Minute No. 123
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 7, 2019

Item No. 3 Declaration of Surplus Land – City-owned Property along the Greater Winnipeg Water District Railway and Aqueduct Plan, Adjacent and to the East of Provincial Road #207

COUNCIL DECISION:

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

1. That the City-owned property identified as "Subject City Property" on Misc. Plan No. 12986/1 be declared surplus to the needs of the City

2. 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 – January 7, 2019

DECISION MAKING HISTORY:

Moved by Councillor Mayes,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 22, 2019, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 7, 2019, 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: Declaration of Surplus Land - City-owned Property along the Greater Winnipeg Water District Railway and Aqueduct Plan, Adjacent and to the East of Provincial Road #207

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

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	J. Kiernan	M. Ruta	D. McNeil

EXECUTIVE SUMMARY

The Public Service recommends that the Subject City Property identified on Misc. Plan No. 12986/1, attached as Schedule A, be declared surplus to the needs of the City. It is the intention of the Public Service to sell the Subject City Property to the Province of Manitoba for the widening of Provincial Road #207.

RECOMMENDATIONS

1. That the City-owned property identified as “Subject City Property” on Misc. Plan No. 12986/1 be declared surplus to the needs of the City

2. 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 Policy for the Sale, Acquisition, Rental, Leasing and Management of Properties, adopted by Council on July 19, 1979, requires Council approval to declare land surplus to the City’s requirements.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no regulatory, human resources or other 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. The Province of Manitoba (the "Province") will do all things necessary to open the land as a right-of-way and will cover all acquisition and survey costs.

If the Subject City Property is declared surplus by Council, the Planning, Property and Development Department (the "Department") will sell the land to the Province in accordance with the "Offers to Purchase City-Owned Property" policy (as approved by Council on December 6, 2006). Pursuant to the policy, the Department may act on unsolicited offers to purchase City-owned property where a utility, company or government agency or body is seeking to acquire the property. The agreed price should reflect a valuation completed by an accredited appraiser.

The delegated authority that will be relied upon to approve the sale requires the concurrence from the Ward Councillor. In this instance, the Subject City Property is located outside the City limits so the concurrence requirement is not applicable.

HISTORY/DISCUSSION

On May 11, 2017, a representative from the Province contacted the Department requesting to purchase the Subject City Property for upgrades to Provincial Road #207, which was completed in 2009.

The Subject City Property, located in the R.M. of Springfield, is part of the Greater Winnipeg Water District right-of-way. The railway and the aqueduct within the Subject City Property belong to the City of Winnipeg and are maintained and operated by the Water and Waste Department. Today, the train is used only by the City of Winnipeg to haul workers and supplies to maintain the aqueduct and railway.

The Province is aware that a portion of the City's aqueduct and railway are located within the Subject City Property and the Province agrees that the aqueduct, railway and appurtenances thereto located within the land shall remain the property of the City, notwithstanding the sale and transfer of the land to the Province.

Negotiations regarding this sale were tentatively concluded with the Province in 2008. However, no formal agreement was completed to transfer the Subject City Property at that time. The Province has confirmed that the improvements to widen Provincial Road #207 were completed in 2009 and they would like to formalize the purchase of these lands in accordance with previous negotiations. Once declared surplus, the Public Service will sell the land in accordance with the "Offers to Purchase City-Owned Property" policy (as approved by Council on December 6, 2006).

The Province agrees it shall, at its sole cost, effort and expense, do all things necessary to open the land as a Provincial Road, including the preparation and registration in the Winnipeg Land Titles Office of a plan to effect the opening. In addition, the Province will obtain possession of the land at the Province's own expense, including all Winnipeg Land Titles Office Fees and Land Transfer Tax.

The Subject City Property was circulated to all civic departments and no need was identified. The Water and Waste Department have indicated that they have no concerns regarding this sale.

FINANCIAL IMPACT

Financial Impact Statement

Date: October 16, 2018

Project Name:

First Year of Program **2019**

Declaration of Surplus Land - City-owned Property along the Greater Winnipeg Water District Railway and Aqueduct Plan, Adjacent and to the East of Provincial Road #207

	2019	2020	2021	2022	2023
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
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	4,250	-	-	-	-
Net Cost/(Benefit)	$ (4,250)	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	(4,250)	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Net proceeds of disposition are estimated to be $4,250, which will be credited to the Land Operating Reserve Fund. Any costs (e.g. net book value of the land) associated with the subject property are not material and have been excluded from this analysis.

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

CONSULTATION

This Report has been prepared in consultation with:

Water and Waste Department
Legal Services (as to Legal issues)

OURWINNIPEG POLICY ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: Leah Furedi, Senior Negotiator
Date: November 5, 2018
File No: 8664

Attachments:

Schedule A – Misc. Plan No. 12986/1

Schedule A – Misc. Plan No. 12986/1

