



Corporate

NO: R036

Report

COUNCIL DATE: March 12, 2001



REGULAR COUNCIL			
TO:	Mayor & Council	DATE:	March 6, 2001
FROM:	General Manager, Engineering	FILE:	0540-013
SUBJECT:	Sale of 16940 Friesian Drive (Richardson House)		

RECOMMENDATION

That Council:

1. accept the higher offer received for the sale of 16940 Friesian Drive; and
2. authorize the City Clerk to introduce a by-law to amend the Heritage Revitalization Agreement (attached as Appendix IV) in order to permit a two-car garage and extend the time periods for completing the restoration and construction works specified in the Agreement, and set a public hearing date for March 26, 2001.

BACKGROUND

1. Property Description

The subject property comprises a site area of 977 m² (10,516 ft.²), improved with the unoccupied dwelling, commonly referred to as the Richardson House, that was constructed in 1927.

In December 1993, the City acquired the subject property as part of a larger parcel (Richardson Farm Park). In April 1999, the Heritage Advisory Commission resolved to support a plan to subdivide Richardson Farm Park into two lots. The intention of the subdivision was to allow public use of the larger lot as a neighbourhood park and to sell the second smaller subject lot (16940 Friesian Drive) containing the Richardson House to private interests through a public tender which would stipulate restoration of the house. The City completed the subdivision and rezoning of the smaller parcel last year (2000).

The Richardson House was placed on the Heritage Register by Council's resolution in October 1999. The City also entered into a heritage revitalization agreement in June 2000 that covers the nature, extent and form of conservation necessary to protect the dwelling's heritage value.

2. Plan Designations, Zoning and Land Uses

The property is zoned Single Family Residential (RF), and is designated Urban in the Official Community Plan. The land use immediately surrounding the site is single family residential.

DISCUSSION

On December 2, 2000, the City placed a notice of intention to sell the Richardson House in a local newspaper in compliance with Sections 186 and 187 of the *Local Government Act*. The City specified both an asking price and a requirement for the restoration of the house, and invited all interested parties to submit offers by January 31, 2001. The City also opened Richardson House for public viewing on December 16, 2000. The City received one offer before the closing date to purchase the property at a price that was substantially below the appraised value. Staff then contacted the bidder and two other persons that had shown strong interest in the property and invited them to make their best and final offers by February 14, 2001. Two offers were received before this second closing date.

The higher offer is considered to reflect market value. This offer is conditional on the City adopting a by-law to amend the Heritage Revitalization Agreement in order to extend the time periods for completing the necessary works that are stipulated in the Heritage Revitalization Agreement. The Heritage Revitalization Agreement specified time periods as commencing from the date of the Agreement, which is June 2000, and since nearly a year has already lapsed it would be reasonable to amend the time periods. The offer is also conditional on an amendment to the Heritage Revitalization Agreement to permit a two-car garage as opposed to the single car garage specified in the Agreement.

Section 966 (4) of the *Local Government Act* provides that a heritage revitalization agreement may only be amended by a by-law. The Act also stipulates that a public hearing must be held if an amendment permits "a change to the use and density of use that is not otherwise authorized by the applicable zoning of the property." The construction of a two-door garage will exceed the maximum floor area of 190 m² that is specified in the Heritage Revitalization Agreement. Legal Services has advised that the City is therefore required to hold a public hearing.

At its February 21, 2001 meeting, the Heritage Advisory Commission reviewed the details of the higher offer, and recommended to Council that the process to complete the sale of the property proceed as quickly as possible, including acceptance of the variations to the Heritage Revitalization Agreement.

CONCLUSION

The subject property containing the Richardson House was subdivided from a larger parcel with the intention of selling. The City has advertised the sale of the property and two offers to purchase the property have been received. The higher offer is at a price that reflects the market value, and its terms and conditions are reasonable. The Heritage Advisory Commission has reviewed the terms and conditions and supports the acceptance of the offer. It is recommended that Council accept the higher offer to purchase the City property at 16940 Friesian Drive. It is further recommended that Council authorize the City Clerk to introduce a by-law to amend the Heritage Revitalization Agreement in compliance with Section 966 of the *Local Government Act*, and set a public hearing date for March 26, 2001.

Jorgen Johansen, P.Eng.
General Manager, Engineering

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Appendices

- I. Location Map
- II. Site Plan
- III. Aerial Photograph of Site
- IV. Proposed Amendment By-law to
Heritage Revitalization Agreement By-law