Agenda - Executive Policy Committee – February 22, 2013

Moved by Councillor

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

Report - Standing Policy Committee on Property and Development – February 19, 2013

Item No. 13 Declaration of Surplus Land - 405 Allard Avenue (St. Charles Ward)

STANDING COMMITTEE RECOMMENDATION:

On February 19, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submits the following to Council:

1. That the City-owned property located at 405 Allard Avenue, identified as "Parcel A" on Misc Plan No. 10994/9 be declared surplus to the needs of the City.

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

Pursuant to Section 205(2) of The City of Winnipeg Charter, disposal of land owned or acquired by the City for park or cemetery purposes requires approval by two-thirds of all Members of Council.

Agenda - Executive Policy Committee – February 22, 2013

Report - Standing Policy Committee on Property and Development – February 19, 2013

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On February 19, 2013, 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

Title: **To Seek Council Approval to Declare City-owned Property at 405 Allard Avenue, shown as "Parcel A" on Misc Plan No. 10994/9, Surplus to the Needs of the City**

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

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Zabudney	B. Thorgrimson	N/A	D. Joshi, COO

RECOMMENDATIONS

1. That the City-owned property located at 405 Allard Avenue, identified as "Parcel A" on Misc Plan No. 10994/9 be declared surplus to the needs of the City.

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

REASON FOR THE REPORT

Council approval is required to declare the subject property surplus to the needs of the City.

Approval of at least two-thirds of the members of Council is required to declare property designated or acquired for Park purposes surplus to the needs of the City.

The Planning, Property and Development Department intend to market and sell the subject property through a public offering.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no regulatory or human resource implications associated with the report.

The City's standard terms and conditions of sale will include provisions to protect the City's interests in the event that environmental contamination is discovered.

There are no direct financial implications associated with this recommendation.

HISTORY

The City acquired the subject property from the former Rural Municipality of Assiniboia.

On September 13, 2011, Standing Policy Committee on Property and Development requested that the Winnipeg Public Service investigate declaring the northerly portion of the lands (approx 1 acre) located at 405 Allard Avenue as surplus land and to be considered for appropriate residential in-fill development and report back to the Assiniboine Community Committee.

The subject property falls under the jurisdiction of Parks and forms part of the Stewart – St. Charles Playground.

City Departments were canvassed to determine if they had any need or objection to declaring the subject property surplus to the City's needs.

Comments received from City Departments were provided by the Public Service, as information to the Assiniboine Community Committee meeting of April 10, 2012, as follows:

"Parks recommends that:

i) the size of the subject property to be declared surplus be reduced by half to retain useable park space. The Division does not support declaring the area east of the playground (for access off of Allard Avenue) surplus to the City's needs;

ii) the subject City property be zoned for residential, not commercial development;

iii) there be no impact to the newly established park amenities;

iv) consideration be given to the proximity of the access point to the new playground equipment, and the increase in traffic; and

v) the subject property be sold for fair market value, the proceeds of which to be allocated to the Land Dedication Reserve Fund for alternate park needs in the Community.

The District Planner advised that a low density multi-family development would be supported on the "Subject City Property", as shown on Misc Plan No. 10994/8. Any proposed development will require the following considerations:

- *legally close and have declared surplus, the unimproved north/south public lane identified as "Proposed Closing" on Misc. Plan No. 10994/8 for consolidation with the subject property;*
- *construct a turnaround within the development;*
- *initiate a subdivision and rezoning application, wherein the City will retain the existing playground and play structure area as shown on Misc Plan No. 10994/8.*

The Water and Waste Department advises that there are existing water, sewer and land drainage services in both the Allard Avenue and St. Charles Street right-of-ways. Upon clarification of the anticipated development proposal(s), further evaluation would be conducted, at the Purchaser's cost, to determine if the existing services are of sufficient capacity for said development.

The Public Works Department, Transportation Division and the Fire Paramedics Service advise that the access to the subject property must have a width of 7.5m to accommodate two-way traffic, a 12m centerline radius on turns, and that a turnaround area must be constructed within the development. The layout of the "Subject City Property" as shown on Misc Plan No. 10994/8 is favorable to this traffic requirement. "

On April 10, 2012, the Assiniboine Community Committee received the report from the Winnipeg Public Service as information and recommended that the Planning, Property and Development Department move forward with a separate report to the Standing Policy Committee on Property and Development to seek Council approval to declare "Parcel A" as shown on Misc Plan No. 10994/8 surplus to the needs of the City.

As a result of subsequent discussions, it was requested by the Ward Councillor that the size of the subject property be increased by approximately 10,400 ft^2 to be that area shown as “Parcel A” on Misc Plan No. 10994/9. This would result in a remaining playground area of approximately 14,874 ft^2 or 0.34 acres – approximately one-third of the original park size.

Parks further identified the following specific requests:

1. There be a 20m offset from the north limit of the existing playground structures to provide buffer space and room to run around;
2. The area east of the playground, identified for access off of Allard Avenue, not be declared surplus to the City’s needs; and
3. The sales agreement to include a provision for the Purchaser to provide fencing between the “Parcel A” on Misc Plan No. 10994/9 and the remaining park space.

The Department response is that in regards to requests # 1 and #2 raised by Parks, that the area of land to be declared surplus has been defined by the preference of the Ward Councillor. In regards to request #3 raised by Parks regarding fencing to separate the proposed development from the existing park/playground, this can be addressed as part of the subdivision and rezoning approval process.

It is the intent of the Department to offer the “Subject City Property” as shown on Misc Plan No. 10994/9 for sale on the open market with the following conditions:

1. That the proponent make application to legally close the unimproved lane shown as “Proposed Closing” on Misc. Plan No. 10994/9,
2. That the proponent construct a turnaround within the development, and
3. That the proponent completes a subdivision and rezoning application process whereby the City will retain the lands shown as “City Owned Property” on Misc Plan No. 10994/9.

The Department recommends that the net sale proceeds be allocated to the Land Dedication Reserve Fund for alternate park needs in the Community.

The Ward Councillor was consulted and concurs with the intentions of the Department.

FINANCIAL IMPACT

Financial Impact Statement Date: January 17, 2013

Project Name:

Approval to Declare City-owned Property at 405 Allard Avenue, shown as "Parcel A" on Misc Plan No. 10994/9, Surplus to the Needs of the City

COMMENTS:

There are no financial implications associated with declaring the subject property as surplus to the needs of the City. Upon sale of the property, net proceeds are to be allocated to the Land Dedication Reserve Fund to be used for park purposes in the Community.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

CONSULTATION

In preparing this report there was consultation with:

Public Works Department, Parks and Open Space Division
Transportation Division

Water and Waste Department, Engineering Division

SUBMITTED BY

Department	Planning, Property and Development Department
Division	Real Estate Division
Prepared by:	Kim Koszman
Date:	January 18, 2013
File No.	7565

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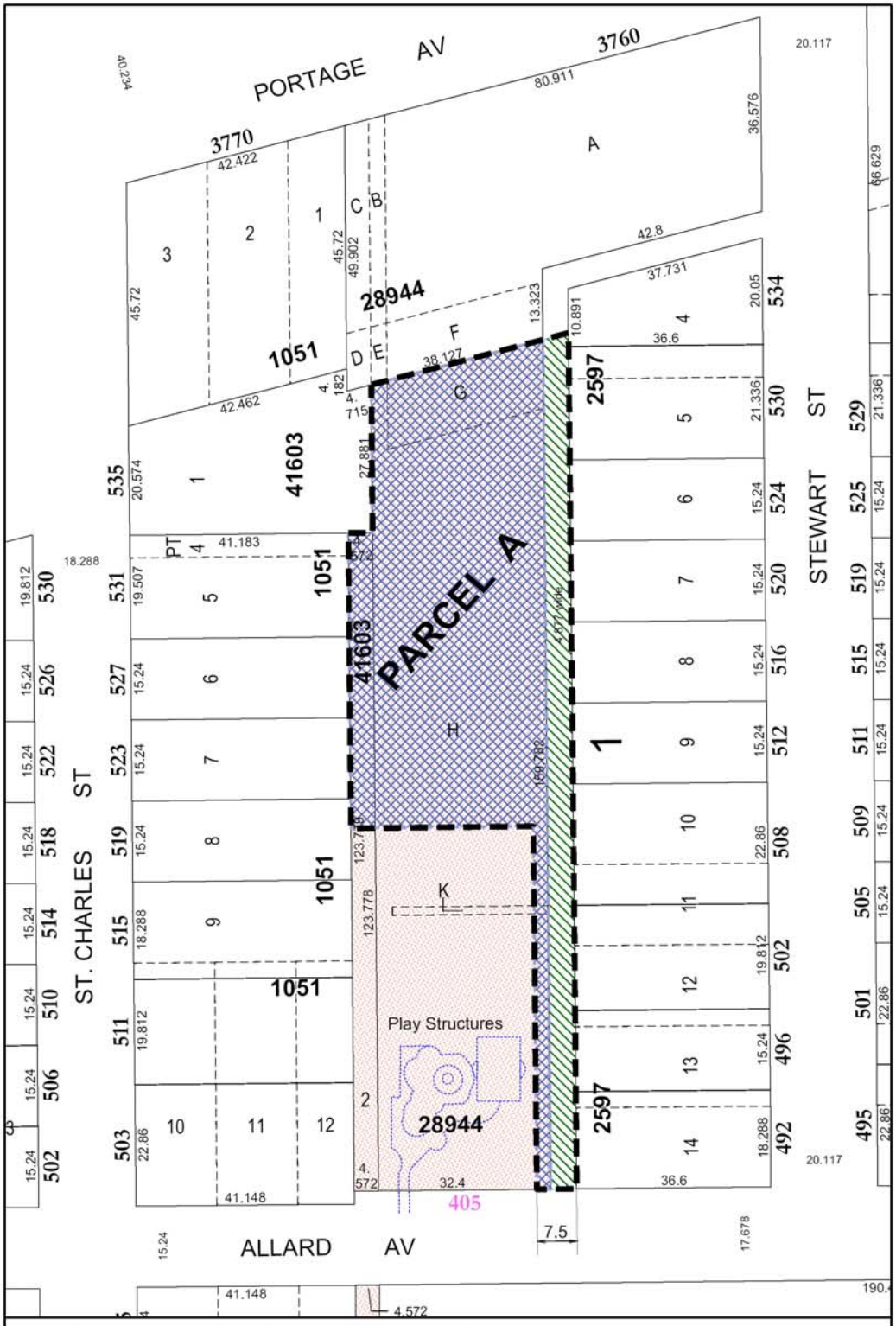


SUBJECT CITY PROPERTY, Area: ± 4,046.9 m² (± 1.0 acre)

PROPOSED CLOSING

PARCEL A, Area: ±3,265.4 m² (±35,149 ft²)

CITY OWNED PROPERTY

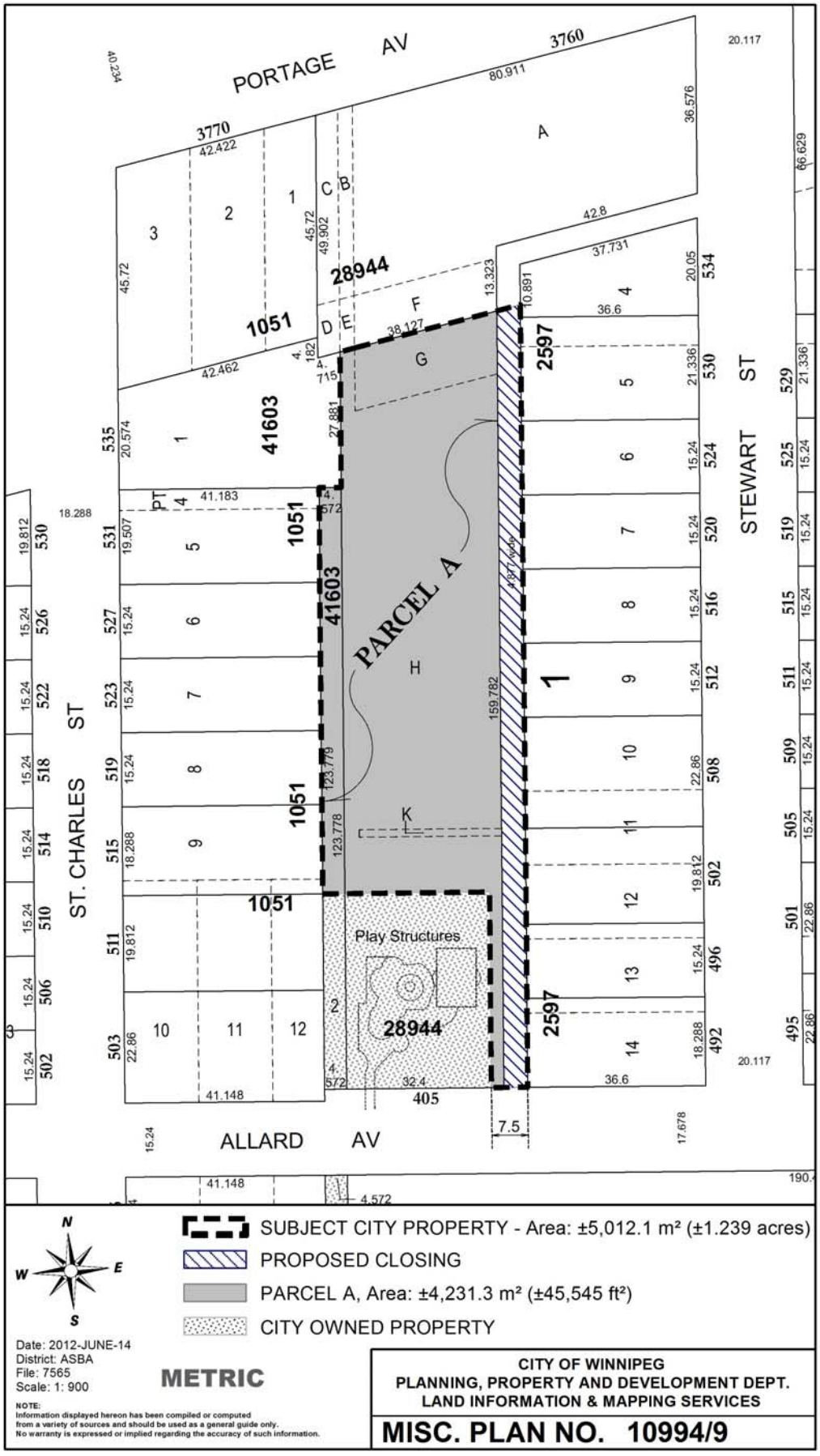
Date: 2012-APRIL-4
District: ASBA
File: 7565
Scale: 1: 900

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.

CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES

MISC. PLAN NO. 10994 / 8


PORTAGE AV
ALLARD AV
ST. CHARLES ST
STEWART ST
PARCEL A
Play Structures
SUBJECT CITY PROPERTY - Area: ±5,012.1 m² (±1.239 acres)
PROPOSED CLOSING
PARCEL A, Area: ±4,231.3 m² (±45,545 ft²)
CITY OWNED PROPERTY
Date: 2012-JUNE-14
District: ASBA
File: 7565
Scale: 1: 900
METRIC
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CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 10994/9