Minute No. 207
Report – Standing Policy Committee on Property and Development – January 14, 2014

Item No. 19 **Land Donation – Portion of 875 Camiel Sys Street between De Baets Street and Plessis Road (St. Boniface Ward)**

COUNCIL DECISION:

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

1. That the City accept a donation of land at 875 Camiel Sys Street, illustrated as "Subject Property to be Transferred to the City of Winnipeg" on Misc Plan No. 14492 from 5955867 Manitoba Ltd. for the purpose of parks and open space and subject to terms and conditions satisfactory to the Director of Planning, Property and Development, the Director of Public Works and the Director of Legal Services/City Solicitor.

2. That the Corporate Finance Department issue a Tax Receipt to 5955867 Manitoba Ltd. for market value of the subject property as at the date of possession.

3. That the Proper 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 – January 14, 2014

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 January 22, 2014, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 14, 2014, 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 Accept a Land Donation – Portion of 875 Camiel Sys Street between De Baets Street 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 CFO	D. Joshi A/CAO

RECOMMENDATIONS

1. That the City accept a donation of land at 875 Camiel Sys Street, illustrated as "Subject Property to be Transferred to the City of Winnipeg" on Misc Plan No. 14492 from 5955867 Manitoba Ltd. for the purpose of parks and open space and subject to terms and conditions satisfactory to the Director of Planning, Property and Development, the Director of Public Works and the Director of Legal Services/City Solicitor.

2. That the Corporate Finance Department issue a Tax Receipt to 5955867 Manitoba Ltd. for market value of the subject property as at the date of possession.

3. 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

The Planning, Property and Development Department has an offer of a donation of land to be used for public open space and to facilitate the extension of the Active

Transportation Pathway, and to fulfill obligations relative to the pathway extension as established under DASZ 18/12.

Council approval is required to accept the land donation.

IMPLICATIONS OF THE RECOMMENDATIONS

Once acquired, the Public Works Department, Parks and Open Space Division intends to retain the subject property for public open space and to facilitate the extension of the Active Transportation Pathway from Shady Shores Drive West to Camiel Sys Street.

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

There are no direct financial implications associated with this recommendation.

HISTORY

On September 28, 2012, the Director of Public Works on behalf of the Parks and Open Space Division and Seymour Pacific Developments Ltd., as the authorized representative of 5955867 Manitoba Ltd. (registered owner of the subject property), signed a letter of intent with respect to the proposed donation of the subject property to the City in exchange for a Tax Receipt.

The Public Works Department, Parks and Open Space Division is supportive of acquiring the subject property to facilitate the extension of the Active Transportation Pathway from the proposed development north of the subject property to Camiel Sys Street.

Particulars of the subject property are as follows:

Title Number:	2499574/1
Owner:	5955867 Manitoba Ltd.
Representative:	Seymour Pacific Developments Ltd.
Location: and	875 Camiel Sys Street, South of Dugald Road, between De Baets Street Plessis Road
Legal Description: Mission City of Services Plan No.	All that portion of Lot 1 Plan 50238 WLTO in Lot 160 Roman Catholic Property shown bordered as “Subject Property to be Transferred to the Winnipeg” on a drawing on file in the Land Information and Mapping Branch of the Planning Property and Development Department as Misc. 14492.
Current Zoning:	RMF-S, Residential Multi Family Small

Site Size: +/- 51,904 sq ft (+/- 1.19 acres)

Site Description: The subject property is vacant land and is part of a parent parcel developed as residential multi family. A gas line easement in favour of Greater Winnipeg Gas Co., which runs north/south, affects the eastern limit of the subject property. The subject property was recently improved with playground structures, pathways, site furnishings and plantings.

On October 24, 2012, Council recommended approval of DASZ 18/2012, which rezoned the site immediately north of the subject property to RMF-S and PR1. The Public Service raised concerns about the park connectivity within that application. Through discussions with the developer, Waterside Development Corp. and the owner of the subject property, the most plausible approach was to extend the public open space and Active Transportation Pathway south through the subject property. The owner of the property indicated a willingness to participate in a donation of the subject property to the City in exchange for a tax receipt.

To fulfill the obligation for the pathway extension under DASZ 18/2012, Waterside Development Corp. agreed to undertake the necessary steps to facilitate the donation of land from the owner to the City, at no cost to the owner or the City. Waterside Development Corp. is required to make a DASZ application to sever the subject property from the parent parcel and to rezone it from RMF-S to PR1.

Application has been made and DASZ 36/2013 will be considered concurrently with the proposed land donation. Upon registration of the plan of subdivision, Title to the subject property will be transferred to the City of Winnipeg in exchange for a tax receipt. The tax receipt amount will be based on fair market value of the subject property as at the date of possession.

The Department is in receipt of an Appraisal Report prepared by William Hoffer, an Accredited Appraiser with Hoffer Wilkinson & Associates Ltd., dated October 28, 2013 with an opinion of fair market value in the amount of $575,000.

The tax donation receipt to be issued to 5955867 Manitoba Ltd. will comply with requirements of the Income Tax Act, for fair market value as at the date of possession and in accordance with the appraisal report prepared by William Hoffer dated October 28, 2013, to be updated as at the date of possession.

FINANCIAL IMPACT

Financial Impact Statement Date: December 9, 2013

Project Name:

Council Approval to Accept a Land Donation – Portion of 875 Camiel Sys Street between De Baets Street and Plessis Road

COMMENTS:

There are no direct financial implications associated with the acceptance of the donated land and the issuance of an income tax receipt for its fair market value.

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

CONSULTATION

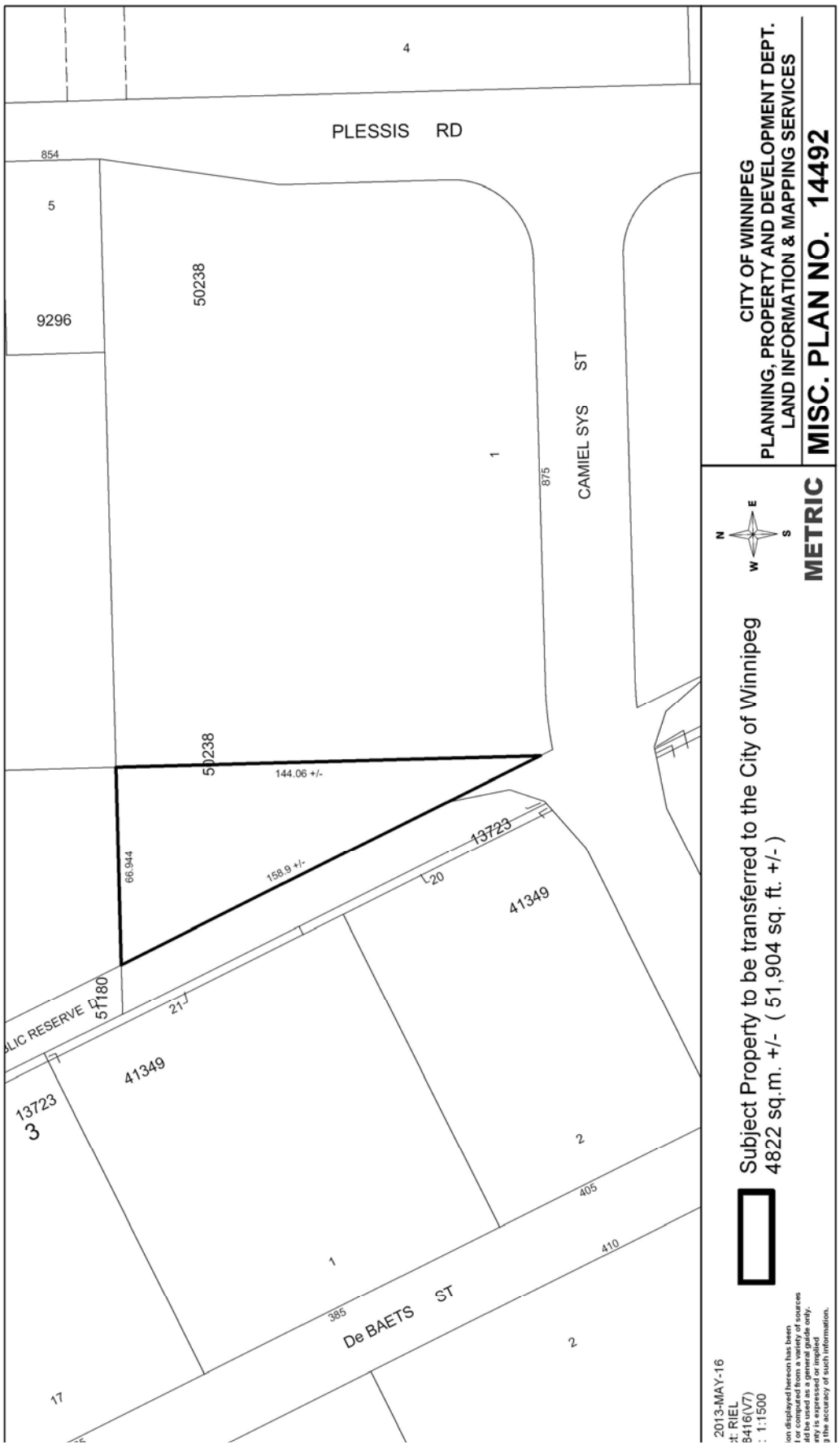
In preparing this report there was consultation with:

Legal Services
Corporate Finance Department, City Treasurer's Division

SUBMITTED BY

Department	Planning, Property and Development
Division	Real Estate
Prepared by:	Kim Koszman
Date:	December 10, 2013
File No.	8416(V7)

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PLESSIS RD
CAMIEL SYS ST
De BAETS ST
50238
9296
41349
13723
51180
144.06 +/-
158.9 +/-
66.944
875
854
405
410
385
Subject Property to be transferred to the City of Winnipeg
4822 sq.m. +/- (51,904 sq. ft. +/-)
METRIC
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 14492