REPORT OF THE STANDING POLICY COMMITTEE

ON PROPERTY AND DEVELOPMENT

DATED MAY 2, 2000

On motion of Councillor De Smedt, the Report of the Standing Policy Committee on Property and Development, dated May 2, 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 Subdivision and Rezoning - land located at 2595 McPhillips Street - Lord Selkirk-West Kildonan Community
File DASZ 24/99 [c/r DAV 22/99D]

603 - 1. The Standing Policy Committee on Property and Development has been advised that an application has been received from Red River Co-operative Ltd., P.O. Box 339, 1615 King Edward Street, Winnipeg, for approval of a plan of subdivision and related zoning change to Zoning By-law No. 6400/94 by rezoning the subject lands outlined from an "A-5" Agricultural District to an "M1" Industrial District to permit the development of a gas kiosk, "mini-C-store" and car wash.

The following is the present description:

Site Area: The lot being rezoned will have 317 feet of frontage along McPhillips Street and 250 feet of depth for a total area of 1.8 acres

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

The following is a description of the present surrounding land use and zoning. Properties to the west, north and east are zoned "A-5" Agricultural District and largely vacant. The residual lands of the subject property which lie adjacent to the east are occupied by a cemetery owned by the Hebrew Sick Benefit Association of Winnipeg. To the south is the Bergen Cut-off zoned "A-5" Agricultural and further south is an existing "R1-5" Residential subdivision.

The applicant, Red River Co-op, proposes to convert the subject land into gas outlet with a "mini-C-store" and car wash. The lands to the rear will remain as a cemetery.

The proposal complies with Plan Winnipeg Policy given that the area in question is a designated industrial zone.

As indicated, the applicant with the authorization of the owners is proposing to split off 1.8 acres of the overall lands owned by the Hebrew Sick Benefit Association adjoining the Bergen Cut-off for purposes of establishing a gas outlet and car wash. The site plan shows four fuel dispensers connected by canopy to a small office/convenience store (400 plus/minus square feet). To the rear is a small car wash. The site is bounded on three sides by a six foot light-proof fence. Access to the lot of which there is a right turn in and a right turn out is directly to McPhillips Street. The cemetery to the rear is currently accessed via the Bergen Cut-off which is regarded as unsatisfactory by the Administration. The Administration recommended that the applicants agree to a cross access agreement with the Hebrew Sick Benefit Association to ensure that there is always adequate vehicular access to the cemetery lands. The Planning and Land Use Division supported the proposed development given that the site is designated Industrial under Plan Winnipeg and underground services are available.

A Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee on March 7, 2000 and April 11, 2000. Sixteen persons registered in support of the application, and no one registered in opposition thereto.

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The Lord Selkirk-West Kildonan Community Committee recommended that the proposed subdivision and rezoning be recommended for approval for the following reason:

1. The proposed subdivision and rezoning is appropriate at this location.

On May 2, 2000, the Standing Policy Committee on Property and Development considered the proposed subdivision and rezoning application under File DASZ 24/99, and approved the following amendments which have been incorporated in the recommendations as set out below:

· Recommendation I. be amended by adding the following after I.A.

B. That the developer be required to enter into a Subdivision Agreement with the City containing the following condition:

1. To provide for a cross-access easement agreement, to the satisfaction of the Director of Public Works, providing for access over proposed Lot 1 to proposed Lot 2.

· Recommendation VII. be amended by adding the following words at the end of the recommendation "and the Subdivision Agreement".

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

I. That the plan of subdivision proposed under File DASZ 24/99 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 24/99 dated February 29, 2000, for registration in the Winnipeg Land Titles Office, subject to the following:

A. That the Developer be required to enter into a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated February 18, 2000.

B. That the developer be required to enter into a Subdivision Agreement with the City containing the following condition:

1. To provide for a cross-access easement agreement, to the satisfaction of the Director of Public Works, providing for access over proposed Lot 1 to proposed Lot 2.

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 24/99 dated February 29, 2000, to a "M1" 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, and the creation of an additional building site.

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 upon execution by the City of Winnipeg of the Development Agreement and the Subdivision Agreement.

VIII. 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.

IX. 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.

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X. 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. 633 for attachment)

Proposed Rezoning - land located at the southwest corner of Shorehill Drive and Bridgeway Crescent - Riel Community
File DAZ 203/2000

604 - 2. The Standing Policy Committee on Property and Development has been advised that an application has been received from Grandin Park Development Ltd., 200 - 40 Lakewood Boulevard, Winnipeg, to amend Zoning By-law No. 6400/94 by rezoning the subject land outlined from an "R1-4" Single-Family District to an "RM-2" Multiple-Family District to allow for a twenty one (21) unit cluster condo development.

The following is the present site description:

Site Area: The overall site area encompasses 3.4 acres. The lot in question has close to 500 feet of frontage along Shorehill Drive.

Existing Land Use and Zoning: The land is currently vacant but zoned for "R1-4" Single-Family development.

The following is the surrounding land use and zoning:

North: Combination developed and undeveloped "R1-5" Single-Family lots
South: Undeveloped "PR-1" Parks and Recreation land
East: Combination of developed "R1-4" and undeveloped "R1-4" Single-Family lots
West: Undeveloped "PR-1" Parks and Recreation land

The applicant proposes to rezone the subject property from an "R1-4" Single-Family category to an "RM-2" Multiple-Family category to facilitate development of a 21 unit cluster condo development. The accompanying site plan indicates that there are to be nine 2-unit condo structures and a single 3-unit structure for a total of twenty one 21 units overall. There appears to be a minimum 16 foot separation between structures and in most cases, the separation is well in excess of 16 feet. Primary access is from Shorehill Drive which leads to a private internal roadway system and visitor parking area at the centre of the development. A second access may be established in the future connecting proposed Bridgeway Crescent to the site. All units will have a minimum of 30 foot rear yards and a maximum 35 foot building height stipulated under the "RM-2" Bulk Regulations. Adjoining lands to the west and south are zoned "PR-1" Parks and Recreation and will remain untouched.

The proposal complies with the policies of Plan Winnipeg which designates the subject area as a neighbourhood area.

The subject property lies at the southern extremity of both Shorehill Place and existing dwellings to the north and east along Beaudry Bay, Norcross Crescent, Highbridge Road and Bedard Crescent. The subject property is situated at the southwest corner of Shorehill Drive and as yet unopened street Bridgeway Crescent. There is a large zoned "PR-1" Parks and Recreation area lying adjacent to the west and south.

The parcel in question totals 3.4 acres in size and was originally set aside as a school site (but zoned "R1-4" Single-Family). Recently the site was declared surplus by the St. Boniface School Division No. 4 and the applicants are exercising their right to develop the lands for residential purposes. In this instance, an alternative is being proposed in the way of a condominium housing project. In order to do so, a rezoning to a multiple-family housing category is required. The proposed housing project is not dissimilar from other cluster condo developments recently put in place in south St. Boniface and South St. Vital. As is customary, the units are in clusters of usually two or three, and in some instances all the units are detached housing units resembling a conventional single-family subdivision. In this

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particular proposal there are nine 2-unit residences and a single 3-unit residence at the centre of the complex. The internal street system is privately maintained and primary access to the site is via Shorehill Drive. As outlined in the preceding section, yards and building heights are equal to or marginally greater than required for a single-family building in any of the "R1" categories. For example, the "RM-2" zoning permits a 35 foot maximum building height whereas a home zoned "R1-4" Single-Family has a 30 foot maximum height restriction. It should be noted that under the current "R1-4" zoning, it could be possible to subdivide the existing parcel into approximately 15 to 16 lots. The proposed development at 21 units is therefore just marginally higher in density than that which is currently allowed. To ensure that the proposal as outlined is adhered to, the accompanying zoning agreement will:

1. Restrict overall number of units to a total of 21; and
2. Provide that final plan approval outlining details of the project be endorsed by the Riel Community Committee and the Administration prior to the issuance of any building permits.

A Public Hearing was held before the Riel Community Committee on April 11, 2000. One person appeared in support of the application, and no one registered in opposition thereto.

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

1 The proposed housing project is not dissimilar from other cluster condo developments recently put in place in south St. Boniface and approval of this rezoning is considered to be compatible with the surrounding area.

2. The proposed condominium development with 21 units is just marginally higher in density than that which is allowed under the existing zoning.

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

I. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 203/2000 dated April 4, 2000, to an "RM-2" Multiple-Family District, subject to the following:

   A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 591(1) of The City of Winnipeg Act, to provide for the following:

      1. That the maximum density be restricted to a total twenty-one (21) residential units.

      2. That final plans indicating approaches, extensive landscaping, fencing, building locations and profiles, parking (visitor) lighting, garbage enclosures, etc., be submitted and approved by the Riel Community Committee and the Administration prior to the issuance of any building permits.

II. That the ten percent (10%) dedication be waived in this instance as this matter was covered under the Royal Wood Development Agreement.

III. 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.

IV. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

V. That the rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

VI. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

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VII. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See Minute No. 634 for attachment)

Proposed Street Name Change - Queenston Street to Queenston Bay - City Centre Community File SC-3.14(32) (Vol. 2)

605 - 3. The Standing Policy Committee on Property and Development has been advised that it has recently been brought to the attention of the Planning, Property and Development Department that "Queenston Bay" is not continuous to Mathers Avenue. A portion of Queenston, east of Brock Street was legally registered as Queenston Street. However the residents are being addressed as Queenston Bay and the Canada Post records also indicate that the postal codes are those following the Queenston Bay series. Therefore it is now necessary to name "Queenston Street" as outlined on Schedule "A" dated March 29, 2000, to "Queenston Bay".

On April 11, 2000, the City Centre Community Committee concurred in the recommendations of the report dated March 29, 2000, from the Subdivision Officer, Planning Property and Development Department, as set out below.

The Standing Policy Committee on Property and Development concurred in the recommendations of the City Centre Community Committee and recommends:

I. That the currently registered street name "Queenston Street" as outlined on Schedule "A" dated March 29, 2000, be changed to "Queenston Bay", 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. 635 for attachment)

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Proposed Rezoning - land located at 1060 Selkirk Avenue - Lord Selkirk-West Kildonan Community File DAZ 236/99

606 - 4. On April 26, 2000, Council referred back Clause 6 of the Report of the Standing Policy Committee on Property and Development dated April 4, 2000, as outlined on Appendix "A", with respect to the proposed rezoning of land located at 1060 Selkirk Avenue.

The Standing Policy Committee on Property and Development recommended therein:

I. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A", for File DAZ 236/99 dated February 29, 2000, to a "CF" Industrial District, subject to the following:

A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 591(1) of The City of Winnipeg Act, to provide for the following:

1. That the use of the land be restricted to a welding business.

II. 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 the market value of the land.

III. 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.

IV. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

V. That the rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

VI. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

VII. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

The Standing Policy Committee on Property and Development has further considered the foregoing, and reaffirms its recommendations to rezone the subject lands as outlined above, with the following amendment to Recommendation I.A., namely, the following wording be deleted:

"subject to the following:

A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Section 591(1) of The City of Winnipeg Act, to provide for the following:

1. That the use of the land be restricted to a welding business."

Adopted by consent.

(See Minute No. 636 for attachment)

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Proposed Declaration of City Properties as Surplus - James Avenue Pumping Station - Amy Street Steam Plant - Transfer of Surplus Properties to CentreVenture Development Corporation
File FI-2.4(32) (Vol. 9)
[c/r EP-1.2.3 (Vol. 1)]

607 - 5. The Standing Policy Committee on Property and Development has reviewed the results of the Request for Proposals relative to the James Avenue Pumping Station.

JAMES AVENUE PUMPING STATION (109 James Avenue)

Originally built in 1906, the James Avenue Pumping Station at 109 James Avenue was built to remedy an inadequate fire-fighting water supply system. The building is listed on the Buildings Conservation List as a Grade II structure.

On May 28, 1997, Council declared the James Avenue Pumping Station surplus to the City's requirements.

On September 2, 1999, the Standing Policy Committee on Property and Development requested the Administration to develop criteria and terms of reference for a Request for Proposals (RFP) for the James Avenue Pumping Station at 109 James Avenue, in accordance with the administrative parameters that have been developed.

On September 30, 1999, the Standing Policy Committee on Property and Development approved the terms of reference and evaluation criteria for the 109 James Avenue Request for Proposals, and requested the Administration to advise the CentreVenture Development Corporation that a Request for Proposals for 109 James Avenue had been approved.

Two (2) Proposals were received by the time, date for final receipt of Proposals (12:00 Noon, Wednesday, December 15, 1999) from the following Offerors: Forecast Real Estate Advisors Ltd./First Terra Developments Inc. and Protos International Inc.

A letter was also received from the Pumphouse Restaurant and Brewing Co. which stated that the Board of Directors of the Pumphouse Restaurant and Brewing Co. had decided to withdraw its interest in developing 109 James Avenue due to an inability to secure the investment financing needed to mount the project.

An Evaluation Committee to review the two Proposals was established, and committee members were selected based on their training and experience related to the Evaluation Criteria developed for the purpose of evaluating Proposals received and as approved by the Standing Policy Committee on Property and Development. The Evaluation Committee members were: Jerry Comeau, Manager of Civic Accommodations, Planning Property and Development Department; Giles Bugailiskis, Planner (Historic Buildings); Brad Erickson, Investment Strategies Coordinator; Victor Mikolayenko, Supervisor of Land Acquisition and Appraisal; Annitta Stenning, CEO, CentreVenture Development Corporation; and, Elizabeth Sweatman, CentreVenture Development Corporation.

As part of the evaluation process, the Evaluation Committee considered each Proposal received for compliance with the Submission Requirements contained in Section 2.0 of RFP No. 1295-99. The two (2) Proposals received were deemed in compliance with the Submission Requirements for their content regarding 109 James Avenue. However, both Proposals also presented development proposals for other properties located in the surrounding area. Specifically, both Proposals contained development proposals for the Amy Street Steam Plant.

The Evaluation Committee deliberated how to proceed with the RFP. Discussions held with both Offerors determined that, while each Offeror was willing to have their Proposal solely considered by it's content regarding 109 James Avenue, both Proposals were significantly dependent on development of properties in the surrounding area. Therefore, the Evaluation Committee concluded it was unable to rate each Proposal based on the established/approved Evaluation Criteria and using the Evaluation Model as described/presented in RFP No. 1295-99.

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The Civic Accommodations Division of the Planning, Property and Development Department identified the following potential courses of action with respect to the subject facility and RFP No. 1295-99:

1. Evaluate the Proposals as presented;
2. Re-issue an expanded RFP; or,
3. Transfer development responsibility to CentreVenture Development Corporation.

Alternative 1: Evaluate the Proposals as Presented

As concluded by the Evaluation Committee, it was not possible to rate each Proposal based on the established/approved Evaluation Criteria for the following reasons:

- The Evaluation Criteria was established based solely on 109 James Avenue. Other criteria may be appropriate when considering the Amy Street Steam Plant and/or when combining area properties for development.

- The other properties identified by the Offerors, including the Amy Street Steam Plant, have not been declared surplus or been the subject of an RFP. Therefore, it may be unfair/inequitable to other potential developers of these properties to only consider the development proposals of the two Offerors responding to RFP No. 1295-99.

Conclusion: It was not recommended that the Proposals received be evaluated.

Alternative 2: Re-issue an expanded RFP

The re-issue of an expanded RFP would overcome both the concerns identified in Alternative 1 above, namely, (1) allow other appropriate criteria to be included in the evaluation; and (2) allow other potential developers to present proposals. An expanded RFP also has the advantage of increasing the potential development options available to the City of Winnipeg. However, an expanded RFP was not consistent with 109 James Avenue's current status as identified in the Asset Agreement dated November 17, 1999, between the City of Winnipeg and CentreVenture.

Conclusion: It was not recommended that an expanded RFP be re-issued.

Alternative 3: Transfer Development Responsibility to CentreVenture

109 James Avenue is presently listed in Category "C" of the Asset Agreement dated November 17, 1999, between the City of Winnipeg and the CentreVenture Development Corporation. The properties listed in Category "C" are properties owned by the City of Winnipeg which are currently in negotiation and/or subject to outstanding instruction as at the date of the Agreement (November 17, 1999) e.g.: conditional sales, negotiations, RFP's). Therefore, declaring 109 James Avenue surplus and referring it to CentreVenture would result in transfer of 109 James Avenue from Category "C" to Category "A" (properties owned by the City of Winnipeg which have been declared surplus) of the Asset Agreement.

Conclusion: Transferring development responsibility to CentreVenture would overcome the concerns of Alternative 1, would achieve the benefits of Alternative 2, and would be consistent with the Asset Agreement dated November 17, 1999, between the City of Winnipeg and the CentreVenture Development Corporation.

The Planning, Property and Development Department recommended that 109 James Avenue be declared surplus and that development responsibility for 109 James Avenue be transferred to the CentreVenture Development Corporation consistent with the Asset Agreement dated November 17, 1999, between The City of Winnipeg and the CentreVenture Development Corporation.

On April 6, 2000, the Standing Policy Committee on Property and Development requested the Planning, Property and Development Department to inform the Proponents that the proposals received for the Request for Proposals (RFP) for 109 James Avenue (James Avenue Pumping Station) were determined to be non-responsive, and laid over further consideration of the James Avenue Pumping Station and the Amy Street Steam Plant properties to its meeting in May 2000.

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AMY STREET STEAM PLANT (110 Pacific Avenue)

On September 15, 1998, the Standing Policy Committee on Public Works authorized the Administration to cancel the Award of Contract for the demolition of the Amy Street Steam Plant, at such time as they are satisfied the potential for establishment of a film production facility is credible, and if liability to the City can be limited to some extent.

Further, in a memo dated December 10, 1999, to Doug Kalcsics, Director of Planning, Property and Development from Jim Linton, Director of Winnipeg Hydro, Mr. Linton advised not to proceed with any property transactions regarding the Amy Street Steam Plant as a portion of land (yet to be determined) is required by Winnipeg Hydro for the relocation of interconnection lines with Manitoba Hydro.

The Planning Property and Development Department recommended that it be given direction from the Standing Policy Committee on Property and Development regarding the Amy Street Steam Plant.

There is no financial impact associated with the two foregoing administrative recommendations.

The Standing Policy Committee on Property and Development recommends:

I. That 109 James Avenue be confirmed as surplus to the City's requirements, and that development responsibility for 109 James Avenue be transferred to the CentreVenture Development Corporation consistent with the Asset Agreement dated November 17, 1999, between the City of Winnipeg and the CentreVenture Development Corporation.

II. That the Administration be requested to determine the extent of the land at the Amy Street Steam Plant site that is required by Winnipeg Hydro for its substation and transmission lines.

III. That the Amy Street Steam Plant site, excepting that portion required by Winnipeg Hydro for its substation and transmission lines, be declared surplus to the City's requirements.

IV. That the development responsibility for the Amy Street Steam Plant site be transferred to the CentreVenture Development Corporation, consistent with the Asset Agreement dated November 17, 1999, between The City of Winnipeg and the CentreVenture Development Corporation.

V. That should the CentreVenture Development Corporation determine the best proposal for development of the subject property requires the demolition of the Amy Street Steam Plant, the necessary funding set aside in the Winnipeg Hydro Operating Budget for this purpose, be approved.

VI. 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 MAY 4, 2000

On motion of Councillor De Smedt, the Report of the Standing Policy Committee on Property and Development, dated May 4, 2000, was considered clause by clause.

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

Councillor Timm-Rudolph requested that Clause 2 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clause 1, was put and declared carried.

Proposed Property Acquisition - 495 Furby Street - City Centre Community
File FI-2(32) (Vol. 5)

608 - 1. The Standing Policy Committee on Property and Development has been advised that negotiations to acquire the subject property at 495 Furby Street have now been completed, and Council approval is required for all acquisition programs that have not been previously determined or approved by Council.

The subject property was offered to the City in March 1999 for $27,000.00. At that time the Planning and Land Use Division of the Planning, Property and Development Department would not support pursuing the acquisition and the owner was advised accordingly.

On February 15, 2000, the owner once again offered the subject property for sale to the City at a much reduced asking price of $7,500.00.

Considering the reduced asking price the Planning and Land Use Division together with the Spence Neighbourhood Association advised the Real Estate Division of the Planning, Property and Development Department to pursue the acquisition of the subject property for the purpose of consolidation with the adjacent tot lot to the north.

On April 6, 2000, the Standing Policy Committee on Property and Development authorized the Director of Planning, Property and Development to negotiate the proposed acquisition of 495 Furby Street, as outlined on Schedule "A". The Director was also authorized to arrange for the demolition of 495 Furby Street, subject to the successful acquisition of the property.

The particulars of the subject property are as follows:

Location:	495 Furby Street; east side, north of Ellice Avenue
Legal Description:	Lot 23, Plan 33356
Certificate of Title:	1544536
Registered Owner:	Evangelia Pavlidis
Realty Roll No.:	Inner City 2 – 506960
Zoning:	"R2T" Transitional District
Description:	Vacant 1½ storey, wood framed, single family house with full basement in poor to fair condition.

The owner has agreed to sell the subject property for $7,000.00 with the condition that possession will be June 1, 2000. After a review of the market the Real Estate Division is of the opinion that the proposed purchase price of $7,000.00 is reasonable.

The City Centre Community Committee, on March 21, 2000, recommended that the City Centre Land Dedication Reserve Account be used to fund the proposed acquisition.

The property has been inspected by the City and community representatives who have determined that the building is not suitable for restoration and will need to be demolished. The Spence Neighbourhood Association has applied to

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the Winnipeg Development Agreement Program 3A-Neighbourhood Revitalization for funding for the demolition of the residence and park development. The Parks and Open Space Division of the Public Works Department has agreed to assume maintenance responsibility for the site, subject to the Spence Neighbourhood Association undertaking and funding the associated site development work.

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 proposed acquisition of the "subject property" as outlined on Misc. Plan No. 10888, be approved at a purchase price of $7,000.00 and in accordance with the terms and conditions as negotiated, with the source of funding to be the City Centre Land Dedication Reserve Account.

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.

Proposed Lease of land in favour of Winnipeg Hydro - Pointe du Bois Transmission Line Right-of-Way - Her Majesty the Queen in the Right of the Province of Manitoba, represented by the Honourable Minister of Natural Resources
File FI-2.4.4.1 (Vol. 7)

609 - 2. The Standing Policy Committee on Property and Development has been advised that the Planning, Property and Development Department has negotiated proposed terms and conditions of lease in favour of the Winnipeg Hydro Department respecting the continued use of portions of property, owned by the Manitoba Department of Natural Resources, as part of the Pointe du Bois Transmission Line Right-of-Way.

The Winnipeg Hydro Department has been operating and maintaining the 69kV Pointe du Bois Transmission Line from the Pointe du Bois Generating Station to Rover Avenue since 1911.

By way of report dated February 17, 2000, the Winnipeg Hydro Department advised the Chief Financial Officer that design and survey works on the Pointe du Bois Transmission Line have been ongoing since 1996 to pave the way for the construction of a new 138kV transmission line starting in the year 2001. Works to date have determined that the City does not have title (ownership) to eighteen (18) properties on the Pointe du Bois Transmission Line, as a result of how land transactions were dealt with 90 or more years ago. In order to continue with the planned transmission line replacement, the City would be required to obtain ownership of the private properties identified with the assistance of the Real Estate Division of the Planning, Property and Development Department and the Legal Services Division of the Community Services Department.

Funds necessary for the acquisition of the private holdings were included in the 1997 Capital Budget, which was approved by Council on February 12, 1997.

In this regard, by way of memorandum dated February 23, 2000, the Chief Financial Officer authorized the Director of Planning, Property and Development to commence negotiations to acquire the eighteen (18) private properties identified in the said report for final approval by the Standing Policy Committee on Property and Development. As such, the Real Estate Division has commenced negotiations and will report to the Standing Policy Committee as required.

Of the eighteen (18) privately-owned properties identified in the said Winnipeg Hydro Report, three are owned by the Province of Manitoba, as outlined on the Consultant Drawings numbered Sheet 25, 26 and 33 of 34 sheets, and have been leased since the early 1900's by the Winnipeg Hydro Department. The most recent lease agreement which was for a twenty-one (21) year term at an annual rental of $19.70 expired on October 31, 1998. The tenancy, of course, has continued on in an "over-holding basis" pending the negotiations of a lease renewal.

Report of the Standing Policy Committee on Property and Development dated May 4, 2000

Although the City is preparing to pursue acquisition of the subject Crown Lands under lease, it would be proper to have a valid lease in place prior to the Manitoba Department of Natural Resources accepting the terms and conditions of the proposed purchase. That Provincial Department is agreeable to the foregoing and it has proposed the following terms and conditions of lease:

Term:	Twenty-one (21) year term, commencing on November 1, 1998 and expiring on October 31, 2019
Purpose:	Development, maintenance and operation of a high power electric transmission line
Rental:	$400.00 per annum
Insurance:	The City of Winnipeg is self insuring
Cancellation:	365 days notice by either party

The Planning, Property and Development Department, Real Estate Division is of the opinion that the proposed terms and conditions of lease are reasonable. Although the proposed annual rental has increased from $1.00 per acre to approximately $20.00 per acre, the Manitoba Department of Natural Resources has indicated that the rental is not negotiable. The proposed rental has been established in accordance with Provincial Regulation (ie. $210.00 for the first acre, $20.00 per acre thereafter). The Real Estate Division is of the opinion that it would be prudent to accept the lease as proposed as not to frustrate the negotiations pertaining to the proposed acquisition of the subject properties in the future.

The Winnipeg Hydro Department advised that the rental costs associated with the subject lease would be charged against account number 40-552605-05010101. A financial impact sheet is on file in the City Clerk's Department.

In accordance with the Council Order of July 18, 1979, as amended by Council on April 28, 1993, the Standing Policy Committee has the authority to approve leases and rental of privately-owned lands and/or buildings for which the Chief Administrative Officer has no authority except in the following cases:

(a) the lease is for more than ten (10) years; or
(b) the net cost to the City, excluding operating costs and tenant improvements, is greater than $1 Million over the lease term,

which leases shall be subject to review by Council.

The Standing Policy Committee on Property and Development recommends:

I. That a continued lease of those portions of property owned by the Province of Manitoba, Department of Natural Resources, as outlined on Consultant Drawings numbered Sheet 25, 26 and 33 of 34 sheets, which form part of the Pointe du Bois Transmission Line Right-of-Way, in favour of the Winnipeg Hydro Department be approved, in accordance with terms and conditions as negotiated; the Agreement to provide for such other terms and conditions as are deemed necessary by the Director of Planning Property and Development and by the City Solicitor/Manager of Legal Services to achieve the intent of Council and to protect the City's interests.

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

Moved by Councillor De Smedt,
Adoption of the clause.

Carried.

Councillor Timm-Rudolph asked to be recorded as having voted against the clause, in accordance with Rule 50.7 of the Procedure By-law.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

MOTIONS

Moved by Councillor De Smedt,
Seconded by Councillor Gerbasi,

610 - THEREFORE BE IT RESOLVED that the Thursday, June 1, 2000, meeting of the Standing Policy Committee on Property and Development be cancelled, and any real estate and civic accommodation issues previously laid over to, or proposed for consideration on June 1, 2000, be incorporated into the agenda for the next regular meeting scheduled for Tuesday, May 30, 2000.

Carried.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

CONSIDERATION OF BY-LAWS

611 - 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. 7604/2000, a by-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 1060 and 1066 Selkirk Avenue in the Lord Selkirk - West Kildonan Community. File DAZ 236/99

By-law No. 7635/2000, a by-law of The City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located south of Jefferson Avenue east of Brookside Boulevard in the Lord Selkirk - West Kildonan Community. File DASZ 18/98

By-law No. 7636/2000, a by-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the south west corner of Shorehill Drive and Bridgeway Crescent in the Riel Community. File DAZ 203/2000