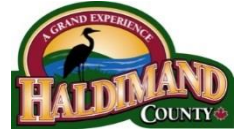

HALDIMAND COUNTY

Report CS-SS-29-2017 Unsolicited Offer to Purchase Vacant Land – Concession 13 Walpole and Haldimand Road 20, Hagersville

For Consideration by Council in Committee on October 3, 2017



OBJECTIVE:

To provide details of an unsolicited offer to purchase County-owned property at the north-west corner of the intersection of Concession 13 Walpole and Haldimand Road 20, Hagersville.

RECOMMENDATIONS:

1. THAT Report CS-SS-29-2017 Unsolicited Offer to Purchase Vacant Land – Concession 13 Walpole and Haldimand Road 20, Hagersville be received;
2. AND THAT Memorandum CS-SS-M10-2017 Additional Information Related to Report CS-SS-29-2017 be received as information and remain confidential;
3. AND THAT the property legally described as PIN # 38190-0241(LT), being Lot 14, Concession 14 Walpole, except HC53973, Haldimand County, be declared surplus to the needs of the municipality;
4. AND THAT staff be authorized to negotiate the sale of the subject property, being vacant land at the north-west corner of the intersection of Concession 13 Walpole and Haldimand Road 20, Hagersville, in accordance with Option #_____ as outlined in Memorandum CS-SS-M10-2017;
5. AND THAT public notice of the pending sale be published in the local newspaper, if a final sale agreement is reached;
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-Daniels, Risk Management and Insurance Coordinator

Respectfully submitted: Karen General, CPA, CGA, General Manager of Corporate Services

Approved: Donald G. Boyle, Chief Administrative Officer

EXECUTIVE SUMMARY:

An unsolicited offer to purchase County-owned lands at the north-west corner of the intersection of Concession 13 Walpole and Haldimand Road 20 in Hagersville has been received. Closed session Memorandum CS-SS-M10-2017 provides an analysis of the options available to Council.

BACKGROUND:

Staff have received, from Michael Douglas Kerr, an unsolicited offer to purchase vacant County-owned land located at the north-west corner of the intersection of Concession 13 Walpole and Haldimand Road 20 in Hagersville. A location map of the subject property is shown as Attachment #1. The subject property has a total area of approximately 1.85 acres and is legally described as PIN # 38190-0241(LT), being Lot 14, Concession 14 Walpole except HC53873; Haldimand County. Although the property is located at an intersection, it is outside of the boundaries of the adjacent road allowance.

Mr. Kerr has advised staff the he intends to add the subject lands to his adjoining property, which is shown as 1045 Concession 13 on Attachment #1, if the purchase is approved by Council. Mr. Kerr has indicated that he would like to purchase the lands in order to remove dead trees and shrubs, backfill and erect a 2,000 square foot building to be used for storage of personal recreational vehicles. Mr. Kerr has estimated his costs will be approximately \$70,000, which will go into the local economy and will generate tax revenue for the County.

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 supported 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 Planning & Development Division provided the following comments:

The County's property and 1045 Concession 13 Walpole are located just on the outside of the north-west limit of the urban boundary of Hagersville. Both properties are presently designated 'Agriculture'. The 'Agriculture' designation permits a single detached dwelling on an existing lot of record or on a lot created by consent in accordance with the policies of the Official Plan – i.e. that the lot has frontage on an open public road; the lot is capable of accommodating a water supply system and an on-site sanitary system designated and installed as per the Ontario Building Code; and the site has appropriate drainage patterns.

Zoning, permitted uses, and zone provisions must be confirmed with the local building inspector. Subject to the local building inspector's comments regarding zoning, permitted uses, and zone provisions and roads operations' comments regarding an entrance permit, it may be possible that the County could sell the lot as a developable lot rather than as a boundary adjustment to accommodate a residential accessory structure.

Planning has no concerns regarding the merging of the two properties, however, if these two properties merge, and the 'Agriculture' designation is maintained in the future, Provincial and County policies require the protection and preservation of agricultural lands and do not support the severance of the resulting lot back into two conveyable lots.

The offer to purchase, from Michael Douglas Kerr, is in the amount of \$5,000, plus HST, as indicated in Attachment #2. Staff have reviewed the offer and have prepared a confidential Memorandum CS-SS-M10-2017, 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 October 3, 2017. Staff will then proceed with the disposal of this property in accordance with Council's direction.

FINANCIAL/LEGAL IMPLICATIONS:

The County will be responsible for 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:

Not applicable.

REPORT IMPACTS:

Agreement: Yes

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Map of the Subject Property
2. Agreement of Purchase and Sale