SUBJECT: Declaration of Surplus Property and Sale of City Owned Lands Described as Part 1 on Plan 62R-17874, Municipally Known as 291 Lodor Street, Ancaster (PED07237) (Ward 12)

RECOMMENDATION:

(a) That the subject lands municipally known as 291 Lodor Street, Ancaster, now in the City of Hamilton, being a vacant residential parcel, composed of Part 1 on Plan 62R-17874, having the dimensions of 7.62 meters (25.00 feet) by 15.24 metres (50.00 feet) attached as Appendix “A” to Report PED07237, be declared surplus to the requirements of the City of Hamilton, in accordance with Procedural By-law for the Sale of Land, being By-law 04-299.

(b) That the Real Estate Section of the Economic Development and Real Estate Division of the Planning and Economic Development Department, be authorized and directed to sell the subject lands, at fair market value of $4,000, to the abutting property owners, Nadia Christina Ostermeier and Matthew Poort, owners of 421 Lodor Street, in accordance with the “Procedural By-law for the Sale of Land”, being By-law No. 04-299.

(c) That the funds from the sale be credited to Account No. 47702-3560150100 (Sale Proceeds/Revenues) and as the sale price does not include the Goods and Service Tax, should the GST be applicable and collected by the City, the GST amount is to be credited to Account No. 22835-009000 (GST Payable).

(d) That in addition of the sale price of $4,000, that a Real Estate Administration fee of $1,500 be collected from the purchasers and credited to 47702-3560150200 (Sale Proceeds/Revenues).

(e) That the Mayor and Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 268 of the Municipal Act, incorporating the following:
Subject: Declaration of Surplus Property and Sale of City Owned Lands
Described as Part 1 on Plan 62R-17874, Municipally Known as 291 Lodor Street, Ancaster (PED07237) (Ward 12) - Page 2 of 4

(i) That as required by Section 3 (a) of By-Law 04-299, the subject lands be declared surplus by inclusion of this report to City Council.

(ii) An internal appraisal of the fair market value of the real property intended to be sold was completed on July 20, 2007 and the sale price falls in the range of value of the appraisal.

(iii) That in accordance with the approved method of providing notice in the City of Hamilton By-Law No. 04-299 “Procedural By-Law for the Sale of Land”, Section 12 (a) (6), notice to the public of the proposed sale of land is given by inclusion of this recommendation to City Council.

____________________________________

Tim McCabe
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

The purpose of this report is to request City Council’s approval to declare the subject property surplus to the requirements of the City and allow Real Estate staff to sell the treed parcel municipally known as 291 Lodor Street, described as Part 1 on Plan 62R-17874, in Ancaster, now in the City of Hamilton to the abutting owners, Nadia Christina Ostermeier and Matthew Poort, owners of 421 Lodor Street, at a fair market value of $4,000, plus an administration fee of $1,500 which includes the cost of the appraisal and survey.

BACKGROUND:

On October 13, 1953, the subject land, being composed of 7.62 meters (25.00 feet) by 15.24 metres (50.00 feet) parcel of land municipally known as 291 Lodor Street in the Maywood Survey was transferred to the Township of Ancaster for the provision of well water. Over time, municipal water and sewers were installed on the street eliminating the need for the well and the parcel. In June of this year, Public Works staff attended the property to decommission the well. The subject parcel is zoned ER (Existing Residential) which is the same as the purchaser’s property.

The Real Estate Section completed a circulation to all City Departments and as there was no municipal interest; staff is moving forward with declaring the lands surplus and disposal of the lands.
ANALYSIS/RATIONALE:

Approval of the recommendation by Council will authorize Real Estate staff to proceed with the disposal of the subject land. Once the land is sold, the City will no longer be liable for activities on this property or the associated maintenance costs. As a condition of the offer, the purchaser will be required to register the lands in the same name and title of the current land holdings municipally known as 421 Lodor Street, Ancaster, (Roll Number 251814025008600, PIN # 174430058) and the property will be assessed and taxed accordingly.

ALTERNATIVES FOR CONSIDERATION:

If the City of Hamilton denied this request to declare the lands surplus and the sale of the lands, Real Estate staff will be unable to dispose of this property.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: The subject land is to be sold at market value. The parcel will be added to the owner’s current land holdings known as 421 Lodor Street and will increase the property tax revenues accordingly.

Staffing: There are no identified staffing implications as a result of this report.

Legal: Legal Services would be required to work with the Real Estate Section to complete the disposal of this property.

POLICIES AFFECTING PROPOSAL:

This recommendation is consistent with the Real Estate Management Portfolio Strategy Plan as approved by City Council on November 24, 2004, and the “Procedural By-law for the Sale of Land”, By-law #04-299 that City Council must declare surplus any lands to be disposed of by the City.

RELEVANT CONSULTATION:

The Real Estate Section completed a circulation to all City Departments requesting comments. All comments indicated that there were no municipal requirements for the property.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑️Yes ☐No
A city of growth and opportunity.
Environmental Well-Being is enhanced.  ✔ Yes  ☐ No

Economic Well-Being is enhanced.  ✔ Yes  ☐ No
Surplus dedication would allow sale of a surplus asset and enhance the tax base.

Does the option you are recommending create value across all three bottom lines?
✔ Yes  ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants?
☐ Yes  ✔ No

HM
Attach. (1)