

CORPORATION OF THE TOWNSHIP OF EAST ZORRA-TAVISTOCK

Sale of Land Policy As required under Section 270(1) of the Municipal Act, 2001

Excerpt from the Municipal Act

270. (1) A municipality shall adopt and maintain policies with respect to the following matters:

1. Its sale and other disposition of land.

Date Approved: 2007-12-19

Purpose

1. The Municipal Act, 2001 (the "Act") requires that all municipalities adopt and maintain a policy with respect to its sale and other disposition of land. This policy provides direction to staff and information to the public about the process that will be followed with respect to the sale of surplus land by the Township. This policy has been developed to comply with the provisions of Section 270 of the Act.

Definitions

2. "disposal" shall mean the sale of real property or the lease of real property for a period of 21 years or longer.

Surplus Lands

3. That prior to the disposal of any real property, Council shall by resolution passed at a meeting open to the public declare the property to be surplus to the needs of the Township.

Appraisal

4. That prior to the disposal of any real property and where there is no exemption under the regulations, Council shall obtain at least one opinion of value of the fair market value of the real property. The opinion of value can be from a real estate professional familiar with the local area or, if deemed necessary by staff from an independent qualified appraiser who is a registered member in good standing of the Appraisal Institute of Canada.

Public Notice

5. That notice to the public of the proposed sale shall be given as follows:
 - a) posting a notice on the subject property for at least 20 days, and;
 - b) by publication of a notice in a newspaper having general circulation in the area where the property is located once a week for two consecutive weeks.

Disposal of Real Property

6. That unsolicited offers to purchase the property may be processed on a first come first served basis after the property is declared surplus.
7. That when more than one party has expressed an interest in purchasing the real property or where Council believes it to be in the best interest of the Township, Council may by resolution direct that the real property be sold by tender.
8. That when Council directs that the real property be sold by tender the tendering policy and procedures in effect at the time shall apply with the necessary modifications.
9. That disposal of the property shall be effected by a resolution passed by Council at a regular meeting of Council open to the public after the requirements for public notice have been satisfied.
10. A deposit shall accompany all offers or tenders submitted to the Township for purchase of property in accordance with the following provisions:
 - a) shall be accompanied by a deposit in cash or cheque in an amount of 5% of the offered amount or \$1,000.00, whichever is greater, payable to the Township of East Zorra-Tavistock, subject to Paragraph "b";
 - b) Offers which are resubmitted after being signed back by the Township will only require an additional deposit when the required deposit increases beyond \$1,000 from that which has already been submitted;
 - c) Where the offer or tender to purchase is less than \$1,000 the deposit shall be the full amount of the offer or tender.

Costs

11. That the purchaser shall be responsible for all costs incurred or required to dispose of the property including legal, survey, appraisal, encumbrances, advertising, improvements, administrative fees and so on.

12. That the fee for issuing a "Certificate of Compliance" pursuant to the act shall be \$50.00.