City of Kingston  
Report to Council  
Report Number 15-197

To: Mayor and Members of Council  
From: Lanie Hurdle, Commissioner, Community Services  
Resource Staff: Luke Follwell, Director, Recreation & Leisure Services  
Date of Meeting: March 24, 2015  
Subject: Land Exchange Proposal for the Potential Relocation of the CN Train Station to Douglas R. Fluhrer Park

Executive Summary:

In February 2015, City staff received a request from ABNA Investments Ltd. (ABNA), to enter into formal discussion regarding ABNA’s proposal to relocate from Montreal Street and redevelop a part of the CN Rail Station structure, formerly the Grand Trunk Outer Station, in a part of Douglas Fluhrer Park and parking area. To compensate the City for the acquisition of land in the Park for the Station’s relocation, ABNA has proposed to exchange lands located on the waterfront at 6 Cataraqui Street, a neighbouring property owned by ABNA.

Staff have completed a high level review of the proposal and have concluded that this proposal would not impact the City’s ability to proceed with the Doug Fluhrer Park visioning plan.

The relocation and rejuvenation of the Grand Trunk Outer Station would also enable the City to achieve some of its Heritage asset preservation and enhancement goals.

Recommendation:

That staff be directed to enter into discussions with ABNA Investments Limited for the proposed land exchange and report back to Council with their findings; and

That in order to ensure public transparency, staff be directed to conduct appropriate consultation and make information available to the public including the concept plans submitted by ABNA Investments Limited for the relocation of the Grand Trunk Outer Station to Douglas R. Fluhrer Park to the City of Kingston.
March 24, 2015

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER
Lanie Hurdle, Commissioner, Community Services

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER
Gerard Hunt, Chief Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Cynthia Beach, Corporate & Strategic Initiatives

Denis Leger, Transportation, Facilities & Emergency Services Not required

Jim Keech, President and CEO, Utilities Kingston Not required

Desiree Kennedy, Chief Financial Officer & City Treasurer Not required
Options/Discussion:

Douglas R. Fluhrer Park
On February 7, 2012, City Council directed staff to consult with the public to establish a high level vision to redevelop Douglas Fluhrer Park (the Park). The motion of Council recognized that any vision to revitalize the Park must accommodate the possibility of a future Wellington Street extension project. The Park is a linear shaped property located on 540 metres of waterfront in the Inner Harbour on the Great Cataraqui River north of Anglin Bay.

A working group of local volunteers and agency representatives was formed and the landscape architecture consulting firm, Thinc Design, was engaged in 2013 to undertake community consultation and develop a master plan. The public consultation and Park planning occurred through 2013 and resulted in a $2.6 million dollar revitalization plan that was approved by Council in April 2014. The plan includes an overall renovation of the Park’s landscape with new pathways, plantings, waterfront improvements and a large open lawn to accommodate public gathering, events and activities. The budget also included works to upgrade pedestrian access from North Street. The improvements to the Park are identified to be implemented in future capital work plans.

Grand Trunk Outer Station
Kingston’s former Canadian National Railways (CNR) station is made up of three attached structures. There is a stone building, a brick building and a closed, covered platform area in between. These three structures are linked by physical siting and in the complementary features of their designs. Their character is governed by the early two storey stone structure that is the core building of the complex.

This stone station was the only one and a half storey "Road" or "Way Side" station built by the Grand Trunk Railway (GTR) when it constructed the first mainline in Canada. Kingston was the first station constructed on the centre section of the Montréal-Toronto line.

The CNR declared this station surplus in 1987. The property is designated under the federal Heritage Railway Stations Protection Act (HRSPA) as well as the Ontario Heritage Act. The City passed a designating by-law for this property in 1987; however, as it is owned by a federal agent (CN) the local designation is not in force until the property is sold to a party not subject to Federal regulation. It is important to note that ABNA has confirmed that they have both CN Rail and Parks Canada’s approval to relocate the Grand Trunk Station.

Considering the significance of this asset, a Heritage Impact Statement and consultation with the Municipal Heritage Committee will be implemented as part of the due diligence process if the City moves forward with a partnership for land exchange which would include the future relocation of the train station.

CN Rail Station Development Proposal
ABNA has proposed to move the limestone portion of the Grand Trunk Outer Station (Outer Station) building from its Montreal Street location to a site in Douglas Fluhrer Park, adjacent to Kingston Marina and across from the 9 North Street building redevelopment that ABNA is also
undertaking. ABNA is in negotiations with CN Rail for the purchase of the Outer Station lands and, as part of those negotiations, are seeking the required approvals to relocate the stone structure from the site.

As part of the agreement to allow the relocation of the Outer Station into the Park, ABNA has proposed to exchange waterfront land on the 6 Cataraqui Street property, formerly known as Harold’s Demolition. In 1997, the City received a grant of easement from ABNA that provides for a 6 metre (20 foot) wide right-of-way for pedestrian access and use over a portion of this parcel. The offer from ABNA is to convey to the City a parcel of land approximately 15 metres (50 feet) wide with 160 linear metres (525 feet) of waterfront having an area of 0.26 hectares (0.65 acres) in exchange for 0.06 hectares (0.15 acres) of non-waterfront land in the Park.

The fair market values of the portion of Doug Fluhrer Park and ABNA’s land are unknown at this time. Staff will investigate the fair market value of each site should Council approve the recommendations in this report.

The acquisition of land that permanently increases the amount of high quality waterfront parkland would be consistent with policies in the Official Plan, the Parks and Recreation Master Plan and with the goals identified in the Waterfront Master Plan. The increase in parkland area would also respond positively to concerns that were expressed in the Douglas Fluhrer Park visioning sessions where residents expressed a desire that the Park be larger. With respect to ABNA’s property proposed in the exchange, the Official Plan includes policies that would restrict land development within 30 metres (100 feet) of the water’s edge. Although traditional development is restricted within 30 metres of water’s edge, the property owner can incorporate the waterfront property into its development. The grant of easement agreement from 1997 did not intend that the City’s rights would exist forever in the form of a right-of-way over ABNA’s land because there is statement in the document that the rights might be replaced by the transfer of the lands to the City at some future point. Until replaced, the easement remains in good standing providing the City with public access along the waterfront.

The proposed location for the development (Station) within the Park would require access by a shared driveway and could ultimately have frontage on the possible Wellington Street extension. The proposed development could be accommodated within the approved Douglas Fluhrer Park Master Plan (Master Plan) without significant negative impact to the size and form of the future public space. In order to accommodate the development, minor reconfiguration of the parking area and surrounding pathways in the approved Park Master Plan would be required. Public parking would not be reduced from what is described within the current approved plan.

While ABNA has not identified if the proposal would be commercial or residential in usage, it is expected that the proposed land development would improve the vibrancy and safety of the Park by bringing a more regular resident or employee population and associated passive surveillance to the space. The aesthetic of the proposed repurposed rail station is expected to complement the Park and improve the quality of the local built form environment. While the land that the Park is currently occupying was never home to a formal rail station, the site owes its existence to historical railway use which required filling of the harbour which created the tableland. ABNA believes that the development will be historically supportive to the property as
the site has a rich rail history and once included a railway turntable known as the Roundhouse. This proposal would also enable the rejuvenation and integration of a heritage asset that has been deteriorating for a number of years.

**Due Diligence**
Prior to the acquisition of any property, the City typically undertakes due diligence investigations which may include archaeology, heritage, ecology, building condition, designated substances, environmental screening and potentially detailed environmental testing and assessment if warranted by a site’s location and past known uses.

**Next Steps**
It is recommended that Council direct staff to advance discussions with ABNA regarding the terms of the City’s due diligence of ABNA’s land, the terms of the relocation of the Station into the Park and investigation of the mechanisms to achieve a final resulting land exchange to be reported back to Council. Staff also recommends seeking public input of the proposed Station relocation into the Park and the proposed land exchange.

**Existing Policy/By-Law:**

Ontario Heritage Act

Municipal
City of Kingston Official Plan
City of Kingston Parks and Recreation Master Plan
City of Kingston Inner Harbor Trail Plan

**Notice Provisions:**
Not applicable

**Accessibility Considerations:**
Not applicable

**Financial Considerations:**
Not applicable

**Contacts:**

Lanie Hurdle, Commissioner, Community Services 613-546-4291 extension 1231

Luke Follwell, Director, Recreation & Leisure Services 613-546-4291 extension 1815
Other City of Kingston Staff Consulted:

Paul MacLatchy, Director, Environment and Sustainable Initiatives
Paige Agnew, Director, Planning, Building & Licensing Services
Neal Unsworth, Manager, Parks Development
Peter Huigenbos, Manager, Real Estate and Land Development
Alan McLeod, Senior Legal Counsel

Exhibits Attached:

Exhibit A  ABNA Investments Limited Proposal Letter
Exhibit B  Concept Plans for Station in Douglas R. Fluhrer Park
Exhibit C  Site Plan Area Comparison
Exhibit D  High Level Vision and Master Plan for Douglas R. Fluhrer Park
Exhibit E  Letter Confirming Approval for Relocation of the Grand Trunk Station
February 3, 2015

Re: CN Rail Train Station Relocation
Attachment: Proposed Renderings

Dear, Luke Follwell

I am writing on behalf of ABNA Investments Ltd. with regards to the opportunity to submit an unsolicited proposal involving the abandoned CN Train Station currently located on Montreal St. As the successful proponent of the 9 North St RFP and the current owner of the CN lands on Montreal St., ABNA Investments Ltd would like to propose moving the historic train station to the south-east corner of Douglas Fluhrer Park.

ABNA Investments Ltd. is requesting an opportunity to enter into discussions with City Staff with regards to our proposal. ABNA Investments Ltd. will produce the necessary documentation to show ownership of the CN lands as well as the proposed renderings and drawings of the train station in its proposed final location at Douglas Fluhrer. ABNA Investments Ltd. at this meeting will outline a proposed property trade which will be greater than a 1:1 ratio in the City’s favor and will involve trading non-waterfront park lands in Douglas Fluhrer for water front lands on the adjoining property to the north of Douglas Fluhrer.

ABNA Investments Ltd. our proposal has significant social and economic benefit for the City of Kingston. Our Proposal would repurpose the CN Railing building and jump start positive development on the CN Rail lands. ABNA Investments Ltd.’s proposal includes maintaining all the historic features of the train station during the relocation as well as the rail history of Kingston by relocating the building on the old Hanley Spur line.

In conclusion, ABNA Investments Ltd. and our design team would like to meet with City of Kingston staff to present this unsolicited proposal for the City of Kingston’s comments.

Sincerely,

Nate Doornekamp
Bird's eye view from Leeuwarden

Exhibit B
Exhibit B
Context Plan

Legend
- Articulated Wild - Structured 'wild' grassland areas
- Central Lawn - Central community gathering space
- Harbour (Bible Rest) - Public land protection
- Harbour (Celtic Cross) - Celtic Cross Relocation
- North Street - Potential Wellington Street Extension
- Bay Street - Two-way traffic lane extension
- Rideau Street - Bike lanes, sidewalks and planted boulevards
- South Street - Accessible pathway (switchback) combined with direct staircase access
- Tentative Boat Launch - Associated with marina
- Bob's Boat Parking - For park and boat launch users
- Coastal Parkettes - Boat Launch - Parkette Connection
- Water Access - Canoe and kayak access
- Activity Zone + Plaza - Playful elements, Event space, Ceremonies, Historical interpretation
- Shade Structure - Metal shade structure to provide sun protection in activity zone
- Overlooks - Low seatwalls, Planting, Views of water, Interpretation opportunity

Exhibit D
February 25, 2015

Re: CN Rail Train Station Relocation

Dear, Luke Follwell

I am writing on behalf of ABNA Investments Ltd. with regards to moving the CN Rail building from its current location on Montreal St to Douglas Fluhrer Park. ABNA Investments Ltd. confirms its ability to physically move the building, and ABNA Investments Ltd. also confirms CN Rail and Parks Canada are in agreement with the relocation plans.

Sincerely,

Nate Doornekamp