



**The Corporation of the
City of Sault Ste. Marie**

C O U N C I L R E P O R T

November 17, 2025

TO: Mayor Matthew Shoemaker and Members of City Council
AUTHOR: Melanie Borowicz-Sibenik, Assistant City Solicitor/Senior
Litigation Counsel
DEPARTMENT: Legal Department
RE: Property Declared Surplus – Part of 746 Shafer Avenue
(Chris Caldwell)

Purpose

The purpose of this report is to recommend to Council that a part of the property described as PART PIN 31570-0165 (LT) LT 190-191 PL 1703 KORAH; SAULT STE. MARIE, being part of civic 746 Shafer Avenue be declared as surplus and offered for sale by the City in accordance with the City's policy for the disposition of land.

Attachment

Attached as Schedule "A" is a map of the subject property ("Property").

Background

The Legal Department received a request from Chris Caldwell to ascertain if part of 746 Shafer Avenue would be declared surplus. The request was circulated to various City Departments, the Sault Ste. Marie Region Conservation Authority ("SSMRCA") and the District of Sault Ste. Marie Social Services Administration Board ("DSSAB") for comment.

Public Works states that there is alternate adequate access to the park although recognition of the paved walkway in civic 746 Shafer does direct people to the facility from this direction. There is a catchbasin that would potentially require maintenance and should not be included in the Property declared surplus. Planning supports declaring the narrow strip surplus but, requests consideration for these matters.

Engineering also noted the catchbasin and pipe located within the property. Engineering does not object to declaring the property north of the catchbasin as surplus, but the area containing the catchbasin and associated pipe should be retained.

Planning has no concerns with selling off the requested 10' strip along the north lot line of 746 Shafer Ave, subject to the comments made by other staff circulated and set out herein.

Property Declared Surplus – Part of 746 Shafer Avenue (Chris Caldwell)

November 17, 2025

Page 2.

The Building Department confirmed that the current PR Zoning would not prohibit the use of the 10' strip for access to the rear yard.

The SSMRCA advised that the subject properties, 756 Shafer Avenue and 746 Shafer Avenue (Lot 191) as described in the circulation, are not located within an area under the jurisdiction of the Conservation Authority, with regard to O. Reg. 176/06 for Development, Interference with Wetlands and Alterations to Shoreline and Watercourses. SSMRCA does not object to this request.

The Community Development and Enterprise Services Department has no concerns from a Parks operational standpoint.

The DSSAB has no issue with divesting the Property.

Analysis

If Council declares the Property surplus (which would exclude the area of land that consists of the catchbasin), the Property will be advertised on the City's web page with the notation that it will be sold to the abutting property owner.

Financial Implications

If the City decides to dispose of the Property, it would be consistent with the City's plan to dispose of surplus property. As the Property is presently City owned the City does not receive any revenues from taxes. Upon sale of the Property, it may be assessable depending upon its ultimate use.

Strategic Plan / Policy Impact / Climate Impact

Not applicable.

Recommendation

It is therefore recommended that Council take the following action:

The relevant By-law 2025-161 is listed under item 12 of the Agenda and will be read with all by-laws under that item.

Respectfully submitted,

Melanie Borowicz-Sibenik

Assistant City Solicitor/Senior Litigation Counsel

705.759.5403

m.borowiczsibenik@cityssm.on.ca