

**THE CORPORATION OF THE MUNICIPALITY OF POWASSAN**

**BY-LAW NO. 2013-02**

---

Being a by-law to adopt LAND SALE POLICY/PURCHASE AGREEMENT TERMS  
For the Fairview Business Park

---

WHEREAS the Council of the Corporation of the Municipality of Powassan deems it desirable to adopt a policy for the sale of land in the Fairview Business Park.

BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF POWASSAN ENACTS AS FOLLOWS:

1. That the attached land sale policy/purchase agreement terms be hereby adopted and form part of this by-law.
2. That this By-law be effective upon final adoption.

READ A FIRST AND SECOND TIME on the 22<sup>nd</sup> day of January, 2013.

READ A THIRD TIME and adopted on the 5<sup>th</sup> day of February, 2013.

---

Mayor

---

Clerk

**MUNICIPALITY OF POWASSAN  
FAIRVIEW INDUSTRIAL PARK  
LAND SALE POLICY/PURCHASE AGREEMENT TERMS**

1. The Municipality of Powassan owns approximately 6 hectares of land which are designated and zoned for industrial uses. The lands are known as the Fairview Road Business Park.
2. The Fairview Road Business Park lands are designated for a wide range of industrial uses and their purpose is to generate investment and new jobs in the community.
3. The sale of lands in the Fairview Road Business Park shall not be subject to any requirement to be declared surplus prior to their disposition.
4. All lands in the Fairview Road Business Park will be sold “as-is” and will reflect the cost of any additional servicing upgrades borne by the Municipality.
5. All site alteration and building construction will be subject to the Municipality’s Zoning By-Law and site plan control requirements. Prospective buyers are encouraged to discuss building plans with the Chief Building Official prior to submitting an offer to purchase land.
6. Offers to acquire land in the Fairview Road Business Park will be administered by the Clerk’s Department and will be subject to the approval of a By-Law by Council.
7. Lands in the Business Park will not be subdivided prior to disposition. In order to ensure flexibility in the market, land will be registered by the Municipality to accommodate a purchaser’s needs and subsequently conveyed to a purchaser as a part in a registered reference plan.
8. The Municipality reserves the right to reduce the area of land requested by a proponent in order to ensure the most efficient and effective use of the Business Park lands.
9. Offers to acquire land must be accompanied by a written summary of the proposed business together with a conceptual site plan indicating the required land and proposed building and site layout.
10. If the Municipality receives multiple offers for land in the Business Park, Council will give first priority to industrial proposals that generate the greatest economic impact in terms of investment and job creation.
11. The sale of lands will be subject to a purchase agreement to establish responsibilities of

the purchaser.

12. As a condition of any sale, the Municipality may allow a proponent a limited period of time to prepare necessary due diligence such as geotechnical investigations.
13. The purchaser will be responsible for all external costs relating to the land sale including but not limited to legal and survey costs.
14. Proposals to lease land may be considered by Council but will depend on the nature of the proposed land use and building investment.
15. In the purchase agreement, the Municipality will establish time limitations for construction to be complete as well as a buy back clause in cases where construction has not proceeded or has not been finalized within the timeframes specified in the purchase agreement. The purchase agreement will also establish a provision providing the Municipality with a first right of refusal on any subsequent transfer of lands in the Business Park.

Date of Adoption: February 5, 2013

---

Mayor

---

Clerk