



Meeting Date: March 10, 2020

Submitted by: James Hutson, Municipal Clerk

Report No: CLK-05-2021

Subject: Request for Surplus Lands Resolution for a Municipally Owned Property

Recommendation:

THAT Council receives report CLK-07-2021 re: Request for Surplus Lands Resolution for a Municipally Owned Property;

AND THAT Council directs staff to proceed with the sale of property identified as Concession 3 Pt Lot 7 RP 33R7333 Part 2 located in the Municipality of Middlesex Centre which is deemed surplus to municipal needs;

AND FURTHER THAT staff be directed to proceed with disposal of the subject lands in accordance with By-law 2012-043 by providing notice to all the abutting land owners and proceed to execute the sale of property subject to the satisfaction of the municipal solicitor.

Purpose:

The purpose of this report is to obtain Council approval to proceed with the disposition of a particular piece of municipally owned property which upon review by staff has been deemed surplus to the needs of the Municipality.

Background:

The subject property is legally described as Concession 3 Pt Lot 7 RP 33R7333 Part 2, roll number 39 39 000 020 346 50 and is located within the boundaries of the Municipality of Middlesex Centre.

The property is designated for agricultural use and is zoned A2(C) under the current Middlesex Centre Zoning By-law

An aerial photograph of the subject property is included in "Appendix A1"

Analysis:

In accordance with Property Disposition By-law #2021-043, a resolution of Council is required to proceed with the sale of a property which is deemed surplus to the Municipality's needs. With respect to the property in question, municipal staff were previously consulted regarding any comments or concerns should this particular property be deemed surplus. No concerns were put forth during this process and as such staff are recommending that the Municipality proceed to dispose of this property.

As per the provisions of By-law #2021-043, once Council at a meeting open to the public, passes a resolution declaring such land surplus to the needs of the Municipality, the Municipal Clerk may proceed to publish a notice of a proposed sale of surplus land in local newspapers and on the municipal website or the Municipality may explore a direct sale to a landowner, who owns land which abuts the surplus land or is an owner of other land in close proximity. In this case, there is an abutting landowner who may have an interest in acquiring this parcel of land, and the recommendation to Council reflects staff's intent to explore this as the first option.

Should Council determine to sell the parcel of land directly to a neighbouring landowner, costs anticipated for the sale of the land such as legal fees, survey fees, appraisal fees, encumbrances, advertising and improvements will be established ahead of time. An estimated sale price would then be established which would not be less than the appraised value plus the additional costs referred to above. Council would have the option to accept an amount less than this estimated sale price.

In the event there is no apparent party with an immediate interest in acquiring this parcel of land, staff will take steps to identify a party interested in acquiring the lands by means of listing the land for sale with a real estate company and/or posting an advertisement offering the surplus land for sale.

If there is interest from more than one owner, appraisal information would be provided to the interested parties to determine if they would still want to proceed.

In conclusion, the irregular shape of the parcel of land, combined with the overall size and location, has allowed staff to determine that the property is of no use to the Municipality and it is subsequently recommended that the property be disposed of. Any future buyers of the property will be required to enter into an agreement of Purchase and Sale with the municipality, and will be further required to register it on title.

A subsequent report to Council will be brought forward to formally authorize the sale of lands once a purchaser has been identified.

Financial Implications:

Any revenue from the disposition of this lands will be placed in the proper reserve fund for future use.

Strategic Plan:

This matter aligns with following strategic priorities:

- Vibrant Local Economy

The disposition of this property aligns with the goal of supporting the local economy by ensuring municipal lands which may be deemed surplus to the Municipality's needs can be offered back to the public for their benefit of use.

Attachments:

Appendix A1 – Aerial Photograph and Site Details