Report of the Standing Policy Committee on Property and Development dated September 12, 2002

Proposed Acquisition and Demolition of 444 Agnes Street
File FI-2(32) (Vol. 5)

8. The Standing Policy Committee on Property and Development has been advised that the subject property at 444 Agnes Street is severely infested with cockroaches, and the Provincial Medical Health Officer requires a process that will consume at least 90 days before an Order to demolish can be issued. The Public Trustee advised that it is willing to provide the City with a Transfer of Land in order to expedite a demolition on the understanding that the registered owner has no funds and that any costs be the City's responsibility. Council approval is required in order to acquire the subject derelict property.

The particulars of the property are as follows:

Location:	West side of Agnes Street, between Portage and Ellice Avenues.
Legal Description:	Southerly 19 feet of Lot 154 and the northerly 11 feet of Lot 155, Misc. Plan No. 4076
Certificate of Title:	1034810
Registered Owner:	Margaret Chorney
Realty Roll No.:	13041097000
Assessment:	$24,100.00
Zoning:	"R2-T" Transitional District
Description:	A 1-¾ story, 1044 square foot single-family residence on a full basement, built in 1908, now boarded up and in poor condition, plus garage.

The 2002 taxes in the amount of $765.87 are paid. The hydroelectric and gas accounts are paid up, but a water bill of $16.04 (estimated) remains unpaid. There is no outstanding home insulation loan with the hydroelectric utility. As of August 23, 2002, the Certificate of Title is free and clear of all registered encumbrances. However, the Public Trustee advises that the current owner has no funds. Also, the condition of this property is such that a purchaser is not likely to be found. Therefore, the City can expect to ultimately acquire this property in tax sale.

The City's Legal Services Division has ascertained that the Public Trustee has no obligation for the costs associated with this proposed demolition when the registered owner has no such funds. Costs associated with this proposed acquisition and demolition, estimated to be up to $8,000.00, will have to be paid out of the Land Operating Reserve, i.e. as if a tax sale acquisition.

If the City does not acquire the property, the Environmental Health Branch will have to wait at least 90 days before it can obtain the Provincial Medical Health Officer's Order to demolish this boarded up building. Then, the property will most likely fall into tax arrears and the City will acquire title in approximately four years time at greater expense. In the meantime, this property has the worst cockroach infestation observed by health officials and this condition poses a hazard to adjoining properties.

The Standing Policy Committee on Property and Development recommends:

I. That the Public Trustee's offer to provide a Transfer of Land to the City of Winnipeg for 444 Agnes Street, shown as "subject property" on Misc. Plan No. 11624, be accepted in accordance with such terms and conditions as the Director of Planning, Property and Development and the City Solicitor/Manager of Legal Services might consider necessary to protect the City's interests.

II. That the Director of Planning, Property and Development be authorized to demolish the building located at 444 Agnes Street immediately upon title issuing to the City.

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.