

Region of Waterloo

Planning, Development, and Legislative Services

Legal Services

To: Planning and Works Committee

Meeting Date: May 7, 2024

Report Title: Surplus Declaration of Lands at 555 Conestoga Boulevard, City of Cambridge

1. Recommendation

That the Regional Municipality of Waterloo undertakes the following with respect to the Region-owned lands municipally known as 555 Conestoga Boulevard, in the City of Cambridge, and legally described as Lot 17, Registrar's Compiled Plan 1382; Cambridge, being all of PIN 22642-0018 (LT) (the "Lands"):

- a) Declare the Lands surplus to the needs of the Region, as detailed in Report No. PDL-LEG-24-014, dated May 7, 2024; and,
- b) That the Regional Solicitor be authorized to execute an Agreement of Purchase and Sale on behalf of the Region to sell the Lands to Skyline Commercial Real Estate Holdings Inc. for the sum of \$50,000.00, with all terms and conditions subject to the satisfaction of the Commissioner, Engineering and Environmental Services and the Regional Solicitor, in accordance with the Region's Disposal of Land By-Law (No. 20-042).

2. Purpose / Issue:

The Lands are no longer required by the Region for municipal purposes. As such, Regional staff seeks Council's declaration the Lands are surplus to the Region's needs to facilitate the proposed sale.

3. Strategic Plan:

The divestment of the Lands supports the 2023-2027 Strategic Plan under the Focus Area of Climate Aligned Growth and, more specifically, the following strategic outcomes: (i) Use a climate adaptation lens to re-imagine infrastructure, land and services for growth; and (iii) Steward our natural environment and shared resources as we grow, we will support a healthy environment where communities can thrive.

4. Report Highlights:

A map of the Lands is attached hereto as Appendix “A”.

The Lands have an area of 0.39 acres, and are zoned M3 – Industrial. The Lands are designated as Employment Industrial in the City of Cambridge’s Official Plan.

The Region operated a monitoring well on the Lands, which was decommissioned in 2018. Since then, the Lands have not been actively used by the Region.

In accordance with the Region’s Disposal of Land By-Law, applicable Regional departments were circulated on the intent to dispose of the Lands, with no interest of concern expressed by those departments. As such, Regional staff are of the opinion the Lands are no longer needed for municipal purposes.

Regional staff are of the opinion the only possible purchaser of the Lands is Skyline Commercial Real Estate Holdings Inc. (“Skyline”) based on the following:

- (i) The Lands have no ‘stand-alone’ development potential, and are functionally ‘land-locked’; and
- (ii) Skyline owns the adjacent lands to the north and south of the Lands.

Conditional on Regional Council declaring the Lands surplus to the Region’s needs, Region staff entered into an Agreement of Purchase and Sale with Skyline, with a purchase price of \$50,000.

5. Background:

The Region’s monitoring well was decommissioned in 2018 and moved to an adjacent property at 575 Conestoga Boulevard. The Lands have not been used by the Region since the said decommissioning.

The Lands have no ‘stand-alone’ development potential, and are functionally ‘land-locked’. Further, the applicable zoning regulations prohibit any commercial or residential development, as it is located entirely within / surrounded by the property of 555 Conestoga Boulevard.

Skyline approached Regional staff and expressed a strong interest in purchasing the Lands to incorporate them into the entire parcel of 555 Conestoga Boulevard, the balance of which is owned by Skyline. An independent appraisal was obtained for the Lands and the purchase price corresponds to that valuation.

6. Communication and Engagement with Area Municipalities and the Public

Public: Under section 21 of the Region's Disposal of Land By-Law, notice to the public of the proposed declaration of surplus lands is satisfied by inclusion of the Report on the agenda of the Region's Committee or Council meeting for which the Report is to be considered.

Area Municipalities: Not applicable.

7. Financial Implications:

Skyline Real Estate Holdings Inc. will be responsible to pay the registration costs, any applicable land transfer tax and any applicable fees as prescribed by the Regional Fees and Charges By-law (No. 23-062). Proceeds from this property sale will be allocated to the Water Capital Reserve Fund.

8. Conclusion / Next Steps:

If Council declares the Lands surplus to the Region's needs, Regional staff will proceed to complete the transfer with Skyline in accordance with the Agreement of Purchase and Sale.

9. Attachments:

Regional staff conducted a corporate profile search of Skyline Commercial Real Estate Holdings Inc. and the directors and officers are listed in Appendix B attached hereto.

Appendix A: Map of the Lands

Appendix B: Corporate Profile of Skyline Commercial Real Estate Holdings Inc.

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