



**Subject: Sale of Surplus Property - Steele Street**

**To: Council**

**From: Office of the Chief Administrative Officer**

Report Number: 2022-253

Meeting Date: December 13, 2022

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**Recommendation:**

That Chief Administrative Officer Report 2022-253 be received; and

That Council approve entering into an Agreement of Purchase and Sale with Kenneth and Wendy Busch of 848 Steele Street for the vacant City-owned property on Steele Street.

That a by-law to authorize entering into an Agreement of Purchase and Sale with Kenneth and Wendy Busch regarding the sale of a City-owned lot on Steele Street legally described as part of the Borden Avenue Pl. 792 Humberstone E/S of Knoll Street, Port Colborne, be brought forward; and

That the Mayor and Acting City Clerk be authorized to sign and execute any and all documents respecting the sale of these lands.

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**Purpose:**

The purpose of the report is to obtain Council approval to enter into an Agreement of Purchase and Sale with Kenneth and Wendy Busch for a City-owned parcel on Steele Street. (As shown in Appendix A)

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**Background:**

The Economic Development and Tourism Services Division (EDTS) has undertaken a review of City-owned properties to identify potential surplus lands. The purpose of this review is to determine lands that could be marketed for residential, commercial, or industrial development with a goal to attract investment and redevelop vacant or underutilized properties. The Borden Avenue Road Allowance was identified as being a

surplus property. The property was part of a plan of subdivision in 1914 and has been vacant since that time. It is not required for future road and transportation purposes. A Stop up and Close By-law was approved April 12, 2022, and the property was declared surplus on June 14, 2022 (Report 2022-120).

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### **Discussion:**

The sale process has complied with the City's Sale and Disposition of Land Policy.

After discussions with the abutting property owners at 860 and 848 Steele Street, an agreement was reached pending Council approval.

The vacant City property comprised of sixty-six (66) feet of frontage, will be sold to Kenneth and Wendy Busch. The plan is for twenty-six (26) feet of frontage to be merged with 848 Steele Street and the remaining forty (40) feet to be kept as a separate lot in the name of Kenneth Busch. The separate lot was a request of the City's Planning Services Division.

The properties at 860 and 848 Steele Street have had long-standing encroachment issues with the City-owned Borden Avenue Road Allowance. This created risk management and liability issues, in addition to property maintenance costs for the City. This property transaction addresses these aforementioned issues. The two catch-basins on the Borden Avenue Road Allowance, as part of the sale, will be relocated and abandoned by the City.

The Agreement of Purchase and Sale attached as Appendix B includes a Schedule B which stipulates that the 40 foot lot must be kept as a separate lot and is not to be merged with the abutting properties. Any new developments on the parcels will require a lot grading plan.

A reference plan is being drafted by an Ontario Land Surveyor that will create the legal description for this property.

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### **Financial Implications:**

The final selling price for the surplus City property is \$159,174. The value and final selling price were based on an independent appraisal and Council direction. There will be survey and legal costs estimated to be \$10,000. Net proceeds will be transferred to the Economic Development Land Reserve.

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## Strategic Plan Alignment:

The initiative contained within this report supports the following pillar of the strategic plan:

- Attracting Business Investment and Tourists to Port Colborne
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## Conclusion:

The vacant City-owned property on Steele Street, which was part of the former Borden Avenue Road Allowance, was declared surplus and the abutting property owners were contacted in accordance with the City's Sale and Disposition of Land Policy. Staff recommend that the City enter into an Agreement of Purchase and Sale with Kenneth and Wendy Busch for the sale of the Steele Street property in the amount of \$159,174 and that this agreement be adopted by by-law.

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## Appendices:

- a. Property Map – Steele Street
- b. Agreement of Purchase and Sale
- c. By-law

Respectfully submitted,

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## Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.