

To: Economic and Development Services Committee

From: Warren Munro, HBA, MCIP, RPP, Commissioner,  
Economic and Development Services Department

Report Number: ED-23-123

Date of Report: May 31, 2023

Date of Meeting: June 5, 2023

Subject: Declaration of Certain City-owned Land as Surplus on the West  
Side of Park Road South, Known Municipally as 134 Park Road  
South

Ward: Ward 4

File: 12-14-2090

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## **1.0 Purpose**

The purpose of this Report is to recommend that the City-owned land located on the west side of Park Road South, directly south of 130 Park Road South and known municipally as 134 Park Road South (the “Subject Site”) be declared surplus to municipal needs and requirements (see Attachments 1 and 2).

Attachment 1 is a map showing the location of the Subject Site and the existing zoning in the area.

Attachment 2 is an air photo of the Subject Site showing key site features and neighbouring properties.

Attachment 3 is a photo of the Subject Site, taken by Planning Services staff on May 25, 2023.

Confidential Attachment 4 is a copy of Closed Correspondence DS-22-84, concerning an offer to purchase the Subject Site, which was referred to staff for a report on April 11, 2022.

## **2.0 Recommendation**

That the Economic and Development Services Committee recommend to City Council:

1. That pursuant to Report ED-23-123 dated May 31, 2023, the City-owned land located on the west side of Park Road South and known municipally as 134 Park Road South be declared surplus to municipal requirements and that the requirement to declare a

City-owned property first as potentially surplus in accordance with By-law 178-2022, be waived given the localized nature of the matter.

2. That pursuant to Report ED-23-123 dated May 31, 2023, all notice requirements in accordance with By-law 178-2022 (e.g. newspaper ads) be waived given the localized nature of Council's decision to declare the subject City-owned land located on the west side of Park Road South and known municipally as 134 Park Road South as surplus.

### **3.0 Executive Summary**

Not applicable.

### **4.0 Input From Other Sources**

The following have been consulted in the preparation of this Report:

- Chief Administrative Officer
- Commissioner, Corporate and Finance Services
- City Solicitor

### **5.0 Analysis**

#### **5.1 Background**

On April 11, 2022, the then-Development Services Committee considered Closed Correspondence DS-22-84 concerning an offer to purchase the Subject Site and referred it to staff for a report.

In order to inform decision-making, Economic and Development Services staff engaged with staff in the then-Community Services Department and staff in the now-Safety and Facilities Services Department. As a result of that engagement, Safety and Facilities Services staff needed to develop an approach to reviewing acquisition requests such as the request for the Subject Site.

On May 29, 2023, City Council considered Item SF-23-21, and adopted the following motion:

- “1. The three (3) Small Green City Holdings located at the northwest corner of Ritson Road South and Bloor Street East, the northwest corner of Park Road South and Elmgrove Avenue, and the southeast corner of Park Road South and John Street West, be referred to Economic and Development Services staff to assess whether there are any other identified municipal needs for the lands and/or whether they can be declared surplus, and then report back to City Council pursuant to its direction concerning Closed Correspondence DS-22-84.
2. Any future requests to acquire any of the remaining Small Green City Holdings as identified on Attachment 1 be directed to the Economic and Development Services Department for review, including input from the Safety

and Facilities Services Department concerning any potential need for future beautification and/or gateway initiatives, prior to providing a recommendation to City Council on whether they can be declared surplus on the basis that they serve no municipal purpose.”

## **5.2 Subject Site Details**

The City owns the Subject Site, located on the west side of Park Road South, directly south of 130 Park Road South, and known municipally as 134 Park Road South.

The following are key details about the Subject Site:

- **Area:** Approximately 485.62 square metres (1,593.24 sq. ft.)
- **Frontage:** Approximately 13.1 metres (42.98 ft.) along Park Road South
- **Official Plan Designation:** Residential
- **Zoning:** R5-B/R7-A (Residential)
- **Use:** Vacant land
- **Adjacent Uses:**
  - North:** Single detached dwellings fronting Park Road South
  - South:** Elmgrove Avenue, beyond which is a mixed use building with retail at grade
  - East:** Park Road South, beyond which are single detached dwellings along John Street West
  - West:** Single detached dwellings
- **Other:** A road widening along Park Road South may be needed in the future if Park Road South is reconstructed by the Region of Durham. This will be addressed in a future disposal strategy report if the recommendation in this Report is adopted by Council.

## **5.3 Declaring City Land Potentially Surplus and Surplus**

### **5.3.1 General Procedures**

Before the City can dispose of any land, Council must declare the land surplus to municipal requirements.

The Real Estate Acquisition and Disposition By-law 178-2022 ("By-law 178-2022") and best practices set out the following process for declaring any City holdings surplus to municipal requirements:

- Interested parties may approach the City from time to time with a request to purchase City land that has not been declared surplus to municipal requirements or the City may initiate the process itself;
- Requests are typically presented to the Economic and Development Services Committee for direction;
- In most cases, the Economic and Development Services Committee refers the request to staff for a report;
- The Economic and Development Services Department prepares an open session staff report to the Economic and Development Services Committee that includes a recommendation on whether the City lands should be declared potentially surplus;
- If Council determines that the City land might not be required for municipal purposes it deems the City land potentially surplus in open session;
- Staff initiate the potential disposition by issuing a notice inviting the public to provide comments in response to the declaration of the City land as potentially surplus which may include:
  - Advertisements in the local newspapers;
  - Listing the property on the Council agenda and/or the City's website as potentially surplus; and,
  - Any other means of communication that is deemed appropriate in order to give the public notice;
- The Economic and Development Services Department prepares an open session staff report outlining any public comments received in response to the notice and providing a recommendation on whether the City land should be formally declared surplus to municipal requirements and disposed of; and,
- Council makes a decision on whether to declare the City lands surplus and initiate a disposal process or to retain the property in City ownership.

If, based on site specific circumstances or the localized nature of a matter, Council deems it appropriate to adjust the procedures set out above and included in By-law 178-2022, it may do so by resolution.

Given the localized nature of the matter, it is recommended that both the notice requirements and the requirement to declare a property as potentially surplus in accordance with By-law 178-2022 be waived. The disposal of City land, however, cannot occur unless the land has been formally declared surplus by Council resolution in open session.

### **5.3.2 Declaring the Subject Site as Surplus to Municipal Requirements**

The Subject Site, as identified in Attachments 1 and 2, should be declared surplus to municipal requirements for the following key reasons:

- It is not required for any identified core City purpose;
- Its disposition would reduce risk and future maintenance costs for the City;
- The disposal of the land will generate revenue for the City;
- There is an interest by an abutting property owner in potentially acquiring the Subject Site; and,
- A road widening could be retained in the event it is determined by Engineering Services that a road widening is required for future improvements to Park Road South.

Accordingly, it is recommended that the Subject Site located on the west side of Park Road South, known municipally as 134 Park Road South and shown on Attachment 1, be declared surplus to municipal requirements.

### **5.4 Disposal of City Land Deemed Surplus**

In the event Council ultimately and formally declares a site surplus, the Economic and Development Services Department would prepare a report for the Economic and Development Services Committee and Council that sets out a recommended disposal strategy for the surplus City lands. This disposal strategy would address such matters as: responsibilities (e.g. staff lead vs. a real estate agent/broker, etc.); the most appropriate method of disposal (e.g. direct sale, tender, requests for proposals, land exchange, etc.); the manner in which the sale price would be determined (e.g. one appraisal, more than one appraisal, letter of opinion, etc.); the best way to avoid or mitigate risk (e.g. the City does environmental studies/geotechnical studies/archaeological studies vs. sells “as is where is”), etc.

Once Council approves a disposal strategy, the Economic and Development Services Department would execute it and report back to the Economic and Development Services Committee and Council as appropriate.

## **6.0 Financial Implications**

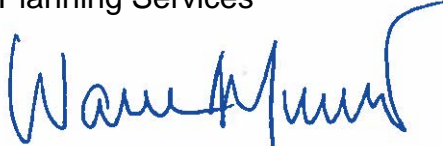
There are no financial implications related to the Recommendation of this Report.

## 7.0 Relationship to the Oshawa Strategic Plan

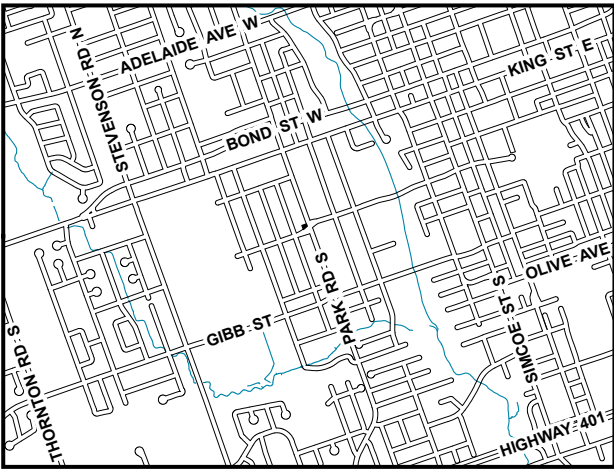
The Recommendation advances the Accountable Leadership and Economic Prosperity and Financial Stewardship goals of the Oshawa Strategic Plan.



Tom Goodeve, M.Sc.Pl., MCIP, RPP, Director,  
Planning Services



Warren Munro, HBA, MCIP, RPP, Commissioner,  
Economic and Development Services Department



**Item: ED-23-123**  
**Attachment 1**

Economic and Development Services

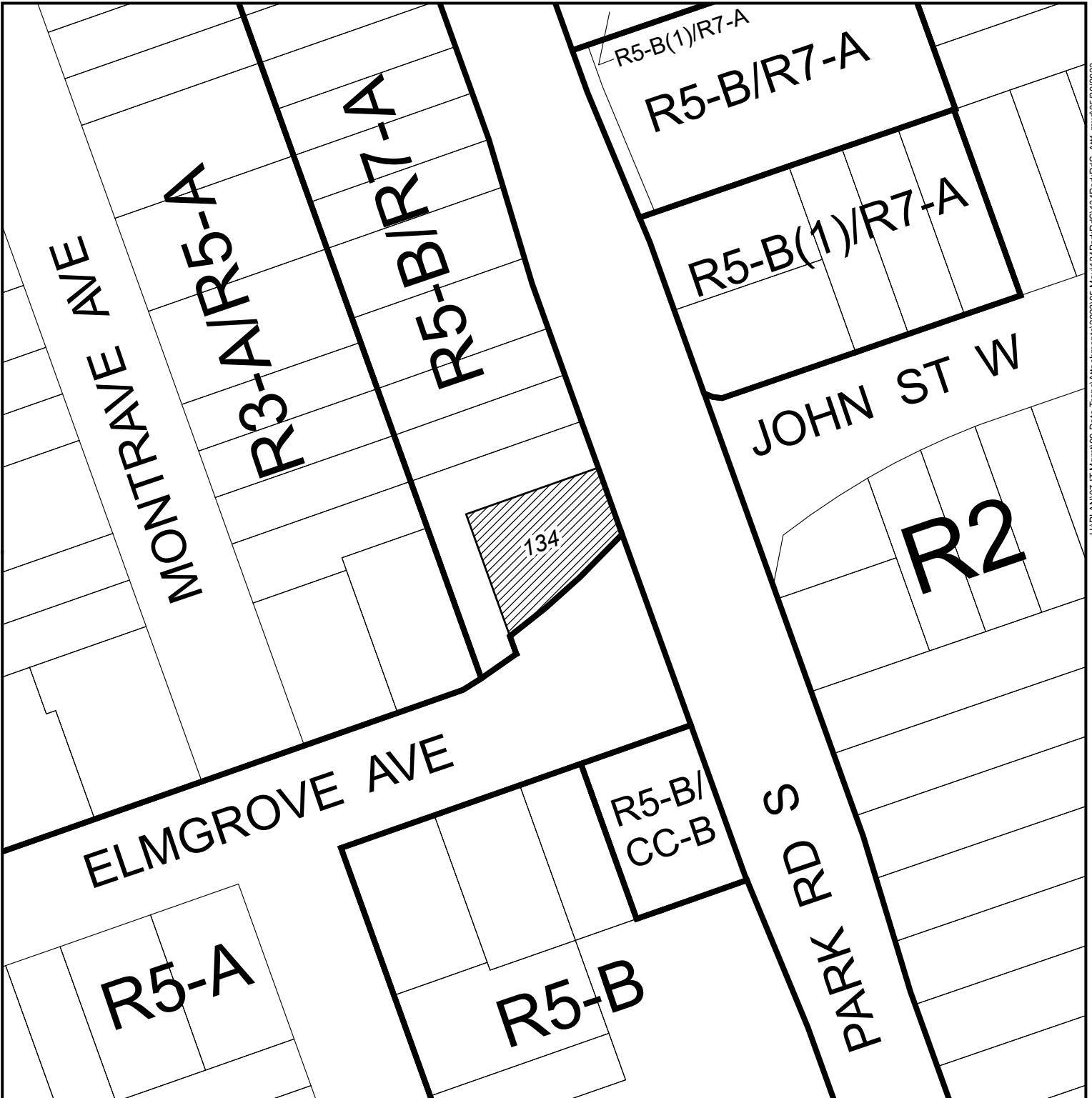
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Subject Site







Subject: Declaration of Certain City-owned Land as Surplus on the West Side of Park Road South, Known Municipally as 134 Park Road South

Item: ED-23-123  
Attachment 2

Ward: Ward 4  
File: 12-14-2090



 Subject Site

City of Oshawa  
Economic and Development Services 



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Photo of the Subject Site - looking northwest

