



## TOWNSHIP OF NORTH HURON

## REPORT

Item No.

**REPORT TO:** Reeve Vincent and Members of Council  
**PREPARED BY:** Richard AI, Clerk / Manager of IT  
**DATE:** 16/04/2018  
**SUBJECT:** Disposition of Surplus Property – Portion of 360 Josephine Street  
**ATTACHMENTS:** Map of Area

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### **RECOMMENDATION:**

THAT the Council of the Township of North Huron hereby declares Part 1 Lot 6 RP 22R-6630 to be surplus to the needs of the municipality;

AND FURTHER, that the Council of the Township of North Huron hereby authorizes the Clerk to proceed with the disposition of Part 1 Lot 6 RP 22R-6630 by advertising the disposition of said property as well as informing 909395 Ontario Inc. of Council's decision so that they may exercise their first right of refusal, if they so choose, as permitted by By-law No. 50-2008.

### **EXECUTIVE SUMMARY**

The purpose of this report is to receive authorization from Council to proceed with the disposition of a parcel of land in the Wingham ward.

### **DISCUSSION**

At the December 4, 2017 meeting, Council passed a resolution directing staff to proceed with the process of disposing of a piece of property in the Wingham ward. The property in question is a portion of the south east corner of Cruickshank Park and is currently used as a parking area for patrons of the neighbouring property to the south.

A survey of the encroached area was required however due to weather and scheduling, this was not possible until the spring. Staff are now in possession of a registered plan defining the area in question and Council may proceed with declaring the land surplus.

As Council is aware, there is an encroachment agreement in place (By-law No. 50-2008) between the Township and 909395 Ontario Inc. for the use of this piece of land for a sign as well as for parking spaces. Included in the agreement is a clause which stipulates that the company shall have first right of refusal to purchase the encroached area provided the company pays all costs related to the sale. Should Council choose to continue with the process of disposing of this piece of land this would be advertised in the local newspaper and a notice placed on the municipal website. In addition, direction should be provided to staff to contact 909395 Ontario Inc. to inform them of this decision so that they exercise their first right of refusal if they so wish.

### **FINANCIAL IMPACT**

The municipality will be compensated financially for the sale of this property according to the amount specified in a Purchase and Sale Agreement authorized for execution by Council. In addition, all costs associated with the disposal of this property will be the responsibility of the purchaser.

### **FUTURE CONSIDERATIONS**

Should Council choose to pass a resolution declaring this piece of land surplus, a notice would be placed in the local newspaper and on the municipal website indicating this as per the requirements of By-law 25-2008.

Should 909395 Ontario Inc. choose to exercise their first right of refusal, a Purchase and Sale Agreement prepared by the company for Council's consideration could be included on a future Council meeting agenda once received from the company.

### **RELATIONSHIP TO STRATEGIC PLAN**

Goal #4 - Our administration is fiscally responsible and strives for operational excellence.



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Richard Al, Clerk / Manager of IT



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Dwayne Evans, CAO