
HALDIMAND COUNTY

Report LSS-01-2020 Unsolicited Offer from Reynolds, Vacant Land on George Street, Dunnville



For Consideration by Council in Committee on January 14, 2020

OBJECTIVE:

To provide details of an unsolicited Offer to Purchase vacant County-owned lands on George Street in Dunnville.

RECOMMENDATIONS:

1. THAT Report LSS-01-2020 Unsolicited Offer from Reynolds, Vacant Land on George Street, Dunnville be received;
2. AND THAT Memorandum LSS-M01-2020 Additional Information Related to Report LSS-01-2020 be received as information and remain confidential;
3. AND THAT the property legally described as part of PIN # 38111-0115(LT) being Part of Lots 4 and 5, Plan 1407; Haldimand County, be declared surplus;
4. AND THAT staff proceed with the direction provided by Council in closed session for the property legally described as part of PIN # 38111-0115(LT) being Part of Lots 4 and 5, Plan 1407; Haldimand County, in accordance with Option #__, as outlined in Confidential Memorandum LSS-M01-2020;
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

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

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

EXECUTIVE SUMMARY:

An unsolicited Offer to Purchase vacant County-owned land on George Street in Dunnville has been received. Closed Session Memorandum LSS-M01-2020 provides an analysis of the options available to Council.

BACKGROUND:

Staff have received an unsolicited offer, including the applicable administration fee, to purchase vacant County-owned lands on George Street in Dunnville. A location map of the subject property is shown as Attachment #1 and a copy of the offer is included as Attachment #2. The offer is from Mark Reynolds, for a purchase price of \$2,500, deposit in the amount of \$1,000 upon acceptance, and indicates a closing date of February 12, 2020. Also included with his Offer to Purchase is a Comparative Market Analysis for the subject property (Attachment #3). The portion of the subject property that is applicable

to the offer is approximately 20' X 200', is zoned Agricultural (A) and is legally described as part of PIN # 38111-0115(LT) being Part of Lots 4 and 5, Plan 1407; Haldimand County.

If the sale is approved by Council, Mr. Reynolds has advised staff that he wishes to construct a new residential dwelling on the property he currently owns and intends to add the subject lands to the abutting lands, in order to facilitate a preferred house setback and design. The lands Mr. Reynolds currently owns are able to be developed without the need for the additional County lands; however, the additional lands will allow for the new dwelling to be constructed a farther distance away from the road.

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. Comments received indicated a need to retain the property for municipal purposes.

The following staff comments were received:

Planning and Development:

The subject lands forms part of a regional storm water management pond, but are currently constructed as a minor (or interim) pond. As development continues in the northwest quadrant of Dunnville the pond is planned to expand. It is important to note that the sizing of the pond was developed as part of the 2010 Master Servicing Plan for Dunnville and included an assessment of the lands in the northwest portion of Dunnville up to George Street. Given that additional lands to the west (i.e. out to Robinson Road / adjacent to the cemetery) are now being considered to be added to the residential supply (through the Official Plan update process) it is important to preserve the pond block to ensure that those additional lands can also be serviced. Until all detailed engineering is completed, it is premature to consider severing any portion of the pond block. The Planning & Development Division would not recommend selling any part of this property as the dedicated storm water management pond benefits many properties and will help facilitate future development in the northwest quadrant of Dunnville. This is a critical aspect in terms of any consideration to dispose of the lands.

The existing land owned by Mr. Reynolds, municipally known as 865 George Street, Dunnville is designated 'Residential' in the Haldimand County Official Plan, which lends policy support to permitting a dwelling on the existing lot. The existing lot fronts onto George Street which is a municipal road, and there is an undersized water main located in the road allowance right of way that could be connected into (as per Haldimand County standards). A sanitary main does not exist in the road allowance and a private septic system will be required for future development. While the Official Plan prefers that all new urban development occurs on full municipal services (water and sanitary), there is official plan support to allow development of this existing lot on partial servicing provided this is recognized in the Zoning By-law through a planning application. The existing lot, together with adjacent lots on George Street, are zoned 'Agriculture (A)' Zone in the Town of Dunnville Zoning By-law 1-DU 80 due to the historical use. The 'Agricultural' zone permits a dwelling on the lot provided all zoning provisions are satisfied for lot frontage, lot size, setbacks, etc. Since the lot is located in the urban/settlement boundary of Dunnville, the general zoning by-law provisions require that the future house be connected to full municipal services (water and wastewater).

If development on partial services is permitted on this lot, Mr. Reynolds will be required to contribute to the cost of the future water main replacement (his portion being \$4,935.00 (2019)). Mr. Reynolds will also need to enter into a partial servicing agreement with the County. Further, due to the configuration of the lot (i.e. narrow depth) and the historical zoning of the property (the 'A' Zone provisions require large front and rear setbacks), Mr. Reynolds will also need to receive approval for reduced setbacks.

All of this can be proposed in one planning application – a minor variance application. Planning staff can support a reduced front and rear yard setback (to a certain point) due to the location of the lot (in the urban boundary of Dunnville), the proposed use of the lot (for residential development), and the setback of dwellings on adjacent lots on the street (closer to the street than permitted in the 'A' Zone). Further conditions of approval will include approval of a septic evaluation, grading plan, entrance permit, etc.

The approach to reduce the front yard and rear yard setback is preferable to purchasing County property to increase the depth of the lot as it has implications on the storm water management pond. Typically, a reduced front yard setback of 6 metres (from 13 metres) is supportable.

Building and Municipal Enforcement Services:

Grand River Conservation Authority has jurisdiction along the major ditch that runs through the south side of the County-owned property and will need to be consulted for required setbacks from the ditch. Conservation Authority approval for all setbacks, including septic system requirements, may impact the size of the residential dwelling on the lot.

The urban water supplied on George Street is limited due to pipe sizing. Confirmation that urban water can be supplied to the building site will need to be obtained. Otherwise a cistern will be required.

There are no sewers on this section of George Street; a septic system will be required for building permit issuance.

Engineering Services:

Engineering staff does not support a sale of the land as it is the location of the ultimate build out of the storm water management pond for the northwest quadrant of Dunnville.

In reviewing the unsolicited offer, staff, in keeping with the County's past practice, notified all abutting property owners of the expression of interest received and the possible sale of the lands. No comments or concerns were received.

Staff have reviewed the offer and have prepared Confidential Memorandum LSS-M01-2020, 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 14, 2020.

FINANCIAL/LEGAL IMPLICATIONS:

The County will be responsible for its title searching costs, 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, Building and Municipal Enforcement Services and Engineering 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 Reynolds
3. Comparative Market Analysis