CITY OF HAMILTON
MOTION

Council Date: January 29, 2014

MOVED BY COUNCILLOR T. WHITEHEAD..............................................................

SECONDED BY COUNCILLOR..............................................................................

7.1 Reimbursement of costs associated with an Appraisal Report on
1777 Garner Road East

Whereas, Sonoma Homes Inc. had made application to the City of Hamilton’s Planning Department for approval of an Amendment to the Town of Ancaster Official Plan and Zoning By-law for lands municipally known as 1117 Garner Road East; and

Whereas, Public Works Infrastructure and Source Water Planning identified the subject parcel for the possible replacement of the neighbourhood Garner Road pumping station and for the long term maintenance and operation of the neighbourhood Garner Road water reservoir; and

Whereas, the Real Estate Section of the Economic Development and Real Estate Division have been in negotiations with Sonoma Homes Inc. for the past two (2) plus years, exploring land acquisition, and/or potential land exchange options; and

Whereas, during the course of these negotiations, the main issue centered on valuation of the subject lands; and

Whereas, the City of Hamilton and Sonoma Homes Inc. each proceeded to obtain their own independent appraisal reports to come to a resolution on the fair market value of the subject lands; and

Whereas, the City is no longer interested in pursuing the acquisition of the subject lands; and

Whereas, the City is no longer interested in pursuing the acquisition of the subject lands; and

Whereas, the Sonoma Homes Inc. has incurred costs in the amount of $15,989.50 for the preparation of the appraisal report which had been
completed prior to the September 12, 2013 notification, and the City wishes to obtain a copy of said appraisal.

Now Therefore Be it Resolved:

(a) That the Infrastructure and Source Water Planning Section of the Public Works Department be authorized and directed to reimburse Sonoma Homes Inc. for the appraisal costs in the amount of $15,989.50;

(b) That the funding for the payment described in (a) above come from account #55778-5141055101 (Real Estate Fees);

(c) That the amount of $15,989.50 is a full and final payment of all compensation, interest and costs whatsoever which Sonoma Homes Inc may be entitled to as a result of the City not pursuing the acquisition of the subject property;

(d) That Sonoma Homes Inc. provide a copy of the Appraisal Report to the City of Hamilton as a condition of payment

Introduced as a Notice of Motion – December 11, 2013