



CITY OF KINGSTON
REPORT TO COUNCIL

Report No.: 12-140

TO: Mayor and Members of Council
FROM: Jim Keech, President and CEO, Utilities Kingston
RESOURCE STAFF: Mark Van Buren, Director of Engineering
DATE OF MEETING: May 1, 2012
SUBJECT: Conveyance of 0.3 Meter Reserves
Blocks 213 and 215
Plan of Subdivision 13M-58
Lyndenwood Subdivision Phase 3

EXECUTIVE SUMMARY:

As part of the Subdivision Agreement for Registered Plan 13M-58 (Lyndenwood Subdivision Phase 3) registered on June 10, 2005, Blocks 213 and 215 were deeded to the City as 0.3 meter reserves. Now that the infrastructure has been constructed and there are house closings in this residential development, Caraco Development Corporation has requested that the City of Kingston convey these blocks to them in order to complete condominium common elements agreements and provide legal access to the properties. Caraco Development Corporation will be required to reimburse the City for all costs associated with the conveyance.

RECOMMENDATION:

THAT Council authorize the Mayor and Clerk to execute such agreements and documents as are necessary to effect the conveyance of Blocks 213 and 215 on Registered Plan 13M-58.

AUTHORIZING SIGNATURES:

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| ORIGINAL SIGNED BY PRESIDENT & CEO, UTILITIES KINGSTON Jim Keech, President and CEO, Utilities Kingston |
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| ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER Gerard Hunt, Chief Administrative Officer |
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CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

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| Cynthia Beach, <i>Sustainability & Growth</i> | N/R |
| Lanie Hurdle, <i>Community Services</i> | N/R |
| Denis Leger, <i>Transportation, Properties & Emergency Services</i> | N/R |

(N/R indicates consultation not required)

OPTIONS/DISCUSSION:

Blocks 213 and 215 on Registered Plan 13M-58 (Lyndenwood Subdivision Phase 3) were deeded to the City of Kingston as 0.3 meter reserves on June 10, 2005 through the Subdivision Agreement for the purpose of preventing access to private lanes until the residential lots had been developed. The purpose was for the City to retain ownership of these blocks until such time as the owners of the lots abutting the private lanes were prepared to enter into a Common Elements Condominium Agreement. Exhibit "A" illustrates the Blocks in question. Caraco Development Corporation has requested that the City of Kingston convey these blocks to them in order to complete the Common Elements Condominium Agreement. Caraco Development Corporation will be required to reimburse the City for all costs associated with the conveyance.

EXISTING POLICY/BY LAW:

The release of 0.3m reserves is acknowledged in the City's "Policy on the Sale and Acquisition of Land".

NOTICE PROVISIONS: N/A

ACCESSIBILITY CONSIDERATIONS: N/A

FINANCIAL CONSIDERATIONS:

All costs for the preparation and registration of the required documents will be paid by Caraco Development Corporation.

CONTACTS:

Mark Van Buren, P.Eng, Director Engineering Department, ext. 3218
Kim Brown, P. Eng., Infrastructure Engineer, Engineering Department, ext. 3132
Donald R Brodie, Senior Development Technologist, Engineering Department, ext. 3146

OTHER CITY OF KINGSTON STAFF CONSULTED:

Hal Linscott, Director and City Solicitor, Legal Services, ext. 1296
Karen Fraser, Senior Planner, Planning & Development, ext. 3287

EXHIBITS ATTACHED:

Exhibit A - Portion of Registered Plan 13M-58

