

THE CORPORATION OF THE TOWNSHIP OF THE NORTH SHORE

POLICY MANUAL

POLICY TITLE:
Sale of Surplus Land Policy (amended)

SUBJECT:

POLICY SECTION:
S

POLICY NO:
5

EFFECTIVE DATE: January 1, 2021
AMENDED: June 21st, 2023

ENACTED BY:
By-Law No. 12-01

PURPOSE:

This policy is to provide guidelines with respect to the principles associated with the sale of surplus land, the declaration of land as surplus and for giving notice of any such proposed sale.

*** Please note; There are exceptions to the tender process as stated in the Township By-Law number 12-01*

1. The Municipality may commence the proceedings to dispose of land at its own initiative or upon the receipt of a written request or inquiry from an applicant.
2. Prior to selling any land, the Township shall, by resolution, declare the land as surplus to the needs of the Municipality. This is done by means of Council resolution and represents the fact that Council wishes to sell municipally owned property.
3. Provided there is no exemption under regulations, Council, at their discretion, shall obtain one appraisal of opinion of the fair market value of the land with the form of appraisal to be an "Opinion of Value" from a realtor.
4. Notice of sale of surplus property will be posted, at the very least at the real property site.
5. Sealed tenders will be accepted on the prescribed form of tender as supplied by the municipality and shall identify properties by means of Property Identification Number (PIN).
6. A 10% deposit of the tender price must be included in the sealed tender envelope.
7. After a minimum period of 10 days, sealed tenders will be accepted with the opening of such tenders at an announced date and time. At this time the accepted tender will be announced.
8. Council shall consider unsolicited written offers to purchase Township property that are equal to or more than the current MPAC assessed value of the property. Council will have absolute discretion to accept any offer for the purchase of real property.
9. The purchaser shall be responsible for all costs incurred or required to dispose of the land, including, but not limited to, legal, survey, appraisal fees, encumbrances, advertising, improvements, environmental testing/remediation, demolition, due diligence research, administrative fees, land transfer and registration fees.

10. In the event the municipality is unsuccessful in selling the property, Council may direct staff to place a "For Sale" sign on the property and/or Council may proceed in arranging to sell the surplus property either by public auction or through a real estate agent. Council has the absolute discretion to select a particular method in carrying out this process. Council has the right to impose conditions with regard to the sale of surplus property.
11. The disclosure of information relevant to the sale of Surplus Land shall be in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M56, as amended.

PROCEEDS OF DISPOSITION

All funds paid to the Township of the North Shore in transactions for the disposition of surplus land shall be allocated to the Township's General Capital Reserve Fund account (1-2-5000-4404). Should Council wish to allocate the funds to a different account, Council shall authorize their decision by Council Resolution.