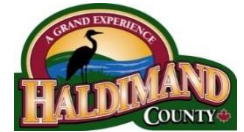

HALDIMAND COUNTY

Report LSS-04-2019 Offer from Rijus Home Design, Frank Marshall Business Park, Dunnville



For Consideration by Council in Committee on February 5, 2019

OBJECTIVE:

To provide details of an offer to purchase vacant County-owned property in the Frank Marshall Business Park in Dunnville.

RECOMMENDATIONS:

1. THAT Report LSS-04-2019 Offer from Rijus Home Design, Frank Marshall Business Park, Dunnville be received;
2. AND THAT Memorandum LSS-M02-2019 Additional Information Related to Report LSS-04-2019 be received as information and remain confidential;
3. AND THAT the property legally described as PIN # 38122-0375(LT) Block 6, Plan 18M41 together with an easement over Part 4 on 18R-6834 as in HC169733; Haldimand County, be declared surplus to the needs of the municipality;
4. AND THAT staff be authorized to proceed with the sale of property legally described as PIN # 38122-0375(LT) Block 6, Plan 18M41 together with an easement over Part 4 on 18R-6834 as in HC169733; Haldimand County, in accordance with Option #__, as outlined in Memorandum LSS-M02-2019;
5. AND THAT public notice of the pending sale be published in the local newspaper;
6. AND THAT the Mayor and Clerk be authorized to execute all necessary documents;
7. AND THAT once a final sale agreement has been reached, a by-law be presented to authorize the sale.

Prepared by: Sandra Marsh, Property Coordinator

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

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

Approved: Donald G. Boyle, Chief Administrative Officer

EXECUTIVE SUMMARY:

The County has received an unsolicited offer to purchase municipally-owned vacant lands located on Ramsey Drive in the Frank Marshall Business Park in Dunnville. County staff have determined that the lands can be declared surplus as there is no known future need to retain the lands for public use. Closed session Memorandum LSS-M02-2019 provides an analysis of the options available to Council.

BACKGROUND:

The subject lands are located on Ramsey Drive in Dunnville and form part of the lands within the Frank Marshall Business Park. A location map of the subject property is shown as Attachment #1. The subject property has a total area of approximately 1.24 acres and is currently zoned as MG - General Industrial. It is legally described as PIN # 38122-0375(LT) Block 6, Plan 18M41; together with an easement over Part 4 on 18R-6834 as in HC169733; Haldimand County.

The unsolicited offer to purchase this vacant County-owned land, located in Dunnville, was received from Rijus Home Design Inc.

ANALYSIS:

The Offer to Purchase the lands, located in the Frank Marshall Business Park on Ramsey Drive in Dunnville, has been received from Rijus Home Design Inc. in the amount of \$75,000, plus HST. A copy of the Agreement of Purchase and Sale is included as Attachment #2. Staff have reviewed the Offer and prepared a confidential Memorandum LSS-M02-2019 which provides additional information for discussion during the closed session of the Council in Committee meeting of February 5, 2019. The memorandum provides an analysis of the options available to Council in order for staff to receive direction regarding the potential sale of this property.

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 restrictions or provisions that should be placed on the sale. Two divisions provided feedback: the Planning & Development Division and the Building & Municipal Enforcement Services Division. All other comments received support the sale, without further feedback.

Planning & Development Division Comments:

This property is completely regulated by the Grand River Conservation Authority (GRCA). Any development proposal will need to be discussed with the GRCA.

This property is subject to site plan control. Site plan approval will be required prior to development. A development agreement will likely be required.

Prior to submission of a site plan application, a pre-consultation meeting will be required to discuss the proposal. This will ensure that the future owner is aware of municipal and agency requirements prior to submitting a site plan application. Staff and agencies will overview with the proponent zoning permissions and requirements and technical matters related to site layout and urban design, entrances, parking, servicing, stormwater management, snow storage, lighting, etc. (COMPLETED: This meeting was held on January 16, 2019, however details of all pre-consultation meetings are confidential. Confidential Memorandum LSS-M02-2019 provides additional information for discussion during the closed session of the Council in Committee meeting of February 5, 2019)

Any development must comply with the Official Plan designation, Zoning By-law, and generally align with the intent of the Council adopted Design Guidelines for the Frank A. Marshall Business Park.

It is planning staff's understanding that the offer is from Rijus Home Design and they intend to construct a commercial office complex which is supported by the Official Plan and permitted as a right in the zoning bylaw.

Additional Information from Development & Design Technologist:

- *Regarding engineering comments/limitations pertaining to this site, the major focus would be on storm water management since other servicing is currently provided to the site.*

- *The existing capacity of the Stormwater Management Pond to the west of the lands in question would need to be investigated. The existing Stormwater Pond cannot accept anything greater than a 5 year storm at maximum. The understanding is the pond is roughly at 95% capacity which would require contributions to future expansion/upsizing of the pond. The developer should also address an interim solution prior to the expansion of the SWM Pond. A report detailing the existing Pre-Development capacity of the pond vs. the Post-Development effect that the proposed office complex would have on the pond should be compiled. In summary, the limiting factor would be the lack of capacity in the current Storm Water Management Pond.*

Building & Municipal Enforcement Services Division Comments:

This property is zoned MG, General Industrial.

This zone would permit the proposed Architectural and Real Estate offices.

The applicable building setbacks are 6m from the front property line, 3m from the right side, 3m from the left side and 9m from the rear. Maximum building height is 11 m and the maximum lot coverage is 55%.

The usual building permit fees, plumbing permit fees and development charges would apply.

The offer presented is conditional, until February 27, 2019, upon the Purchaser being satisfied with the development conditions and requirements of Haldimand County as discussed in the predevelopment meeting.

It is standard practice for staff to notify all abutting property owners when an unsolicited offer to purchase public lands is received, however no details of any offer are disclosed at that time. Haldimand County owns all surrounding properties, therefore there are no abutting property owners to notify.

Staff recommend that the subject lands be declared surplus to the needs of the municipality, as the property is not required for municipal purposes.

FINANCIAL/LEGAL IMPLICATIONS:

The application fee of \$675 has been received by the County for the unsolicited offer to purchase.

The County is responsible for its title searching costs, which are estimated at \$200.

Net sale proceeds, if the property is sold, will be added to the Land Sales Reserve.

STAKEHOLDER IMPACTS:

Planning & Development Division and Building & Municipal Enforcement Services Division have provided comments for this report.

REPORT IMPACTS:

Agreement: Yes

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Map of the Subject Property
2. Unsolicited Offer from Rijus Home Design Inc.