

# Staff Report to Council

**Title:** Municipal Surplus Lands

**Report Number:** CAO General-2024-24

**Director:** Chief Administrative Officer

**Manager:** Manager.

**Meeting Date:**

Wednesday, October 23, 2024

**Date to be considered by Council:**

Wednesday, October 23, 2024

---

## Recommendation:

For discussion

---

## Executive Summary:

Council requested information related to several municipally owned properties that could be considered for use in achieving goals related to supporting increased housing options in the community. This report can be read in conjunction with the Flourish Report to help in the development of next steps. Disposing of municipal lands for housing development can provide benefits, particularly as communities face increasing housing demands. Staff recommend that Council consider one project to ensure the required work can be undertaken.

## Strategic Priorities:

B.7-Ensure municipal facilities and owned lands make the best use of each asset

## Financial Considerations:

There are costs associated with all potential projects, including staff time and resources, external contracted resources, and legal counsel support. Selling of surplus land below market value and providing grants must be done in compliance with the Municipal Act, 2001. The typical approach to dispose of surplus land to the highest bidder in order to get the best return for the public. Selling lands at non-market value to non-profit organizations may offer opportunities for projects to receive senior government funding aimed at supporting affordable housing.

## Policy:

Housing Action Plan

## Context and Background Information:

At a special meeting regarding consideration of municipal lands that may be deemed surplus to municipal needs was held in late 2023, a number of directions related to disposition of lands and requests for follow-up information and reports were given by council.

By making surplus or underutilized municipal lands available for development, municipalities and governments can help to accelerate the construction of new homes. This can help address housing shortages, especially in areas where demand is outstripping supply.

This is of particular consideration in areas facing affordability challenges, as increased supply can alleviate pressure on housing markets. Municipalities can place conditions of the sale or use of the land, however, as the County of Bruce is the service manager, development of affordable or social housing to support low- and middle-income residents would be done in collaboration.

Selling municipal lands can generate revenue for the municipality, and this revenue can be reinvested in public services, infrastructure improvements, or used to fund other housing initiatives.

By strategically disposing of municipal lands, municipalities can influence planning, ensuring that housing developments are located near essential services. This encourages more sustainable development patterns, reducing sprawl and promoting environmental sustainability.

Disposing of underutilized or vacant municipal properties for housing ensures that land is being used efficiently to meet community needs. This can improve the aesthetic appeal of neighbourhoods and revitalize areas.

Staff had planned to report in June 2024 during a special meeting of council, however not all members were able to attend, and it was determined that the report may be best delivered at a regular meeting of council.

The resolutions passed by council include:

*12/06/23 - 01 Moved By: Andrea Clarke Secoded by: Amanda Steinhoff-Gray  
That Staff be directed to bring a report back on the following properties regarding their potential land development uses:*

*- Arnow Women's Institute - 806 Concession 7, legally known as Con 7 Pt. Lot 16 RP 3R7579; Part 1 Roll No. 410821000223500*

*- Bruce Dale Community Centre - 1046 Concession 12, legally known as CON 13 PT LOT 11, Roll No. 410826000318100*

*- Elgin Market Park & Former Landfill - LOT 34 TO 38 PRINCES W/S PT LOT 36 TO PT LOT 40 QUEEN E, Roll No. 410822000113901*

*- Tiverton Cemetery Expansion - King Street Tiverton legally known as Plan 210 Pt Lot 59 RP 3R8687; Parts 1 and 2 Roll No. 410826000604610*

*Result: Carried.*

*12/06/23 - 02 Moved By: Bill Stewart Secoded by: Mike Hinchberger  
That the properties on Inverhuron Lots 2, 3 & 4 Albert W, Roll # 410826000412102 be declared surplus to the needs to the municipality; and*

*That Council direct Staff to commence the process of disposal per Policy ADMIN.03 “Sale and Disposition of Land Policy”.*

*Result: Carried.*

*12/06/23 - 03 Moved By: Bill Stewart Seconded by: Doug Kennedy  
That Council declare surplus to the needs of the municipality the following lands located on Birchwood Avenue; and*

*That Council direct Staff to commence the process of disposal per Policy ADMIN.03 “Sale and Disposition of Land Policy”: a) Vacant Lot on Birchwood Avenue, Legal Description PLAN 3M210 BLK 15, Roll No. 410821000500628; b) Vacant Lot on Birchwood Avenue, Legal Description PLAN 3M210 BLK 14, Roll No. 410821000500624.*

*Result: Carried.*

*12/06/23 - 04 Moved By: Jennifer Prenger Seconded by: Mike Hinchberger  
That Council declare surplus, the western portion of the property located at 543 Bervie Side Road, legally know as Con 1 NDR Pt Lot 50 Roll # 410821000122100, commonly known as the Bervie Community Park, per the site plan in the proposal of purchase provided to Council; and*

*That council direct staff to commence the sale process per policy as noted in Admin.03 “Sale and Disposition of Land” Policy and the procedures for disposal by Real Estate firm or Broker.*

*Result: **Referred.***

*12/06/23 - 05 Moved By: Beth Blackwell Seconded by: Rory Cavanagh  
That this motion be referred to staff for a report on the property boundaries recommended to be made surplus.*

*Result: Carried.*

*12/06/23 - 06 Moved By: Bill Stewart Seconded by: Mike Hinchberger  
That Council declare surplus to the needs of the municipality the property at Entrance to Motel Kincardine Ave legally known as PENETANGORE TOWNPLOT PT; ELGIN MARKET SQUARE RP; 3R6613 PARTS 1 2 AND 7 Roll # 410822000119700; and*

*That Council direct Staff to commence the process of disposal per Policy ADMIN.03 “Sale and Disposition of Land Policy”.*

*Result: Carried.*

*12/06/23 - 07 Moved By: Amanda Steinhoff-Gray Seconded by: Andrea Clarke  
That Staff provide a report on what municipal land would be appropriate for cooperative housing initiatives.*

*Result: Carried.*

## **Reports**

Included below are considerations and information about the various properties that council requested reports related to municipal properties that may not currently be achieving the highest best use of the land.

### Armow Women’s Institute

Information and Considerations:

- Armow Women’s Institute Hall was transferred to the Township of Kincardine in 1994. Records indicate that this timeframe may also be when the Armow Women’s Institute disbanded.
- The management of the facility currently rests with Community Services. As of January 1, 2023, the booking process was streamlined for the facility rentals.
- Bookings in the facility are as follows:
  - 2022 - 10 bookings
  - 2023 – 14 bookings
  - 2024 (to date) – 11 bookings
- Approximately \$1,500 in revenue from 2022 to date.
- Reference to the site is noted in the Bruce County Museum and Cultural Centre’s online records - <https://brucemuseum.pastperfectonline.com/archive/9586C517-23CE-4623-91A6-343250183738> and in the Bruce County Geology <https://brucecountygenealogicalsociety.ca/kincardine-township/>
- The current zoning for the property is Rural Residential.
- There is a well which services the property which is off-site.
- Currently, part of the property is used to accommodate/access sand and salt storage for municipal operations.
- A severance may be required, and there are considerations that need to be given to the available land available for the requirements/conditions for the septic bed.
- There has been inquiry by an external group that is interested in using the facility to provide music lessons. If this is of interest to Council, the approach would support the establishment of an MOU to identify roles/responsibilities. The group has indicated that they are not currently ready to pursue this approach but may be in the future.

### Bruce Dale Community Centre

#### Information and Considerations:

- The property was purchased from the Bruce Township School Area. Records indicate the land was purchased for \$1,000 in 1968 and the community centre was established at that time.
- The Facility is managed and booked through a third part, not through the Municipality of Kincardine.
- The current zoning is A1, which can accommodate single family dwelling.
- Bookings in the facility are as follows:
  - 2022 – 6 bookings
  - 2023 – 21 bookings
  - 2024 – no information available

### Elgin Market Park and Former Landfill

#### Information and Considerations:

- The site is a Closed Waste Disposal Site, known as Savage Landfill, which is located at Lots 25-30 and Lots 33-38 in the Municipality of Kincardine. The closure plan was approved in 1975 with existing conditions part of the final cover. Landfilling at the site was discontinued in 1978. The most recent closed landfill inspection was conducted by the Ministry of the Environment in 2019; there were no items of non-compliance noted and no actions required.
- There is a ministry-approved passive gas ventilation system at the site which is still in operation. It consists of a collection system and three vents exhausting to the atmosphere. The most recent inspection of the Air Facility was in 2019; there were no items of non-compliance noted and no actions required.
- The grassed area may be used for neighbourhood play/recreation. There is limited open space/parkland in this section of the municipality.
- Redeveloping the site for new use, such as a residential purposes, is expected to require current assessments of the environmental condition. Ensuring that the site meets the applicable site conditions standards or standards specified in a risk assessment, and submitting a record of site condition for filing in Ontario's Environmental Site Registry, would need to be met.
- There are costs to undertake the assessment process, as well as the potential for unknown costs associated with remediation.
- There are examples of former landfills being converted to a residential area, and there may be grant and loan funding available for such a project through the Green Municipal Fund <https://greenmunicipalfund.ca/resources/tool-benefits-sustainable-brownfield-activities>
- A project to redevelop this property would require external experts (e.g. environmental consultancy, environmental law).

### Tiverton Cemetery Expansion

#### Information and Considerations:

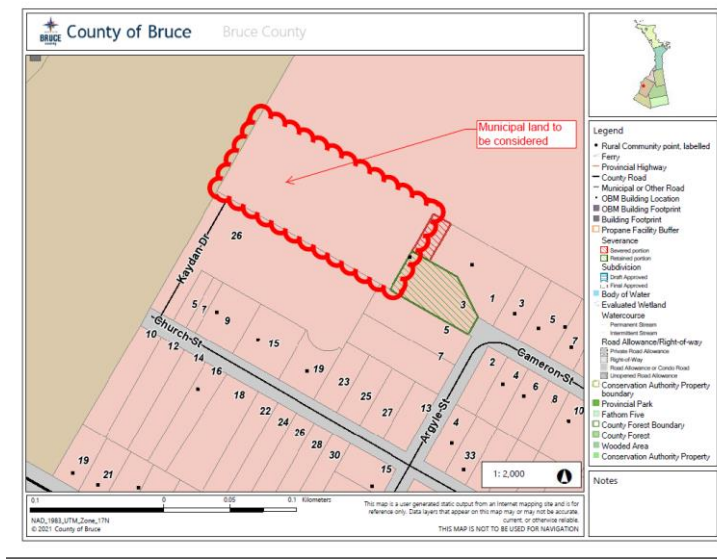
- A significant parcel of land is currently included as an area for potential expansion of the Tiverton Cemetery.
- Staff note that the acres available for potential cemetery expansion exceed anticipated need for the community.
- A severance of a portion of the lands available for cemetery expansion to allow for new residential growth may be considered to support anticipated growth in one of the municipality's urban areas.
- Kayden Drive has been assumed by the municipality, which means the potential for any severed surplus lands to be available for development to any interested developer.
- The Flourish Report notes that this site may be a good location for medium-density workforce housing, given its proximity to the Bruce Power site.
- The recently developed townhomes on Kaydan Drive is a 16-unit slab on grade single-storey townhouse layout on approximately 0.9 ha. A similar footprint could accommodate a mirrored layout.

- There are steps required before the property could be sold, but this may be a property that Council may wish to consider issuing an RFP if there is a desire to target specific development goals.

### Tiverton Cemetery Expansion Area



### Tiverton Cemetery Expansion Area - Potential area for severance



### Bervie Community Park

- Staff have reviewed the property and previous considerations related to requests to purchase a portion of the property that currently includes a park with playground equipment. Council have also reviewed previous uses, including the use as a church and have determined that the site only housed the structure of the church, which has since been demolished. There is no connection to municipal water and wastewater services.
- To dispose of a portion of the property, the property would require a severance. Once severed, the property could be declared surplus and go through the typical disposition process.

### Co-operative Housing

- There are currently no housing cooperatives within Bruce County.

- A non-profit housing co-operative is a corporation that is owned and operated by those who live in it, and they are considered members, not tenants. Members of a housing co-op must abide by the co-op's rules and by-laws in order to live in the co-op. Governance is established through a board of directors who run for election, review and ratify financial statements and annual operating budgets, approve housing charges and the by-laws, rules and policies.
- In a co-operative, a corporate entity owns the land and structures and a purchaser in a co-operative buys shares in the corporation.
- Council may wish to put out an Expression of Interest to determine if there are non-profit organizations, or charitable organizations that may be interested in participating and the development of a collaborative approach that could see use of municipal lands and county leadership to help meet specific aims.
- Bruce County's Community Development Office is supporting the growth of the non-profit sector. If there is interest within the community in helping to support new non-profits aimed at supportive housing, there are resources available through the County. The County of Bruce also serves as the Service Manager, and this is key work of the county.
- Bruce County would see the local municipal role as helping to ensure available serviced lands are identified for housing initiatives, and the County can layer on funding support to non-profits.

## **Flourish Report**

- Following its meeting in 2023, Council provided further support to investigate potential options and solutions to housing challenges within the community through funding for a study by Flourish. Council will have received the Flourish report and presentation at the same time as this report, as there are some areas over crossover with respect to potential uses of municipal properties.

## **Properties Previously Declared Surplus**

Staff have worked with legal counsel to enact council's decisions of declaring a number of properties surplus. With each of the locations there have been some actions required prior to providing public notification of the surplus declaration and the intention that the properties be disposed of by the municipality.

### *Inverhuron Lots 2, 3 & 4 Albert W*

Legal review noted an administrative matter upon pulling title and have been working with the Land Registry Office to clear up the matter. Once complete, the notice will be published for public awareness.

*a) Vacant Lot on Birchwood Avenue, Legal Description PLAN 3M210 BLK 15, Roll No. 410821000500628;b) Vacant Lot on Birchwood Avenue, Legal Description PLAN 3M210 BLK 14, Roll No. 410821000500624.*

1. Birchwood Block 14: Notice has been posted on our media channels and in the newspapers from Oct 9-Nov 6 allowing residents to provide feedback on our proposed disposal of real property. Should the sale move forward, there will be conditions on the sale of this land as it is a storm water outlet and zoned EP.

2. Birchwood Block 15: same as above

*Entrance to Motel Kincardine Ave legally known as PENETANGORE TOWNPLOT PT;ELGIN MARKET SQUARE RP; 3R6613 PARTS 1 2 AND 7*

Kincardine Ave Motel Entrance: Legal counsel have been working to ensure accurate property description and will confirm with the Land Registry Office. Once complete, the notice will be published for public awareness.

**Consultation Overview:**

Consultation for redevelopment of a particular project may be beneficial to receive community input.

**Origin:**

Council motions related to municipal lands review.

**Implementation Considerations:**

The County of Bruce is the Service Manager responsible for establishing, administering and funding housing and homeless programs and services. The county's Housing Services Division manages the administration and directly provides housing supports and services.

Municipal and County staff have been meeting to discuss options related to housing services and county staff have helped to provide information.

The County of Bruce on Gary Street in Kincardine include area for potential future development in addition to the existing Penetangore Place units.

**Risk Analysis:**

Affordable housing options are a challenge in many communities, and there have been increased pressures for affordable rental options due to various factors, but also specifically related to the Life Extension Program and Major Component Replacement (MCR) project currently underway at Bruce Power.

In early 2025, Bruce Power has provided notice that it will have two overlapping MCRs in Bruce A, which will mean a busier station and an increased number of contractors on sites (approximately 2,000 new contractors). It is anticipated that there will be increased need for rental housing in Kincardine and in other neighbouring municipalities as the MCR project continues.

---

**Attachments:** N/A

**Prepared by:** Jillene Bellchamber-Glazier, CAO

**Submitted by:** Jillene Bellchamber-Glazier, CAO