TO: Mayor and Members
General Issues Committee

WARD(S) AFFECTED: WARD 5

COMMITTEE DATE: October 2, 2013

SUBJECT/REPORT NO:
Sale of Land to Teresa Lynn Laan, in Trust – 4 Fifth Avenue (Hamilton Beach Community) (PED13163) (Ward 5)

SUBMITTED BY:
Tim McCabe
General Manager
Planning and Economic Development Department

PREPARED BY:
Darlene Cole
(905) 546-2424, Ext.7910

SIGNATURE:

RECOMMENDATIONS:

(a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to convey Parts 2 and 4, Plan 62R-16372, municipally known as 4 Fifth Avenue as shown on Appendix “A” to Report PED13163, to Teresa Lynn Laan, in Trust for the tendered amount of $276,000, exclusive of HST;

(b) That the required deposit of $27,600, being 10% of the purchase price, be held by the General Manager of Finance and Corporate Services pending acceptance of the transaction;

(c) That any applicable HST be collected by the City and credited to Account No. 22828-009000 (HST Payable);

(d) That any outstanding local improvement charges be credited to Revenue Account No. 45527-516115;
(e) That the sum of $12,972 from the proceeds of the sale be credited to Account No. 45408-3560150200 (Property Purchases and Sales), being the costs incurred for Real Estate and Legal Services administrative fees;

(f) That the net sale proceeds, minus Real Estate and Legal Services fees, be credited to Account No. 47702-3561250201, (Beach Boulevard Maintenance and Sales) and then transferred to Beach Park Development Reserve Account No. 108037.

EXECUTIVE SUMMARY:

Staff is seeking Council’s approval to convey the subject property to Teresa Lynn Laan, in Trust, who presented the highest offer in a tender offering that closed on August 30, 2013. Of the two offers received for this property, Ms. Laan offered the highest amount with no conditions.

Alternatives for Consideration – see Page 3

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

Financial: The tendered amount of $276,000 exceeds the listed asking price.

Staffing: N/A

Legal: The Legal Services Division will be required to assist in the preparation of the necessary documents upon the transfer of this property.

HISTORICAL BACKGROUND:

The information and recommendation contained in this Report primarily affect Ward 5.

This is a vacant, rectangular building lot on the lake side of the beach strip, with 43 feet of frontage on Fifth Avenue and 98 feet along the waterfront trail. This parcel originated from Part of Lots 41 and 42, Plan 452, but is now described as Parts 2 and 4, Plan 62R-16372; it is also identified as PIN 17568-0116 (R) and Property Roll Number 251805051301870. City of Hamilton Zoning By-Law 6593 categorizes the property “C/S – 1436” – Urban Protected Residential. With an area of 4,214 square feet, the property adequately meets the minimum lot frontage / area requirements for a single detached residential dwelling.

Nine beach lots were posted for sale on the City’s website from July 15, 2013, inviting offers until August 30, 2013. This offering of City lands included eight residential building lots on the bay side and one lake side lot, being the subject. Considerable interest was expressed in this property for its unique location and physical orientation.
This is also the last lake side building lot that can be developed independently. One other lakefront parcel remains, however, access is restricted and it will need to be assembled with other development land.

The property at 4 Fifth Avenue was listed at $225,000, although many inquiries were received since the date of posting, only two offers were submitted, the highest being that of Teresa Lynn Laan, in Trust, at $276,000.

POLICY IMPLICATIONS / LEGISLATED REQUIREMENTS:

Council’s direction is being sought to allow staff to dispose of the lands to Teresa Lynn Laan, in Trust, following her successful bid in the tendering process. This property has been offered for sale on the open market, as prescribed by the Real Estate Portfolio Management Strategy. Accordingly, Council approval is being sought to proceed with this conveyance.

RELEVANT CONSULTATION:

Consultation was carried out with staff in the following City Departments:

- Legal Services Division, Corporate Services
- Planning Division, Planning and Economic Development
- Ward Councillor

ANALYSIS / RATIONALE FOR RECOMMENDATION:

The City of Hamilton will receive a financial benefit from the sale of the subject lands. Upon its disposition, the property will generate property tax revenue and relieve the City from ongoing maintenance / liability.

ALTERNATIVES FOR CONSIDERATION:

Should Council decide not to approve this sale, the parcel will remain in City ownership as part of its Beach Neighbourhood portfolio.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN:

Strategic Priority #1
A Prosperous & Healthy Community

*WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.*
**Strategic Objective**
1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents.

**Strategic Priority #3**
Leadership & Governance

*WE work together to ensure we are a government that is respectful towards each other and that the community has confidence and trust in.*

**Strategic Objective**
3.1 Engage in a range of inter-governmental relations (IGR) work that will advance partnerships and projects that benefit the City of Hamilton.

**APPENDICES / SCHEDULES:**

Appendix “A” to Report PED13163 – Location Map

DC: sd