Agenda – Council – July 17, 2013

Report – Standing Policy Committee on Property and Development – July 2, 2013

Item No. 24 Temporary Construction Easement – 2125 Dugald Road and the Sale of Part of Plan 7048, SW ¼ 5-11-4E – Northeast Corner of Dugald Road and Plessis Road (Transcona Ward)

STANDING COMMITTEE RECOMMENDATION:

On July 10, 2013, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, and submitted the following to Council:

1. That the Temporary Construction Easement, identified as "Temporary Construction Easement" on Misc. Plan No. 14299/3, be approved in accordance with the terms and conditions negotiated with the property owner, 4477902 Manitoba Ltd., dated May 17, 2013.

2. That part of Plan 7048, SW ¼ 5-11-4E, as identified as "Subject Property" on Misc. Plan No. 11120/3 be declared surplus to the needs of the City.

3. That the sale of part of Plan 7048, SW ¼ 5-11-4E, as identified as "Subject Property" on Misc. Plan No. 11120/3 be approved in accordance with the terms and conditions negotiated with the purchaser, 4477902 Manitoba Ltd., dated May 17, 2013.

4. That the Property Officers 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 – July 2, 2013

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 10, 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 July 2, 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 Obtain Council approval of a Temporary Construction Easement – 2125 Dugald Road and the Sale of Part of Plan 7048, SW ¼ 5-11-4E – Northeast Corner of Dugald Road and Plessis Road**

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

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Zabudney	B. Thorgrimson	M. Ruta	D. Joshi

RECOMMENDATIONS

1. That the proposed Temporary Construction Easement, identified as "Temporary Construction Easement" on the attached Misc. Plan No. 14299/3 be approved in accordance with the terms and conditions negotiated with the property owner, 4477902 Manitoba Ltd., dated May 17, 2013.

2. That part of Plan 7048, SW ¼ 5-11-4E, as identified as "Subject Property" on the attached Misc. Plan No. 11120/3 be declared surplus to the needs of the City.

3. That the sale of part of Plan 7048, SW ¼ 5-11-4E, as identified as "Subject Property" on the attached Misc. Plan No. 11120/3 be approved in accordance with the terms and conditions negotiated with the purchaser, 4477902 Manitoba Ltd., dated May 17, 2013.

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

REASON FOR THE REPORT

- The Public Works Department has identified the "Temporary Construction Easement" as being required for the Plessis Road Twinning and Grade Separation at CN Rail.

- Council approval is required to declare the City-owned "Subject Property" surplus to the needs of the City.

- The Planning, Property and Development Department intends to sell the subject City-owned property to the adjoining owner at 2125 Dugald Road for consolidation with their property.

IMPLICATIONS OF THE RECOMMENDATIONS

- There are no regulatory or human resources implications associated with this report.
- Any financial obligations for this transaction would be funded by the 2012 Capital Budget, Account #003-181000-180604-1803000112-PROPERTY.
- There are no direct financial implications associated with this recommendation.

HISTORY

- At its December 13, 2011 meeting, Council approved the Public Works Department 2012 Capital Budget and the 2013 to 2017 Five-Year Forecast, which included the property acquisitions for the Plessis Road Twinning and Grade Separation at CN Rail.
- In March, 2013 the Public Works Department identified a need for a temporary construction easement required for the temporary relocation of the rail line (shoo fly) in order to accommodate construction commencing in late June, 2013.
- During discussions with the Property Owner, he indicated that the loss of 4.53 meters on the north side of the property will detrimentally affect the operation of his storage facility. His initial position included loss for semi truck business, loss of drive-by business due to the closure of Plessis Road for an extended period of time and extra snow clearing charges due to the reduced amount of storage space for snow. The amount claimed was approximately $500,000.00.
- An in-house appraisal indicates the market value of the Subject Property City-owned property is $100,000.00. The area Councillor supports the sale of the City-owned property to the adjacent property owner.
- A negotiated settlement was reached with the property owner, 4477902 Manitoba Ltd. in accordance with the terms and conditions of the signed Schedule “A” dated May 16, 2013.
- The negotiated settlement includes that the Property Owner will grant the City a Temporary Construction Easement as identified on the attached Misc. Plan No. 14299/3 for a period of 26 months in exchange for the adjacent City-owned parcel identified as “Subject Property” on the attached Misc. Plan No. 11120/3.
- The City will pay $3,640.00 for loss of two parking stalls adjacent to the Temporary Construction Easement on the west side of the storage facility.
- The Public Service is of the opinion, given the owners position, and the very tight time frame, the best possible settlement would be for the City to exchange the City-owned property for the Temporary Construction Easement.
- The Public Works Department supports the settlement as negotiated

FINANCIAL IMPACT

Financial Impact Statement

Date: June 7, 2013

Project Name:

First Year of Program **2013**

To Obtain Council approval of a Temporary Construction Easement – 2125 Dugald Road and the Sale of Part of Plan 7048, SW ¼ 5-11-4E – Northeast Corner of Dugald Road and Plessis Road

	2013	2014	2015	2016	2017
Capital					
Capital Expenditures Required	$ 3,749	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	3,749	-	-	-	-
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	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	109	-	-	-	-
Net Cost/(Benefit)	$ (109)	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	(109)	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Capital expenditures consist of $3,640 in compensation for the loss of two parking stalls + short-term financing and corporate admin fees of $109. The latter amount is offset by an equal recovery in the Corporate Finance Department's current budget.

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

CONSULTATION

In preparing this report there was consultation with:

None

SUBMITTED BY

Department	Planning, Property and Development
Division	Sales & Acquisition Branch
Prepared by:	Karen Cann
Date:	June 10, 2013
File No.	9006/3 & 5040

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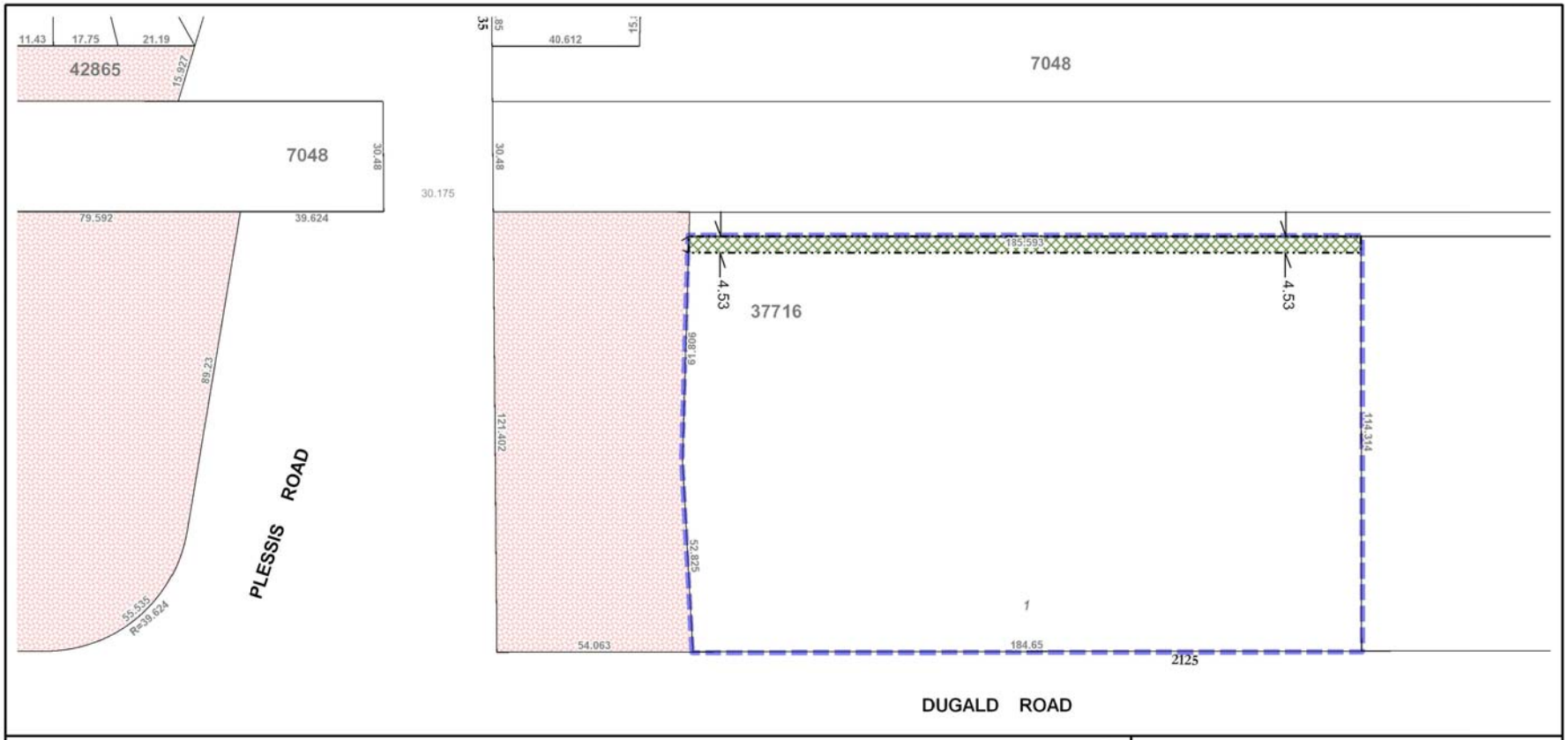


Date: 2013-MAR-20
District: EKT
File: 9006/3
Scale: 1:1300
Requested by: RR
Drawn by: KP
Ref. Dwg. No.: REP-06, Rev.No.2
AECOM / DILLON CONSULTING

N W E S

TEMPORARY CONSTRUCTION EASEMENT
AREA: ± 841.079 m² (± 9,053 ft²)

CITY OWNED PROPERTY

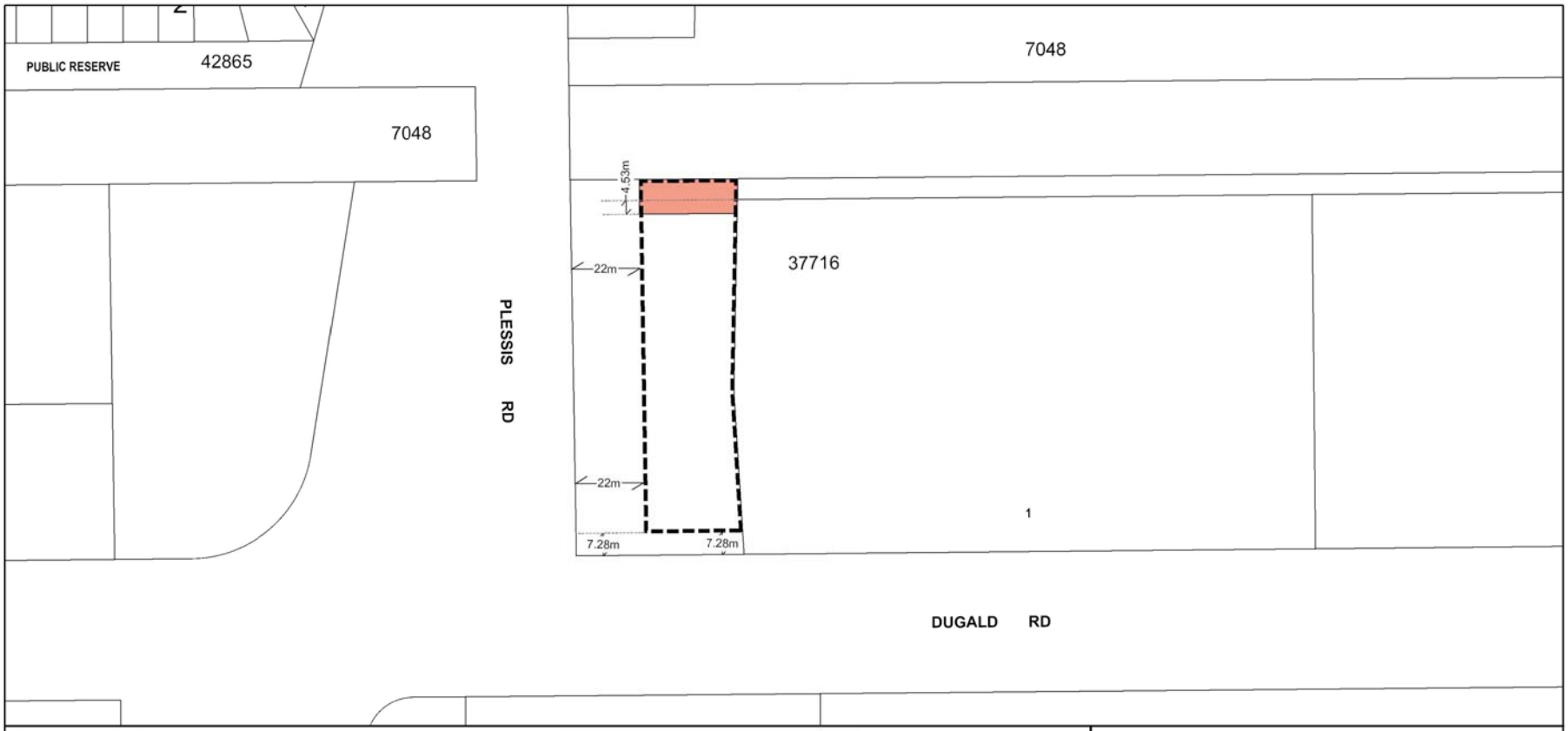
PROPERTY OWNER: 4477902 MANITOBA LTD

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 DEPARTMENT
LAND INFORMATION & MAPPING SERVICES

MISC. PLAN NO. 14299/3



Date: 2013-JUNE-03
District: EKT
File: 5040
Scale: 1: 1500
Requested by: KC
Drawn by: KP
Reference Dwg No.: N/A

NOTE:
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METRIC

TEMPORARY CONSTRUCTION EASEMENT
- AREA: ± 358.2 m² (± 3,856 ft²)

SUBJECT PROPERTY
- AREA: ± 3,508.1 m² (± 37,761 ft²)

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

MISC. PLAN NO. 11120/3