

**4. SALE OF LAND - PART OF 31 BEAVER RIDGE
VENTE DE TERRAIN – PARTIE DU 31, CÔTE BEAVER**

COMMITTEE RECOMMENDATIONS

That Council:

- 1. Declare a viable parcel of vacant land described as Parts 4 and 5 on Reference Plan 5R-10969, shown hatched as Parcel 2 on Document 1 as surplus to City needs;**
- 2. Waive the requirement in Section 5 of the City's Disposal of Real Property Policy requiring notification to the public of the pending sale of a City property; and**
- 3. Approve the sale of the land outlined in Recommendation 1, subject to any easements that may be required to Nelson House of Ottawa-Carleton for \$664,000 pursuant to an Agreement of Purchase and Sale that has been received.**

RECOMMANDATIONS DU COMITÉ

Que le Conseil :

- 1. Déclare excédentaire par rapport aux besoins de la Ville une parcelle viable de terrain vacant décrite comme les parties 4 et 5 au plan de renvoi 5R-10969, illustrée en hachuré comme la parcelle 2 dans le document 1;**
- 2. Surseoir à la disposition de l'article 5 de la Politique sur l'aliénation des biens de la Ville exigeant la publication d'un avis annonçant la proposition d'aliénation d'une propriété municipale;**

3. **Approuve la vente du bien-fonds décrit à la recommandation 1, sous réserve de toute servitude requise, à l'organisme Nelson House of Ottawa-Carleton pour la somme de 664 000 \$, conformément à la convention d'achat et de vente reçue.**

DOCUMENTATION / DOCUMENTATION

Director Corporate Real Estate Office's report dated 25 January 2017 (ACS2017-CSD-CRE-0002).

Rapport du Directeur, bureau des biens immobiliers municipal, daté le 25 janvier 2017 (ACS2017-CSD-CRE-0002).

**COMMUNITY AND PROTECTIVE
SERVICES COMMITTEE
REPORT 21
22 FEBRUARY 2017**

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**COMITÉ DES SERVICES
COMMUNAUTAIRES ET DE
PROTECTION
RAPPORT 21
LE 22 FÉVRIER 2017**

**Report to
Rapport au:**

**Community and Protective Services Committee
Comité des services communautaires et de protection
16 February 2017 / 16 février 2017**

**and Council
et au Conseil
22 February 2017 / 22 février 2017**

**Submitted on January 25, 2017
Soumis le 25 janvier 2017**

**Submitted by
Soumis par:**

**Gordon MacNair, Director Corporate Real Estate Office/Directeur, Bureau des
biens immobiliers municipal**

**Contact Person
Personne ressource:**

**Peter Radke, Manager, Realty Initiative & Development Branch / gestionnaire,
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Ward: KNOXDALE-MERIVALE (9)

File Number: ACS2017-CSD-CRE-0002

SUBJECT: Sale of Land - Part of 31 Beaver Ridge

OBJET: Vente de Terrain – Partie du 31, côte Beaver

REPORT RECOMMENDATIONS

**That the Community and Protective Services Committee recommend that
Council:**

- 1. Declare a viable parcel of vacant land described as Parts 4 and 5 on Reference Plan 5R-10969, shown hatched as Parcel 2 on Document 1 as surplus to City needs;**
- 2. Waive the requirement in Section 5 of the City's Disposal of Real Property Policy requiring notification to the public of the pending sale of a City property; and**
- 3. Approve the sale of the land outlined in Recommendation 1, subject to any easements that may be required to Nelson House of Ottawa-Carleton for \$664,000 pursuant to an Agreement of Purchase and Sale that has been received.**

RECOMMANDATIONS DU RAPPORT

Que le Comité des services communautaires et de protection recommande au Conseil :

- 1. De déclarer excédentaire par rapport aux besoins de la Ville une parcelle viable de terrain vacant décrite comme les parties 4 et 5 au plan de renvoi 5R-10969, illustrée en hachuré comme la parcelle 2 dans le document 1;**
- 2. De surseoir à la disposition de l'article 5 de la Politique sur l'aliénation des biens de la Ville exigeant la publication d'un avis annonçant la proposition d'aliénation d'une propriété municipale;**
- 3. D'approuver la vente du bien-fonds décrit à la recommandation 1, sous réserve de toute servitude requise, à l'organisme Nelson House of Ottawa-Carleton pour la somme de 664 000 \$, conformément à la convention d'achat et de vente reçue.**

BACKGROUND

Original plans for Highway 416, conceived during the late 1960s by the Department of Highways of Ontario (MTO) had it enter Ottawa along the Merivale Road Corridor to merge with the Queensway approximately five kilometres east of the present

interchange. However, environmental concerns and the growth of suburbs along Merivale Road prompted the Regional Municipality of Ottawa–Carleton to request the MTO decommission the right-of-way along the road in 1977, which it did. However, in anticipation of moving forward with the proposed routing of Highway 416, MTO acquired several properties that were located within the limits of its Highway 416 Designation Plan. One such property was a 2.5 ha residential holding located at 25 Capilano Drive. The property was an owner occupied residential holding improved with a storey and a half stone farm house that was constructed in 1852 by Thomas Nelson and which has come to be known as the Thomas Nelson House.

In 1980, as a result of the policy in the Merivale Secondary Plan to protect for a possible collector road within the Merivale Transportation Reserve, the City of Nepean acquired the entire 2.5 ha Thomas Nelson House property from the MTO. Nepean then set aside the northerly 2 ha for future road and / or park purposes, and for the next several years it leased the residential portion of the property to various residential users on a month-to-month basis. During this period it enacted By-law 96-87 designating the Thomas Nelson home and a small area surrounding the house under the Ontario Heritage Act as being of architectural or historical value of interest.

In 1990 Nepean leased the residential portion of the Thomas Nelson House property, shown as Parcel 1 on Document 1, to Nelson House of Ottawa-Carleton (Nelson House), retaining Parcel 2 for the possibility of future road needs. In addition to the lease of Parcel 1 Nepean granted Nelson House, its occupants and users a License to Occupy Parcel 2 with a term to remain in effect for so long as the use of Nelson House remained as set out in the lease, but subject to cancellation if the land were to be needed for road purposes. In 1992 Nelson House purchased the leased lands from the City of Nepean and continued to retain the use of Parcel 2 pursuant to the License to Occupy. That arrangement has continued to the present.

DISCUSSION

Nelson House is a not-for-profit, privately run group home, currently operating in the Thomas Nelson House. However, the Thomas Nelson House is not a purpose built facility, so it is not well suited for use as a group home in an efficient and economical manner. Furthermore, the house has a heritage designation that protects the historical

and architectural integrity of the house and which places limitations on both renovations and additions to the existing building. As a result of these factors Nelson House has applied, and has been approved for provincial funding administered by the Ontario Ministry of Community and Social Services. To accommodate its redevelopment plan Nelson House has approached the City expressing an interest in purchasing Parcel 2. Such an acquisition, after having it merge with its own property, would create a large corner lot with substantially enhanced redevelopment opportunities.

Parcel 2 is a City owned parcel of vacant land situated in the southwest corner of Beaver Ridge and Capilano Drive. The property, which is part of a larger holding identified as 31 Beaver Ridge, contains an area of 2,308 square metres, having 88.7 metres of frontage along Beaver Ridge and 43.8 metres of frontage along Capilano Drive. It is located within an R1F [631] – Residential First Density Zone with an exception that permits a shelter for up to 15 persons. The site is free from encumbrances with the exception of the License to Occupy in favour of Nelson House. As stated previously, this License will remain in effect so long as the use of Parcel 1 remains as set out in the lease under the current ownership. Parcel 2 is not subject to a heritage designation. Nelson House has constructed a laneway and parking area on the licensed land to provide access to its facility from Beaver Ridge for its occupants and users.

Parcel 2 is sufficiently sized and configured to meet minimum requirements of the R1F zoning. As a result, Parcel 2 is considered to be a “viable” development entity pursuant to the City’s Disposal Policy, which requires that notice of the proposed disposal be provided to the public. However, Parcel 2 is subject to a License to Occupy, which precludes any development of the land during the term of the License that would remove or restrict the use of the land by Nelson House. Consequently, there can be no reasonable expectation of receiving an offer to purchase the subject property from any source other than Nelson House. Therefore, to dispose of the subject property to Nelson House it is recommended that the requirement in the City’s Disposal of Real Property Policy requiring notification to the public of the pending sale of Parcel 2 be waived.

Following a negotiated settlement with City staff Nelson House submitted an unconditional offer in the amount of \$664,000 for the purchase of Parcel 2. The purchase price set out in the agreement of purchase and sale is supported by two appraisals; one of which is an internal report prepared by City appraisal staff and the other by an external, accredited appraisal firm.

RURAL IMPLICATIONS

There are no rural implications resulting from the recommendations in this report.

CONSULTATION

In accordance with policies approved by City Council on 28 March 2012, the availability of the property was circulated to all City Departments, including the Housing Branch, Planning and Infrastructure and City Operations to determine if the property was required for a City mandated program. No comments or objections were received from Land Use and Natural systems unit of the Planning and Infrastructure Portfolio with respect to the City's natural heritage system and related policies in the Official Plan. Transportation Planning indicated a need for a 5 m site triangle at the corner of Beaver Ridge and Capilano Drive, which requirement can be secured as a condition of site plan approval. There were no objections or concerns expressed by any other City Department regarding the sale of the subject property. The utility companies were also circulated and none requested the retention of easement rights

Ward Councillor Egli was consulted with respect to this report and his comments are indicated under the Comments by the Ward Councillor section below.

HOUSING FIRST POLICY

Section 2.5.2 of the Official Plan directs the City to make land available for affordable housing and give priority for the sale or lease of surplus City-owned property for this purpose.

The Housing First Policy approved by Council on 13 July 2005, establishes priority consideration to the Housing Branch in the identification of potentially surplus City-owned property, to be used in achieving the City's affordable housing program targets.

The policy also requires that the Official Plan target of 25% affordable housing, be met on any City owned property sold for residential development. Where residential properties are disposed of without a condition requiring an affordable housing component, 25% of the proceeds from the sale are to be credited to a housing fund to be used for the development of affordable housing elsewhere in the City.

The subject Parcel 2 is located in an area zoned R1F which identifies housing as a permitted use. Therefore, 25% of the proceeds from the sale of the subject will be directed to the Housing Reserve Fund.

COMMENTS BY THE WARD COUNCILLOR

Knoxdale Merivale Ward 9, Councillor Egli - I am very supportive of the recommendations set out in this report and more importantly of the underlying project to improve and enhance this long standing social service provider in Ottawa. I appreciate the efforts put forward by City staff in reaching a purchase price that is acceptable to all parties.

LEGAL IMPLICATIONS

There are no impediments to implementing the recommendations in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications resulting from the recommendations in this report.

FINANCIAL IMPLICATIONS

Proceeds of the sale will be credited to the Sale of Surplus Lands account.

ACCESSIBILITY IMPACTS

There are no accessibility impacts resulting from the recommendations in this report.

TERM OF COUNCIL PRIORITIES

The recommendations in this report supports City Council's Financial Responsibility strategic priority to practice prudent fiscal management of existing resources and make sound long-term choices that allow core City services to be sustainable now and into the future; specifically it objective FS2 to maintain and enhance the City's financial position.

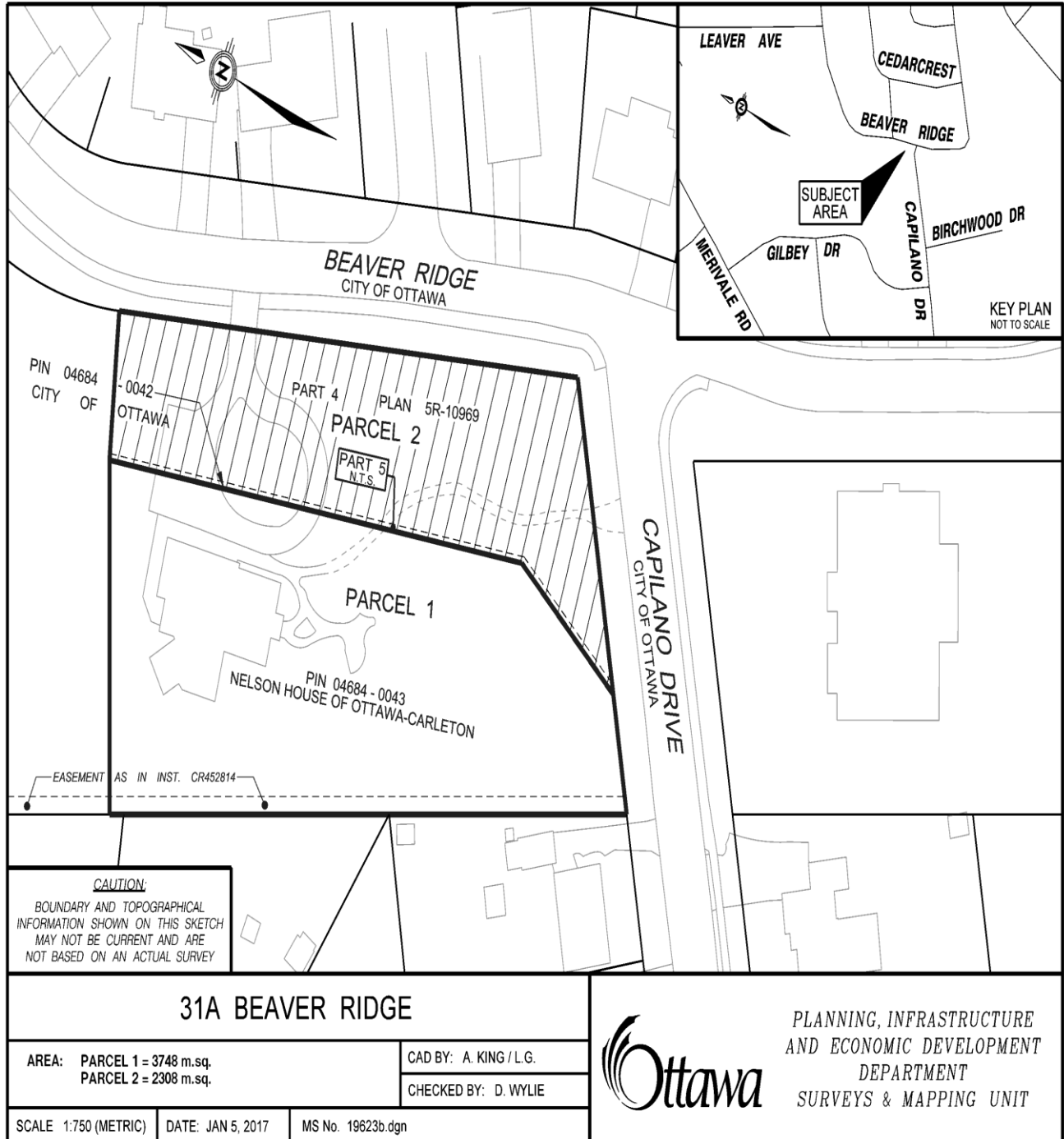
SUPPORTING DOCUMENTATION

Attached as Document 1 is a sketch showing the property owned by Nelson House of Ottawa-Carleton as Parcel 1 and the subject City property as Parcel 2.

DISPOSITION

Following approval, Corporate Real Estate Office and Legal Services Department will finalize the Agreement of Purchase and Sale.

Document 1



CAUTION:
 BOUNDARY AND TOPOGRAPHICAL
 INFORMATION SHOWN ON THIS SKETCH
 MAY NOT BE CURRENT AND ARE
 NOT BASED ON AN ACTUAL SURVEY

KEY PLAN
 NOT TO SCALE