

Municipality of Chatham-Kent

Finance, Budget, Information Technology & Transformation

Financial Services

To: Mayor and Members of Council

From: Matt Torrance, MBA, CPA, CGA
Director, Financial Services

Date: June 1, 2021

Subject: Offer to Purchase – Property Identification Number 00598 0063, Elizabeth St., Community of Dresden

Recommendation

It is recommended that:

1. A By-law be passed to close Property Identification Number 00598 0063, legally described as: Firstly Elizabeth Street, Plan 139, Secondly Part Lot 13, Plan 137, Being forced road through lying E Elizabeth St, Plan 139; Chatham-Kent
2. The above property be declared as surplus to municipal needs.
3. The offers to purchase from 2811629 Ontario Inc. for \$2,500 for Property Identification Number 00598 0063, legally described as: Firstly Elizabeth Street, Plan 139, Secondly Part Lot 13, Plan 137, Being forced road through lying E Elizabeth St, Plan 139; Chatham-Kent, plus additional costs for advertising, be accepted in the negotiation process on an “As Is, Where Is” basis.

Background

A property owner approached the Municipality of Chatham-Kent to express interest in purchasing the unopened roadway that abuts their property, on either side of the roadway.

This unopened roadway is an integral piece of a planned subdivision that is in the approval stages for the northwestern area in the community of Dresden. Upon completion, the newly developed road, will once again be owned and maintained by the Municipality of Chatham-Kent.

Administration is in favour of this disposition as there is no intention to open this road at the present time for increased public usage.

Comments

Administration has negotiated a purchase price of \$2,500 for this parcel plus additional costs incurred by the Municipality in preparing the property for sale, specifically being

advertising. Administration supports the sale of this property for \$2,500 and once the subdivision has been completed will assume ownership of this road from the developer for the same cost. At the May 10, 2021 closed session meeting, Council directed administration to negotiate the sale.

Administration has circulated to all relevant utility agencies for easement requirements. Easement requirements have been specified in the Agreement of Purchase and Sale.

A notice describing the potential closure was published on www.sydenhamcurrent.ca beginning June 1, 2021, as well as on the municipal website beginning June 1, 2021. At this time no objections have been received; however, members of the public may ask to be heard at the June 14, 2021 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.

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:

Amy McLellan, CPA, CGA
Manager, Revenue

Reviewed by:

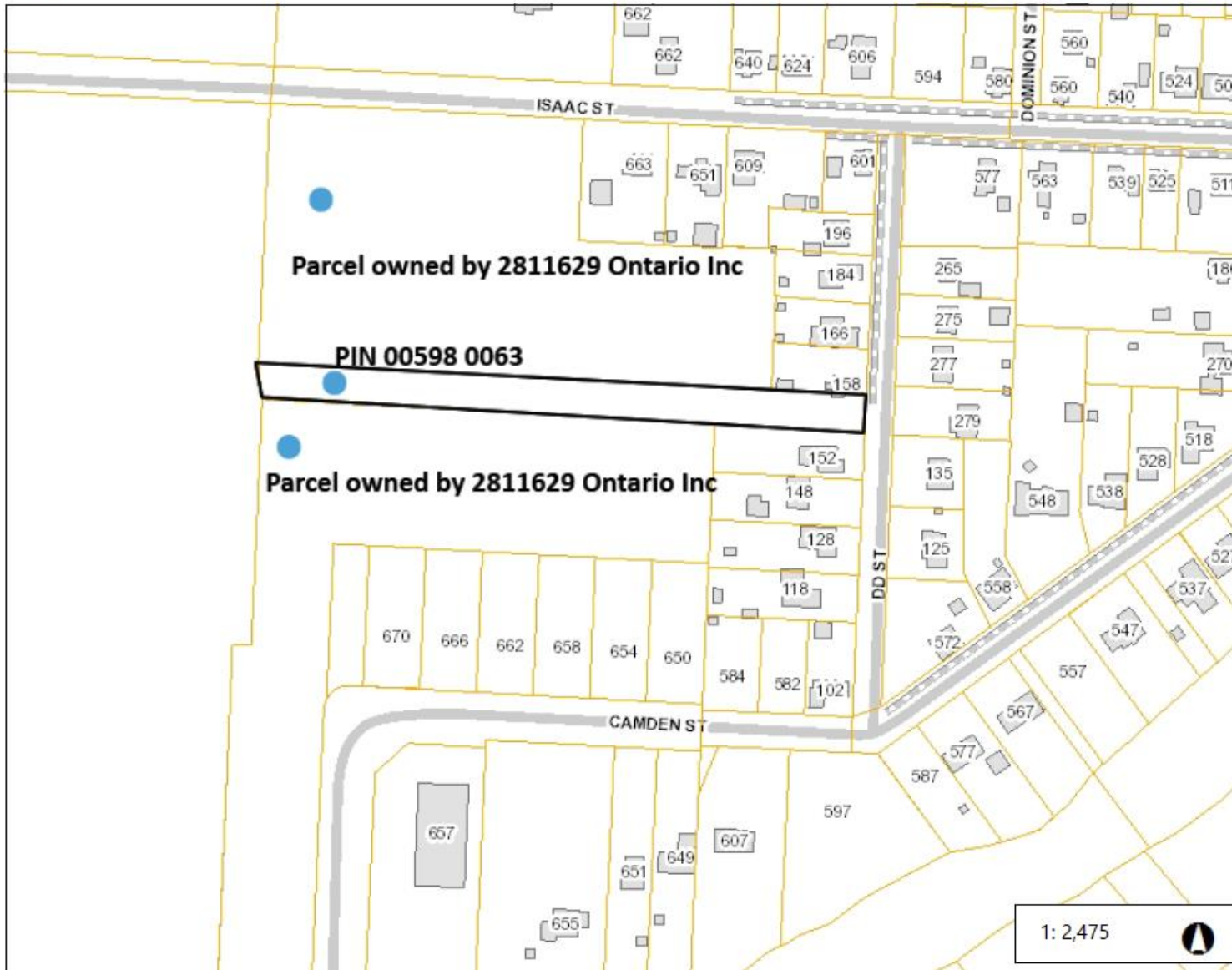
Reviewed by:

Matt Torrance, MBA, CPA, CGA
Director, Financial Services

Gord Quinton, MBA, CPA, CGA
Chief Financial Officer, Treasurer

Attachments: GIS Map of Parcel
Bylaw

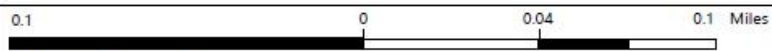
C: Chief Building Official
Chief Legal Officer



Legend

- Ownership Parcel
- Bridges
- Culverts
- Sidewalk
- Pump Houses
- Parking Lots
- Settlement Areas
- Address Points
- Sidewalk
- Road Network
- + Railway
- Parking Lots
- Footprints
- Assessment Parcel

1: 2,475



Notes

BY-LAW NUMBER - 2021
OF THE CORPORATION OF THE
MUNICIPALITY OF CHATHAM-KENT

A By-law to provide for the closing of the road legally described as Firstly Elizabeth Street, Plan 139, Secondly Part Lot 13, Plan 137, Being forced road through lying E Elizabeth St, Plan 139; Chatham-Kent, being all of Property Identification Number 00598 0063.

FINALLY PASSED THE 14th day of June, 2021.

WHEREAS Council of the Municipality of Chatham-Kent wishes to close all of the road, legally described as: Firstly Elizabeth Street, Plan 139, Secondly Part Lot 13, Plan 137, Being forced road through lying E Elizabeth St, Plan 139; 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 Sydenham Current which the publication appeared beginning June 1, 2021 for a two week period.

AND WHEREAS notice of the proposed By-Law for the closing of the road has been advertised on the Chatham-Kent website since June 1, 2021.

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 June 14th, 2021.

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. The road, legally described as: Firstly Elizabeth Street, Plan 139, Secondly Part Lot 13, Plan 137, Being forced road through lying E Elizabeth St, Plan 139; 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 14th day of June, 2021.

Mayor – Darrin Canniff

Clerk – Judy Smith