REPORT OF THE STANDING POLICY COMMITTEE

ON PROPERTY AND DEVELOPMENT

DATED SEPTEMBER 26, 2000

On motion of Councillor De Smedt, the Report of the Standing Policy Committee on Property and Development, dated September 26, 2000, was considered clause by clause.

Moved by Councillor De Smedt,
That the Consent Agenda, Clauses 1,2,3,4 and 5, be adopted.

Carried.

Proposed Amendment to Development Agreement AG 5/90 - Royalwood Subdivision - Riel Community
File DASZ 5/90

929 - 1. The Standing Policy Committee on Property and Development has been advised that if the City would like the Developer to connect Shorehill Drive to John Bruce Road at this time, Development Agreement AG 5/90 requires amending by the deletion of the condition in the Development Agreement that connecting any street from the Royalwood Subdivision to John Bruce Road requires that Shorehill Drive be extended to connect to St. Anne's Road.

In 1999, Island Shore Boulevard was constructed southerly to John Bruce Road and beyond. That event has caused the traffic on John Bruce Road, west of the CPR Emerson tracks all the way to St. Anne's Road to increase significantly. It had been the City's intention that the railway crossing would only be used as an emergency secondary access to be used by the present residents of John Bruce Road, however this did not happen because the St. Boniface School Division No. 4 buses could not turn around west of the tracks. If Shorehill Drive were connected to John Bruce Road, the school buses would no longer have to go through Island Lakes to get to their destinations. Connecting Shorehill Drive to John Bruce Road and constructing a turnaround south of that intersection would also enable the Winnipeg Transit System to serve Royalwood without utilizing the local residential streets.

When the Royalwood Subdivision was approved in 1991, a condition of the Development Agreement (AG 5/90) was that prior to any street within Royalwood being connected to John Bruce Road, Shorehill Drive would have to be extended southerly and westerly across the Seine River and connected to St. Anne's Road. The Developer is agreeable to connecting Shorehill Drive to John Bruce Road at this time if the City were to delete the requirement to also extend it to St. Anne's Road as described above.

On September 12, 2000, the Riel Community Committee considered report dated September 12, 2000, from the Land Development Engineer, Planning Property and Development Department, and recommended that Development Agreement AG 5/90 be amended as set out below.

The Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and recommends:

I. That Development Agreement AG 5/90 be amended by deleting the condition contained in the Development Agreement that connecting any street from the Royalwood Subdivision to John Bruce Road requires that Shorehill Drive be extended to connect to St. Anne's Road.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

Report of the Standing Policy Committee on Property and Development dated September 26, 2000

Proposed Rezoning and Subdivision - land located at 1405 St. Matthews Avenue - Assiniboia Community
File DASZ 16/2000

930 - 2. The Standing Policy Committee on Property and Development has been advised that the Planning, Property and Development Department submitted an application for a plan of subdivision and related zoning change to Zoning By-law No. 6400/94 by rezoning the subject lands from a "PR1" Parks and Recreation District to an "M2" Industrial District.

The following is the present site description:

Site Area: Approximately .755 acres (3,055 square metres)

Existing Land Use and Zoning: The land is currently vacant and zoned "PR1" Parks and Recreation

The following is the present surrounding land use and zoning:

North: Zoned "M2" Industrial District, commercial multi-tenant including Foody Goody, Winners and Penningtons
South: Zoned "M2" Industrial District, hotel - Polo Park Inn
East: Zoned "M1-B" Industrial District, CPR La Riviere
West: Zoned "M2" Industrial District, commercial buildings across Empress Street including Manitoba Lotteries

Leo Ledohowski, President, Continental Motor Inn Ltd., is purchasing the subject property from the City of Winnipeg in order to incorporate the spur line into the redevelopment of the Polo Park Inn. The property will be used for an extension of the existing hotel parking lot and will require "M2" Industrial District zoning to establish this use and conform with zoning on adjacent lots. In exchange for this City land the applicant is providing cash, an easement for public access along Omand's Creek, and a commitment to certain improvements along the Creek.

The rezoning of the subject property to "M2" Industrial District from "PR1" Parks and Recreation District is related to the City of Winnipeg's commitment to establish a linear parkway along Omand's Creek and protect riverbank lands. From this perspective the rezoning is supported by Plan Winnipeg provided that terms and conditions of the Easement Agreement fulfil the following Plan Winnipeg policies:

3E-04 Protect, Preserve and Maintain Riverbanks - The City shall endeavour to protect, preserve, and maintain its riverbanks and shall promote riverbank development that is environmentally appropriate and sensitive to the aesthetic qualities of the landscape.

3E-05 Protect Riverbank Aesthetics - The City shall protect the aesthetic quality of riverbank lands under public ownership and shall encourage its protection on privately-owned land.

3E-07 Promote Accessibility - The City shall encourage and promote public access to rivers and riverbank lands.

3F-04 Protect Natural Lands - The City shall endeavour to protect pockets of natural flora and fauna and to preserve what remains of its natural landscape.

6B-10 Promote Use of Riverbanks - The City shall promote the use of riverbanks as public spaces by continuing to acquire and develop riverbank lands for public uses.

Also, in accordance with Plan Winnipeg Policy 3F-01, the City Naturalist identified Omand's Creek as an Environmentally Sensitive Area (ESA). Policy 3F-03 provides direction to the City to evaluate proposed developments that affect ESA's.

Report of the Standing Policy Committee on Property and Development dated September 26, 2000

Neighbourhood Context

A rezoning of the spur line to "M2" Industrial District will match the zoning of adjacent properties to the north and south. The Polo Park area was, historically, an industrial area and the zoning and infrastructure has reflected industrial uses. The industrial zoning district of Zoning By-law No. 6400/94 permits most of the new commercial uses by right and the City of Winnipeg is faced with the dilemma of a transportation infrastructure that will not be able to adequately accommodate the emerging commercial activity. The Polo Park area is a high demand commercial node within the City of Winnipeg. New commercial developments are proceeding at a substantial pace along Omand's Creek on the east side of Empress Street.

The Friends of Omand's Creek are committed to the naturalization of Omand's Creek and they have leveraged hundreds of thousands of dollars of investment in the area from adjacent businesses as well as the three levels of government.

Environmental Issues

Omand's Creek is a damaged riparian area. It is also an environmentally sensitive area that should be protected from any development that is not compatible with a healthy creek environment. This is the focus of Plan Winnipeg Policy 3F-01 on protecting sensitive lands.

The City's Riverbank Management Engineer has expressed concerned about the stability of the banks along this section of Omand's Creek. The immediate concern is in light of the proposed public pathway. In the future, the issue of riverbank stabilization will be compounded with a possible expansion of Empress Street to accommodate the commercial traffic from Walmart, the hotel and other new commercial developments.

Linear Parkway Development

There has been a long history to the City of Winnipeg's commitment to developing a linear parkway along Omand's Creek. The plan was endorsed by Council in 1992 and the subject property, an abandoned spur line, was included in a rezoning to "PR1" Parks and Recreation District in 1998 (File DAZ 203/98) by the former Property and Development Services Department. The 1998 rezoning included this and other City-owned lands bordering Omand's Creek between the Assiniboine River and St. Matthew's Avenue.

The administrative report for the 1998 rezoning advised that the decision to rezone the spur line be delayed in order to allow time for negotiations that may have included an exchange of the City-owned spur line for some of the privately-owned Omand's Creek land between St. Matthew's and Ellice Avenues. At the time of the 1998 rezoning, property owners adjacent to the spur line between St. Matthew's and Ellice Avenues were interested in acquiring the land for their individual purposes but could not reach an agreement before the application reached Council. The rezoning to "PR1" Parks and Recreation District was approved.

The ownership of property to the north of the spur line changed last year and the Real Estate Division of the Planning, Property and Development Department began negotiating the sale of the spur line in March 2000 for redevelopment of the Polo Park Inn. An exchange of the spur line for the Omand's Creek land may have been the preferred option but the property owner was not interested in an exchange.

A Conditional Use was granted for hotel expansion by the Board of Adjustment on July 7, 2000, and a Variance for inadequate parking was granted by the Board of Adjustment on July 21, 2000. The variance was conditional upon the successful negotiation of the sale of the spur line to Leo Ledohowski. On July 19, 2000, Council approved the sale conditional upon an easement agreement in favour of the City over Leo Ledohowski's land along Omand's Creek. The report to Council outlined that restrictions on the development of Omand's Creek would be addressed through conditions of the rezoning.

In acknowledging the valuable resource Omand's Creek offers this City, the Real Estate Division has been involved in negotiating the terms and conditions of the Easement Agreement in order to ensure the needs of the Omand's Creek property are met. The Planning and Land Use Division of the Planning, Property and Development Department agreed with the Real Estate Division's initiative to undertake an "administrative" rezoning on the subject property with the understanding that concerns generally addressed through a Zoning Agreement between the City and the developer would be addressed within the terms and conditions of the Easement Agreement.

It is the opinion of Planning and Land Use Division that the issues of concern about Omand's Creek can be adequately addressed through the pending Easement Agreement. The Agreement must provide an assurance of public access and respect for the natural habitat and creek stabilization. As the Agreement is still in draft form as at September 7, 2000, it is unclear whether those issues will be adequately addressed. Review by appropriate City of Winnipeg staff of the final document will provide assurance the public interest is being met.

Report of the Standing Policy Committee on Property and Development dated September 26, 2000

If Council is not of the opinion that the issues may be adequately addressed through the Easement Agreement, the Planning and Land Use Division would recommend that the proposed rezoning by the City of the City-owned land not proceed, and the developer be required to rezone the property and enter into a Zoning Agreement with the City of Winnipeg.

A Public Hearing was held before the Assiniboia Community Committee on September 12, 2000. One person appeared in support of the application, no one registered in opposition thereto, and one person registered for information thereon.

That the Assiniboia Community Committee recommended that the proposed subdivision and rezoning be approved for the following reason:

1. That it is the assumption that the Director of Planning, Property and Development is aware of the following three terms that may have been added to the conditions of the subject proposed plan of subdivision and zoning change report and therefore will negotiate them, together with the City Solicitor/Manager of Legal Services, as conditions in the Easement Agreement, namely:

    a) That public access across the full extent of the easement is available at all times;

    b) That it shall be the responsibility of the landowner to construct and maintain a walkway in accordance with plans to be submitted to and approved by the City of Winnipeg;

    c) That it shall be the responsibility of the landowner to ensure that the integrity of the Creek is adequately protected at all times with regard to bank stabilization, to the satisfaction of the Riverbank Management Engineer, and natural vegetation and habitat, to the satisfaction of the City Naturalist.

The Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and recommends:

I. That the plan of subdivision proposed under File DASZ 16/2000 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule “A” for File DASZ 16/2000 dated September 7, 2000, for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the subject property be consolidated with adjacent property to the south.

II. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

III. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule “A” for File DASZ 16/2000 dated September 7, 2000, to an “M2” Industrial District.

IV. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land, proceeds of which to be directed to Omand’s Creek projects as determined by the appropriate administrative authorities.

V. That, in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

VI. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

VII. That the subdivision section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

VIII. That the owner of the land enter into an Easement Agreement with the City, to the satisfaction of the Director of Planning, Property and Development and the City Solicitor, which shall be the subject of a caveat to be registered against the land.

Report of the Standing Policy Committee on Property and Development dated September 26, 2000

IX. That the zoning section of the by-law shall come into force and effect upon registration of the Easement Agreement caveat as a first charge against the land in the Winnipeg Land Titles Office.

X. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

XI. In the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Adopted by consent.

(See Minute No. 961 for attachment)

Proposed Old Kildonan Secondary Plan - lands are identified as the Balgona Road Area, Murray Road Area and the Storie Road Area - Lord Selkirk-West Kildonan Community File SP 1/2000

931 - 3. On July 19, 2000, Council gave first reading to Secondary Plan By-law No. 7637/2000, being the Old Kildonan Secondary Plan, and directed the Lord Selkirk-West Kildonan Community Committee to hold a public hearing in connection with said secondary plan in accordance with The City of Winnipeg Act (Section 632) and the Development Procedures By-law No. 5893 /92 (Section 5).

The Old Kildonan Secondary Plan Draft By-Law and Background Report was prepared by the Planning, Property, and Development Department for the consideration of Standing Policy Committee on Property and Development at their June 27, 2000 meeting. The Standing Policy Committee concurred in the administrative recommendations and submitted the following recommendations to Council:

1. That the Old Kildonan Secondary Plan Background Report be received as information.

2. That the Old Kildonan Secondary Plan draft by-law be given first reading.

3. Following first reading, that the Old Kildonan Secondary Plan Draft By-law be scheduled for public hearing at Lord Selkirk-West Kildonan Community Committee, in accordance with The City of Winnipeg Act (Section 632).

4. The Director of Planning, Property and Development be requested to initiate rezoning of secondary plan area properties, in accordance with the plan recommendations, following third reading of the secondary plan by-law.

On July 19, 2000, Council gave first reading to the draft Old Kildonan Secondary Plan and authorized a public hearing at Lord Selkirk-West Kildonan Community Committee. Since that time, notice of the public hearing was published in both the Winnipeg Free Press and Winnipeg Sun newspapers, and notices were posted at various locations within the plan area. In addition, notices of the public hearing were mailed directly to area property owners advising of the plan recommendations and the public hearing date.

A Public Hearing was held by the Lord Selkirk-West Kildonan Community Committee on September 5, 2000. Two persons registered in support of the application, and twenty-two persons registered in opposition thereto, and twenty-three persons registered for information thereon.

The Lord Selkirk-West Kildonan Community Committee recommended that the application for the Old Kildonan Secondary Plan not be proceeded with, for the following reason:

Report of the Standing Policy Committee on Property and Development dated September 26, 2000

1. The large number of property owners and residents that registered in opposition during the public hearing.

The Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommends that the application under File SP 1/2000 for the Old Kildonan Secondary Plan, not be proceeded with.

Adopted by consent.

Proposed Street Name Change - portion of Burrows Avenue to Edgecombe Cove - Lord Selkirk-West Kildonan Community
File SC-3.14(34) (Vol. 1)

932 - 4. The Standing Policy Committee on Property and Development has been advised that the plan for the right-of-way identified for this street name change was recently registered pursuant to an application under File DASZ 21/99, which created an "eyebrow" on Burrows Avenue just south of Inkster Boulevard. On the registered plan the new right-of-way was identified as part of Burrows Avenue.

Recently the developer, with the concurrence of the owner, requested that the "eyebrow" on Burrows Avenue be given a different name. The developer chose "Edgecombe Cove" from the Street Name Reserve List for the Lord Selkirk-West Kildonan Community.

On September 5, 2000, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendations contained in the report dated August 15, 2000, from the Land Development Administrator of the Planning, Property and Development Department, and recommended that the currently registered portion of Burrows Avenue as shown shaded on Schedule "A" dated August 12, 2000, be changed to "Edgecombe Cove".

The Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommends:

I. That the currently registered portion of "Burrows Avenue" as outlined on Schedule "A" dated August 12, 2000, be changed to "Edgecombe Cove", and that in doing so, Council authorize the following:

   A That the Director of Planning, Property and Development be requested to provide the necessary legal description to the City Solicitor/Manager of Legal Services for the purpose of preparing a by-law.

   B. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law for approval by Council for registration in the Winnipeg Land Titles Office and that street name change become effective upon third reading.

   C. That the City Solicitor/Manager of Legal Services upon passage and adoption of the by-law by Council, be authorized to publish the street name change in two daily newspapers having a general circulation throughout the City of Winnipeg.

   D. That the City Clerk be requested, upon passage of the by-law, to provide the relevant Community Clerk with a copy of the by-law and this report for the purpose of changing all pertinent records and notifying all persons affected by the by-law.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

(See Minute No. 962 for attachment)

Report of the Standing Policy Committee on Property and Development dated September 26, 2000

Proposed Subdivision and Rezoning - land located at 335 Sioux Road - Riel Community File DASZ 8/2000

933 - 5. The Standing Policy Committee on Property and Development has been advised that an application has been received from Lombard North Group (1984) Ltd. (David Palubeskie), 505 - 93 Lombard Avenue, Winnipeg, for approval of a plan of subdivision and related zoning change to Zoning By-law No. 6400/94 by rezoning the subject lands from an "A-5" Agricultural District to an "RR2" Residential District to facilitate development of 27 two-acre lots.

The following is the present site description:

Site Area: Approximately 55 to 60 acres

Existing Land Use and Zoning: The land is largely vacant; zoned "A-5" Agricultural.

The following is the present surrounding land use and zoning:

North: Land to the north abuts the Perimeter Highway and is zoned A"-5" Agricultural
South: Land to the south is largely undeveloped "RR2" Residential
East: Lands abutting Highway 59 (Lagimodiere Boulevard) is zoned "A-5" Agricultural and occupied with a number of residential dwellings
West: To the west is the C.P.R. Emerson Mainline

The applicant proposes to create twenty-seven (27) new residential lots and to extend existing roads. The proposal fully complies with Plan Winnipeg policy, provided that the minimum lot sizes are two (2) acres in accordance with the St. Vital South Action Area Plan.

The subject land is situated east of the C.P.R. Emerson Line, just south of the Perimeter Highway. The land, which is largely vacant, is designated as a minimum two-acre area under the Perimeter South Action Area Plan, so much of the proposed development complies. In the past ten years, a relatively large number of two-acre lots have been established along Halparin Road, and in the area of Prairie Grove Road but comparatively few have been built upon.

In the subject proposal, Halparin and Ramblewood Roads are to be extended north and west to Sioux Road. Twenty-seven (27) lots are proposed, ranging in size from 3.50 acres to 1.82 acres. The eight 1.82-acre lots proposed are all close to 10% less in size than the minimum requirement and therefore cannot be supported. However, a reduction in the number of 1.82 acre lots by one should result in all remaining lots meeting the area requirement. The Planning, Property and Development Department therefore recommended that the proposed subdivision and rezoning be approved but the proposed number of lots be reduced to twenty-six (26) and that all new lots comply with the two-acre minimum requirement.

A Public Hearing was held before the Riel Community Committee on September 12, 2000. One person appeared in support of the application, thirteen people registered in opposition thereto, and one person registered for information thereon.

The Riel Community Committee recommended that the proposed subdivision and rezoning be approved for the following reasons:

1. The applicant and the Developer have made significant efforts to address the concerns of the area residents with the revised plan of subdivision.

2. The Developer has acquired additional land to make all of the proposed lots in the proposed subdivision a minimum of two acres.

3. The revised plan now fully complies with Plan Winnipeg and the Perimeter South Action Area Plan.

Report of the Standing Policy Committee on Property and Development dated September 26, 2000

The Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and recommends:

I. That the plan of subdivision proposed under File DASZ 8/2000 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 8/2000 dated September 12, 2000, for registration in the Winnipeg Land Titles Office, subject to the following:

A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 15, 2000, with the following amendments:

(i) That Clause 1 be amended by deleting the words "Budd Road" and replacing same with the words "north limit";

(ii) That the word "underground" in Clause 3.a) be replaced with the word "overhead";

(iii) That the words "and any wells be pitless units" be added at the end of Clause 4.ii);

(iv) That Clause 8 be amended by adding the words "notify prospective lot purchaser that it shall be their responsibility to" between the words "shall" and "provide" where they appear in the first line of Clause 8;

(v) That Clause 10 be amended by adding thereto the following sentence, "The area of the lot being retained to accommodate the Williams' residence shall not be included in the area calculations.".

II. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

III. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 8/2000 dated September 12, 2000, to an "RR-2" Residential District.

IV. That, in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

V. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

VI. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

VII. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

VIII. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

IX. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within 24 months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Adopted by consent.

(See Minute No. 963 for attachment)

REPORT OF THE STANDING POLICY COMMITTEE

ON PROPERTY AND DEVELOPMENT

DATED SEPTEMBER 28, 2000

On motion of Councillor De Smedt, the Report of the Standing Policy Committee on Property and Development, dated September 28, 2000, was considered.

Moved by Councillor De Smedt,
That the Consent Agenda, Clause 1, be adopted.

Carried.

Proposed Sale of City land located on the south side of McGillivray Boulevard, west of Waverley Street - Linden Ridge Development Corporation
File FI-2.4(31) (Vol. 8)

934 - 1. The Standing Policy Committee on Property and Development has been advised that the Planning, Property and Development Department is in receipt of an Offer to Purchase the subject City property, as outlined on Misc. Plan No. ASBA 9561/1.

The subject City property was expropriated in 1975 under By-law No. 943/75 for the purposes of including the subject land in the Fort Garry Tri-Partite Land Assembly Program. The Fort Garry Land Assembly Program was subsequently abandoned in 1978.

In August 1997, the former Property and Development Services Department received a letter from Dave Sharpe indicating he was interested in acquiring the subject City property for the sum of $75,000.00. Mr. Sharpe was acting on behalf of Linden Ridge Development Corporation, the owners of the adjacent lands on both sides of the subject City property. The owners have expressed interest in acquiring the City property since 1989.

On September 1, 1999, Mr. Sharpe was advised that the City's asking price for the subject lands was $175,000.00. Ongoing negotiations with the potential purchaser resulted in the purchaser indicating on April 26, 2000, that he was prepared to pay $100,786.00 for the subject City property. Mr. Sharpe was advised that the Planning, Property and Development Department was not prepared to support the sale of the property at $100,786.00.

The Planning, Property and Development Department is now in receipt of a revised Offer to Purchase the subject City property, as outlined on Misc. Plan No. ASBA 9561/1, in the amount of $150,000.00. Details of the subject City property are as follows:

Location:	South side of McGillivray Boulevard, west of Waverley Street
Legal Description:	Lot 7 Block C Plan 944
Certificate of Title:	927774
Zoning:	"A" Agricultural District
Size:	45.72 metres x 446.04 metres = 20,393 square metres 150 feet. x 1,463.39 feet. = 219,515 square feet. (5.0393 acres)
Roll Number:	03-2-664770
Assessment (1999/2000 Roll):	$102,000.00
Purchaser:	Linden Ridge Development Corporation
Price Offered:	$150,000.00

The City is in receipt of an Offer to Purchase from Linden Ridge Development Corporation dated August 9, 2000. Terms and Conditions of the Offer to Purchase are as follows:

1. A $30,000.00 deposit is to be provided upon approval of the sale by the City. Balance of monies to be paid on or before the date of closing.

Report of the Standing Policy Committee on Property and Development dated September 28, 2000

2. Date of closing, possession and adjustment is to be ninety days after the date of approval.

3. The purchaser to have sixty days from the date of approval to complete environmental/soil testing on the lands.

4. The purchaser is accepting title to the property on an "as is" basis and the purchaser is responsible for all costs of removal of any concrete, rubble or material located on the subject property.

The Principals of Linden Ridge Development Corporation and the associated holding companies are:

Abraham Simkin	William Klein	Fannie Shore
Bryan Klein	Gary Simkin	Robert Mark Jessiman
Bernard Simkin	Murray Simkin	Sally Joan Rinaldi
Duncan Jessiman	Fannie Simkin	June Bradwell
Charles Shore	Terrence Neal Olson	

The former owner of the lands, Morris Swartzman, was compensated for the lands in April of 1977. The City's Legal Services Division has indicated that there is no requirement to offer the subject property back to the former owner.

Although the Fort Garry Tri-Partite Land Assembly Program was abandoned in 1978, the Land Management Services Department of the Province of Manitoba has indicated that there was no interest on the part of the Province of Manitoba in these lands and advised the Planning, Property and Development Department to dispose of the lands accordingly.

At one time consideration was given to exchanging the subject property for a site that would accommodate a community centre. The Planning, Property and Development Department has been advised that the original proposal to construct a centrally located community centre to service both the Whyte Ridge Subdivision and the Lindenwoods Subdivision was rejected by the community in favour of constructing two separate community centres.

Consequently, Whyte Ridge Community Centre was constructed along Fleetwood Road and Victoria-Lindenwoods Community Centre was constructed along Lindenwood Drive West.

The subject property is no longer required for future community centre purposes, and is also not required for the purposes of parks, recreation and open space.

On September 12, 2000, the Assiniboia Community Committee advised the Planning, Property and Development Department that it had no objections to the proposed sale.

There has been considerable rubble and concrete dumped on the subject property over the years and it is estimated that it would cost in the range of $20,000.00 to $30,000.00 to remove this material. The purchaser has agreed to take title to the property "as is" and assume the responsibility for the removal of the material, rubble and concrete at its cost.

The Planning, Property and Development Department is supportive of the sale and recommended approval of the offer to purchase by Linden Ridge Development Corporation at the price of $150,000.00, and in accordance with the terms and conditions of the Offer to Purchase. Additional supportive considerations are:

1. The City will be relieved of the cost to remove rubble from the site.
2. The property will become assessable and expand the realty tax base.
3. Linden Ridge Development Corporation is the owner of the adjacent lands on both sides of the City property, and is the most likely purchaser.
4. The sale to this developer will promote a planned, orderly development of the total area in a timely manner.

A financial impact sheet is on file in the City Clerk's Department.

The Standing Policy Committee on Property and Development recommends:

I. That the "subject City property" as outlined on Misc. Plan No. ASBA 9561/1 be declared surplus to the City's requirements.

II. That the sale of the "subject City property" as outlined on Misc. Plan No. ASBA 9561/1 to Linden Ridge Development Corporation for the price of $150,000.00, be approved in accordance with the terms and conditions as negotiated.

Report of the Standing Policy Committee on Property and Development dated September 28, 2000

III. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

CONSIDERATION OF BY-LAWS

935 - On motion of Councillor De Smedt, the following by-laws were read a first, second and third time, the rule being suspended for the third reading of each by-law, and were passed and ordered to be signed and sealed, namely:-

By-law No. 7698/2000, a by-law of The City of Winnipeg to amend By-law No. 7691/2000 being a by-law to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the south side of Logan Avenue immediately east of Omand's Creek in the Lord Selkirk - West Kildonan Community. File DAZ 206/95

By-law No. 7699/2000, a by-law of The City of Winnipeg to amend By-law No. 7647/2000, being a by-law to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 212 Colony Street in the City Centre Community. File DAZ 206/2000

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

QUESTION PERIOD

936 - Councillor Steek inquired as to the status of the Canada Packers site demolition.

Councillor De Smedt advised that the RFP was out and that the contract award was expected shortly with demolition started before winter.

Councillor Steek made reference to the Big 4 Sales building and questioned if funding was not realized for Contemporary Dancers who were integral to the process, what would happen with the building.

Councillor De Smedt noted that Council did approve an extension of the offer through to September 30, 2001 and noted that the proponent was being very active in trying to get appropriate tenants.