Agenda - Council – April 28, 2010

Report - Standing Policy Committee on Property and Development – April 16, 2010

Item No. 1 Land Exchange – Chief Peguis Trail Extension
(North Kildonan Ward)
eFile FI-2.4.4.1

STANDING COMMITTEE RECOMMENDATION:

On April 21, 2010, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submits the following to Council:

1. That the proposed land exchange of "Parcel A and B – Land to be conveyed to the City" and "Parcel C and D – Land to be conveyed to Genstar", with Genstar Development Company or its nominees purchasing "Parcel A and Parcel B" from the City of Winnipeg at a price of $1.00 and the City of Winnipeg purchasing "Parcel C and Parcel D" at a price of $35,500.00 as shown on Misc. Plan No.13638/2 be approved as described in the Winnipeg Public Service report dated March 29, 2010 and in accordance with the City's standard terms and conditions and upon such terms and conditions as may be acceptable to the Director of the Legal Services Department and the Director of Planning, Property and Development.

2. That the City-owned lands identified as "Parcel C and Parcel D – Land to be conveyed to Genstar" as shown on attached Misc. Plan No. 13638/2 be declared surplus to the City's needs.

3. That the source of funding identified in the Winnipeg Public Service report dated March 29, 2010 be approved for the acquisition of the subject property.

4. 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.

Report - Standing Policy Committee on Property and Development – April 16, 2010

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 21, 2010, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 16, 2010, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

ISSUE: **TO OBTAIN APPROVAL FOR A PROPOSED LAND EXCHANGE – CHIEF PEGUIS TRAIL EXTENSION**

Critical Path: **Standing Policy Committee on Property and Development**
Executive Policy Committee
Council

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Klassen	D. Joshi	J. Ferrier Acting CFO	Glen Laubenstein

RECOMMENDATIONS

1. That the proposed land exchange of "Parcel A and B – Land to be conveyed to the City" and "Parcel C and D – Land to be conveyed to Genstar", with Genstar Development Company or its nominees purchasing "Parcel A and Parcel B" from the City of Winnipeg at a price of $1.00 and the City of Winnipeg purchasing "Parcel C & Parcel D" at a price of $35,500.00 as shown on the attached Misc. Plan No.13638/2 be approved as described herein and in accordance with the City's standard terms and conditions and upon such terms and conditions as may be acceptable to the Director of the Legal Services Department and the Director of Planning, Property and Development.

2. Subject to the approval of Recommendation #1 above, that the City-owned lands identified as "Parcel C and Parcel D – Land to be conveyed to Genstar" as shown on attached Misc. Plan No. 13638/2 be declared surplus to the City's needs.

3. That the source of funding identified herein be approved for the acquisition of the subject property.

4. That the Proper Offices of the City be authorized to do all things necessary to implement the intent of the foregoing.

IMPLICATIONS OF THE RECOMMENDATIONS

In September 2009, the City received a proposal from Genstar Development Company for a proposed land exchange as shown on Misc. Plan No. 13638/2.

Parcel A and Parcel B will be required by the City at some future date for the extension of the Chief Peguis Trail.

The Winnipeg Public Service has negotiated terms and conditions of this land exchange, which includes City owned lands commonly known as the former “Bergen Cut-Off” to the west of Pipeline Road, that are under Public Works jurisdiction.

The Public Works Department supports the land exchange as negotiated and has advised that adequate funding for this proposed land exchange is available in the Land Acquisition – Transportation Right of Way Program, Account # 003-181000-180603-1832000408-Property.

The Winnipeg Public Service has determined that the former “Bergen Cut-Off” land in question is not required for civic purposes.

No environmental issues are anticipated. However, as a precaution, the City’s proposed transaction will contain terms that protect the City’s interest regarding environmental matters.

HISTORY

In September 2009, the City received from Genstar Development Company a proposal for a land exchange as identified on Misc. Plan No. 13638/2.

At some future date, the City will require Parcel A & Parcel B – Land to be conveyed to the City as public street right of way to extend the Chief Peguis Trail east of Pipeline Road. Ensuing negotiations between the Winnipeg Public Service and Genstar have produced an agreement in principle to a proposed land exchange.

Genstar owns the property shown shaded as Parcel A and Parcel B on the attached Misc. Plan No. 13638/2 to the east of Pipeline Road which equates to 11.443 acres and the City owns the property shown as Parcel C and Parcel D on the attached Misc. Plan No. 13638/2 to the west of Pipeline Road which equates to 10.167 acres. The City’s will exchange 1.276 acres less than what it will be receiving from Genstar. The City property is under Public Works jurisdiction.

The Planning, Property and Development Department has determined that there is no civic need for the City owned property commonly known as the “Bergen Cut-Off” lands identified as Parcel C & Parcel D – Lands to be conveyed to Genstar on the attached Misc. Plan No.13638/2. The Department considers the land exchange to be equitable since the City will pay $28,000 per acre (Development Agreement Parameters) for lands acquired from developers for the purposes of roadways, for the additional 1.275 acres that the City will receive in this land exchange. The associated terms and conditions are considered reasonable and consistent with other land exchanges negotiated by the City.

In view of the fact that there is no civic need for the City owned lands identified as Parcel C and Parcel D – Lands to be conveyed to Genstar on the attached Misc. Plan No.13638/2, the Winnipeg Public Service is recommending that the property be declared surplus to the City’s requirements and that the property be included in a proposed land exchange agreement.

FINANCIAL IMPACT

Financial Impact Statement **Date:** March 24, 2010

Project Name: **First Year of Program** **2010**

PROPOSED LAND EXCHANGE – CHIEF PEGUIS TRAIL EXTENSION

	2010	2011	2012	2013	2014
Capital					
Capital Expenditures Required	$ 36,210	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	36,210	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ 3,259	$ 3,259	$ 3,259	$ 3,259
Less: Incremental Revenue/Recovery	710	-	-	-	-
Net Cost/(Benefit)	$ (710)	$ 3,259	$ 3,259	$ 3,259	$ 3,259
Less: Existing Budget Amounts	(710)	3,259	3,259	3,259	3,259
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Capital expenditures in 2010 consist of the $35,500 cash exchange amount + short-term financing costs of $710; the latter amount is offset by an equal recovery in the operating budget of the Corporate Finance Department. Direct costs from 2011 onward represent debt & finance charges on the 2010 capital expenditure and will be charged to the Public Works Department's operating budget.

"Original signed by"
Mike McGinn, CA
Manager of Finance

CONSULTATION

In preparing this Report there was consultation with:

Public Works Department

SUBMITTED BY

Department	Planning Property & Development
Division	Real Estate Division
Prepared by	Michelle Granger, RPA
Date:	March 29, 2010
File No.	8781

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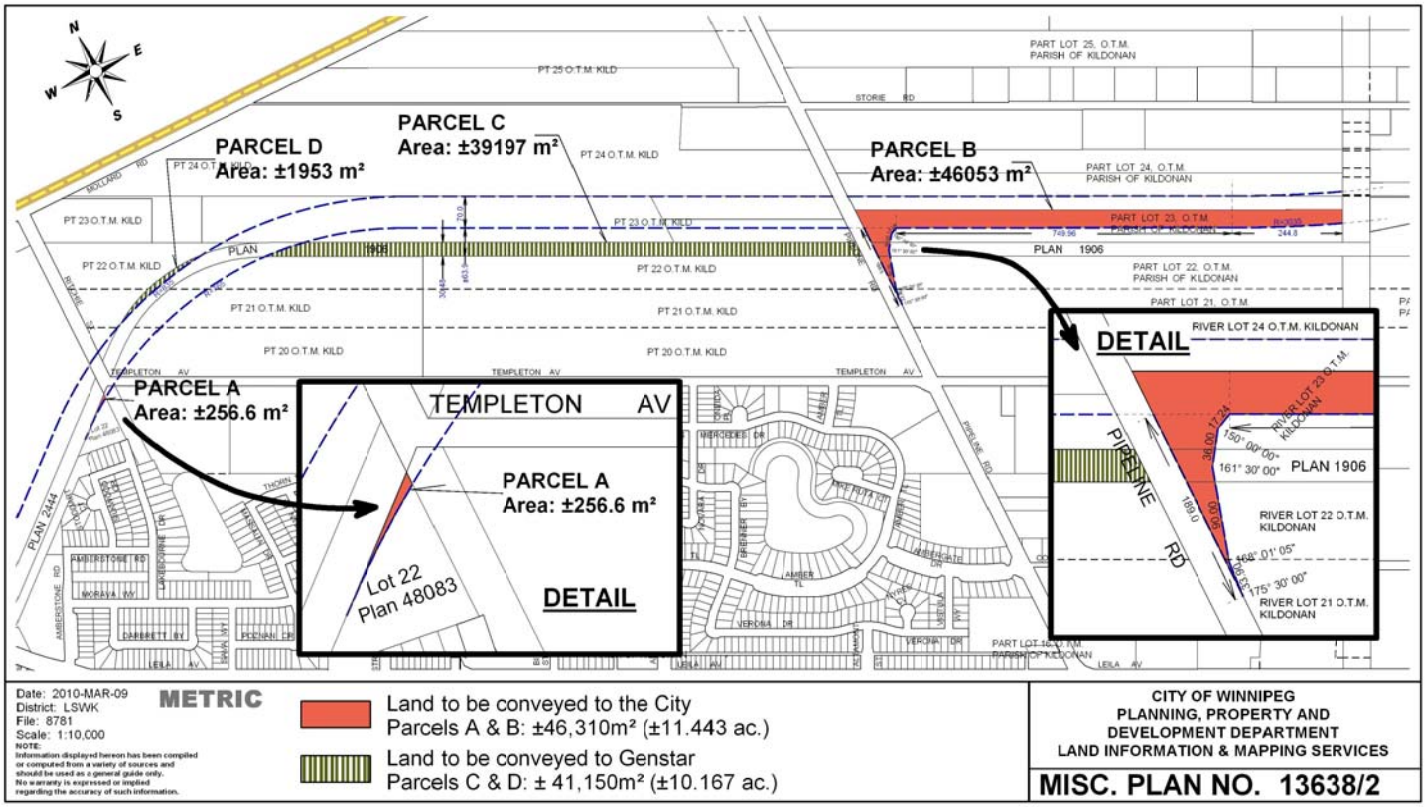
PARCEL D
Area: ±1953 m²
PARCEL C
Area: ±39197 m²
PARCEL B
Area: ±46053 m²
PARCEL A
Area: ±256.6 m²
PART LOT 25, O.T.M.
PARISH OF KILDONAN
PT 25 O.T.M. KILD
PT 24 O.T.M. KILD
PART LOT 24, O.T.M.
PARISH OF KILDONAN
PT 23 O.T.M. KILD
PART LOT 23, O.T.M.
PARISH OF KILDONAN
PLAN 1906
PT 22 O.T.M. KILD
PART LOT 22, O.T.M.
PARISH OF KILDONAN
PT 21 O.T.M. KILD
PART LOT 21, O.T.M.
PT 20 O.T.M. KILD
STORIE RD
MOLLARD RD
TEMPLETON AV
PIPELINE RD
PLAN 2444
AMBERSTONE RD
LEILA AV
VERONA DR
TEMPLETON AV
PARCEL A
Area: ±256.6 m²
Lot 22
Plan 48083
DETAIL
DETAIL
RIVER LOT 24 O.T.M. KILDONAN
RIVER LOT 23 O.T.M. KILDONAN
PIPELINE RD
150° 00' 00"
161° 30' 00"
PLAN 1906
RIVER LOT 22 O.T.M. KILDONAN
168° 01' 05"
175° 30' 00"
RIVER LOT 21 O.T.M. KILDONAN
Date: 2010-MAR-09
District: LSWK
File: 8781
Scale: 1:10,000
METRIC
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only. No warranty is expressed or implied regarding the accuracy of such information.
Land to be conveyed to the City
Parcels A & B: ±46,310m² (±11.443 ac.)
Land to be conveyed to Genstar
Parcels C & D: ± 41,150m² (±10.167 ac.)
CITY OF WINNIPEG
PLANNING, PROPERTY AND
DEVELOPMENT DEPARTMENT
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13638/2