



CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO: Mayor and Members General Issues Committee	WARD(S) AFFECTED: WARD 3
COMMITTEE DATE: January 14, 2013	
SUBJECT/REPORT NO: Declaration of Surplus Property and Sale of Land - 88 Keith Street, Hamilton (PED13011) (Ward 3)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Frank Albrecht (905) 546-2424 Ext.2656
SIGNATURE:	

RECOMMENDATIONS:

- (a) That the land municipally known as 88 Keith Street, legally described as Plan 209, Part Lot 221, having a frontage of 7.62 metres (25 feet) along the south limit of Keith Street by a depth of 25.30 metres (85 feet), identified as PIN 17189-0267 (LT) and Roll No. 251803022200970, shown on Appendix "A" attached to Report PED13011, be declared surplus to the requirements of the City of Hamilton in accordance with the "Procedural By-law for the Sale of Land", being By-law No. 04-299;
- (b) That an Offer to Purchase executed on October 31, 2012, by Basil Shawaf in Trust, scheduled to close on March 15, 2013, be approved and completed, subject to the conditions described in Recommendation (f), and the sale price of \$20,000 less any associated costs be credited to Account No. HAMTN 12025 000100 (Taxation);
- (c) That the sum of \$2,380 from the sale proceeds be credited to Account No. 45408-3560150200 to recover expenses including Real Estate administration

SUBJECT: Declaration of Surplus Property and Sale of Land - 88 Keith Street, Hamilton (PED13011) (Ward 3) - Page 2 of 4

- fees in the amount \$1200, signage expense of \$79, appraisal fee of \$461 and legal expenses of \$640;
- (d) That the deposit cheque in the amount of \$2,000, being the required 10% of the purchase price, be held by the General Manager of Finance and Corporate Services, pending acceptance of this transaction;
 - (e) That the sale price of \$20,000 does not include the Harmonized Sales Tax (HST); should the HST be applicable and collected by the City, that the HST amount be credited to Account No. 22828 009000 (HST Payable);
 - (f) That the following condition(s) be included in the Offer to Purchase of 88 Keith Street:
 - (i) The Transferee shall commence construction of a residential dwelling upon the said lands within 12 months of the closing date and shall complete construction of said residential dwelling within 24 months of the closing date of this transaction;
 - (g) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance for this transaction in the form prescribed pursuant to Section 268 of the Municipal Act, incorporating the following, if required:
 - (i) That the subject lands be declared surplus by inclusion in this Report to Council;
 - (ii) An internal appraisal of the fair market value of the real property intended to be sold was completed on June 4, 2012; and,
 - (iii) That in accordance with the approved methods of giving Notice to the Public in the Real Property Sales Procedural By-law No. 04-299, Section 12(a) 3 by posting a "For Sale" sign on the lands to be sold for not less than 7 days, and Section 12(a) 6, as to sufficient public notification by way of this Report to City Council.

EXECUTIVE SUMMARY:

Staff is seeking Council's approval to declare the subject property surplus to the requirements of the City of Hamilton and direct Real Estate staff to dispose of the property.

Alternatives for Consideration - See Page 4

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

Financial: The subject parcel is to be sold at fair market value to adjoining owners.

Staffing: There are no staffing implications arising from this recommendation, other than Real Estate and Legal staff working together to complete the sale of the property.

Legal: Legal Services Division will be required to assist in the preparation of the necessary closing documents upon disposition.

HISTORICAL BACKGROUND:

The information and recommendation contained in this Report primarily affect Ward 3.

The subject parcel was vested to the City on February 4, 2011 by Notice of Vesting Instrument WE742045, following a failed tax sale. This is a vacant lot of record having a frontage of 7.62 metres (25 feet) by a depth of 25.30 metres (83 feet), situated in Industrial Sector "A" of the Keith Planning Neighbourhood. City of Hamilton Zoning By-Law 6593 designates this property "D/S – 647-b Urban Protected Residential", permitting one and two family dwellings.

The subject property has been on the market since September 23, 2011 at an asking price of \$32,900. Lack of interest led staff to reduce the asking price to \$28,900 and this generated an offer of \$20,000 for consideration. Since this offer is within the appraised value range, staff recommends that the subject parcel be declared surplus and sold to Basil Shawaf in Trust, for \$20,000.

POLICY IMPLICATIONS:

As no municipal need has been identified for the subject property, Council's direction is being sought to allow staff to declare the subject property surplus and dispose of the lands, in accordance with the City's Real Estate Portfolio Strategy Plan.

RELEVANT CONSULTATION:

Real Estate staff circulated the subject lands to all City Departments and there were no objections to the sale of the land. Consultation was also carried out with staff in the following City Departments:

- Legal Services Division, City Managers Office
- Planning Division, Planning and Economic Development Department

SUBJECT: Declaration of Surplus Property and Sale of Land - 88 Keith Street, Hamilton (PED13011) (Ward 3) - Page 4 of 4

- Public Works Department
- 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 additional property tax revenue and relieve the City from ongoing liability and maintenance.

ALTERNATIVES FOR CONSIDERATION:

Should Council decide not to declare the lands surplus, the parcel will remain in City ownership for an unknown period of time and continue as a liability and an unproductive asset for the City of Hamilton.

CORPORATE STRATEGIC PLAN :

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

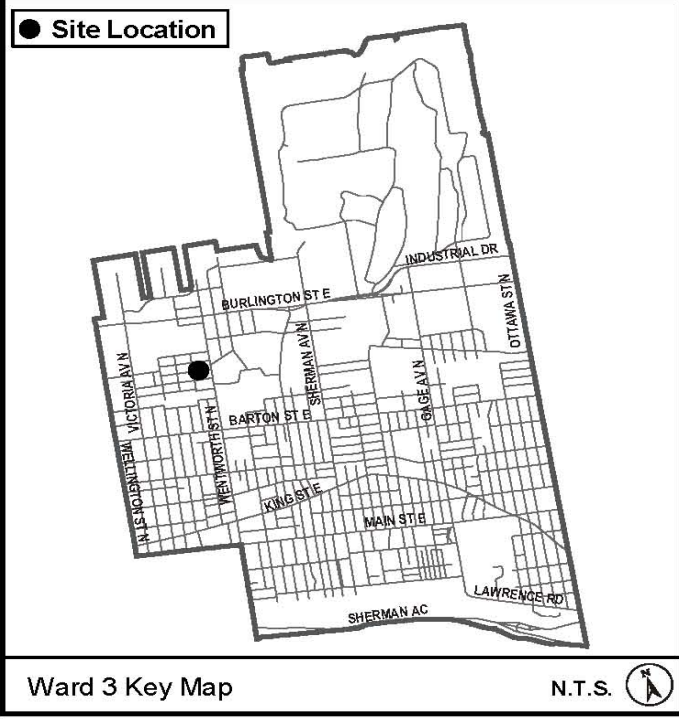
Financial Sustainability

- ◆ Financially sustainable City by 2020 and generate assessment growth.

APPENDICES / SCHEDULES:

Appendix "A" to Report PED13011 - Location Map

FA: sd



Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
2010-138

Date:
November 26, 2012

Appendix "A"	Scale: N.T.S.	Planner/Technician: FA/KA
---------------------	-------------------------	-------------------------------------

Subject Property

88 Keith Street

N.T.S.

