



City of  
**Peterborough**

---

**To:** Members of the Committee of the Whole

**From:** Patricia Lester, City Solicitor and Director of Legal Services

**Meeting Date:** September 25, 2017

**Subject:** Report OCSRE17-025  
Sale of Industrial Land at 1850 and 1900 Technology Drive to  
Drain Bros. Excavating Limited

---

## **Purpose**

A report to recommend that approximately 9.92 acres of industrial lands at 1850 Technology Drive and 13.19 acres of industrial lands at 1900 Technology Drive, more particularly described as Parts 1, 2 and 4 on 45R-16440, be sold to Drain Bros. Excavating Limited (Drain) for \$500,000.

## **Recommendation**

That Council approve the recommendation outlined in Report OCSRE17-025 dated September 25, 2017 of the City Solicitor and Director of Legal Services, as follows:

That a by-law be passed to authorize the sale of approximately 9.92 acres of industrial lands at 1850 Technology Drive and approximately 13.19 acres of industrial lands at 1900 Technology Drive, more particularly described as Part 1, 2 and 4 on 45R-16440, (as shown on Appendix "A" attached) to Drain Bros. Excavating Limited for \$500,000.

## **Budget and Financial Implications**

The sale proceeds of \$500,000 will be credited to the General Property Reserve.

## Background

Drain wishes to buy the following parcels of land on Technology Drive:

- 1850 Technology Drive which is comprised of approximately 9.92 serviced acres; and
- 1900 Technology Drive which is comprised of approximately 13.19 acres.

### 1850 Technology Drive

1850 Technology Drive has been graded by the City and is now in a state ready for development. As such, the City is offering these lands at the rate of \$40,000 per acre for the 9.92 acre parcel. Drain has offered \$400,000 for 1850 Technology Drive. The Agreement of Purchase and Sale received from Drain for this parcel is unconditional but is contingent upon it acquiring the parcel at 1900 Technology Drive.

### 1900 Technology Drive

1900 Technology Drive requires substantial grading and filling in order to bring the lands into a state ready for development. In 2016 the City obtained a quote to fill and grade the site to a “build ready state”. This quote was for \$1.3 Million. City Staff also produced an internal estimate in 2017 dollars in the amount of \$1.62 Million.

This site is also encumbered by a substantial Hydro One easement which has a number of overhead hydro lines located on it. Drain has provided an estimate to the City of \$300,000 to relocate this service underground along the property line – thus maximizing the development area. Two hydro poles need to be relocated for Drain’s development. One is on 1850 Technology Drive and one is on the opposite side of the road on City-owned land. Drain is prepared to move these 2 poles at a cost to the City of \$50,000.00. All of the remaining hydro lines would be relocated at Drain’s sole cost.

In addition, under Otonabee Region Conservation Authority (ORCA) regulations, 1900 Technology Drive requires a secondary access as an emergency flood control exit over a piece of the adjacent lands at 1850 Technology Drive to ensure “safe access”, see Appendix B. The ability to sell both 1850 and 1900 Technology Drive to one purchaser may resolve the safe access issue and not necessarily require a separate easement; but, whoever the successful purchaser is, it will have to satisfy ORCA.

Based on the various impediments to the land and the costs to bring 1900 Technology Drive to a developable state, staff offered these lands to Drain for \$100,000. Drain accepted the offer and executed an Agreement of Purchase and Sale. The Agreement of Purchase and Sale received from Drain is conditional upon Drain performing its due diligence with respect to the lands, including, but not limited to ensuring it is compliant with any regulations or controls on development which may be imposed by ORCA. Drain will also need to satisfy itself that the lands have sufficient developable acreage to

carry out its intended development upon the lands. The Agreement of Purchase and Sale is also contingent upon Drain acquiring 1850 Technology Drive.

Submitted by,

Patricia Lester  
City Solicitor and Director of Legal Services

Contact Name:  
Phone – 705.742.7777 Ext. 1603  
Fax – 705.742.3947  
E-Mail – [plester@peterborough.ca](mailto:plester@peterborough.ca)

Attachments:  
Appendix A: Aerial showing 1850 and 1900 Technology Drive

Appendix A

