Minute No. 349
Report – Standing Policy Committee on Property and Development – April 9, 2013

Item No. 8 **Acquisition of land for Murray Avenue Improvement Project, in exchange for city land south of Murray Avenue and north of proposed Chief Peguis Trail Extension**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the land exchange of City-owned property shown as "Subject City Property" with 2808715 Manitoba Ltd., McGregor Investments Ltd. and Worldwide Investments Inc. owned property shown as "Proposed Acquisition" at a price of $1.00 as shown on attached Misc. Plan No. 14214/13 be approved in accordance with the terms and conditions of agreements as negotiated, and upon such additional terms and conditions as may be acceptable to the Director of the Legal Services/City Solicitor and the Director of Planning, Property and Development.

2. That the City-owned lands identified as "City Land to be Conveyed to 2808715 Manitoba Ltd., McGregor Investments Ltd. and Worldwide Investments Inc." as shown on attached Misc. Plan No. 14214/11 be declared surplus to the City's needs.

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

Report – Standing Policy Committee on Property and Development – April 9, 2013

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 17, 2013, 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 9, 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: **PROPOSED ACQUISITION OF LAND FOR MURRAY AVENUE IMPROVEMENT PROJECT, IN EXCHANGE FOR CITY LAND SOUTH OF MURRAY AVENUE AND NORTH OF PROPOSED CHIEF PEGUIS TRAIL EXTENSION**

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

RECOMMENDATIONS

1. That the proposed land exchange of City owned property shown as “Subject City Property“ with 2808715 Manitoba Ltd., McGregor Investments Ltd. and Worldwide Investments Inc. owned property shown as “Proposed Acquisition” at a price of $1.00 as shown on attached Misc. Plan No. 14214/13 be approved in accordance with the terms and conditions of agreements as negotiated, and upon such additional terms and conditions as may be acceptable to the Director of the Legal Services/City Solicitor and the Director of Planning, Property and Development.

2. Subject to the approval of Recommendation #1 above, that the City-owned lands identified as “City Land to be Conveyed to 2808715 Manitoba Ltd., McGregor Investments Ltd. and Worldwide Investments Inc.” as shown on attached Misc. Plan No. 14214/11 be declared surplus to the City’s needs.

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

REASON FOR THE REPORT

The proposed acquisition forms part of the land required for the Council approved Murray Avenue Resurfacing and Drainage Improvement Project as part of the 2012 Capital Budget.

Council approval is required to enter into a Land Exchange Agreement and to declare the subject City-owned property surplus to the needs of the City.

IMPLICATIONS OF THE RECOMMENDATIONS

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

The acquisition of the subject property would be funded by the 2012 Capital Program "Land Acquisition – Transportation Right-of-Way" budget, which has sufficient funds for the costs of the acquisition.

There are no direct financial implications associated with this recommendation.

HISTORY

Council approved the Murray Avenue Resurfacing and Drainage Improvement Project as part of the 2012 Capital Budget under the Granular Roadway Improvement Program.

The ""Proposed Acquisition" shown on Misc. Plan No. 14214/13 identifies the lands required for this project.

The City property shown as "City Land to be conveyed to 2808715 Manitoba Ltd., McGregor Investments Ltd. and Worldwide Investments Ltd." on Misc. Plan No. 14214/11 was circulated to all City Departments and no Civic need was identified.

On February 27, 2013, under DAOC 2/2012, Council declared as surplus the lands shown cross hatched on Misc. Plan No. 14214/11.

The Department intends to exchange those City lands shown as "Subject City Property" for the lands shown as "Proposed Acquisition" on Misc. Plan No. 14214/13 with the adjoining owner-2808715 Manitoba Ltd., McGregor Investments Ltd. and Worldwide Investments Inc." for consolidation with its current holding, for $1.00.

An easement requirement of 13.6m has been identified by the Water and Waste Department for an existing sewer force main along the entire length of the easterly portion of the closed McGregor Street and the purchaser is agreeable to taking title subject to this easement.

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

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 # 003-181000-180604-1811001211-Property.

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.

The Department is seeking approval of the terms and conditions of a land exchange as negotiated with 2808715 Manitoba Ltd., McGregor Investments Ltd. and Worldwide Investments Inc.

FINANCIAL IMPACT

Financial Impact Statement **Date:** March 14, 2013

Project Name:

PROPOSED LAND EXCHANGE – MURRAY AVENUE RESURFACING AND DRAINAGE IMPROVEMENTS – SOUTH SIDE OF MURRAY AVENUE WEST OF FERRIER STREET

COMMENTS:

In addition to the nominal exchange of $1, other costs of acquisition such as survey, legal, land transfer tax, ancillary costs, etc. will be incurred. The total of all such costs is not considered to be material and available funding is sufficient to cover these costs. As such, there are no material financial implications associated with this report.

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

CONSULTATION

In preparing this report there was consultation with:

Public Works Department

Water and Waste Department

SUBMITTED BY

Department	Planning Property & Development
Division	Real Estate Division
Prepared by	Michelle Granger, RPA
Date:	March 26, 2013
File No.	4977

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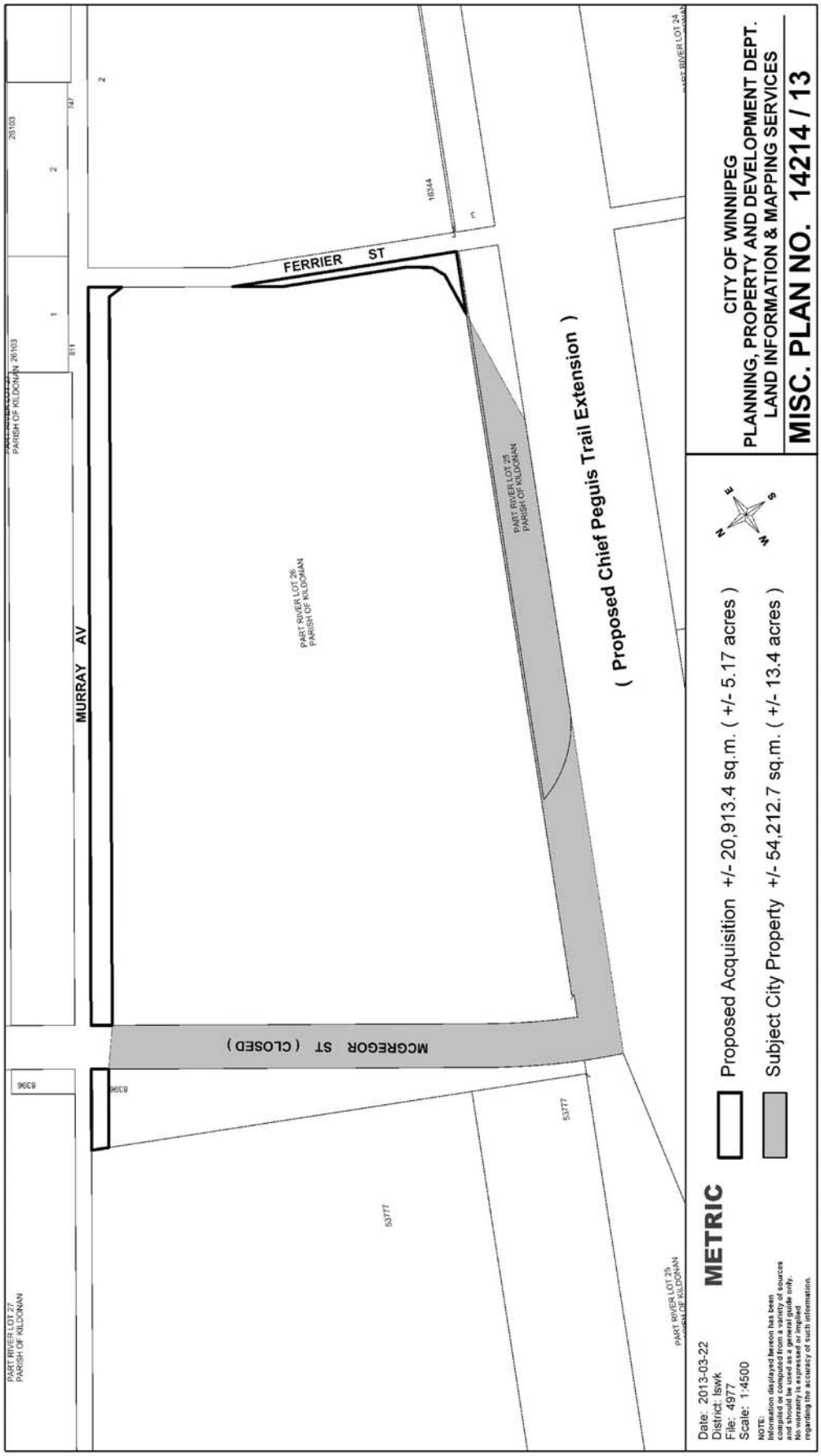
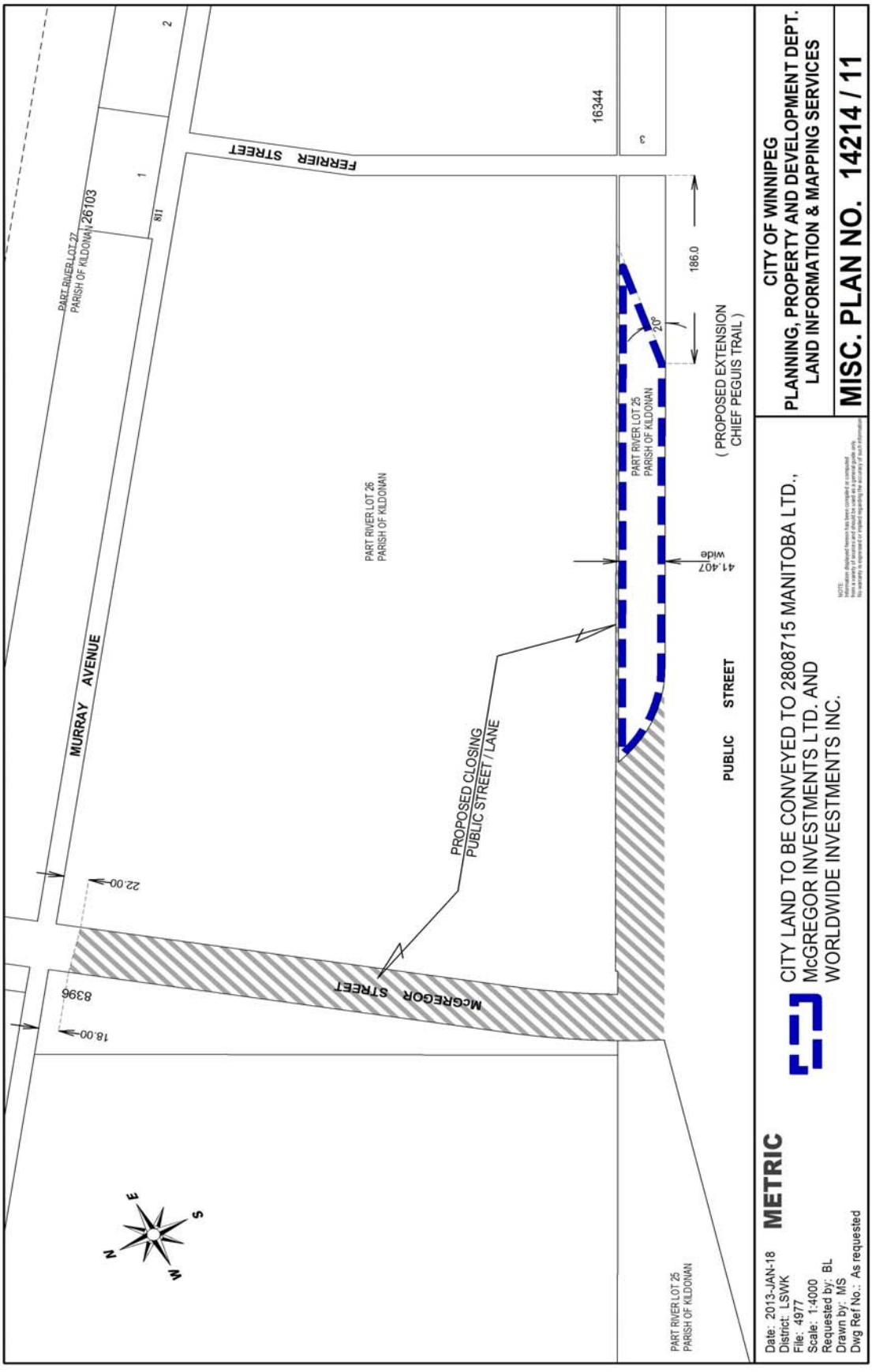

CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 14214 / 13
Proposed Acquisition +/- 20,913.4 sq.m. (+/- 5.17 acres)
Subject City Property +/- 54,212.7 sq.m. (+/- 13.4 acres)
METRIC
Date: 2013-03-22
District: lswk
File: 4977
Scale: 1:4500
NOTE:
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.
(Proposed Chief Peguis Trail Extension)
FERRIER ST
MURRAY AV
MCGREGOR ST (CLOSED)
PART RIVER LOT 26
PARISH OF KILDONAN
PART RIVER LOT 25
PARISH OF KILDONAN
PART RIVER LOT 27
PARISH OF KILDONAN
PART RIVER LOT 24
PARISH OF KILDONAN
16344
53777
8396
26103


MURRAY AVENUE
FERRIER STREET
McGREGOR STREET
PUBLIC STREET
PROPOSED CLOSING
PUBLIC STREET / LANE
(PROPOSED EXTENSION
CHIEF PEGUIS TRAIL)
PART RIVER LOT 26
PARISH OF KILDONAN
PART RIVER LOT 25
PARISH OF KILDONAN
PART RIVER LOT 27
PARISH OF KILDONAN 26103
16344
8396
811
186.0
20°
41.407 wide
22.00
18.00
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 14214 / 11
CITY LAND TO BE CONVEYED TO 2808715 MANITOBA LTD.,
McGREGOR INVESTMENTS LTD. AND
WORLDWIDE INVESTMENTS INC.
METRIC
Date: 2013-JAN-18
District: LSWK
File: 4977
Scale: 1:4000
Requested by: BL
Drawn by: MS
Dwg Ref No.: As requested