Minutes – Executive Policy Committee – June 14, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 6, 2017

Item No. 12 Exchange of City-owned Land South of 811 Panet Road with Adjacent Land at 811 Panet Road for the Panet Road/Molson Street Reconstruction and Twinning Project (Elmwood-East Kildonan)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That the City-owned property, shown as "Subject City Property" on the attached Misc. Plan No. 10849/7 be declared surplus to the City's requirements.

2. That subject to the approval of Recommendation No. 1, the proposed land exchange of "Subject City Property" and "Proposed Acquisition" at a price of $1.00 plus ancillary costs, as shown on attached Misc. Plan No. 10849/7, be approved in accordance with the terms and conditions set out in the attached Schedule "A".

3. That the City enter into, execute and deliver a Land Exchange Agreement with 101087717 Saskatchewan Ltd. and 101237911 Saskatchewan Ltd. and such other agreements as determined necessary by the Director of Legal Services and City Solicitor to implement the intent of the foregoing (the "Ancillary Agreements").

4. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the Land Exchange Agreement and any Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the Director of Legal Services and City Solicitor to protect the interests of the City.

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, Heritage and Downtown Development – June 6, 2017

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On June 6, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Exchange of City Owned Land South of 811 Panet Road with Adjacent Land at 811 Panet Road for the Panet Road/Molson Street Reconstruction and Twinning Project.

Critical Path: Standing Policy Committee on Property and Development, Heritage and Downtown Development - Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Lucyk	J. Kiernan	N/A	D. McNeil

EXECUTIVE SUMMARY

Negotiations for the exchange of lands with the owners of the "Proposed Acquisition" at 811 Panet Road are now complete. Approval of the land exchange and to declare City-owned property surplus by Council will enable the transaction to be completed for the purpose of the necessary road works of the Panet Road/Molson Street Reconstruction and Twinning Project.

RECOMMENDATIONS

1. That the City-owned property, shown as "Subject City Property" on the attached Misc. Plan No. 10849/7 be declared surplus to the City's requirements.

2. That subject to the approval of Recommendation No. 1, the proposed land exchange of "Subject City Property" and "Proposed Acquisition" at a price of $1.00 plus ancillary costs, as shown on attached Misc. Plan No. 10849/7, be approved in accordance with the terms and conditions set out in the attached Schedule "A".

3. That the City enter into, execute and deliver a Land Exchange Agreement with 101087717 Saskatchewan Ltd. and 101237911 Saskatchewan Ltd. and such other agreements as determined necessary by the Director of Legal Services and City Solicitor to implement the intent of the foregoing (the "Ancillary Agreements").

4. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the Land Exchange Agreement and any Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the Director of Legal Services and City Solicitor to protect the interests of the City.

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

Council approval is required to enter into a Land Exchange Agreement and to declare City-owned property surplus to the City's requirements.

IMPLICATIONS OF THE RECOMMENDATIONS

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

There are no direct financial implications associated with this recommendation.

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.

HISTORY/DISCUSSION

Council approved the Panet Road/Molson Street Reconstruction and Twinning Project as part of the 2013 Capital Budget.

The "Proposed Acquisition" shown on Misc. Plan No. 10849/7 identifies a portion of the land required for this project.

The "Subject City Property" shown on Misc. Plan 10849/7 was acquired by the City in 2015 in part to acquire the most westerly 2.325 m of land required for the widening of Panet Road under the authority delegated to the Manager of Real Estate to approve land acquisitions of Council-approved programs where the price payable to the vendor is $100,000.00 or less, plus ancillary costs.

The remaining lands not required for the Panet Road widening (the "Subject City Property" shown on Misc. Plan 10849/7) were to be exchanged for the land shown as "Proposed Acquisition" on Misc. Plan No. 10849/7 (attached as Schedule "B").

The City property shown as "Subject City Property" on Misc. Plan No. 10849/7 was circulated to all City Departments and no Civic need was identified.

The Department intends to exchange the City land, shown as "Subject City Property" for the land shown as "Proposed Acquisition" on Misc. Plan No. 10849/7 with the adjoining owner, '101087717 Saskatchewan Ltd. and 101237911 Saskatchewan Ltd.', for consolidation with its current holding, for $1.00 plus ancillary costs.

The Ward Councilor 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 Panet Road / Molson

Street Twinning from Munroe Avenue to Grassie Boulevard Program, Account # 003-181000-180603-1803000113-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 land exchange with 101087717 Saskatchewan Ltd. and 101237911 Saskatchewan Ltd. (owner of 811 Panet Road) as per the attached Schedule "A".

FINANCIAL IMPACT

Financial Impact Statement Date: April 6, 2017

Project Name:

Proposed Exchange of City Owned Land South of 811 Panet Road with Adjacent Land at 811 Panet Road for the Panet Road/Molson Street Reconstruction and Twinning Project

COMMENTS:

There are no material financial implications associated with this proposed land exchange.

"Original Signed by"
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

Legal Services as to legal issues.
Ward Councillor

OURWINNIPEG POLICY ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate
Prepared by: Neil Gifford, FRI(E)
Date: April 24, 2017
File No: 8667

Attachments: SCHEDULE “A”, SCHEDULE”B”

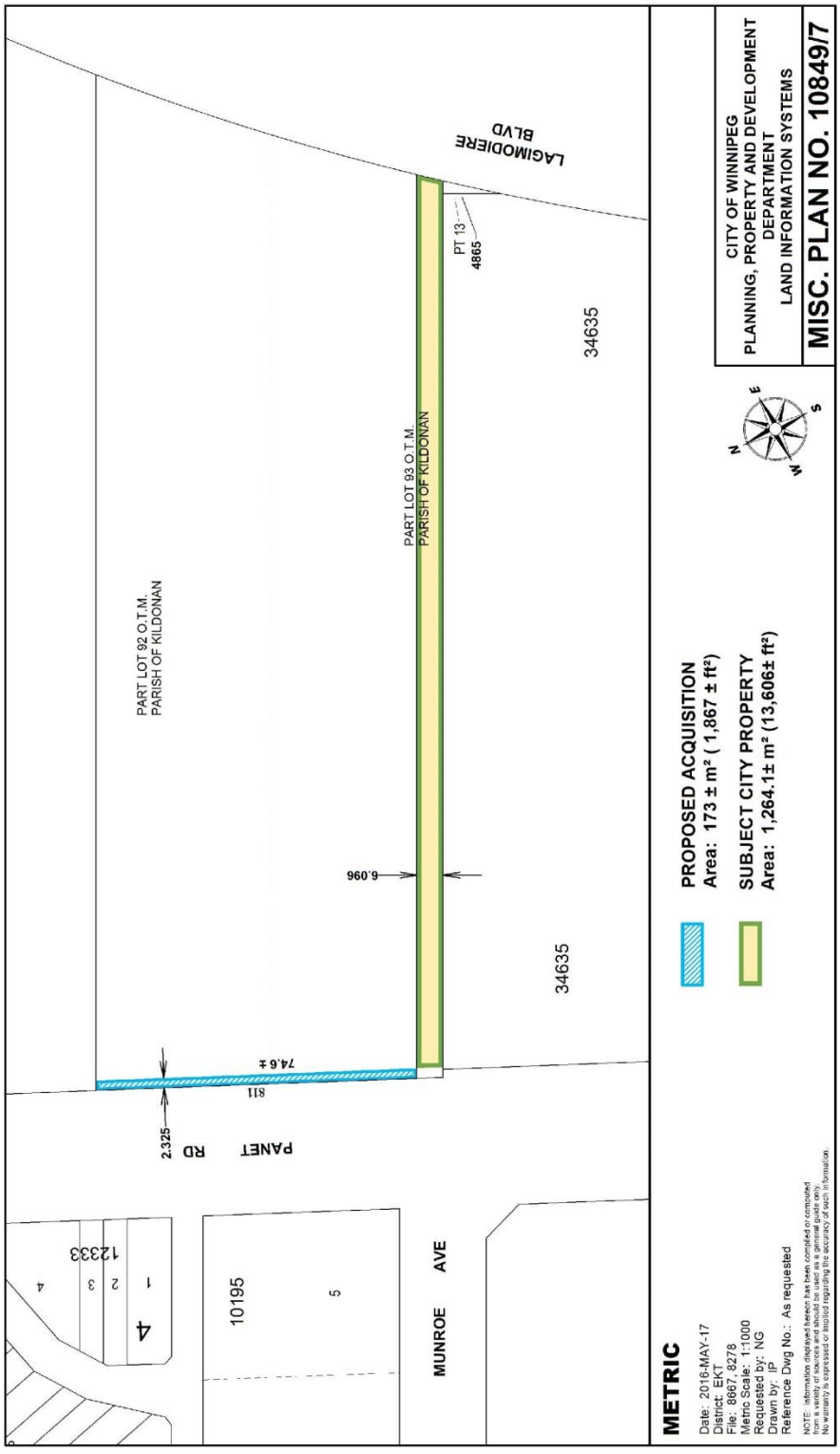
O:\Reports Directive\Real Estate\Acquisition\(ng) 811 Panet Rd Land Exchange

SCHEDULE “A”

Parties:	The City of Winnipeg 101087717 Saskatchewan Ltd. 101237911 Saskatchewan Ltd.
Purchase Price:	$1.00 plus G.S.T.
Lands to be Exchanged:	Misc. Plan No. 10849/7, attached as Schedule “B”

Closing Date: Ninety (90) days following Council approval or such other date as mutually agreed to and approved by the Director of the Planning, Property and Development Department

SCHEDULE "B"



LAGIMODIERE BLVD
PT 13
4865
34635
PART LOT 93 O.T.M.
PARISH OF KILDONAN
PART LOT 92 O.T.M.
PARISH OF KILDONAN
6.096
34635
74.6 ±
811
2.325
PANET RD
12333
4
1
2
3
4
10195
5
MUNROE AVE
PROPOSED ACQUISITION
Area: 173 ± m² (1,867 ± ft²)
SUBJECT CITY PROPERTY
Area: 1,264.1± m² (13,606± ft²)
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT
DEPARTMENT
LAND INFORMATION SYSTEMS
MISC. PLAN NO. 10849/7
METRIC
Date: 2016-MAY-17
District: EKT
File: 8667, 8278
Metric Scale: 1:1000
Requested by: NG
Drawn by: IP
Reference Dwg No.: As requested
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