Agenda – Council – June 25, 2014

Report – Standing Policy Committee on Property and Development – June 10, 2014

Item No. 6 Approve Acquisition and Transfer of Part of Drain Plan No. 6788 WLTO per Council Approved DASZ 33/2012

STANDING COMMITTEE RECOMMENDATION:

On June 18, 2014, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development submitted the following to Council:

1. That the Chief Administrative Officer be authorized to negotiate the acquisition and transfer of part of Drain Plan No. 6788 WLTO (DP 6788), shown hatched on attached Misc. Plan No. 14613/1, from the Province of Manitoba to the City of Winnipeg for the price of $1.00.

2. That part of DP 6788, shown hatched on attached Misc. Plan No. 14613/1, be declared surplus to the City's needs.

3. That part of DP 6788, shown hatched on attached Misc. Plan No. 14613/1, be transferred to Ladco Company Limited to be incorporated within DASZ 33/2012 - Waverley West – Southwest Neighbourhood, (Plan Area "D") for the price of $1.00.

4. That Ladco Company Limited pays all administration costs incurred by the City in acquiring part of DP 6788, shown hatched on attached Misc. Plan No. 14613/1, from the Province of Manitoba and transferring part of DP 6788 to Ladco Company Limited.

5. 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 – June 10, 2014

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 18, 2014, 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 June 10, 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: **Approve Acquisition and Transfer of Part of Drain Plan No. 6788 WLTO per Council Approved DASZ 33/2012**

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 A/CAO

RECOMMENDATIONS

1. That the Chief Administrative Officer be authorized to negotiate the acquisition and transfer of part of Drain Plan No. 6788 WLTO (DP 6788), shown hatched on attached Misc. Plan No. 14613/1, from the Province of Manitoba to the City of Winnipeg for the price of $1.00.

2. Subject to approval of Recommendation No. 1, that part of DP 6788, shown hatched on attached Misc. Plan No. 14613/1, be declared surplus to the City's needs.

3. Subject to approval of Recommendation No. 2, that part of DP 6788, shown hatched on attached Misc. Plan No. 14613/1, be transferred to Ladco Company Limited to be incorporated within DASZ 33/2012 - Waverley West – Southwest Neighbourhood, (Plan Area "D") for the price of $1.00.

4. That Ladco Company Limited pays all administration costs incurred by the City in acquiring part of DP 6788, shown hatched on attached Misc. Plan No. 14613/1, from the Province of Manitoba and transferring part of DP 6788 to Ladco Company Limited.

5. 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 Province of Manitoba cannot transfer part of DP 6788 to a private entity for a below market value price, but can transfer part of DP 6788 to the City (a Provincial Municipality) at the below market value price of $1.00.

The acquisition of part of DP 6788 is not part of a Council approved program, thus, in accordance with Council policy, the appropriate Standing Committee shall recommend acquisition programs to Council through the Executive Policy Committee. All real property acquisition programs must be approved by Council, either through the Capital Budget or via separate programs.

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

Standing Policy Committee on Property and Development's approval is required for the sale (transfer) of City-owned land that does not fall under the delegated authority of the Chief Administrative Officer or the Director of Planning, Property and Development.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no regulatory, environmental or human resource implications associated with this report.

HISTORY

Previously, at its November 21, 2007 meeting, Council considered and approved a report for the subdivision and rezoning under the development application file DASZ 22/2007 for the adjacent Waverley West Southeast Neighbourhood (South Pointe), which also included the need to transfer a different portion of DP 6788 from the Province to the City and then to Ladco Company Limited (the "developer"), as per approved Recommendation No. 2 B. of the aforementioned report, which read as follows:

> *"That the City will transfer part of Drain Plan No.6788 WLTO to the Developer for incorporation within the plan of subdivision subject to the Developer paying all administration costs incurred by the City in acquiring the subject Drain from the Province of Manitoba."*

On May 29, 2013, Council approved a subdivision and rezoning for the +/- 696 acre Waverley West Southwest Neighbourhood under development application file DASZ 33/2012, shown on attached Schedule "A".

The subdivision and rezoning included land that forms part of DP 6788, shown hatched and identified as "Drain Plan 6788 " on attached Schedule "B" (Misc. Plan No. 14613/1), which is controlled by the Province of Manitoba. In accordance with DASZ 33/2012 part

of DP 6788 (the “drain plan”) will be reconfigured and incorporated into the development’s stormwater retention pond system.

The developer has obtained a letter from the Province of Manitoba Infrastructure and Transportation Department (“MIT”) stating that MIT “has no concerns with the proposed subdivision subject to further discussions and agreement between the City of Winnipeg, the developer and the Province of Manitoba concerning ownership, long term maintenance and operations of the drain plan”.

Upon receipt of the appropriate City approvals, similar terms and conditions will be negotiated concerning the ownership, long term maintenance and operations of the drain plan.

The developer has advised that development of this area is scheduled to begin this year and is quite anxious to resolve this matter in a timely fashion.

FINANCIAL IMPACT

Financial Impact Statement Date: May 15, 2014

Project Name:

Approve Acquisition and Transfer of Part of Drain Plan No. 6788 WLTO Per Council Approved DASZ 33/2012

COMMENTS:

There are no financial implications associated with the recommendations contained in this report.

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

CONSULTATION

In preparing this report there was consultation with:

Planning Property and Development Department – Urban Planning Division
Legal Services Department – As To Legal Issues

SUBMITTED BY

Department Planning, Property & Development
Division Real Estate
Prepared by: Stewart Anderson
Date: May 14, 2014
File No.

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Schedule "A"

By-Law No. _____

Atlas Sheet No.

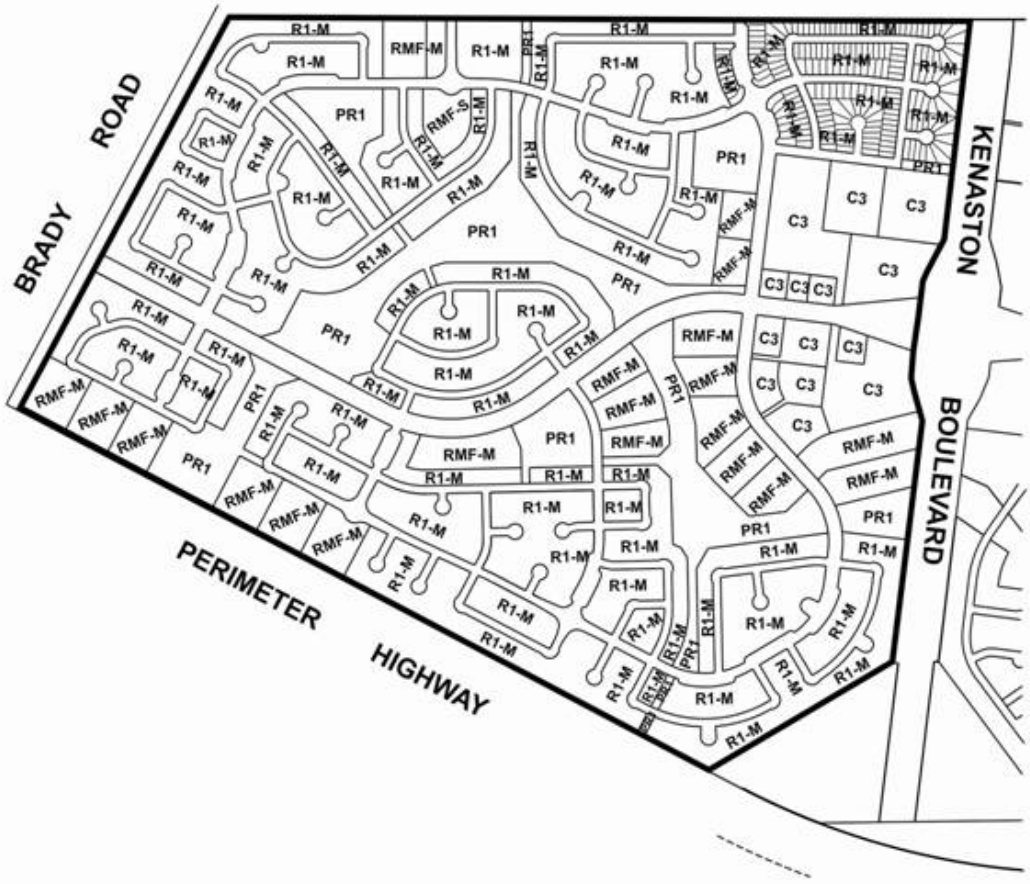
N

AO19
RIEL
COMMUNITY

File No. **DASZ 33/12**

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located in Waverley West South Pointe West Neighbourhood from an "A" AGRICULTURAL DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT, "RMF-S" & "RMF-M" RESIDENTIAL MULTI-FAMILY DISTRICT, "C3" COMMERCIAL CORRIDOR DISTRICT and "PR1" PARKS AND RECREATION 1 DISTRICT to facilitate the development of the Waverley West Southwest Neighbourhood through the creation of lots, block plans and public right-of-ways as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule “B”


KENASTON BOULEVARD
BRADY ROAD
PERIMETER HIGHWAY
PT 2
Date: 2014-MAY-12
District: RIEL
File: Not Available
Scale: 1: 11000
Requested by: SA
Drawn by: RE
Reference Dwg No.: N/A
METRIC
N
W
E
S
DRAIN PLAN 6788 - 3.93 Ha +/- (9.72 Ac +/-)
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 DEVELOPMENT, GEOMATICS, AND LAND INFORMATION SERVICES
MISC. PLAN NO. 14613/1