



The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: #2024-W-23
Date: November 6, 2024

Subject:

Declaration of Lands as Surplus to Regional Requirement and Approval to Convey the Surplus Lands to Asante Canada Inc.

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That Block 47, Plan M749, formerly in the Town of Newcastle, now in the Municipality of Clarington, identified as all of PIN 26693-0067 (LT), having the municipal address of 3094 Liberty Street North, Clarington be declared as surplus to Regional Municipality of Durham requirements;
- B) That Regional Municipality of Durham's solicitors be authorized to complete the transfer of the Lands having an estimated fair market value of \$500,000 to Asante Canada Inc.
- C) That the requirements in Section 3 of Regional Municipality of Durham By-Law #52-95 establishing the procedures, including giving notice to the public, governing the sale of real property be waived;
- D) That Regional staff be permitted to negotiate the disposition of the lands described in Recommendation A) with Asante Canada Inc. at fair market value; and
- E) That the Commissioner of Works be authorized to execute all documents associated with the transaction, including but not limited to an Agreement of Purchase and Sale.

Report:**1. Purpose**

- 1.1 The purpose of this report is to declare property owned by the Regional Municipality of Durham (Region) surplus to the Region's requirements and to obtain approval for staff to execute an agreement of purchase and sale with Asante Canada Inc. to sell the property at fair market value.

2. Background

- 2.1 The Region acquired the property consisting of 0.53 acres on October 15, 1981, as part of a subdivision agreement for use as a water reservoir and pumping station. The Region decommissioned the water pumping station, and the land has been identified as surplus to Regional requirements.

3. Disposition of Property

- 3.1 Asante Canada Inc., a not-for-profit organization, approached the Region in July 2024 and expressed an interest in purchasing the property (Attachment #1) to construct affordable housing. Asante Canada Inc. has advised that they are a black-led not-for-profit organization interested in building affordable housing to address the critical shortage and improve the lives of marginalized immigrant communities in Canada.
- 3.2 Regional departments, including the Affordable Housing and Renewal division, have been consulted as part of the standard process for disposing of surplus property. The departments have expressed no interest in the property for program use.
- 3.3 Regional Municipality of Durham By-law 52-95 established the procedures governing the sale of real property. The initial step in the disposal process is a declaration that the real property is surplus to the Region's requirements. Section 3 of the By-law requires staff to issue notices to the public and other authorities regarding the disposition of the surplus land. Asante Canada Inc. is interested in acquiring the lands for future development, and we recommend a waiver of the notice requirement.
- 3.4 An internal valuation completed by staff estimated the fair market value of the lands to be \$500,000. Asante Canada Inc. has deemed the fair market value, as determined by Region staff, reasonable for the subject property.

4. Conclusion

- 4.1 The Regional Municipality of Durham does not require the lands described in this report. It is recommended that Regional Council approve this recommendation and permit staff to enter into an Agreement of Purchase and Sale to dispose of the property located at 3094 Liberty Street North, Clarington, to Asante Canada Inc. for the proposed affordable housing project.
- 4.2 This report has been reviewed by Legal Services – Office of the CAO.
- 4.3 For additional information, please contact Christine Dunkley, Director of Corporate Infrastructure and Strategic Business Services, at 905-668-7711, extension 3475.

5. Attachments

- 5.1 Attachment #1: Location Map

Respectfully submitted,

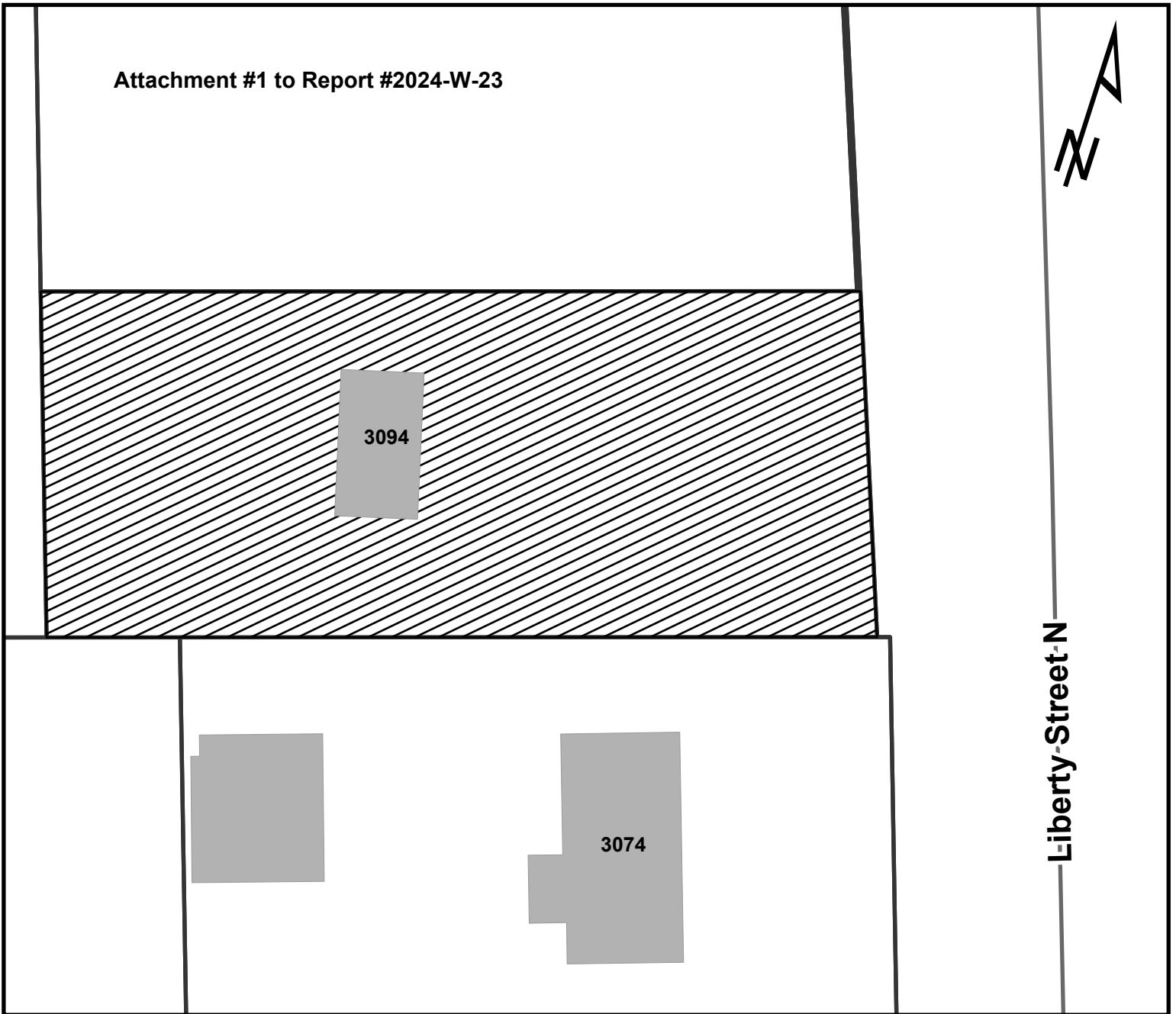
Original Signed By:

Ramesh Jagannathan, MBA, M.Eng., P.Eng., PTOE
Commissioner of Works

Recommended for Presentation to Committee

Original Signed By:

Elaine C. Baxter-Trahair
Chief Administrative Officer






Attachment #1 - Location Map

Surplus Land

3094 Liberty St. N.

Municipality of Clarington

-  Building Footprints
-  Property of Interest
-  Ownership Parcel



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