

From: Andrew McNeill
Sent: October-06-17 11:36 AM
To: Council
Cc: All_Staff
Subject: Expropriation - 140 Main Street

Good morning Members of Council and Staff,

A press release was recently issued pertaining to the expropriation of 140 Main Street. Below is a copy of recent communication with the new owner of 140 Main Street that corrects the record with respect to what has been stated publicly.

Regards,
Andrew

Dear Mr. Frisoli,

I am in receipt of a number of emails from you that make claims pertaining to the discussions that took place between yourself and representatives of the Town of Wasaga Beach that I do not believe to be accurate. I wish to correct the record.

Following a request by you to meet with Mayor Brian Smith on July 10, 2017 to discuss your intentions for 140 Main Street, I reached out to you to arrange to meet on July 12, 2017 in my office at Town Hall. The following is a summary of the key discussion points and takeaways from our initial conversation attended by Anthony Frisoli, Johanna Griggs, (Town EDO) and Andrew McNeill:

- We discussed the downtown master plan that was approved by Council on March 28, 2017 and in particular the impact of the plan on 140 Main Street;
- You conveyed that your ideas for the property varied from a large fast food chain restaurant to a medical clinic that could potentially include the following types of services: general medical practitioner, orthotics, optical, chiropractic, massage and pharmacy;
- You indicated that you would like to either expand the current building or tear down and build a new building on the property in line with the Town's plan (3-4 storey's in height);
- We discussed the strategic importance of 140 Main Street and the potential to merge the parcel with the adjacent Town-owned lands to the southwest;
- You indicated that your offer of purchase and sale was for the full purchase price of \$750,000 with no conditions and that the closing was to be September 15, 2017;
- You indicated that you would not be receptive to an offer from the Town to buy 140 Main Street from you upon closing in the full amount of your purchase price;
- We discussed the potential for expropriation; however, I made it clear to you that the preferred approach of the municipality is to try and work with landowners prior to resorting to expropriation;
- You stated that you were willing to listen to offers and in correspondence received from you on July 12, 2017 you indicated that "I know for a fact you need my property. I simply won't hand it over."
- On July 14, 2017 I received correspondence from you indicating that, "I have been in contact with my attorney on our meeting and all that was said. I did mention to my attorney that you brought up possible expropriation."
- Following our meeting, on July 17, 2017, I forwarded you links to the complete master plan for your reference. The downtown master plan is no secret. It has been made extensively available and the Town erected a 200-square-foot billboard sign on its own lands immediately adjacent to 140 Main Street in the early summer to identify the downtown plan;
- In response you stated, "I am sure I can build an amazing building in that corner with commercial at the bottom and condos on top or a complete medical building. I would like to put a 3-4 storey building in that corner."

Following numerous emails from you, a meeting was arranged to meet in person at your offices in Vaughan on August 14, 2017. The meeting was attended by Anthony Frisoli, Mark Frisoli, Andrew McNeill and Jody Johnson, legal counsel for the Town. The following is a summary of the key discussion points and takeaways from our conversation:

- You acknowledged that construction of a 3-4 storey building on 140 Main Street would be quite difficult without a consolidation of land with the adjacent Town-owned property to the southwest;
- You indicated that no work had been undertaken by you to begin to think about redevelopment of the property or to even assess if redevelopment was possible;
- You indicated that you were not interested in any form of partnership with the municipality and/or FRAM Building Group to see the lands redeveloped and that you were not interested in owning/operating a medical clinic that could be constructed on the ground floor of a new building in partnership with the Town;
- You indicated that you understood the strategic importance of 140 Main Street and that you thought the best course of action was for the Town to buy the land from you upon closing;
- You initially requested \$1.3 million in compensation for the property and later in the meeting adjusted your ask to \$1 million;
- I indicated to you that I would have to seek direction from Council; however, I was not confident that such a request would be well received.

On August 22, 2017 I received correspondence from you stating that, "I attended the meeting last night with concerned residents and business owners. The Lawyers came out answering questions. A lot of the uproar was the fear of expropriation."

On September 19, 2017 I received correspondence from you stating that, "I have sat down with my lawyers and agents. It's best we hold off on Medical Centre until we get a clear understanding of what the city will do. I will lease location for a year and then revisit everything." In subsequent correspondence on September 21, 2017 you indicated that, "its best I wait until after elections to see what happens."

Tony, in a news report on Monday you suggested that you were "blindsided" by the start of expropriation proceedings. This is simply not true, the Town has a plan, it is well known as it was created through an extensive community engagement process, and it was communicated clearly to you prior to the closing on the property. You were well aware that the Town was interested in the property and that the Town was willing to pursue options that could range from a purchase to potential partnership. You drew a hard line in the sand and clearly indicated that you were not interested in any options beyond a straight purchase for \$1 million. Council did not consider your request to be in the best interests of the municipality and as a result, Council considered expropriation as the most prudent path forward. That process is underway, in accordance with Ontario's *Expropriations Act*. As part of the process you will have an opportunity to have your voice heard throughout the process.

Kind regards,
Andrew

Andrew McNeill

Director of Economic Development and Tourism
Town of Wasaga Beach

T: 705-429-3844 ext. 2271

C: 705-441-5585

E: a.mcneill@wasagabeach.com

30 Lewis Street