Agenda – Council – July 18, 2019

Reports – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 24, 2019

Item No. 2 Declaration of Surplus Land – City-owned Property at Prestwick Drive (Waverley West Ward)

STANDING COMMITTEE RECOMMENDATION:

On July 9, 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 following to Council:

1. That the City-owned property identified as "Subject City Property" on Misc. Plan No. 9516/4 be declared surplus to the needs of the City, subject to the following condition:

    A. That the Winnipeg Public Service send a letter to Treaty One and the Manitoba Metis Federation.

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

Reports – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 24, 2019

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 9, 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 June 24, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- In Recommendation 1 after "needs of the City", add ", subject to the following condition:

    A. That the Winnipeg Public Service send a letter to Treaty One and the Manitoba Metis Federation."

and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Declaration of Surplus Land – City-owned Property at Prestwick Drive

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	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

The Planning, Property and Development Department (the "Department") is recommending that the Subject City Property (Misc. Plan No.9516/4) be declared surplus to the needs of the City so it can be sold on the open market.

RECOMMENDATIONS

1. That the City-owned property identified as "Subject City Property" on Misc. Plan No. 9516/4 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, operational, environmental, human resources or other implications associated with this 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/DISCUSSION

The Subject City Property was a former cemetery site that was expropriated from the Parish of St. Vital in the 1970s as part of a land assembly program. At the time, the Parish of St Vital notified the City that the site still contained six bodies which were not removed since next-of-kin permission was unavailable. The exact locations of the six bodies were unknown resulting in the land not being used for its intended purpose.

In 1977, the City settled the expropriation with the Parish for $2,100 and accepted all costs to exhume and relocate the bodies.

Over the years, the Department received requests to purchase the former cemetery site and examined the cost to exhume the bodies. The cost of exhumation was significant since the location of the bodies could only be narrowed to a 50 by 60 foot area and alternative search methods (e.g. ground radar) were not feasible due to site debris. As a result, the Subject City Property has remained vacant since the 1970s.

In 2016, the City received a letter from the Parish indicating “moral certainty” that all bodies had been relocated. The Parish noted that all 67 bodies in the former cemetery had been accounted for in the new cemetery and suggested the backstory was urban legend. The City provided the Parish letter to the Vital Statistics Agency and the Funeral Board of Manitoba, along with a letter from Legal Services indicating that the site no longer qualifies as a cemetery according to The Cemetery Act. The Funeral Board of Manitoba acknowledged receipt of the letters and advised that no further action was required (once bodies are removed from a cemetery it ceases to be a cemetery). As no bodies are buried onsite, the City has satisfied the terms of the expropriation settlement and is in a position to declare the land surplus and sell it.

The Department circulated the subject site to all relevant City Departments and no civic need was identified. The Ward Councillor concurs with the Department’s recommendation.

FINANCIAL IMPACT

Financial Impact Statement

Date: May 14, 2019

Project Name:

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

COMMENTS:

While there are no direct financial implications associated with declaring the property surplus to the needs of the City, it is the intention of the Department to market the property for sale. Subject to the property being sold, there will be ongoing property tax revenue as well as, potentially, net proceeds of disposition. These amounts are not readily determinable at this time and/or are not material in nature.

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

CONSULTATION

This Report has been prepared in consultation with:
Legal Services Department

OURWINNIPEG POLICY ALIGNMENT

The subject property is in an area classified as General Manufacturing under the designated sub-strategy of Employment Lands – Direction Strategy "***Complete Communities****".* The Key Direction policy is:

> "Employment Lands will provide a wide range of market opportunities by accommodating new investment and economic development while contributing an abundance of new jobs for our citizens."

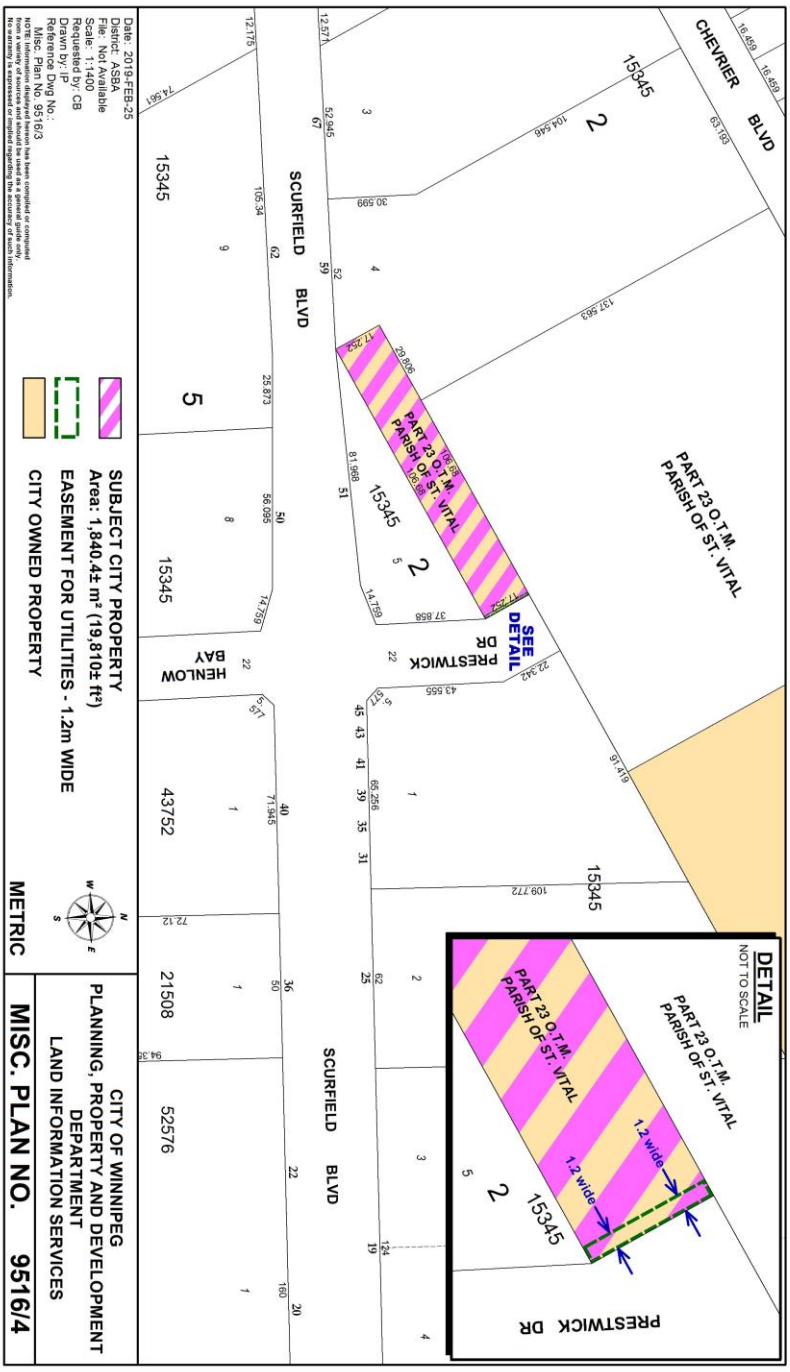
General Manufacturing areas consist of existing, typically planned industrial areas that contain a mix of light industrial uses at varying intensities. These districts often include warehousing and distribution components, together with outdoor storage areas.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: Clifford Bignall, Real Estate Officer
Date: May 14, 2019
File No:

Attachment: Schedule 'A' – Misc. Plan No. 9516/4

Schedule 'A'


CHEVRIER BLVD
SCURFIELD BLVD
PRESTWICK DR
HENLOW BAY
PART 23 O.T.M. PARISH OF ST. VITAL
SEE DETAIL
DETAIL
NOT TO SCALE
1.2 wide
1.2 wide
15345
43752
21508
52576
SUBJECT CITY PROPERTY
Area: 1,840.4± m² (19,810± ft²)
EASEMENT FOR UTILITIES - 1.2m WIDE
CITY OWNED PROPERTY
METRIC
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT
DEPARTMENT
LAND INFORMATION SERVICES
MISC. PLAN NO. 9516/4