

## **ANNOUNCEMENT BY MAYOR**

### **RE: CONSIDERATION OF A PROPOSED DECLARATION TO CLOSE THE UNOPENED ROAD ALLOWANCE KNOWN AS WILSON STREET, SOUTH OF PARK STREET IN DRESDEN.**

The property being considered to be closed legally described as: Wilson Street Plan 261 being all of Property Identification Number 00599 0240; Municipality of Chatham-Kent.

On December 29, 2018 a Notice of Intention to close the above noted road allowance was published in the Sydenham Current online newspaper and on January 3, 2019 on the municipal website.

I will now invite any person wishing to be heard in this regard to approach the podium and give reasons why their lands will be adversely affected or their objections to this declaration to close this portion of the road allowance.

## **Municipality Of Chatham-Kent**

### **Finance, Budget & Information Technology Services**

#### **Financial Services**

**To:** Mayor and Members of Council

**From:** Amy McLellan, CPA, CGA  
Manager, Revenue

**Date:** December 28, 2018

**Subject:** Offer to Purchase – Property Identification Number 00599 0240, Wilson Street Plan 261; Chatham-Kent

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#### **Recommendations**

It is recommended that:

1. A By-law be passed to close the road allowance south of Park Street in the community of Dresden, legally described as: Wilson Street Plan 261; Chatham-Kent, being all of Property Identification Number 00599 0240 (Land Titles).
2. The above property be declared as surplus to municipal needs.
3. The offer to purchase from Gerald Brown for \$1,000 for Property Identification Number 00599 0240, legally described as Wilson Street Plan 261; Chatham-Kent, plus additional costs for advertising, be accepted in the negotiation process on an "As Is, Where Is" basis.

#### **Background**

The property owner approached the Municipality of Chatham-Kent to express interest in purchasing the unopened road allowance that runs through his property. Mr. Brown owns the land on the east and west side of the subject road allowance. Administration is in favour of this disposition as there is no intention to open this road. A barn owned by Mr. Brown currently exists on said road allowance lands and as reported by him has been there for many years.

#### **Comments**

Administration has negotiated a purchase price of approximately \$1.00 per foot for this parcel plus additional costs incurred by the Municipality in preparing the property for sale, specifically being advertising costs. Administration supports the sale of this property for \$1,000. At the December 10, 2018 closed session meeting, Council directed administration to negotiate the sale.

Administration has confirmed no easements are required from utility agencies.

A notice describing the potential closure was published in the Sydenham Current beginning December 29, 2018 as well as on the municipal website beginning January 3, 2019. At this time no objections have been received; however, members of the public may ask to be heard at the January 14, 2019 Council meeting.

This property is being offered for sale on an As Is, Where is basis.

### **Areas of Strategic Focus and Critical Success Factors**

The recommendations in this report support the following areas of strategic focus:

- Economic Prosperity:  
Chatham-Kent is an innovative and thriving community with a diversified economy
- A Healthy and Safe Community:  
Chatham-Kent is a healthy and safe community with sustainable population growth
- People and Culture:  
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- Environmental Sustainability:  
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

- Financial Sustainability:  
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Open, Transparent and Effective Governance:  
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership
- Has the potential to support all areas of strategic focus & critical success factors
- Neutral issues (does not support negatively or positively)

### **Consultation**

Building Services confirmed the zoning of the property.

The Technical Advisory Committee confirmed this parcel to be surplus to municipal needs.

Legal Services will assist with closing of the sale once all conditions have been met.

**Financial Implications**

The Property Disposition budget includes lot sales revenue. The sale proceeds offset the legal costs associated with the land transfer. Any surplus from the sale will contribute to the revenue line. The sale of surplus lands creates potential for assessment growth, generation of future tax revenue, and decreases municipal liability and maintenance costs.

Prepared by:

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Amy McLellan, CPA, CGA  
Manager, Revenue

Reviewed by:

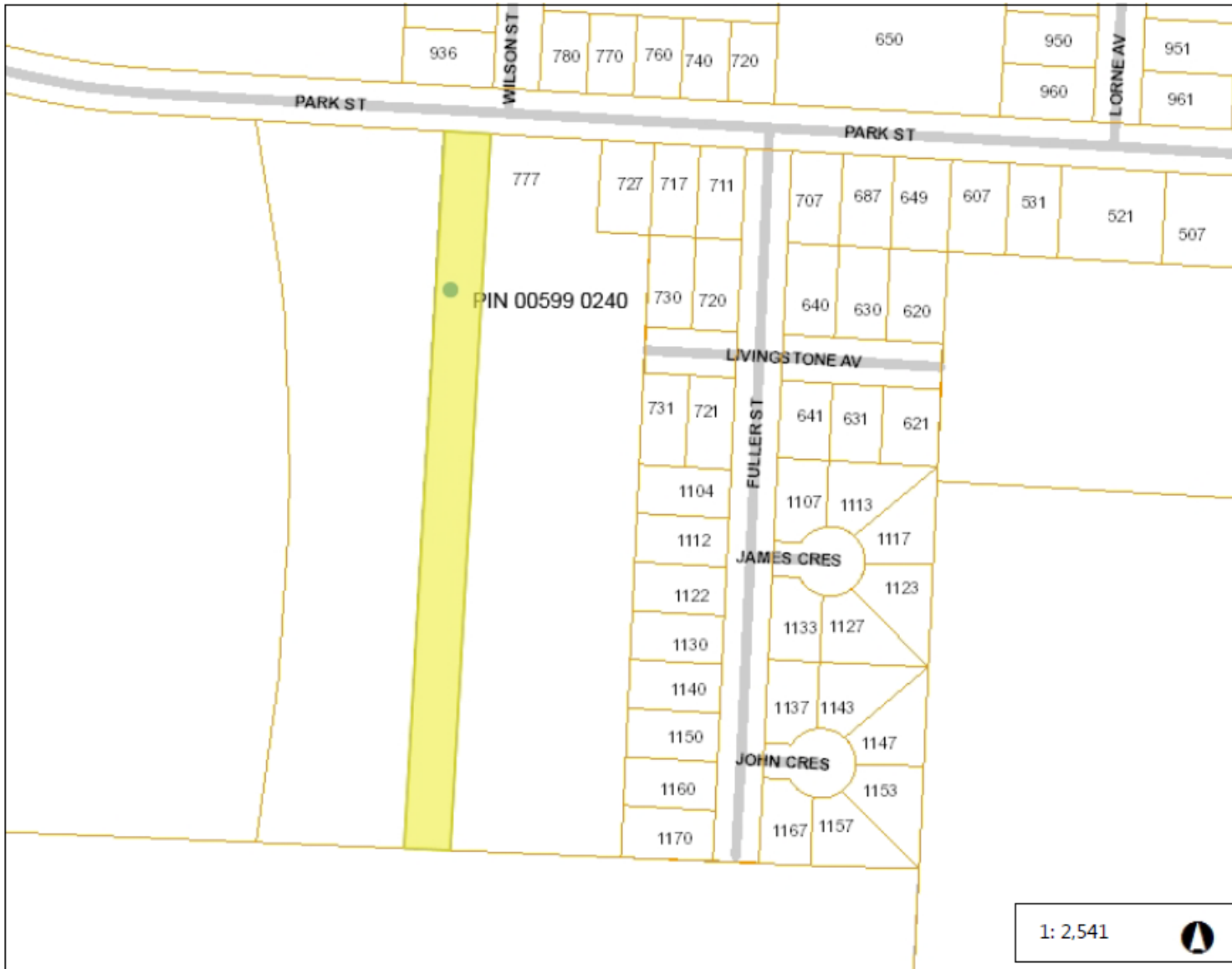
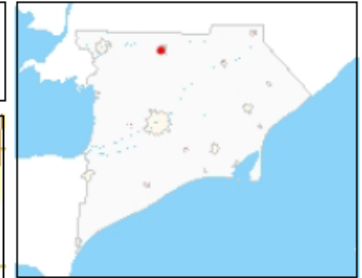
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Mike Turner, CPA, CMA  
Chief Financial Officer, Treasurer

Attachment(s): GIS Map of Parcel

C: Chief Building Official  
Chief Legal Officer

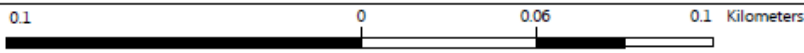
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Dresden.docx



Legend

- Ownership Parcel
- Settlement Areas
- Address Point
- Road network
- Railway
- Assessment Parcel

1: 2,541



Notes

**BY-LAW NUMBER - 2019**  
**OF THE CORPORATION OF THE**  
**MUNICIPALITY OF CHATHAM-KENT**

A By-law to provide for the closing of the road allowance south of Park Street, Wilson Street Plan 261; Chatham-Kent, in the community of Dresden, being all of Property Identification Number 00599 0240.

**FINALLY PASSED THE 14th day of January, 2019.**

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**WHEREAS** Council of the Municipality of Chatham-Kent wishes to close part of the road, legally described as Wilson Street Plan 261 being all of Property Identification Number 00599 0240; Municipality of Chatham-Kent pursuant to the provisions of Section 34 of the Municipal Act, 2001, R.S.O. 2001, Chapter 25 and amendments thereto provides that the Council of a municipality may pass by-laws to close Public Highways.

**AND WHEREAS** notice of the proposed By-Law for the closing of the road allowance was published in the local Sydenham Current online newspaper, which the publication appeared beginning December 29, 2018 in the business announcement section and remained there until January 14, 2019.

**AND WHEREAS** notice of the proposed By-Law for the closing of the unopened road allowance has been advertised on the Chatham-Kent website since January 3<sup>rd</sup>, 2019.

**AND WHEREAS** the said notice did provide that any person who claims that his land might be prejudicially affected by the By-Law will be heard either in person or by his counsel on the day fixed and set out in the said Notice, namely January 14<sup>th</sup>, 2019.

**AND WHEREAS** Council heard all parties that requested to speak about their concerns regarding this By-Law.

**AND WHEREAS** after considering the matter of the proposed By-Law, Council authorized passage.

**BE IT THEREFORE ENACTED** by the Municipal Council of the Municipality of Chatham-Kent as follows:

1. That portion of the road, legally described as Wilson Street Plan 261 being all of Property Identification Number 00599 0240; Municipality of Chatham-Kent be closed.
2. That the Mayor and Clerk are hereby authorized and directed to execute on behalf of the Municipality of Chatham-Kent and to seal with the seal thereof any and all documents necessary to implement the foregoing.

THIS By-law shall come into full force and effect upon the day on which it is registered in the Land Titles Division of the Land Registry Office of Kent (No. 24).

READ A FIRST, SECOND AND THIRD TIME this 14<sup>th</sup> day of January, 2019.

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Mayor – Darrin Canniff

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Clerk – Judy Smith