Agenda – Executive Policy Committee – July 8, 2015

Report – Standing Policy Committee on Property and Development – July 6, 2015

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.

Item No. 1 Disposal of land, shown as "Subject Property" on Misc. Plan No. 13998/7, to support the Park Manor Personal Care Home Expansion (Transcona Ward)

STANDING COMMITTEE RECOMMENDATION:

On July 6, 2015, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submitted the following to Council:

1. That the "Subject Property" as identified on the attached Misc. Plan 13998/7 be declared surplus to the needs of the City.

2. That subject to the approval of recommendation 1., the authority be delegated to the Director of the Planning, Property and Development Department to finalize the terms and conditions of sale of an area of approximately 2,200m2 within the "Subject Property" to Park Manor Care Inc., or nominee, at fair market value to be determined by an independent appraisal, and upon such additional terms and conditions that the Director of Legal Services consider necessary to protect the interests of the City. The terms and conditions shall include, but not be limited to, the following:

    A. That the proceeds of sale be allocated to the Land Dedication Reserve Fund for upgrades to the Victoria Jason Park;

    B. That the proponent receives approval to subdivide and rezone the subject property;

    C. That the proponent receives approval for any conditional use and variance applications;

    D. That the proponent enter into an agreement with the City for the joint use of the subject property for the general public's use of the parking lot on evenings and weekends;

    E. That the proponent confirms substantial completion of the Park Manor Care Home expansion project within two years of the issuance of building permits;

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3. That final site plans are subject to the approval of the Director of Planning Property and Development subject to:

    A. That the soccer area not be impacted and to ensure provision for a 50x100m field with a 5m off set on all sides to retain the run-off area;

    B. That any removal of existing trees from the subject property be approved by the City Forester and compensation for the value of the trees will be at fair market value payable to the City by the Purchaser in accordance with the City's Tree Removal Guidelines;

    C. That a perimeter fence be installed around the subject property by the proponent;

4. 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.

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DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On July 6, 2015, 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.

Ruby and Dirk Kenning submitted a presentation in with respect to the matter.

On June 26, 2015, the Standing Policy Committee on Property and Development granted an extension of time to its special meeting on July 6, 2015 for the Winnipeg Public Service to report back on the disposal of land, as shown on Appendix A, to support the Park Manor Care Personal Care Home Expansion project.

Ruby and Dirk Kenning submitted a presentation in with respect to the matter.

On May 12, 2015, the Standing Policy Committee on Property and Development directed the Winnipeg Public Service to report back on the disposal of land, as shown on Appendix A, to support the Park Manor Care Personal Care Home Expansion project, at its meeting on June 26, 2015.

On February 3, 2015, the Standing Policy Committee on Property and Development granted a further extension of time of 90 days for the Winnipeg Public Service to report back on the matter.

On July 8, 2014, the Standing Policy Committee on Property and Development granted an extension of time of 120 days be granted for the Winnipeg Public Service to report back on the following recommendation of the East Kildonan-Transcona Community Committee:

1. That in support of the Park Manor Personal Care Homes expansion plan and their need for additional parking, the lands outlined in attached Schedule A be declared surplus to the city's needs, and sold to the organization for the sum of $1.00.

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION:

On May 13, 2014, the Standing Policy Committee on Property and Development laid over the matter to the July 8, 2014 meeting of the Standing Policy Committee on Property and Development.

On February 18, 2014, the Standing Policy Committee on Property and Development directed the Winnipeg Public Service to report back in 90 days on the recommendation of the East Kildonan-Transcona Community Committee that in support of the Park Manor Personal Care Homes expansion plan and their need for additional parking, the lands outlined in attached Schedule A be declared surplus to the city's needs, and sold to the organization for the sum of $1.00.

On February 4, 2014, the East Kildonan-Transcona Community Committee recommended that in support of the Park Manor Personal Care Homes expansion plan and their need for additional parking, that the lands outlined in attached Schedule A be declared surplus to the city's needs, and sold to the organization for the sum of $1.00.

ADMINISTRATIVE REPORT

Title: Disposal of land, shown as "Subject Property" on Misc. Plan No. 13998/7, to support the Park Manor Personal Care Home Expansion

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

AUTHORIZATION

Author	Department Head	CFO	CAO/COO
J. Zabudney	M. McGinn (Acting Director)	M. Ruta	M. Jack COO

RECOMMENDATIONS

1. That the "Subject Property" as identified on the attached Misc. Plan 13998/7 be declared surplus to the needs of the City.

2. Subject to the approval of Recommendation No. 1, that the authority be delegated to the Director of the Planning, Property and Development Department to finalize the terms and conditions of sale of an area of approximately 2,200m2 within the "Subject Property" to Park Manor Care Inc., or nominee, at fair market value to be determined by an independent appraisal, and upon such additional terms and conditions that the Director of Legal Services consider necessary to protect the interests of the City. The terms and conditions shall include, but not be limited to, the following:
    a. That the proceeds of sale be allocated to the Land Dedication Reserve Fund for upgrades to the Victoria Jason Park;
    b. That the proponent receives approval to subdivide and rezone the subject property;
    c. That the proponent receives approval for any conditional use and variance applications;
    d. That the proponent enter into an agreement with the City for the joint use of the subject property for the general public's use of the parking lot on evenings and weekends;
    e. That the proponent confirms substantial completion of the Park Manor Care Home expansion project within two years of the issuance of building permits;

3. That final site plans are subject to the approval of the Director of Planning Property and Development subject to:

a. That the soccer area not be impacted and to ensure provision for a 50x100m field with a 5m off set on all sides to retain the run-off area;
b. That any removal of existing trees from the subject property be approved by the City Forester and compensation for the value of the trees will be at fair market value payable to the City by the Purchaser in accordance with the City's Tree Removal Guidelines;
c. That a perimeter fence be installed around the subject property by the proponent;

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

REASON FOR THE REPORT

Park Manor requested to purchase the park land to accommodate the parking requirements of their care home expansion project.

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

All sales of property owned by the City and used for park or cemetery purposes require approval of at least two-thirds of the members of Council pursuant to Section 205(2) of The City of Winnipeg Charter.

EXECUTIVE SUMMARY

The contribution of City land for parking would support a Winnipeg Regional Health Authority project that shall provide benefit to the community at large. There will be reduced park space for the community as a whole.

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

On February 4, 2014, the East Kildonan-Transcona Community Committee recommended to the Standing Policy Committee on Property and Development, that in support of the Park Manor Personal Care Homes expansion plan and their need for additional parking, that the lands outlined on the attached Schedule A be declared surplus to the City's needs, and sold to the organization for the sum of $1.00.

On May 12, 2015, The Standing Policy Committee on Property and Development directed the Winnipeg Public Service to report back at its meeting on June 26, 2015 on the disposal of land, as shown on Appendix A, to support the Park Manor Care Personal Care Home Expansion project.

On May 27, 2015, Council approved the acquisition of the +/- 17.9 acre park, commonly known as Victoria Jason Park from Her Majesty the Queen in Right of the Province of Manitoba. The subject property is located within the lands that have been acquired by the City.

On June 26, 2015 the Standing Policy Committee on Property and Development directed the Winnipeg Public Service to report back at its special meeting on July 6, 2015.

The adjoining owner, Park Manor has expressed their interest in acquiring the subject property to accommodate the parking requirements for the personal care home expansion project (see attached Appendix "A").

The subject property falls under the jurisdiction of Public Works – Parks and Open Space and forms part of the Victoria Jason Park.

The Public Service is of the opinion that the bulk of the parking required for the personal care home expansion project could be accommodated on Park Manor's site instead of on park land. The use of Park Manor's current site (N.E. corner) should be considered to accommodate their parking needs, as the proposed future use of the NE corner of their site as a daycare is not supported as it further compounds this challenge.

The Public Service does not support plans as submitted by Park Manor as shown on the attached "Appendix A" and would recommend that approximately 2,200 sq. meters of park land could be used to accommodate the non-accessory offsite parking.

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

The Public Service is supportive of declaring an area of +/- 2, 200m2 of park land surplus to the needs of the City, to be sold for fair market value with the proceeds of the sale allocated to the Land Dedication Reserve Fund for future enhancements to the Victoria Jason Skate Park.

The attached Misc. Plan No. 13998/7 shows the approximate location in which the non-accessory offsite parking could be accommodated.

The Ward Councillor was informed of the intentions of the Department and supports the sale.

FINANCIAL IMPACT

Financial Impact Statemen Date: **Date:** **July 3, 2015**

Project Name:

Disposal of land, shown as "Subject Property" on Misc. Plan No. 13998/7, to support the Park Manor Care Personal Care Home Expansion

COMMENTS:

There are no direct financial implications associated with the recommendations. The fair market value of the 2,200 square meters recommended to be sold, subject to Council approval, will be determined by an independent appraisal. In addition, should any trees be removed due to the construction of the parking lot, compensation by Park Manor, or nominee, to the City will be in accordance with the City's Tree Removal Guidelines.

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

CONSULTATION

Public Works Department, Parks and Open Space Division

Legal Services as to legal issues

Ward Councillor

OURWINNIPEG POLICY ALIGNMENT

Section 235 of *The City of Winnipeg Charter* states that "*… public works, undertakings and development in the city must be consistent with Plan Winnipeg or any secondary plan."*
The subject land sale, which is required in order to enable the proposed development, does not contravene *OurWinnipeg* (Plan Winnipeg) or *Complete Communities* (Secondary Plan) and generally aligns with their overall vision and key directions, including the following:

- "Provide a mix of employment, higher-density residential… and service uses that support the needs of, and respect the context of, adjacent communities (*Complete Communities*, page 36);
- "Support a range of housing opportunities" (*Complete Communities*, page 36);
- "Promote the highest levels of intensification at significant intersections" (*Complete Communities*, page 40);
- "Promote the location of new development within existing clusters of… multiple-family developments" (*Complete Communities*, page 60); and
- "Support the minor intensification of Neighbourhood Mixed-use Corridors keeping in character with the surrounding neighbourhood" (*Complete Communities*, page 60).

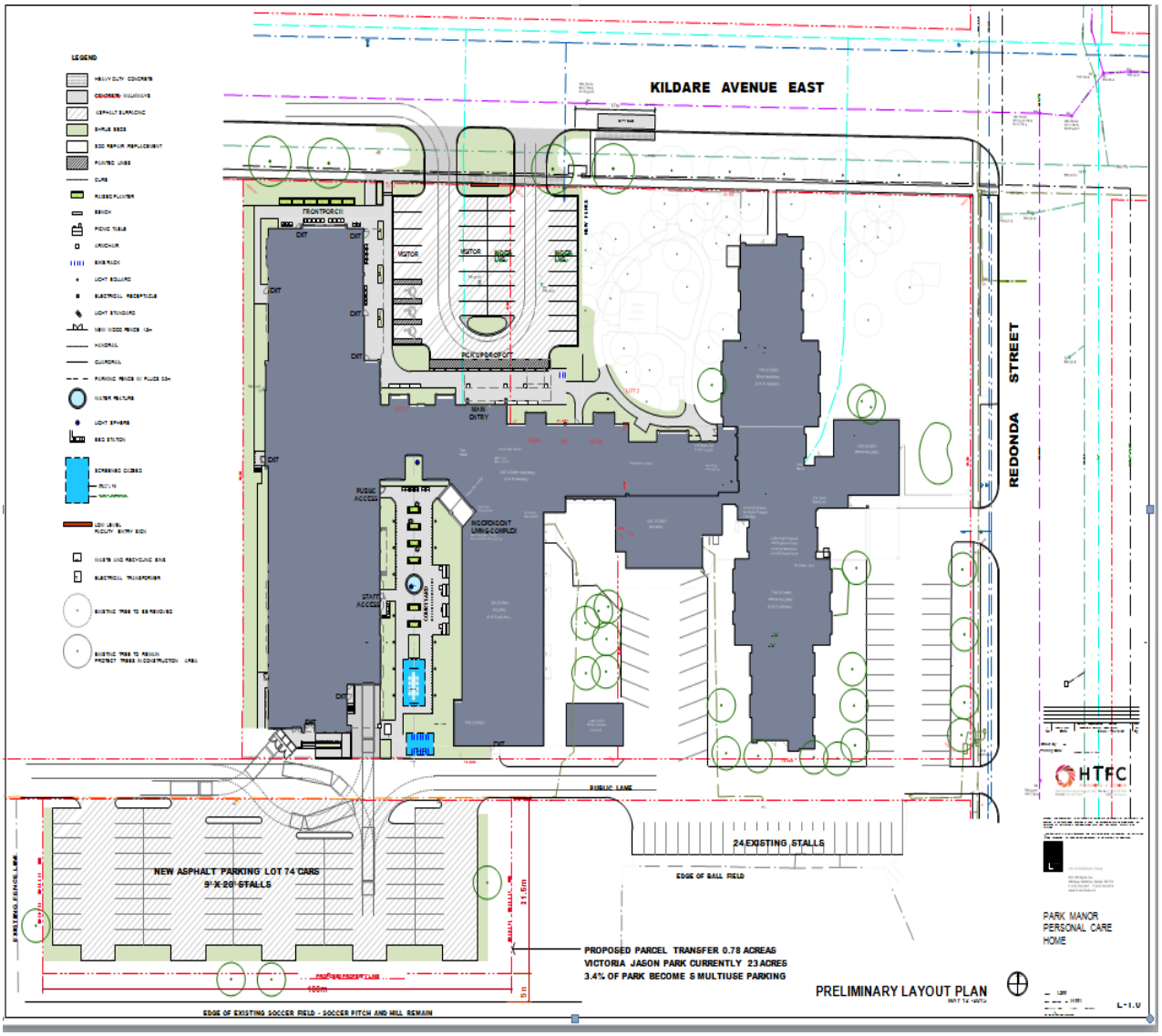
SUBMITTED BY

Department	Planning, Property and Development Department
Division	Real Estate Division
Prepared by:	Kim Fox
Date:	July 3, 2015
File No.	6007

O:\Reports Directive\Real Estate\Sales\(kk) Report on the disposal of land to support the Park Manor Personal Care Home Expansion - declare surplus and sale of a portion of Victoria Jason Park.docx

Appendix A

New Asphalt Parking Lot 74 Cars





APPLICANTS' PROPERTY: PARK MANOR

SUBJECT PROPERTY

METRIC

Date: 2015-JULY-2
District: EKT
File: 6007
Scale: 1:2000
Requested by: KK
Drawn by: MS
Ref. Dwg No.: Park Manor Personal Care Home-Preliminary Layout Plan
LM Architectural Group - HTFC Planning & Design - May 11, 2015

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.

AERIAL

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

MISC. PLAN NO. 13998/7