

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON
MUNICIPALITÉ RÉGIONALE D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf.
Your File/V/Réf.

DATE 27 November 1996

TO/DEST. Chair and Members of the
Corporate Services and Economic Development Committee

FROM/EXP. Committee Co-ordinator

SUBJECT/OBJET **TABLED MOTION RE: REPORT ON ACQUISITION OF
LAND IN THE VICINITY OF THE AIRPORT**

REPORT RECOMMENDATION

That the following motion be tabled for consideration at the Corporate Services and Economic Development Committee meeting of 3 Dec 96:

“That Staff be directed to investigate the land at 4160 Riverside Drive and other lands in the vicinity of the Airport to determine if they should be acquired by the Region to protect the Airport’s interests”.

BACKGROUND

At the 19 November 1996 Corporate Services and Economic Development Committee meeting, a report entitled the “Sale of Surplus Land: Clyde/Merivale” was considered by Committee and subsequently considered by Council on 27 November 1996.

During discussion at the Committee of the above-noted report, the motion as set out in the Report Recommendation was tabled for consideration at the Committee meeting of 3 December 1996.

In reference, attached is the draft minute extract from the 19 November 1996 meeting.

*Approved by
Cheryle Watson*

13. SALE OF SURPLUS LAND: CLYDE/MERIVALE

(Deferred from Corporate Services and Economic Development Committee meeting of 05 Nov 96)

- Planning and Development Approvals Commissioner's report dated 29 Oct 96

R. Ennor, Director, Property Services Division, Planning and Development Approvals Department provided the Committee with an overview of the staff report. He noted the property was declared surplus earlier this year and it was agreed that disposal of the property would be undertaken through two different processes. With respect to the small three acre parcel of land, staff were to negotiate with the abutting land owner (Arnon); on the balance of the land (87 acres), staff were to seek proposals. The process began in June, and a bidders meeting was held in July with Regional staff and its consultants present to answer any questions.

Mr. Ennor went on to explain the two stages of the process. In the first stage, proposals were sought that did not include deposit monies; this resulted in seven submissions. Of these seven, one was disqualified on the grounds it did not meet the minimum requirements of the proposal, one withdrew and two were taken off the list because of the low value assigned to them. The three remaining participants then moved on to the second stage where they were given the opportunity to submit their best bid on the property. As a result of that process, staff are recommending the bid from Ashcroft at a figure of \$6.5 million be accepted. As well, staff recommend that the negotiated figure of \$760,000.00 from Arnon for the balance of the lands be accepted.

Councillor Loney asked staff if they believe the matter was carried out appropriately through-out the process and particularly, if they feel any obligation was missed to convey information to any of the three finalists. Mr. Ennor replied that each participant was given an equal opportunity to submit their best offer. At the second phase, staff asked for their best offer and made it clear there would be no opportunity beyond that to increase offers (to rebid). One of the concerns raised at the bidders meetings was that they did not want to see the process deteriorate into a bidding war at the last minute. Mr. Ennor felt the process was firm and it was followed. Mr. Ennor confirmed at Councillor Loney's request that when negotiations began with Ashcroft (determined to be the best bid), the remaining two bidders had been ruled out. He added however there was the possibility, if during the course of those negotiations, the figure dropped to a point below what could be accepted, the other two could have been back in the picture; however, this did not happen.

Councillor Loney stated it was his understanding there were minutes kept by outside auditors of the bidder's meetings and asked if these were available. Mr. Ennor advised that the firm of Ernst and Young did take minutes of these meetings and these could be made available to the Councillors.

The Committee then heard from the following delegations.

Victoria Mason, at the outset, stated the recommended offer is an insult to the taxpayers of the Region. The land was purchased for \$13.5 million and services were installed; she felt it shameful that Regional staff and politicians would even consider “giving it away” to the developers. She noted this land was purchased with money from the taxpayers and selling it for \$6.5 million equated to the Region acting as a holding company for the developers. Referring to page 58 of the staff report under “Financial Comment” which states (in part) “The disposal of this property will represent significant revenue to the Corporation...”; Ms. Mason questioned what “significant revenue” meant and felt that actual numbers should have been provided.

Ms. Mason went on to say the Committee should keep in mind that developers are able to write-off everything (on their income taxes) that they spend, which means they are getting this land for nothing. She felt it would be much better to hold onto the land until the real estate market stabilizes and a more reasonable price can be obtained. In conclusion, Ms. Mason requested that the taxpayers be provided with all of the relevant figures before the Region even considers selling this land.

Arnell Goldberg, representing Claridge Building Corporation stated Claridge submitted the highest initial cash offer on the proposed purchase. The speaker pointed out the initial proposal call indicated the Region would then deal with the best offers. Mr. Goldberg opined the offer which is now being recommended by staff, was not really an offer at all during the first round. Rather, it was an offer to buy land in the future, to give a vendor take-back mortgage and it was an offer to ask the Region to postpone its interest as mortgagee to the financing necessary for servicing. Mr. Goldberg submitted this offer should not have been considered as it was not in a form the Region could deal with.

Mr. Goldberg went on to say there should not have been a second stage where three people were asked to bid, when the “so-called highest bid” was not proper in the first place. Referring to the staff report, Mr. Goldberg noted certain conditions (regarding Ashcroft’s offer) have to be met such as an agreement with Amaresco (a neighbouring owner) and the Region with respect to services. He stated, in his opinion (without having seen the Agreement of Purchase and Sale) Ashcroft’s offer may merely be an option for them to buy the lands if and when they make a deal that is satisfactory to them. This could mean they will not be paying the price they say they are paying. The speaker also noted the agreement provides for the Region to pay for the clean-up and this price is not included; he felt this was certainly not an appropriate way of dealing with a sale.

Referring to his letter dated 18 Nov 96 (on file with the Regional Clerk), Mr. Goldberg felt the by-law (By-law 105 of 1995) enabling the property to be sold, is invalid as it does not follow the procedures for the sale of surplus lands as set out in the Municipal Act. In conclusion, Mr. Goldberg stated the entire process has not been as fair as staff contend.

Councillor van den Ham asked Mr. Goldberg his opinion on how the process should have been handled. Mr. Goldberg felt, before proposals were called for, guidelines should have been set forth in detail. He suggested the Region should have drafted an Agreement of Purchase and Sale setting out the terms under which it was prepared to sell and the bidders could then have filled in the blanks. This would then have facilitated the assessment of the differences in the proposals when they were being evaluated.

Bob McKinley, representing Uplands Holding Corporation (Uplands), said he shared some of the concerns raised by Mr. Goldberg concerning the process followed. Referring to the first letter sent out to potential bidders by the Region's Property Services Division (D.H. McCaslin dated 2 July 1996 - on file with the Regional Clerk), which discussed how the process would be handled, Mr. McKinley directed the Committee's attention to paragraph 3 on page 2 of the letter. Mr. McKinley felt this letter led one to believe there would be a proposal and an evaluation ranking the proponents which would then lead to a single Agreement of Purchase and Sale. He pointed out there was no reference in the letter to a second stage of the process, where several offers would be invited and received.

Referring to a recent article in the Ottawa Citizen, Mr. McKinley noted there were seven offers received and ranked. According to the ranking, the first offer was withdrawn, the second was disqualified because of inappropriate conditions and the third ranking offer belonged to his client, Uplands. He felt, if the process as set out in the letter of 2 July had been followed, the appropriate course of action would have been to enter into negotiations with his client to conclude an Agreement of Purchase and Sale. He contended staff clearly departed from the defined process and did so once they had the opportunity to rank the proposals.

Mr. McKinley stated he had information that Ashcroft's offer originally proposed a purchase price of \$8 million; the staff recommendation is for \$6.5 million. The resulting reduction in price occurred during the negotiations between staff and the Ashcroft representatives primarily because the terms of the Agreement of Purchase and Sale were unacceptable to Regional staff. Mr. McKinley felt staff had three options at this point. They could have advised Ashcroft their terms must be amended but the price had to remain at \$8 million; or, they could have approached each of the bidders and opened price negotiations; or, as a third alternative, Ashcroft could have been disqualified on the

basis their terms were unacceptable (as was done to another bidder in the first stage of the process). The speaker felt this clearly illustrated the process had not been followed and the Region is being asked to accept less money than it otherwise might have been able to achieve for the sale of this land.

Mr. McKinley then went on to outline his client's proposal. He described his client's land as an 87 acre parcel of land located in the City of Ottawa on the bank of the Rideau River immediately south of the Hunt Club Bridge on Riverside Drive, which is designated as Urban Area in the Regional Official Plan. A substantial portion of this land is identified for residential use in the City of Ottawa Official Plan (land close to the river's bank) and because of the slope of the land, the problem of airport noise is diminished by simple sound attenuation. This was approved by the Region and endorsed by Transport Canada.

Mr. McKinley stated all that remains to be approved is the zoning by-law (to define the type of housing) and the subdivision application. During the processing of these applications, the Airport Authority voiced their concern that expansion of housing in the vicinity of the airport would damage their efforts to revitalize the privatization of the airport. Mr. McKinley and his client entered into discussions with the Airport Authority to see if a mutually satisfactory solution could be reached. In July of last year, Uplands suspended their applications (which are pending before the Ontario Municipal Board) as they were led to believe their land would be considered as appropriate to be acquired and held under public stewardship for use in some future planning by the municipality, the Region or the airport, for airport purposes. In that context, Uplands undertook and participated in an extensive dialogue with respect to the possible exchange of their land with the Region. Mr. McKinley stated he believed a negotiated relative land value would be reached with Regional staff and he expressed the hope these disputes could still be resolved in a "gentlemanly fashion". He asked that the Committee give thought to his comments in their consideration of this matter.

In response to questions from Councillor Stewart, Mr. McKinley stated that, in his opinion, residential development at 4160 Riverside Drive (the Uplands land) would not have a negative impact on future airport operations. He noted his client's land is in almost the exact location as two successful housing operations that are already underway and, in fact, they are at the end of the main runway and his client's land is at the side of it.

Councillor Stewart asked for staff comment on the NEF contour on either of the aforementioned developments. N. Tunnacliffe, Commissioner, Planning and Development Approvals Department, stated he would have to check the maps to determine the exact zone. He noted they would certainly be affected by airport noise but

could not say whether they were in the same noise zone as the Uplands land. Mr. Tunnacliffe also referred to earlier comments made by Mr. McKinley concerning the slope of the land at 4160 Riverside Drive and the fact that as the slope goes down, the airport noise is less than the map shows. Tim Marc, Solicitor, Regional Legal Department, added, Amendment 172 which gave residential zoning to the Uplands lands, was based upon a 1987 study which showed (because of the slope) the lands to be between 30 and 35 NEF. More recent studies by Transport Canada in 1995 however, have shown the lands to be above 35 NEF. Responding to further questions from Councillor Stewart, Mr. Tunnacliffe advised that the Province is currently reviewing the standards of their policy statements that require the protection of noisy areas around airports and have in fact applied higher standards to Pearson International and are looking at applying those higher standards at Ottawa International now.

Acting Chair Hume questioned why the Region could not accept the highest cash offer on the Clyde/Merivale lands and then, if it were determined the Region should purchase the Uplands property to preserve the integrity of the airport, buy it with that cash. Mr. McKinley opined the Region would likely end up with less net cash than if it were done through an exchange. He also pointed out the most important reason why an exchange is much more valuable than an outright sale is that an exchange would allow his client to remain in the housing business.

Councillor McGarry asked the speaker his opinion of what should be done at this stage. Mr. McKinley stated his first choice would be to have the Region accept his client's offer. Failing this, he felt the process should start over, with clearly defined guidelines.

Referring to the "McCaslin" letter, which Mr. McKinley brought to the Committee's attention, Councillor Hunter suggested the wording "It is the intent" would convey the impression this was to be the guideline for conducting the process however, it could change. Mr. McKinley countered the letter was specific enough to lead the reader to conclude the best proposal would be invited to exclusive negotiations. Councillor Hunter asked whether Mr. McKinley or his client expressed concern when this did not happen. Mr. McKinley confirmed he did and was advised that Property Services Division staff, in consultation with the Legal Department, had made the decision to change the procedure. He added his client continued on with the process as they felt they had no other choice.

M. Sheflin, Acting Chief Administrative Officer, pointed out in the letter referred to by Mr. McKinley, underlined and in bold type, is the statement that proposals should not be accompanied by deposit cheques. He opined this would translate to no commitment being made.

David Gavsie, Chairman of the Board of Directors of the Airport Authority. Mr. Gavsie stressed the point that the airport is a tremendous economic development tool and the Airport Authority sees the airport as a 24 hour a day, seven day a week centre. He reminded members that the Ottawa airport is open 24 hours a day, while Pearson is closed between midnight and seven a.m. which makes a big difference for sleeping and enjoying outdoor activities. He noted planes take off and land into prevailing winds; Ottawa's prevailing winds are westerly and runway 32 (which is the longer of the two commercial runways), runs basically south to north and the centreline of the runway (if extended out, when planes take off) goes right over the west end of the Hunt Club Bridge. The noise comes back towards the ground when the planes take off. He expressed disagreement that the slope of the property on Riverside Drive would resolve the noise issue.

Mr. Gavsie went on to say he understood discussions were being held between Graham Bird (representing the Airport Authority Board of Directors) and Regional staff with a view to assisting the owners of the Riverside Drive property resolve their dilemma of residential development on this property. The concern of the Airport Authority is, as flights are increased as well as the size of aircraft and occurrences of night flights, area residents' complaints will increase. The speaker stated the Airport Authority was hopeful an arrangement could be worked out whereby the owners of the property on Riverside Drive would be able to give up their land in exchange for something of equivalent value. In conclusion, Mr. Gavsie asked that the Committee take into account the economic development factor when considering this matter and not "hamstring" the airport.

Acting Chair Hume inquired if there were other properties in the vicinity of the airport that the Airport Authority considers a threat to the airport's 24 hour operation. Mr. Gavsie replied there were two other subdivisions (one in Ottawa, one in Gloucester) that he was aware of and that he wrote to the municipalities, speaking against development. Mr. Gavsie also said the Airport Authority is concerned about residential development in the South Urban growth area in Gloucester because a second east-west runway is planned (under Transport Canada's 1991 Master Plan for the airport) along Leitrim Road. He stated it was his understanding development is poised to start south of the airport in the City of Gloucester and as soon as details become available, the Airport Authority will make their views known about their opposition of development too close to the airport.

Councillor Hunter questioned who, from the Region, is promising that the Region would be "the land banker and protector of the airport authority". The Councillor opined purchasing land on behalf of the airport was not within the mandate of the Region. Mr. Gavsie stated he did not intend to give the impression that promises to this effect were made. However, he reminded the Committee, Regional Council approved the constitution of the Airport Authority, nominates the board members and the Airport Authority is responsible to Regional Council.

Councillor Hunter noted when the amendment to bring this parcel of land into the urban envelope was approved, the Committee directed that conditions be registered with the subdivision and on title, that the owners/purchasers acknowledge that airport noise would be a problem. Mr. Tunnacliffe confirmed this and noted there was a further condition that the construction of the houses be such that acoustic insulation (and other means) to dull the noise somewhat be utilised. Councillor Hunter felt, because of these conditions, the concern of the airport is really a “non-issue” and in these circumstances, people who buy these houses have no right to complain and no right of recourse. He concluded the Region has no financial interest in trying to protect these lands on behalf of the airport as it did this in the planning process a decade ago.

Councillor McGarry commended the Airport Authority for attempting to protect their ability to have planes arriving/leaving during the night, for future years. He asked Mr. Gavsie if the Airport Authority was connecting the Clyde/Merivale sale absolutely to the Uplands lands. Mr. Gavsie replied the Airport Authority has no interest in tying the two together, save and except it resolves an issue of residential development of land very close to the airport.

Responding to questions from Councillor Stewart, Mr. Gavsie advised the General Manager of the Ottawa Airport currently receives many complaints from residents about planes arriving and taking off in the night. Councillor Stewart offered her opinion that if ever there was a plot of land that was inappropriate for residential development, this is it; she asked Mr. Tunnacliffe if staff have changed their opinion in the years since this was approved. Mr. Tunnacliffe clarified that in 1987 staff recommended against this development but Regional Council saw fit to approve it. Therefore, staff approved the City of Ottawa Official Plan amendment that made the land residential (with conditions) as it complied with the Regional Official Plan. The Commissioner noted however that in light of the new study (referred to by Mr. Marc) and the Provincial review of its standards, there are number of issues left to be resolved.

Brian Barge, President of the Ottawa-Carleton Economic Development Corporation (OCEDCO), noted his organization had provided, as part of the Regional Development Strategy review, its view on economic development. OCEDCO feels that in the decisions of the Region, there should be greater consideration given to matters pertaining to the long term economic development of the Region. He stated OCEDCO views the airport as a strategic economic development instrument of this Region and stressed the importance of considering the long term strategic context when making decisions.

Mr. Barge noted Regional planning documents indicate the population will be considerably greater in the Region in the years 2010 to 2020. H felt it to be critically important that when considering the airport or other substantive infrastructure, the Region

consider now what the impacts on economic development will be then. In this respect, he suggested that the value attached to land decisions should include a value for future economic development purposes. Mr. Barge urged the Committee to continue to consider the importance of economic development in the long-term, as it makes decisions that are sometimes driven by more short term conventional practices.

In response to questions from Acting Chair Hume, Mr. Barge stated his comments were not particular to the airport but rather to decisions the Committee would make relative to land and other aspects that relate to economic development. He noted the airport was but one example and it would be up to the Committee to decide if it makes sense to nurture the airport. He felt it to be a matter of ensuring that aspects of the Region's long-term economic development that can be influenced in a favourable fashion, are.

Paul Webber, Peter Vice and David Choo, representing Ashcroft Developments Inc. Mr. Webber began by saying he felt the process was extremely fair and that, as a result of the process, the proposal put forward by Ashcroft was properly evaluated and the best price was achieved. Mr. Webber, referring to the "McCaslin" letter raised by Mr. McKinley, noted it stated "submissions will be evaluated" but it does not say in how many stages.

With reference to the minutes taken of the bidders meetings (by Ernst and Young), the speaker noted at the first meeting held on August 1, the Region outlined the short list proposal process and stated the purpose of the meeting was to clarify the terms of the genuine proposals as they felt the terms and conditions of various proposals masked the real bid. The Region indicated the second round of the process was designed as an attempt to give everyone the same information and put everyone on the same playing field.

Mr. Webber felt Mr. Goldberg's suggestion that the Region could sell this land with a "fill in the blanks" type of Agreement of Purchase and Sale, was wrong. By way of example he noted that if the Region had stipulated the rock cost to be \$1.6 million, and it turned out to be \$3.2 million, the Region would end up paying money back.

Mr. Webber stated he did not see the linkage of the Riverside lands with the Clyde/Merivale lands. He agreed the airport is an important strategic asset however, he felt it was very much an "apples to oranges" comparison. With respect to the values placed on the land by Mr. McKinley's clients, Mr. Webber noted an out-of-town appraiser, engineers and planners were retained to evaluate the Uplands' land and they advised that the values being claimed were inflated. As well, it must not be assumed that the Uplands' land is the equivalent of the land at Clyde/Merivale because in terms of the planning process (i.e. subdivision circulation), it most certainly is not. The speaker

suggested if at some point the Region decides it needs to acquire the Uplands' land, it should be done after thorough study; to take this land as part of a land exchange, when it is not necessary, would be unwise. Mr. Webber felt the comment made by Mr. McKinley that if his clients do not get this piece of land, they are out of business, was an overstatement as Claridge is presently one of the largest builders in the Region.

The speaker went on to point out that all of the people still in the development business in the region made a bid on this land (e.g. Minto, Braeside) and he felt this provided a good sense of what the market is. Mr. Webber offered his opinion the land should be sold now as the Region will realize substantial advantages. He calculated, in addition to the purchase price, the Region will gain (over a five year period) interest on the purchase price, the Regional Development Charges (RDCs), interest on the RDCs and tax revenue for a total of an additional \$12.5 million. Also, as a downside to holding the land, the speaker suggested taxpayers ought to derive some benefit (in terms of economic activity) from the expenditure of \$8 million (for infrastructure) through the Canada/Ontario Infrastructure program. Mr. Webber also pointed out, if the City of Ottawa were to reintroduce development charges, and the Region were still holding this land, there would be significant negative impact on the value of the property, in that the benefit to be derived by a developer would be lessened by the amount of those development charges.

Councillor Loney asked Mr. Choo what his reaction would be, if the Region decided to terminate the process at this stage and start the tendering process again. Mr. Choo stated he was not sure that he would participate. He advised, when the process started he expressed his great concern about the possibility of the land exchange, as he could not understand how a fair comparison could be made through the RFP process between a cash offer and a land exchange. Mr. Choo opined that because the process was accepted by all, the outcome ought to be abided by. With respect to the objections voiced by some of the losing proponents, Mr. Choo suggested, if they had objections at the second stage, they should have raised them then or perhaps not participated. He noted it was only after his offer became public, that others offered to pay "one dollar more" for the land.

Michael Casey, representing Arnon, spoke to the acquisition of the small parcel of land. He noted that Regional staff were highly professional throughout the process; they sought independent appraisals and kept it as much at arms length as possible. He went on to say staff negotiated hard which resulted in Arnon paying for the land as if it were serviced, which Mr. Casey said they accepted. In conclusion, Mr. Casey stated he would like very much to purchase this piece of land and he expressed his surprise about the discussion on the other matters.

Responding to questions from Councillor Stewart, Mr. Casey stated, should the large parcel of land become embroiled in dispute, he would appreciate the opportunity to complete the purchase of the smaller piece of land. Mr. Ennor advised he did not believe separating the two matters would cause any problem.

The Committee then approved the following motion to move in-camera.

Moved by A. Loney

That Agenda Item 13 of the Corporate Services and Economic Development Committee Agenda be considered In Camera pursuant to Subsection 11(1) (e) “litigation or potential litigation affecting the Regional Corporation, including matters before administrative tribunals”, of the Procedure By-law.

CARRIED

Moved by A. Loney

That the Corporate Services and Economic Development Committee move Out of Camera and resume open session.

CARRIED

Councillor Stewart noted that after considering all of the information provided, she concluded the Clyde/Merivale lands should be sold now and that the process was fair. She offered her opinion that the issue of the 4160 Riverside lands being involved in this matter was somewhat of a “red herring”; had it been the successful bidder it would have been different. The Councillor stated staff have decided it is in the public interest and the best deal is the one they are recommending and she expressed her support for the staff recommendations. She added however, should these recommendations not be approved, she would be moving a motion to deal separately with the Arnon land.

With respect to the points raised by the Airport Authority and OCEDCO, Councillor Stewart felt they presented a very good argument regarding the potential threat to the future of the airport. In this regard, she put forward a motion to direct staff to report on acquiring 4160 Riverside Drive and other lands in the vicinity, that may impact the airport.

Councillor Loney felt Councillor Stewart's motion regarding the acquisition of lands in the vicinity of the airport should not be treated as an amendment to the report but as a totally separate item. He pointed out one of the biggest impediments to having a "clean deal" in this matter, has been the very fact that the airport lands have been involved in this sale.

Speaking to the matter of the sale of the Clyde/Merivale lands, Councillor Loney urged the Committee to adopt the staff report. He felt the process was reasonably fair and accurate and accomplished the job it was intended to do. With respect to criticisms concerning selling the land for much less than the Region paid for it, the Councillor offered that most of the land sold in the last few years of a similar nature has been by power of sale.

Councillor van den Ham said he also believed the process was fair, however, he stated he would not support the staff recommendation because he did not believe the offer was for enough money and he felt the Region could get more for the land.

Councillor McGarry stated he agreed that the price is not wonderful however, he noted from personal experience many properties have dropped in value by 50% and more in recent years. Unfortunately, there does not seem to be any anticipation that prices are going to go back up again. He concluded it was with some reluctance, that he would support the staff recommendations. With respect to Councillor Stewart's motion, Councillor McGarry felt this issue of the Uplands land should be dealt with separately.

Councillor Hunter, with regard to the issue of the fairness of the process, stated he had looked into it as fully as possible, and he concluded the process was as fair and above-board as possible. After reviewing the matter with staff and considering the points made by Mr. McKinley and Mr. Goldberg, the Councillor felt the complications of the process were a result of the Property Services Division trying to make the process as fair as possible; ensuring each of the parties had the best opportunity to put their best case forward. With respect to the issue of price, Councillor Hunter noted, in the "heady days of the 80's", he supported the purchase of this property with the belief that there would be a land shortage at some time in the future and therefore the value would rise. However, one could not foresee the bad economic times or the decreased demand for housing. The Councillor felt, in order to get a better price, the Region would have to hold on to the land until 2011 when the suburban communities are built-out and this is last big parcel of land in the Greenbelt. Councillor Hunter stated, taking all of these things into consideration, he would support the staff recommendations.

Councillor Hill said she too was satisfied that the process was fair. She did however, express her amazement concerning the discussion of acquiring airport lands. She noted at a recent Planning and Environment Committee meeting her proposal to acquire a small parcel of land designated “Waterfront Open Space” was not accepted. She felt this clearly demonstrated there were two standards, one for developers and another for individual property owners.

Councillor Bellemare felt all parties fully participated in the process and he believed it to be a fair process. The Councillor stated the RFP was designed to be more fluid in order to obtain the best deal for Regional taxpayers. He felt that in hindsight, the purchase of the property was a bad business decision made in the late 80’s and felt the Region should “cut its losses” and move forward. He expressed support for the staff recommendations. With regard to the issue surrounding the airport property, Councillor Bellemare felt it should be dealt with as a separate issue.

The Committee then considered the staff recommendations.

That the Corporate Services and Economic Development Committee and Regional Council:

- 1. Approve of the sale of 3.07 acres of land, illustrated as Block 32 on the Draft Plan of Subdivision, to Besner-Vered (1980) Ltd. and London Life Insurance Company for the sum of \$760,000 subject to the terms as outlined in this report;**
- 2. Approve the sale of 87.1 acres of land, illustrated as Blocks 1 to 31 inclusive, Block 33 and Blocks 35 to 38 inclusive together with Streets Number 1 and 2, excluding a one foot reserve along the westerly limit of the property, to Ashcroft Developments Inc., for the sum of \$6,500,000, subject to the terms as outlined in the body of this report;**
- 3. Authorize staff, in partnership with Ashcroft Developments Inc., to negotiate a water line easement across the Assaly site to Clyde Avenue and a cost recovery agreement for servicing costs with the owner of the Assaly lands and upon successful completion, convey the one foot reserve to Ashcroft Developments Inc. in accordance with the agreement of purchase and sale, for the sum of One (\$1) Dollar;**

- 4. Approve the expenditure of funds required to complete a water connection to Baseline Road, should this connection be required, and completion of the required environmental clean up in accordance with the terms of the sale to Ashcroft Developments Inc., as detailed in this report.**

CARRIED
(R. van den Ham dissented)

The Committee then turned their attention to the motion put forward by Councillor Stewart with respect to the airport lands. Councillor Hunter felt this motion should be treated as a Notice of Motion. At the request of Acting Chair Hume, Doug Cameron, Regional Solicitor advised that, as the issue was referred to in the report, it would therefore be in order. Acting Chair Hume ruled the motion in order.

Councillor Loney put forward a motion that Councillor Stewart's motion be tabled for consideration at the next meeting of the Committee (3 Dec 96). He stated the Committee should treat this as a totally separate matter and should not have this tied with the Clyde/Merivale report when it is considered by Council.

Councillor Stewart spoke against tabling the motion. She pointed out the representatives of the Airport Authority and OCEDCO advised the Committee this is a real concern and she felt it to be the duty of the Committee to act on this matter in a timely fashion. She said she saw no merit in tabling the motion. Councillor McGarry expressed his agreement with Councillor Stewart.

The Committee then considered Councillor Loney's motion to table.

Moved by A. Loney

That the following motion be tabled for consideration at the Corporate Services and Economic Development Committee meeting of 3 Dec 96.

"That Staff be directed to investigate the land at 4160 Riverside Drive and other lands in the vicinity of the Airport to determine if they should be acquired by the Region to protect the Airport's interests."

CARRIED

YEAS: M. Bellemare, B. Hill, G. Hunter, A. Loney, R. van den Ham....5
NAYS: P. Hume, B. McGarry, W. Stewart....3