



## Council report

<b>Meeting date:</b>	September 1, 2020
<b>Title:</b>	Requests for purchase of municipal property
<b>Prepared by:</b>	Lorelie Spencer, Manager of Planning and Development
<b>Reviewed by:</b>	Laura Johnston, CAO

### Recommendation

That council provide direction through a resolution for each request to purchase municipal property.

### Executive summary

Three separate requests have been made to municipal council to purchase municipal lands. Each request is to purchase lands adjacent to the lands in question. The disposal of lands would occur under the Municipality of West Grey disposal by-law no. 23-2008 in the event council deems the lands to be surplus.

### Background and discussion

Property no. 1: Pelletier Request – Follow-up for a request to purchase lands that was brought forward at the May 4, 2020 meeting

Roll no. 4205 280 007 11900 0000 (lots 22 and 23, concession 14, geographic Township of Bentinck.) The landowner of this parcel has expressed interest in purchasing a portion of concession 14 NDR, an unopened municipal road allowance extending along lots 21-25, concession 14, geographic Township of Bentinck. These lands are intended to be added to the existing parcel ownership of the landowner. Approximately 6.0 acres would be added to the property in question.

Property no. 2: Whitehead Request – August 4, 2020 Correspondence

Roll no. 4205 260 001 09300 0000 (lots 50-51, plan 508, town of Durham). The landowner of this parcel has expressed an interest in purchasing plan 508 lot 49 lot 52; lots 77 to 80, town of Durham. The parcel in question is vacant and is zoned OS-h (Open Space) and NE (Natural Environment). The adjacent landowners wish to purchase the property to add it to their existing lands. The zoning of the municipal lands significantly limits development of the land beyond passive recreational uses. The parcel surrounds their lands on the north, west and east sides. Approximately 1.62 acres would be added to the property in question.



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Property no. 3: Diehl Request – August 4, 2020 Correspondence

Roll no. 4205 010 008 19700 0000 (1018 Victoria Street, plan 153, part lot 3 to part lot 5, Caroline west). The landowner of this parcel has expressed interest in purchasing a portion of Caroline Street North (Plan #0101, east of lots 1, 2, 3, 4, and 5). Caroline Street North is an unopened road allowance. The parcel abuts their property along their eastern lot boundary and they wish to purchase the lands to prevent the road being developed in future. Approximately 0.60 acres would be added to the property in question if extended the depth of their property.

In all cases, the lands requested above abut existing parcels owned by each applicant.

## Legal and legislated requirements

In summary should council choose to proceed with the disposal of property the following shall occur in accordance with by-law no. 23-2008:

### **Lands abutting an unopened road allowance**

- 1.) By resolution, declare the lands to be surplus;
- 2.) Pass a by-law to permanently close the roads under section 34 of the municipal act;
- 3.) Obtain at least one appraisal of the fair market value of the lands from an independent appraiser, or from a real estate firm or broker;
- 4.) For those properties abutting the requested unopened road allowances, notice must be posted on the municipality's website for 10 days prior to the passage of a by-law approving the sale. This is only relevant to those properties abutting the unopened road allowances in question.

### **Sale of real property**

- 1.) By resolution, declare the lands to be surplus;
- 2.) Obtain at least one appraisal of the fair market value of the lands from an independent appraiser, or from a real estate firm or broker;
- 3.) Give notice to the public of the intended sale of the land by placing at least one advertisement in a newspaper having general circulation in the municipality, and posting notice on the municipal website a minimum of 14 days prior to the sale of the land. Notice of the proposed sale must also be posted at the property location.
- 4.) To complete the sale, council must pass a resolution indicating the method wherein the sale will be completed (tender, request for quotation, public quotation, or by a real estate firm or broker).



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By-law 23-2008 contains certain provisions which define that the costs associated with the sale shall be established as part of the resolution. These provisions include the following:

- An estimated bid amount which is not less than the appraised value of the land and must cover any costs incurred during the property transaction;
- Tender or quotation documents must be received by the date specified;
- The tender or quotation document and advertisement in a newspaper shall include the statement that 'the highest or any offer may not necessarily be accepted';
- The sale by public auction documents shall include a minimum bid reserve; and
- Should the sale proceed through a real estate firm or broker, offers standard to the Ontario Real Estate Association Agreement of Purchase and Sale forms shall be submitted to the CAO / Clerk, providing for an irrevocable period of at least 20 days, and shall be submitted to council at a regular meeting for acceptance or dismissal.

## Financial and resource implications

Sale proceeds from the disposal of lands.

## Staffing implications

N/A

## Consultation

Municipal solicitor

## Alignment to strategic vision plan

Pillar: Build a better future

Goal: Vibrant community

Strategy: Responsible stewards of the tax dollars

## Attachments

- Property no. 2 – request to purchase and aerial of the lands in question
- Property no. 3 – request to purchase and aerial of the lands in question



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## Next steps

That Council pass three separate resolutions to declare the lands surplus, if desired.

Respectfully submitted:



Lorelie Spencer, Ba.U.R.Pl., MCIP, RPP  
Manager of Planning and Development