

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: May 12, 2021

Subject: Offer to Purchase – Property Identification Number 00504 0182, Kirk St. and Park St., Community of Chatham

Recommendations

It is recommended that:

1. A By-law be passed to close Property Identification Number 00504 0182, being the Alley between Kirk St. and Park St. in the Community of Chatham, legally described as: Plan of Survey of Alley, Abutting lots 5 to 10 and 11 to 16, Block B, Registered Plan 17; Municipality of Chatham-Kent as depicted in 24R10874
2. The above property be declared as surplus to municipal needs.
3. The offers to purchase from six abutting property owners, for a combined sale price of \$7,300 for Property Identification Number 00504 0182, legally described as: Plan of Survey of Alley, Abutting lots 5 to 10 and 11 to 16, Block B, Registered Plan 17; Municipality of Chatham-Kent being parts 1 to 8 as depicted in 24R10874, plus additional costs for survey and 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 alley that abuts their property. Administration circulated notice of the proposed alley disposition to all abutting property owners of the lane. The objection by one property owner has been rescinded and is now one of the six purchasers.

Public Works repeatedly receives complaints with respect to this alley regarding litter, weed control, and criminal activity. Administration is in favour of this disposition as there is no intention to open this lane for increased public usage. As a means of mitigating future complaints and areas open for criminal activity, administration is recommending that the closure move forward.

Offer to Purchase – Property Identification Number 00504 0182, Property Identification Number 00504 0182, Kirk St. and Park St., Community of Chatham

Comments

Administration has negotiated a purchase price of approximately \$500 per section for this parcel plus additional costs incurred by the Municipality in preparing the property for sale, specifically being survey and advertising costs. Administration supports the sale of this property for \$7,300. At the November 9, 2020 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 Chatham Voice for a two week period beginning the week of May 17, 2021 as well as on the municipal website beginning May 17, 2021. At this time no objections have been received; however, members of the public may ask to be heard at the May 31, 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)

Offer to Purchase – Property Identification Number 00504 0182, Property Identification 3 Number 00504 0182, Kirk St. and Park St., Community of Chatham

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:

Amy McLellan, CPA, CGA
Manager, Revenue

Reviewed by:

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

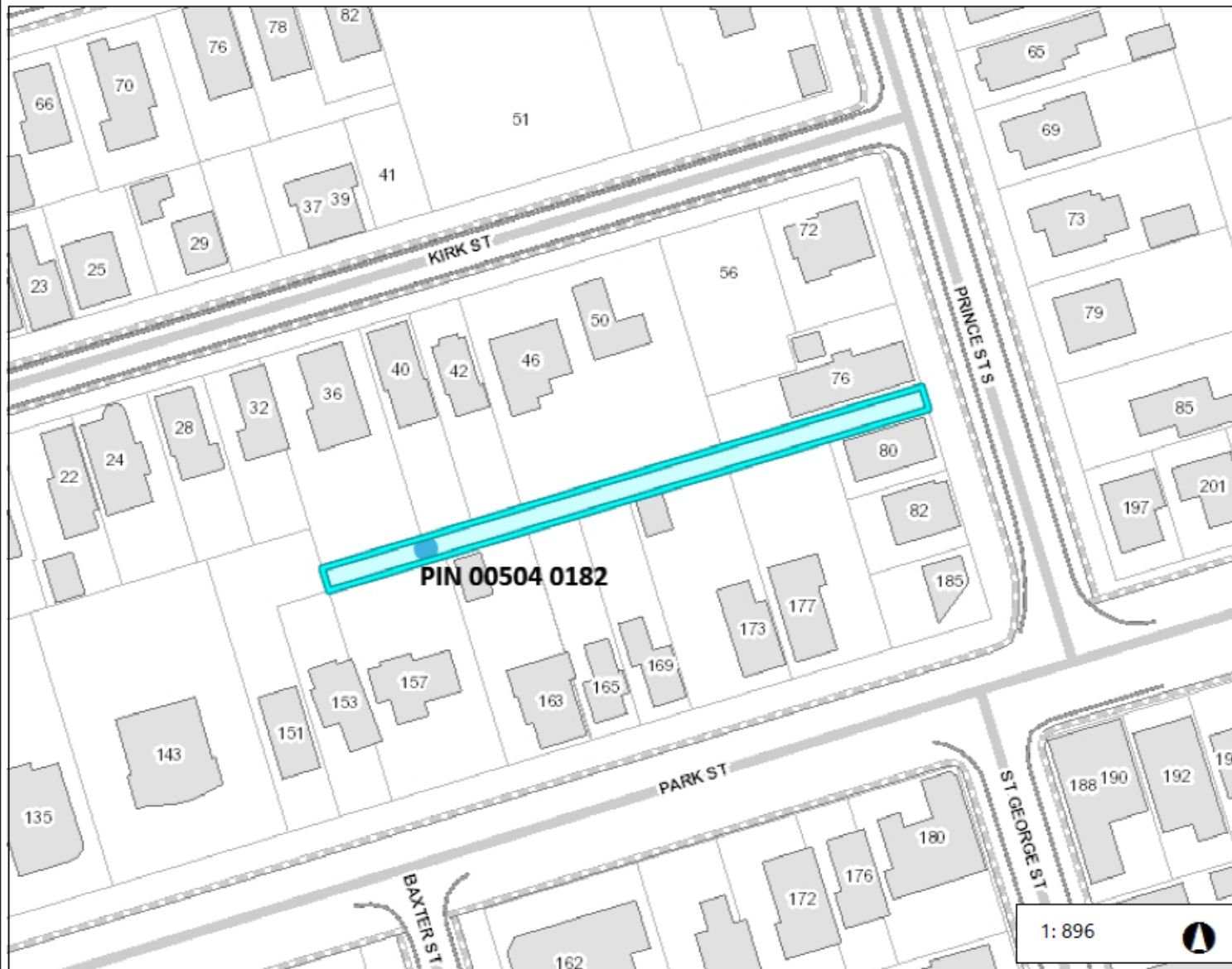
Reviewed by:

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

Attachments: GIS Map of Parcel
Bylaw

C: Chief Building Official
Chief Legal Officer

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Chatham.docx



Legend

- ◆ Settlement Areas
- Address Points
- Curbs
- Sidewalk
- Road Network
- + Railway
- Parking Lots
- Footprints
- Assessment Parcel

1: 896



0.0 0 0.01 0.0 Miles

NAD_1983_UTM_Zone_17N
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

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

A By-law to provide for the closing of the alley between Kirk Street and Park Street, legally described as Plan of Survey of Alley, Abutting Lots 5 to 10 and 11 to 16, Block B, Registered Plan 17; Municipality of Chatham-Kent, being all of Property Identification Number 00504 0182.

FINALLY PASSED THE 31st day of May, 2021.

WHEREAS Council of the Municipality of Chatham-Kent wishes to close all of the alley, legally described as: Plan of Survey of Alley, Abutting Lots 5 to 10 and 11 to 16, Block B, Registered Plan 17; Municipality of Chatham-Kent as depicted in 24R10874 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 alley was published in the local Chatham Voice, which the publication appeared beginning the week of May 17, 2021 for a two week period.

AND WHEREAS notice of the proposed By-Law for the closing of the alley has been advertised on the Chatham-Kent website since May 17, 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 May 31, 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. That portion of the road, legally described as Plan of Survey of Alley, Abutting Lots 5 to 10 and 11 to 16, Block B, Registered Plan 17; Municipality of Chatham-Kent as depicted in 24R10874 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 31st day of May, 2021.

Mayor – Darrin Canniff

Clerk – Judy Smith