



**City of Kingston  
Report to Council  
Report Number 16-036**

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**To:** Mayor and Members of Council  
**From:** Cynthia Beach, Commissioner, Corporate & Strategic Initiatives  
**Resource Staff:** Peter Huigenbos, Manager, Real Estate & Land Development  
**Date of Meeting:** December 15, 2015  
**Subject:** Declare Surplus and Dispose of a Portion of Storm Water Pond Lands lying South of Cataraqi Woods Drive for the sale to Union Gas Ltd. for a New Regulator Station

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**Executive Summary:**

The City of Kingston has received an offer to purchase from Union Gas Ltd. for a small parcel of land, 150 square metres in area, lying adjacent to the City's stormwater management ponds on Cataraqi Woods Drive. Union Gas intends to construct a district gas regulator station. As part of due-diligence investigations, the proposal went through the pre-application process. This process confirmed the project's feasibility and that no City department has any objection to selling the subject parcel for the purpose of a district gas regulator station. In addition to the purchase price Union Gas will pay the City's legal fees, real estate fees, public notice fees and registration fees.

**Recommendation:**

**That** Council declare surplus to municipal need a portion of City property located south of Cataraqi Woods Drive, west of Centennial Drive, more particularly described as Part 1 on Plan 13R-21194; and

**That** Council delegate authority to the Manager, Real Estate & Land Development, to sign the Purchaser's planning applications on the City's behalf as the owner of the subject lands.

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**Authorizing Signatures:**

ORIGINAL SIGNED BY COMMISSIONER

**Cynthia Beach, Commissioner,  
Corporate & Strategic Initiatives**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Gerard Hunt, Chief Administrative Officer**

**Consultation with the following Members of the Corporate Management Team:**

Lanie Hurdle, Community Services	Not required
Denis Leger, Transportation, Facilities & Emergency Services	Not required
Jim Keech, President and CEO, Utilities Kingston	
Desiree Kennedy, Chief Financial Officer & City Treasurer	Not required

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**Options/Discussion:**

Union Gas Ltd. approached the City to purchase a small parcel of land lying adjacent to the City's stormwater management ponds, south of Cataraqui Woods Dr., described as Part 1 on 13R-21194 (see sketch attached to Report 16-036 as Exhibit A). Union Gas is interested in buying this 150 square metre parcel to construct a district gas regulator station. According to Union Gas, constructing a regulator station in this area is necessary to service the development taking place east of the subject lands, and the subject parcel is an ideal location.

City staff worked with internal departments to investigate Union Gas' proposal and determine if the parcel is suitable for a district gas regulator station. As part of these investigations, this proposal went through the pre-application process. No internal department has any objection to the selling of the subject parcel for the purpose of district gas regulator station, including Engineering, the department responsible for the stormwater management ponds.

After the successful conclusion of these investigations, the City has received a signed offer to purchase, a reference survey and a deposit from Union Gas. The land will be sold at fair market value under the Delegated Authority for Certain Administrative Real Estate Matters. In addition to the purchase price, Union Gas will pay the City's legal fees, real estate fees, public notice fees and Land Titles registration fees.

The sale of the lands will be conditional upon Union Gas obtaining all required planning approvals from the City, developing the parcel in accordance with the timelines and other conditions as outlined in the Agreement of Sale and Purchase. Only after the planning process is approved by the City will the land sale be completed.

**Existing Policy/By-Law:**

The City's Disposition of Real Property Policy requires that prior to selling property Council must declare the property surplus to its needs and give notice to the public of its intention to sell the land.

If declared surplus, the sale will take place by delegated authority in accordance with Delegated Authority Bylaw 2014-141; the value of the property being under \$100,000.

The development of the land as a district gas regulator station will be subject to a planning application and approval as required. The transfer of the City lands will not be completed until the planning application is approved.

**Notice Provisions:**

The City's Public Notice Policy requires that notice be published two weeks in advance of the proposed meeting date to allow anyone who objects be given an opportunity to be heard by Council prior to Council's consideration of the request. The advertisement for declaring surplus and transfer to employment land inventory was published on December 1, 2015 in the Kingston Whig-Standard and on the City's website in accordance with the City's Public Notice Policy.

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**Accessibility Considerations:**

This report and related information is available in alternative formats upon request.

**Financial Considerations:**

Union Gas will be responsible for all costs related to surveying, planning approvals and development of site. In addition, Union Gas will pay the City's legal fees and real estate fees (in accordance with the City's fees and charges by-law 2005-10 by-law) as well as public notice fees and registration fees.

Net proceeds from the sale will be transferred to the City's Municipal Capital Reserve.

**Contacts:**

Peter Huigenbos, Manager, Real Estate & Land Development, 613-546-4291, ext. 3148

**Other City of Kingston Staff Consulted:**

Sarah Sutton, Senior Stormwater Technologist, Engineering Department

**Exhibits Attached:**

Exhibit A: Sketch showing the subject property

