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# HALDIMAND COUNTY

## Report LSS-03-2019 Unsolicited Offer from Reynolds, Church Street, Jarvis For Consideration by Council in Committee on January 15, 2019

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### OBJECTIVE:

To provide details of an unsolicited offer to purchase vacant County-owned property abutting 1 Church Street in Jarvis.

### RECOMMENDATIONS:

1. THAT Report LSS-03-2019 Unsolicited Offer from Reynolds, Church Street, Jarvis be received;
2. AND THAT Memorandum LSS-M01-2019 Additional Information Related to Report LSS-03-2019 be received as information and remain confidential;
3. AND THAT the property legally described as PIN # 38245-0344(LT), being Part of Block A in the rear of Lot 2 west of Hamilton and Port Dover Plan Road, Plan 343, Part 1 on 18R-4509; Haldimand County, be declared surplus to the needs of the municipality;
4. AND THAT staff proceed with the direction provided by Council in closed session;
5. AND THAT the Mayor and Clerk be authorized to execute all necessary documents;
6. AND THAT a by-law be presented to authorize the sale, if applicable.

**Prepared by:** Sandra Marsh, Property Coordinator

**Reviewed by:** Dana McLean, Supervisor, Risk Management & Legal Services

**Respectfully submitted:** Cathy Case, General Manager of Corporate & Social Services

**Approved:** Craig Manley, MCIP, RPP, Deputy Chief Administrative Officer

### EXECUTIVE SUMMARY:

An unsolicited offer to purchase vacant County-owned lands abutting 1 Church Street in Jarvis has been received. Closed session Memorandum LSS-M01-2019 provides an analysis of the options available to Council.

### BACKGROUND:

Staff have received an unsolicited offer, including the applicable fee, from William Reynolds to purchase vacant County-owned land located on Church Street in Jarvis. A location map of the subject property is shown as Attachment #1. The subject property is in the Downtown Commercial Zone, has a total area of approximately 0.24 acres and is legally described as PIN # 38245-0344(LT), being Part of Block A in the rear of Lot 2 west of Hamilton and Port Dover Plank Road, Plan 343, Part 1 on 18R-4509; Haldimand County.

If the purchase is approved by Council, Mr. Reynolds has advised staff the he intends to add the subject lands to his adjoining property, which is shown as 1 Church Street on Attachment #1. Mr. Reynolds

property is also in the Downtown Commercial Zone, but is being used for residential purposes. Mr. Reynolds has indicated that he would keep the subject land as green space and continue to maintain the lands as he has done since 1985.

## **ANALYSIS:**

In order to determine the feasibility of the sale of this property, staff contacted all County Divisions to determine if there is a municipal need for the lands, in whole or in part, or if there are certain restrictions or provisions that should be placed on the sale. All comments received support the sale, therefore, staff recommend that the lands be declared surplus to the needs of the municipality, as the property is not required for municipal purposes.

The following staff comments were received:

### *Building & Municipal Enforcement Services*

*The subject lands are zoned Downtown Commercial (CD) which permits a number of commercial establishments, residential uses are restricted to one or more dwelling units in any permitted commercial building, therefore the owners of 1 Church Street would not be able to expand their residential use onto this property unless they obtain a variance pursuant to the Planning process.*

### *Roads Operations*

*There appears to be a natural gas monitoring stand on or close to property line located approximately between 1 Church Street and the subject land. An easement may be required if the lands are sold.*

### *Planning and Development*

*These comments are based on an anticipated merger of the property to 1 Church Street; additional restrictions exist, should the properties remain as separate parcels.*

*Official Plan designation: 'Community Commercial'*

*Zoning: 'Downtown Commercial Zone'*

*Any proposed development must be consistent with both the zoning and official plan designation.*

*In addition to the restrictions described above, Haldimand County planning staff generally prefer that commercially designated and zoned lands be retained for commercial uses and not added to residential uses. Further, Haldimand County is bound to meet specific density targets as set out by the Province's Growth Plan; creating a larger lot does not support Haldimand County's compliance with these objectives. Further, the subject lands (to be added to 1 Church) are zoned and designated commercially, and 1 Church is similarly designated 'Community Commercial' in Haldimand County's Official Plan. Any development requiring Planning Act approval must be consistent with both the Zone provisions and the Official Plan designation; as such, if residential/residential-related development is anticipated to be proposed in the future, the property purchasers should be made aware that these residential uses may be complicated or prohibited by the commercial land use principles.*

### *Engineering Services*

*The property is located within the Jarvis Drain 1 municipal drain watershed and a drainage reapportionment fee (\$196) will be required if the subject property is sold.*

Mr. Reynolds has been made aware of the above-noted staff comments and is aware that adding the lands to the property he owns may have Planning use implications.

Staff have reviewed the offer and have prepared confidential Memorandum LSS-M01-2019, which provides additional information regarding options for the disposal of this property, for discussion during the Closed session of the Council in Committee meeting of January 15, 2019. Staff will then proceed in accordance with Council's direction.

### **FINANCIAL/LEGAL IMPLICATIONS:**

The County will be responsible for title searching and registration costs as required, which are estimated at approximately \$200.

If the property is declared as surplus and sold, net revenue generated from the sale of the property would be placed in the Land Sales Reserve, in accordance with County Policy.

If sold, the property would generate property tax revenue and would no longer be the responsibility or liability of the County.

### **STAKEHOLDER IMPACTS:**

Planning and Development, Engineering Services, Roads Operations and Building & Municipal Enforcement Services staff have provided information for this Report.

### **REPORT IMPACTS:**

Agreement: Yes

By-law: Yes

Budget Amendment: No

Policy: No

### **ATTACHMENTS:**

1. Map of the Subject Lands
2. Unsolicited Offer from William Reynolds