition of the agreement of purchase and sale.

An independent appraiser was commissioned by the Region to determine the current market value of the property. A real estate broker will be retained to list the property for sale on the Multiple Listing Services (MLS) on behalf of the Region to ensure effective market exposure.

Council approval of the disposition is requested prior to listing the subject property for sale

For lands that are to be sold on the open market, such as the subject, the Region's Sale and Other Disposition of Regional Lands Policy states that staff is to list the property for sale, negotiate a transaction, then obtain approval of the negotiated transaction from the appropriate authority.

Staff has determined through previous negotiations that the length of time required to obtain Council approval prior to executing the agreement can be problematic. Prospective purchasers, who are typically accustomed to reaching an agreement within 24 to 48 hours after submitting an offer, are left with a relatively long period of uncertainty as to whether or not the agreement of purchase and sale will be approved by Council. In staff's opinion, this will reduce the marketability of the property.

Obtaining approval to execute the agreement of purchase and sale as the first step will reduce the irrevocable period to reflect industry norms and significantly reduces concerns for the prospective purchaser. For the subject property, staff recommends obtaining approval by Council to dispose of the property prior to listing the property for sale.

Staff will endeavour to obtain maximum value for the property

The property will be listed for sale on MLS based on a recommended list price by the broker. Staff will consider all offers received and negotiate the sale that represents the best offer that can be achieved having regard to all of its terms and conditions and subject to Council approved policies.

The property will continue to be listed for sale until the agreement of purchase and sale has been executed by the Commissioner.

Environmental due diligence was completed

The Region commissioned an Environmental Risk Information Services (ERIS) report and no environmental concerns were identified with the property.

5. Financial

The proceeds will be distributed in accordance with the Region's Reserve and Reserve Fund Policy.

6. Local Impact

The subject property is located in the City of Pickering, outside of York Region. The transfer of the subject land, subject to easement in favour of the Region to protect the sewer, will not impact the Region's service to the public.

7. Conclusion

The subject property was acquired to facilitate the construction of an access shaft for the YDSS South East Collectors Trunk Sewer. The project is complete and the property that is the subject of this report has been deemed surplus to the Region's needs.

Staff recommends Council authorize staff to negotiate the disposition of land in the City of Pickering and approval to execute the agreement of purchase and sale, in accordance with the Sale and Other Disposition of Regional Lands Policy.

For more information on this report, please contact Michael Shatil, Director, Property Services at 1-877-464-9675 ext. 71684. Accessible formats or communication supports are available upon request.

Recommended by: **Dino Basso**
Commissioner of Corporate Services

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

November 1, 2019
Attachments (2)
Private Attachments (1)
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