

**Report to
Rapport au:**

**Finance and Economic Development Committee / Comité des finances et du
développement économique
April 6, 2021 / 6 avril 2021**

**and Council / et au Conseil
April 14, 2021 / 14 avril 2021**

**Submitted on March 24, 2021
Soumis le 24 mars 2021**

**Submitted by
Soumis par:
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Director / Directeur**

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Ward: RIVER (16) / RIVIÈRE (16)

File Number: ACS2021-PIE-CRO-0005

Ward: OSGOODE (20)

**SUBJECT: Declaration of Surplus – 5441 William Lindsay Court and 4160
Riverside Drive and Transfer of 4160 Riverside Drive to the Ottawa
Community Lands Development Corporation (OCLDC)**

OBJET: Déclaration de propriétés excédentaires – 5441, cour William Lindsay et 4160, promenade Riverside, et transfert du 4160, promenade Riverside à la Société d'aménagement des terrains communautaires d'Ottawa (SATCO)

REPORT RECOMMENDATIONS

That the Finance and Economic Development Committee declare surplus the following properties:

1. (a) 5441 William Lindsay Court being all of PIN 04326-0277, containing an area of approximately 77.87 hectares (192.43 acres) and shown as Parcel 1 on Document 1, attached.
- (b) Part of 4160 Riverside Drive being part of PIN 04589-0780, containing an area of approximately 11.7 hectares (28.91 acres) and shown as Parcel 1 on Document 2, attached.

That the Finance and Economic Development Committee recommend Council:

2. (a) Authorize the transfer of 4160 Riverside Drive, shown as Parcel 1 on Document 2, attached, subject to existing easements and any easements that may be required, to Ottawa Community Lands Development Corporation (OCLDC) for disposal and
- (b) Delegate authority to the Director, Corporate Real Estate Office, to negotiate, modify and conclude new terms to the agreement made May 27, 1999 between the former Regional Municipality of Ottawa-Carleton (RMO) and Ottawa Macdonald-Cartier International Airport Authority.

RECOMMANDATIONS DU RAPPORT

Que le Comité des finances et du développement économique déclare excédentaires les propriétés suivantes :

1. (a) le 5441, cour William Lindsay, constituant la totalité du NIP 04326-0277, couvrant une superficie d'environ 77,87 hectares (192,43 acres) et illustré comme étant la parcelle 1 dans le document 1 ci-joint.
- (b) une partie du 4160, promenade Riverside, constituant une partie du NIP 04589-0780, couvrant une superficie d'environ 11,7 hectares (28,91 acres) et illustré comme étant la parcelle 1 dans le document 2 ci-joint.

Que le Comité des finances et du développement économique recommande ce qui suit au Conseil :

2. (a) Autoriser le transfert du 4160, promenade Riverside, illustré comme étant la parcelle 1 dans le document 2 ci-joint, sous réserve des servitudes existantes et de toute servitude pouvant être requise, à la Société d'aménagement des terrains communautaires d'Ottawa (SATCO) pour aliénation; et

(b) Déléguer au directeur du Bureau des biens immobiliers municipaux le pouvoir de négocier, de modifier et de conclure de nouvelles modalités visant l'entente passée le 27 mai 1999 entre l'ancienne Municipalité régionale d'Ottawa-Carleton (MROC) et l'Administration de l'aéroport international Macdonald-Cartier d'Ottawa.

BACKGROUND

5441 William Lindsay Court

5441 William Lindsay Court is a vacant parcel of land located in the south-eastern part of the city, north of Mitch Owens Road between Ramsayville Road and William Lindsay Court (formerly Hawthorne Road). The property is legally described as part of Lots 29 and 30, Concession 6, Rideau Front, geographic Township of Gloucester, being all of PIN 04326-0277 and is subject to easements as in GL60150 and GL59768 as amended by GL63494.

The subject parcel of land was acquired by the RMOC in 1991 for a snow disposal facility, in anticipation of future growth in the south end of the City. Approximately half of the site is currently leased to a local farm operation.

The property at 5441 William Lindsay Court has dual zoning. The east half of the site is currently under lease and zoned AG2 – Agriculture with an area of approximately 37.99 hectares (93.88 acres). The western portion of the property is zoned RU – Rural and has an area of 39.88 hectares (98.54 acres).

Public Works and Environmental Services Department (PWESD) confirmed that 5441 William Lindsay Grove is no longer required for a snow disposal facility. As a result, an internal and utility circulation was completed in January 2021 to determine if there was any other municipal requirement for the property. Based on comments received, there is no departmental need to retain 5441 William Lindsay Court in City ownership.

In compliance with the Disposal of Surplus Property Policy and Procedures, specifically with respect to the potential sale of a viable property, an external circulation was completed. The circulation was sent to the various school boards and government agencies. None of these external agencies expressed a need for the property.

4160 Riverside Drive

The property is located on the west side of Riverside Drive, south of Hunt Club Road and across from the MacDonald-Cartier International Airport and is legally described as part of Lots 7 and 8, Concession 1, part of Lot 8, Concession 2, Rideau Front and part of the road allowance between Concessions 1 and 2, Rideau Front, geographic Township of Gloucester, subject to easements as in GL58290 and GL51453, being part of PIN 04589-0780 and shown as Parcel 1 on Document 2, attached.

4160 Riverside Drive was purchased by the RMOC in 1999 together with the Airport Authority in order to control the future development of the lands. At that time, the previous owner was proposing to develop the property for residential uses, which given the close proximity to the airport would not be appropriate.

The property at 4160 Riverside Drive has a total area of approximately 33.8 hectares (86 acres) and consists of forested and cleared vacant land. The forested portion is zoned Environmentally Protected Land (EP) and comprises of approximately 22.1 hectares (83.5 acres). The intent is to keep the EP lands in their natural state and develop the remaining 11.7 hectares (28.9 acres) of vacant land.

A portion of the property was previously used as a sand pit, which has since been filled and no longer operational with the remainder of the land is forested.

The Macdonald Cartier International Airport created the Airport Protection Plan, which establishes a zone of airspace around the Ottawa Airport to be maintained free of obstacles that may represent a hazard to aircraft. As part of the plan an Airport Operating Influence Zone (AOIZ) was created, which restricts noise sensitive development around the airport. Generally, this restriction impacts only development of "noise-sensitive land uses" like residential dwellings in proximity of the airport. Commercial buildings are acceptable within the noise limits established by the AOIZ.

The current Light industrial zoning covers the cleared portions of the lands. The intent of this zoning category is to permit low impact light industrial uses in accordance with the Employment Area designation of the Official Plan.

An internal circulation was undertaken on the property February 2021. There were no objections to the disposal of the property. However, the Natural Systems and Rural Affairs unit within Planning, Infrastructure and Economic Development Department, have some suggestions as to the area to be retained as EP lands and those that can be sold. Staff will work together on determining the area of lands to be sold.

DISCUSSION

5441 William Lindsay Court

As there has been no demonstrated need to retain 5441 William Lindsay Court for a City mandated purpose, staff is recommending that Recommendation 1 be approved, and that 5441 William Lindsay Court be marketed for sale to the general public. This is in keeping with the City's mandate to dispose of properties no longer required by the municipality. Subject to approval of Recommendation 1 above, the property is being marketed for sale to the general public.

4160 Riverside Drive

In late 1998, the former owner Uplands Holding Corporation approached the RMOC with a request to negotiate the sale of the lands as a means of addressing the concerns raised by the Airport Authority. The proposal was to develop residential uses, which are considered noise-sensitive land uses, which would not be appropriate given the proximity to the Airport. This resulted in a joint purchase of the lands by the former RMOC and Airport Authority in 1999.

The developable portion of the property is approximately 11.7 hectares (28.9 acres) and is a potentially highly desirable light industrial parcel located within the greenbelt, with proximity to the MacDonald-Cartier International Airport.

In August 2018 the Planning, Infrastructure and Economic Development Department (PIED) produced a report on the Inventory of Vacant and Business Park Lands. The report analysed the current status of industrial lands in the City, and reported that at the end of 2017, 84 per cent of industrial land inside the greenbelt was already developed. The total city-wide supply of vacant industrial lands within business parks was approximately 1,566 net hectares as of July 1, 2018. Development since then reduced the inventory to approximately 1,500 net hectares by December 31, 2019. The 2019 inventory is a decrease of 119 net hectares since the previous vacant industrial land inventory 2016-2017 update.

The RMOC and Airport Authority executed an Agreement in May 1999, outlining the intent of the purchase and have worked collaboratively on the property issues to date. Now, that the property is being prepared for potential disposal, the city will be expending financial and staff resources to ready the parcel for marketing.

The City has owned and maintained the lands since 1999. The current “Agreement” is silent on aspects related to preparing the property for development and marketing, such as costs for background studies like servicing analysis and other improvements. The City would like to amend the “Agreement” to address some of the costs that will be incurred as a result of the development analysis and marketing and more clearly define how the proceeds from the sale will be distributed. The intent of the amended agreement will also be to clarify the roles and responsibilities within the current agreement with the Airport Authority.

Based on the above information, staff is recommending Council approve Recommendations 2, 3, and 4, permitting staff to clarify and amend the agreement with the Airport Authority, and proceed with preparing the site for future marketing through the OCLDC, which will ensure the commercially oriented and orderly disposition of the surplus land, while achieving optimal value to the City’s taxpayers.

RURAL IMPLICATIONS

There are no rural implications associated with the recommendations in this report

AFFORDABLE HOUSING LAND AND FUNDING POLICY

The Affordable Housing Land and Funding Policy approved by Council on April 26, 2017 advances the vision and targets established in the Ten-Year Housing Homelessness Plan, the Official Plan and other Council-approved affordable housing initiatives. The policy also requires that the Official Plan target of 25 percent affordable housing be met on any City owned property where existing or proposed zoning allows for residential uses. These zones include all residential zones (R) - Village and rural residential zones (RR, RU, VM, V1 – V3) - Mixed use/commercial zones (TM, AM, GM, MC, MD and TD) and Institutional zones (I1 and I2).

Where a property is disposed of without a condition requiring an affordable housing component in any of the above zones, 25 per cent of the net proceeds from the sale are to be credited to a housing fund to be used for the development of affordable housing elsewhere in the City.

5441 William Lindsay Court has a dual zoning. Approximately one-half of the property is zoned RU – Rural and the other half is zoned AG2 – Agricultural. Therefore 25 per cent of the net proceeds from the sale of the Rural portion of 5441 William Lindsay Court will be directed to Housing Account 820055-507320.

4160 Riverside Drive is zoned IL [1508] -Light Industrial as therefore 25 per cent of the net proceeds of the revenue generated from the sale of 4160 Riverside Drive is not applicable.

CONSULTATION

In accordance with policies approved by City Council on February 28, 2018, the availability of the subject properties was circulated to all City departments, including the Housing Branch, Planning, Infrastructure and Economic Development Department, and Public Works and Environmental Services to determine if the property was required for a City mandated program.

5441 William Lindsay Court

There were no objections or concerns expressed by the Ward Councillor or any City department at the time of the circulation. No expressions of interest were received from the outside government agencies and school boards. The utility companies were also circulated, and we did not receive any request for an easement.

4160 Riverside Drive

There were no objections or concerns expressed by the Ward Councillor or any City department at the time of the circulation. The utility companies were also circulated, and we did not receive any request for an easement.

The Ward Councillors have been consulted with respect to this report and their comments are indicated under the Comments from Ward Councillor's section below.

COMMENTS BY THE WARD COUNCILLORS

Councillor Brockington – River (16) provided the following comment:

“I have been briefed on this matter, read the staff report and support the recommendation related to the property located at 4160 Riverside Drive (River Ward).”

Councillor Darouze – Osgoode (20) – Is aware of the recommendations in this report.

LEGAL IMPLICATIONS

4551 William Lindsay Court - There are no legal impediments to implementing the recommendations in the report.

4160 Riverside Drive - Provided that the Airport Authority gives its consent to the transfer of the property to Ottawa Community Lands Development Corporation, there are no legal impediments to implementing the recommendations in the report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the recommendations in this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with the recommendations in this report.

ENVIRONMENTAL IMPLICATIONS

5441 William Lindsay Court

Based on available information it appears that the property has historically been used for agricultural purposes and continues to be used for this purpose at present. It is possible that the property has been subject to the application of pesticides and herbicides over time to support agricultural use. In 2018 the property and surrounding properties received a Non-Agricultural Source Material (NASM) approval from the Ministry of Agriculture, Food, and Rural Affairs for the application of biosolids. It was reported that biosolids were applied to the surrounding properties only, not the subject property.

4160 Riverside Drive

Available information including a Phase One Environmental Site Assessment conducted in 2020 indicates that portions of the site were historically occupied by a sand extraction pit. After the sand extraction was complete the excavated areas were infilled with various materials of unknown quality up to a depth of 12 metres. A Phase Two

Environmental Site Assessment and geotechnical study will be undertaken in 2021 to assess the quantity and quality of the fill materials.

TERM OF COUNCIL PRIORITIES

The recommendations in this report support City Council Strategic Policies:

- Economic Growth in business investment, small and medium enterprises and entrepreneurship.
- Sustainable Infrastructure with goal to effectively manage City assets through evidence- based decisions.

SUPPORTING DOCUMENTATION

Document 1 Location Map 5441 William Lindsay Court.

Document 2 Location Map 4160 Riverside Drive.

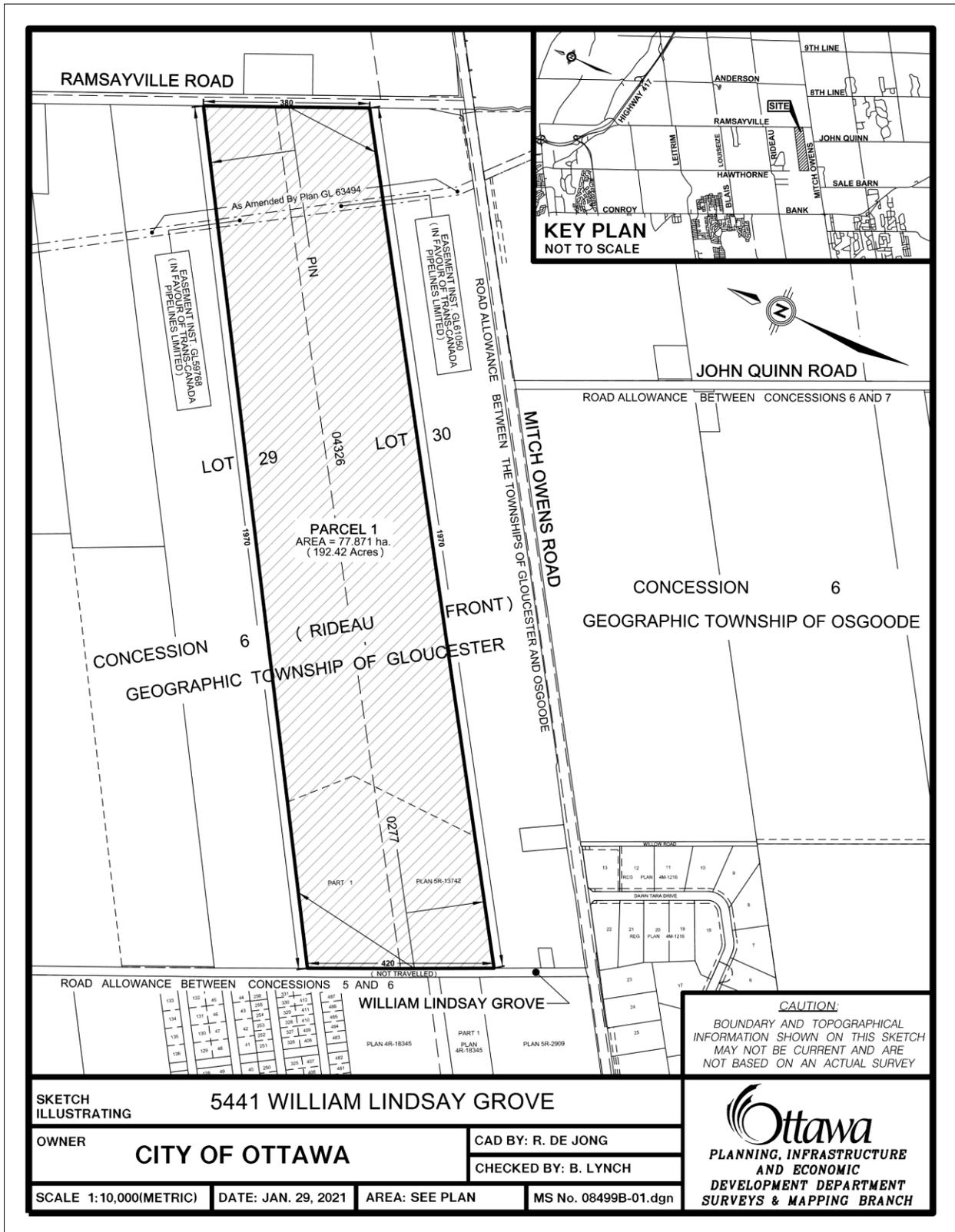
DISPOSITION

Following approval, the Corporate Real Estate Office will initiate measures to market 5441 William Lindsay Court, for sale and transfer the subject portion of 4160 Riverside Drive to Ottawa Community Lands Development Corporation for disposal.

CONCLUSION

Staff supports declaring 5441 William Lindsay Court and 4160 Riverside Drive surplus to City requirements and the transfer of 4160 Riverside Drive to Ottawa Community Lands Development Corporation for disposal.

Document 1 – Location Map 5441 William Lindsay Grove



Document 2 – Location Map 4160 Riverside Drive

