

Staff Report

Report To: City Council
Report From: Pamela Coulter, Director of Community Services
Meeting Date: February 24, 2025
Report Code: CS-25-015
Subject: Acquisition of Lands by the City – 2506 3rd Avenue East

Recommendations:

THAT in consideration of Staff Report CS-25-015 respecting the Acquisition of Lands by the City at 2506 3rd Avenue East, City Council directs staff to bring forward a by-law to authorize the Mayor and Clerk to execute all documents necessary to finalize the purchase.

Highlights:

- The property at 2506 3rd Avenue East is part of an Estate and is currently vacant with an area of 785 m² with 26 m of frontage on Georgian Bay.
- The lands are designated as "Hazard" under the City's Official Plan, meaning it is mainly for conservation due to risks like wave uprush—building and structures are not permitted. Zoning restricts usage to limited activities such as parks, docks, and erosion control due to its Hazard classification and a small Institutional zoned area.
- Situated in the City's northeast, near the City's Rail Trail, north of an unopened 26th Street right of way, bordered by City-owned land holding a Water Treatment Plant.
- Public ownership is viewed as beneficial to preserve the land's natural state, enhancing public access along the waterfront, and strategic advantages of land near vital City facilities.

Strategic Plan Alignment:

[Strategic Plan](#) Priority: A City that Grows.

Climate and Environmental Implications:

This supports the objectives of the City's Corporate Climate Change Adaptation Plan by creating conditions to minimize health and safety risks.

Previous Report/Authority:

Closed Report CS-25-005

Background:

In 2024, staff was contacted by a person regarding a property at 2506 Avenue East. These lands are part of an Estate (Adeline Jones), and Ms. Morisette is the executor of the Estate.

Attachment 1 shows the subject property. The property is located in the northeast quadrant of the City, west of 3rd Avenue East, north of the unopened 26th Street right of way.

The lands are currently vacant and contain some tree cover. The property is 785 m² (0.2 acres) in area and has 26 m of waterfront on the Georgian Bay shoreline.

The lands are west of and adjacent to the City's Rail Trail, a linear open-space corridor. The lands to the north are owned by the City and contain the City's Water Treatment Plant and the lands to the south are also owned by the City.

There is municipal infrastructure located along 3rd Avenue East; however, no services are extended to this property.

Official Plan Designation

The lands are designated Hazard in the City's Official Plan. Lands designated Hazard are intended primarily for the preservation and conservation of lands in their natural state and are usually lands which have qualities in combination with their location, present a risk to development. In this case the lands are susceptible to wave uprush. No buildings or structures are permitted in this designation.

Zoning (Bylaw 2010-078, as amended)

Lands are primarily zoned ZH (Hazard) with a small area abutting the rail trail zoned Institutional (subject to a holding provision). Similar to the Official Plan, the Zoning By-law does not permit buildings or structures and limits the use of boat launches and docks, public parks, and works in connection with preventing erosion, pedestrian access, or the protection of wildlife or vegetation.

The site's characteristics significantly impact the land's future development potential.

Staff recommended the City purchase the lands, noting:

- The lands are designated and zoned Hazard, and the long-term protection of these sensitive waterfront lands is best achieved through public ownership;
- The lands are well located along the open space corridor and adjacent to other waterfront lands owned by the City. The long-term opportunity to protect these lands and hold them in public ownership supports the goal of providing public access to the waterfront.
- City ownership enables control over this land in proximity to its Water Treatment Plant. Should an expansion or larger buffer area be required in the future, this would be possible with City ownership.

At its Closed meeting on January 13, 2025, Council considered a closed report regarding the potential acquisition and relevant criteria and directed the City solicitor to prepare an Agreement of Purchase and Sale respecting the lands.

Analysis:

Subsequent to the direction provided by Council, the City Solicitor prepared an APS and submitted it to the estate solicitor. The offer has been accepted, with a closing date of February 25, 2025.

Council is requested to approve a by-law to authorize the Mayor and Clerk to execute any and all documents required to finalize the sale.

Financial Implications:

Purchase Price \$10,000. Funding for the purchase is from the City's Land Sale Reserve.

Communication Strategy:

The City solicitor has been communicating with the solicitor representing the estate.

This report makes public this acquisition.

Consultation:

City Manager, Director of Corporate Services, Director of Public Works and Engineering, Manager of Planning & Heritage, Manager of Parks & Open Space, City Solicitor.

Attachments:

Location of the Subject Property

Recommended by:

Pamela Coulter, Director of Community Services

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Pamela Coulter, Director of Community Services, at pcoulter@owensound.ca or 519-376-4440 Ext. 1252.