

# STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



<b>Report to:</b>	Mayor and Council Members	<b>Priority:</b>	<input checked="" type="checkbox"/> High <input type="checkbox"/> Low
<b>Submitted by:</b>	Ian D. Davey, BBA CPA CA Treasurer / Director of Corporate Services	<b>Meeting Type:</b>	Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>
<b>Meeting Date:</b>	July 11, 2022		
<b>Report No.:</b>	Corporate Services-178-22		
<a href="#">Submit comments to Council</a>			

**Subject/Title:** 36 Queen Street sale to Queensview Garden Inc.

## RECOMMENDATION:

THAT Council receive this report for information purposes; and

FURTHER THAT Council provide direction to staff and our solicitor to proceed with an extension agreement with the purchaser to allow this transaction to proceed with a closing date of June 30, 2024.

## 1. STRATEGIC PLAN

Prosperity – The town plans for, markets and develops assets for economic growth and financial security.

## 2. PUBLIC ENGAGEMENT

This report is being published on the Council Agenda ten days in advance of the meeting and this transaction has been ongoing since 2018.

## 3. PURPOSE

The purpose of this report is to provide an update to Council on the current status of this transaction and to provide Council with a realistic time line for the completion of this sale of property.

## 4. ORIGIN AND LEGISLATION

An Agreement of Purchase and Sale was entered into by the Town of Cobourg as authorized by municipal By-law 036 – 2018 dated July 23, 2018 to sell the municipal parking lot located at 36 Queen Street to Queensview Gardens Inc.

## 5. BACKGROUND

The proposed Queensview Gardens is a mixed-use development for the combined properties at 22 and 36 Queen Street and will be comprised of 73 dwelling units and 5,100 square feet of at-grade commercial space. Three levels of structured parking are being provided to accommodate a total of 162 vehicles, including 65 “Green P” public parking spaces (to replace the existing McGill Street public parking spaces) 21 commercial spaces and 76 residential spaces dedicated to the 73 residential units.

The following information has been provided by the purchaser to describe their intentions for this project:

“This multi-million dollar project will be designed in contemporary architectural style with special care and attention being given to ensure that the building is sensitive to its surrounding urban downtown heritage context. Innovative and sustainable design elements, such as living (green) roofs and courtyard decks will be employed to help moderate the urban heat island effect, increase urban biodiversity, help purify the air and reduce impacts on the environment. The proposed building will also incorporate accessible at-grade entrances, ramps, tactile surfaces and dwelling units in accordance with the provisions of the Ontario Building Code, Accessibility for Ontarians with Disabilities Act and municipal accessibility standards.”

“The original Agreement of Purchase and Sale contained condition and closing dates that were established in order to provide Queensview with satisfactory time to conduct proper due diligence and prepare appropriate architectural and engineering reports and drawings necessary to obtain relevant zoning and site plan approvals based on what were perceived at the time to be reasonable timeline estimates.”

Many factors have intervened since the original APS was entered into and since Council endorsed an extension of the timelines in that agreement in June of 2021.

It is worth noting that even without an extension agreement, Queensview have continued to work on the refinement of preliminary architectural design and site plan drawings, submitted and received approval for a Minor Variance from the Town’s Committee of Adjustment and convened a pre-consultation meeting with the Town’s Development Review Team (DRT) as recently as March 9, 2022. Since that date, Queensview has continued with further refinement of detailed architectural drawings and procurement of other design professionals, including civil, structural, mechanical and electrical engineering, geotechnical, traffic,

landscape and cultural heritage/archaeology professionals to advance the project.

## 6. ANALYSIS

A meeting was held on June 20, 2022 to establish realistic timelines for the completion of this very important transaction in a manner which will be beneficial to all the parties. In attendance representing Queensview were Mr. Danny See and Ms. Virginia Lam along with their planning consultant Mr. Glenn McGlashon. The Town of Cobourg staff in attendance included Directors Ian Davey and Anne Taylor Scott and Manager Rob Franklin.

As a result of this very productive meeting, a realistic timeline for moving forward was established that will be fair to both Queensview and their team and to the Planning and Development staff of the Town of Cobourg.

That timeline can be summarized as follows:

1. **July 11, 2022** – Council receives this report and gives consideration to Queensview’s request for an extended closing deadline and new Agreement of Purchase and Sale.
2. **July 2022 to January 2023** – Queensview team to co-ordinate input from other professional disciplines and assemble detailed drawings and reports for the submission of a complete application for Site Plan Approval to the Town. During this period there will be ongoing discussions with the Development Review Team.
3. **February 2023** – Submission of a complete SPA and requisite plans, reports and associated documentation to the Town.
4. **March 2023 to May 2024** - There will be additional submissions, circulations and reviews undertaken over this period of 12 to 14 months leading up to the final approval of the SPA by the Town and the execution and registration of a Development Agreement. This period of time to complete the SPA process would seem reasonable with proper diligence on the basis of both Parties acting reasonably.

In providing this timeline, Queensview respectfully request that the Town duly consider the extensive scope of work and complex variables involved in developing a project of a magnitude as Queensview Gardens and agree to a closing date of June 30, 2024. It is agreed and understood that both parties will work to achieve a closing in advance of this date if at all possible.

## **7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS**

There are no immediate financial implications for the Town in granting this extension to the purchaser as the Town will continue to have the use of the property as a municipal parking lot and collect the revenue associated with that use.

## **8. CONCLUSION**

It is the staff recommendation that Council direct our solicitor to work with the solicitor for the purchaser to prepare an extension agreement with the same terms and conditions as the original agreement with the exception of moving the condition of formal Site Plan approval to no later than June 30, 2024 and the understanding that both parties will work to have the closing earlier if at all possible.