



**Subject:** Offers to Purchase – 29 Cedar Street Property

**Report Number:** DCS 21-03

**Author:** Cephas Panschow, Development Commissioner

**Meeting Type:** Council Meeting

**Meeting Date:** Monday, January 25, 2021

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## **RECOMMENDATION**

THAT Council receives report DCS 21-03 Offers to Purchase – 29 Cedar Street Property;

AND THAT a By-Law be brought forward to authorize the Mayor and Clerk to enter into an agreement of purchase and sale with East Elgin Concrete Forming Limited for the property described as part of Lot 22, Plan 966, and more specifically described as Parts 2 and 3 on the draft reference plan;

AND THAT a By-Law be brought forward to authorize the Mayor and Clerk to enter into an agreement of purchase and sale with Trevor and Lynn Mudford for the property described as part of Lot 22, Plan 966, and more specifically described as Part 1 on the draft reference plan.

## **BACKGROUND**

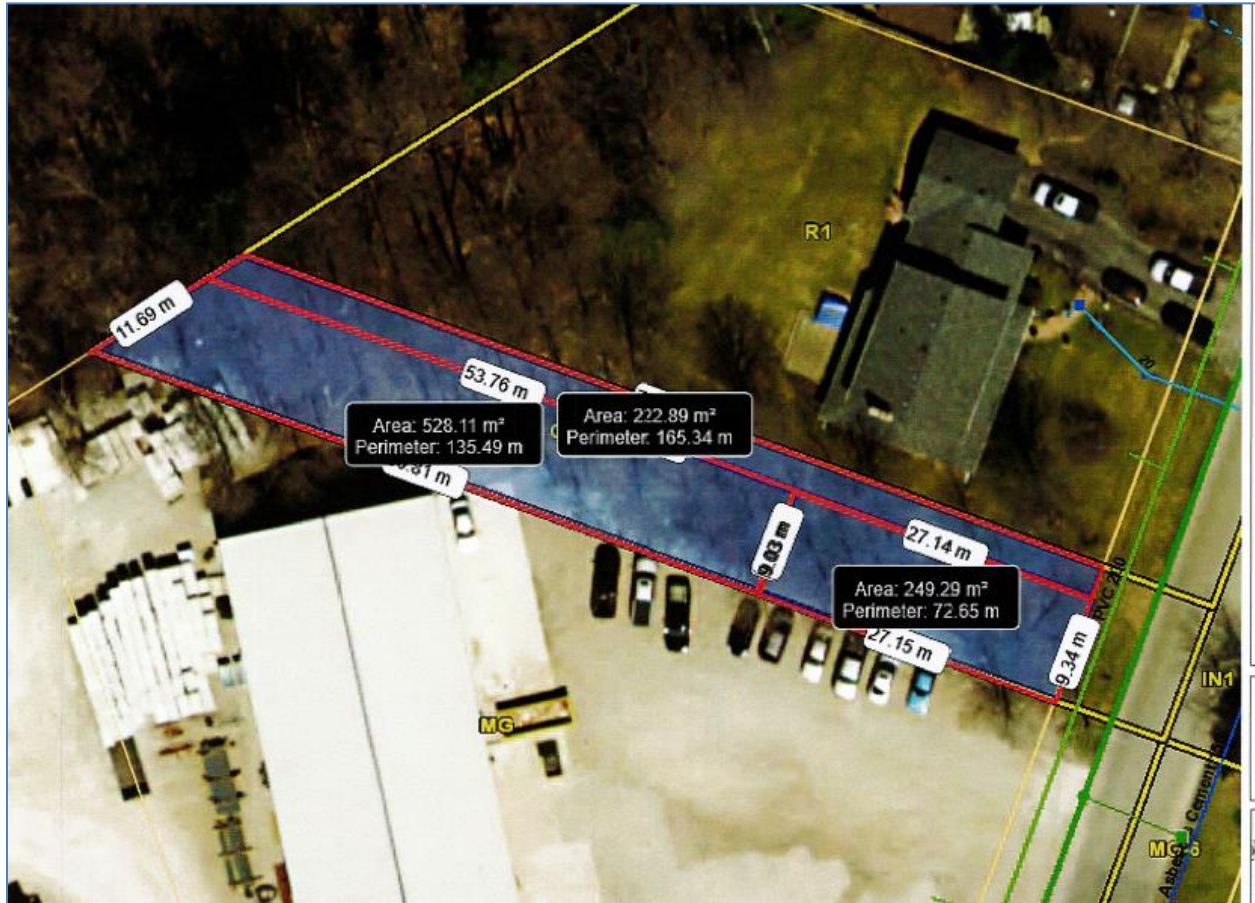
Council directed staff to bring forward agreements of purchase and sale to Open Council at their March 9, 2020 Council meeting. Subsequent to this, the pandemic lockdown was announced and this resulted in both the telecommunications project being put on hold and a delay in moving forward with these transactions.

Upon re-opening of the economy, staff reached out to the three interested parties multiple times and was finally able to confirm that the two adjacent property owners were still interested in proceeding. Agreements of Purchase and Sale from the two property owners have now been received and staff is seeking Council approval to enter into agreements with both property owners to enable the sale of the 29 Cedar Street property.

The 29 Cedar Street property was initially proposed to be divided up into three parts with each part being sold to one of the three parties. However, with only two interested parties, the two southern parts are proposed to be sold to East Elgin Concrete Forming

Limited (EECFL) with the remaining narrow strip of land to the north being proposed to be sold to Trevor and Lynn Mudford.

### Subject Property – 29 Cedar Street



## DISCUSSION

One of the main considerations with respect to this transaction is the preservation of a buffer between the residential uses to the North and the industrial uses to the south of this property. As the 29 Cedar Street property acted as a buffer between these two uses, it is important to ensure that a buffer is preserved.

In this regard, EECFL has agreed to relocate the existing fence and upgrade it at their cost to one more suitable for noise attenuation. In addition to this, they agreed, despite potentially owning 30 feet of the lot frontage to move the fence to approximately 22 – 25 feet from where it is currently to allow the existing tree line to remain. They have also agreed to allow the Mudford's fence to connect to their fence to enable the Mudfords to secure their property.

## **CONSULTATION/COMMUNICATION**

The property was declared surplus on December 9, 2019. A public notice was posted on the property on December 23, 2019 and two notices were published in the Tillsonburg News on December 23, 2019 and January 8, 2020 with a deadline to register interest by 12:00 PM (noon) on Friday, January 10, 2020. Both adjacent property owners registered an interest in the property.

The Engineering Department previously advised that a 3 metre wide easement should be preserved for future in case a storm sewer outlet for the Forest Hill Industrial Park is required through these lands in the future. This easement is included in the agreement with Trevor and Lynn Mudford.

The agreements have been prepared with advice from Duncan, Linton LLP

## **FINANCIAL IMPACT/FUNDING SOURCE**

An estimated value for the property was obtained through an Opinion of Value prepared by Royal LePage RE Wood Realty who estimated that it was worth \$20,000.

The offers have been submitted at the market value for the property. In addition to the purchase price, the purchasers have agreed to pay the legal and survey costs related to the transaction.

## **COMMUNITY STRATEGIC PLAN (CSP) LINKAGE**

1. Excellence in Local Government ☐ Demonstrate strong leadership in Town initiatives
  - ☐ Streamline communication and effectively collaborate within local government
  - ☐ Demonstrate accountability
2. Economic Sustainability
  - ☒ Support new and existing businesses and provide a variety of employment opportunities
  - ☐ Provide diverse retail services in the downtown core
  - ☐ Provide appropriate education and training opportunities in line with Tillsonburg's economy
3. Demographic Balance
  - ☐ Make Tillsonburg an attractive place to live for youth and young professionals
  - ☒ Provide opportunities for families to thrive
  - ☐ Support the aging population and an active senior citizenship
4. Culture and Community
  - ☐ Promote Tillsonburg as a unique and welcoming community
  - ☐ Provide a variety of leisure and cultural opportunities to suit all interests
  - ☐ Improve mobility and promote environmentally sustainable living

**ATTACHMENTS**

Appendix A – Offer to Purchase – East Elgin Concrete Forming Limited

Appendix B – Offer to Purchase – Trevor and Lynn Mudford