

**Township of Southgate
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Staff Report PW2021-039

Title of Report: PW2021-039 Purchase of Egremont Landfill Attenuation Lands
Department: Public Works
Branch: Waste Resources and Diversion Management
Council Date: August 4, 2021

Recommendation:

Be it resolved that Council receive Staff Report PW2021-039 for information; and
That Council approve the use of the Tax Stabilization Reserve – General to fund the purchase of the attenuation lands known as west ½ Lot 1 Concession 21 Egremont, Roll # 42 07 060 001 19300 0000 in the Township of Southgate.

Background:

At the July 7, 2021 Council Meeting, staff presented a report in Closed Session regarding PW2021-033 C, Acquisition of Land Waste Site Attenuation Land Proposal. The following resolution was passed by Council after returning to Open Session:

15.2 A Proposed or Pending Acquisition or Disposition of Land (Subject: Waste Site Attenuation Land Proposal - Staff Report PW2021-033C)

No. 2021-407

Moved By Deputy Mayor Milne

Seconded By Councillor Shipston

Be it resolved that Council receive Staff Report PW2021-033C for information; and

That Council direct staff to proceed as directed in closed session to finalize the purchase of a property as discussed in closed session.

Carried

At the Special Council Meeting on July 21, 2021, By-law Number 2021-110 being a by-law to authorize a purchase and sale agreement between John and Marion Ziegler and the Corporation of the Township of Southgate was passed with the following resolution:

6. By-laws and Motions

6.1 By-law 2021-110 - Purchase and Sale Agreement - Con 21, Lot 1, Egremont - Ziegler

Mayor Woodbury requested a recorded vote on the main motion.

No. 2021-434

Moved By Councillor Dobreen

Seconded By Councillor Shipston

Be it resolved that by-law number 2021-110 being a by-law to authorize a purchase and sale agreement between John and Marion Ziegler and the Corporation of the Township of Southgate be read a first, second and third time, finally passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and entered into the by-law book.

Yay (7): Mayor Woodbury, Deputy Mayor Milne, Councillor Dobreen, Councillor Sherson, Councillor Rice, Councillor Frew, and Councillor Shipston

Carried (7 to 0)

Staff Comments:

In discussions with GM BluePlan, waste consulting engineers for the Township, the recent installation of the east side monitoring well (OW20) behind Cell 1 in August 2019, indicates that there are several monitoring parameters that are in exceedance of trigger levels and migration of leachate-impacted groundwater to the east may be impacting the 50- acre property adjacent known as Concession 21, West Part Lot 1. The Ministry of Environment, Parks and Conservation (MECP) have also in their review of the monitoring reports have concerns with the potential for non-compliance and potential to off-site receptors to the east.

The following options to deal with this situation are:

1. MECP recommendations to install more monitoring wells and possible increase sample monitoring for parameters of concern, could be imposed.
2. Install additional Bentofix Liner along the easterly boundary, Cell 1 had a liner installed in 2003 at a cost of \$200,000.00 US.
3. Purchase the adjacent easterly property, which the potential impacts would be considered to be in compliance with municipal owned attenuation lands, reducing the requirement for the Bentofix Liner to be installed and additional monitoring requirements.

The Public Works Manager has been in negotiation discussions with the property owners of west ½ Lot 1 Concession 21 Egremont, Roll # 4207060001193000000 on behalf of The Township of Southgate, and have an agreement with the following offer of purchase with the owners:

1. Purchase Price = \$280,000.00 Canadian Dollars
2. Upon Sale date the vendors will have 5 years rental free of existing recreational use of the property known as west ½ Lot 1 Concession 21 Egremont, September 1, 2026.
3. Property cannot be harvested for timber, only fallen or dangerous condition trees may be cut upon Township approval
4. Property cannot be leased as Airbnb
5. The owners are in agreement with the Township of Southgate purchase offer to proceed with confirmation of this email on proceeding to report to Council

and finalize property acquisition with follow up legal actions to purchase the above property.

Staff have an Opinion of Value from Bill Nelson of Coldwell Banker in an amount of \$165,000.00 to \$175,000.00.

The vendors have also provided an Opinion of Value from Wilfred McIntee & Co. Limited in the amount of \$260,000.00.

Financial Implications:

The 2021 Budget did not anticipate the purchase of additional attenuation lands. Staff is recommending the Tax Stabilization Reserve – General be used to fund the costs incurred to purchase the property (i.e. the purchase price of \$280,000.00 plus costs incurred for the opinion of value and legal costs.)

Communications & Community Action Plan Impact:

Goal 5 - Upgrading our "Hard Services"

Action 5:

The residents and businesses of Southgate recognize our linear services - roads, bridges, water and sewer works, for example - to be a fundamental purpose of municipal government. This infrastructure needs to be serviceable and sustainable so that our businesses and communities can thrive and grow.

Concluding Comments:

Staff recommends that Council receive Staff Report PW2021-039 for information, and that Council approve the use of the Tax Stabilization Reserve – General to fund the purchase of the attenuation lands known as west ½ Lot 1 Concession 21 Egremont, Roll # 42 07 060 001 19300 0000 in the Township of Southgate.

Respectfully Submitted,

Dept. Head: Original Signed By
Jim Ellis, Public Works Manager

Treasurer Approval: Original Signed By
William Gott, CPA, CA Treasurer

CAO Approval: Original Signed By
Dave Milliner, CAO

Attachments: None