Agenda – Executive Policy Committee – December 9, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – December 7, 2020

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 four business days preceding the committee meeting, be considered by Committee.

Item No. 5 City-Owned Property Located at 101 Macdonald Avenue (Point Douglas Ward)

STANDING COMMITTEE RECOMMENDATION:

On December 7, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development did not concur in the recommendation of the Winnipeg Public Service and submitted the following to Council:

1. That the Offers to Purchase City-owned Property Policy, adopted by Council on December 6, 2006, be waived for the direct sale of 101 Macdonald Avenue to Mr. John Vernaus.

2. That the vacant property located at 101 Macdonald Avenue be sold to Mr. John Vernaus at the appropriate fair market value.

3. That if a signed purchase agreement for the sale of the vacant property has not been received by September 30, 2021, the Winnipeg Public Service be directed to market the property for sale to the general public.

4. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the Offer to Purchase, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services 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.

Agenda – Executive Policy Committee – December 9, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – December 7, 2020

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On December 7, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development did not concur in the recommendation of the Winnipeg Public Service and submitted the following to the Executive Policy Committee and Council:

1. That the Offers to Purchase City-owned Property Policy, adopted by Council on December 6, 2006, be waived for the direct sale of 101 Macdonald Avenue to Mr. John Vernaus.

2. That the vacant property located at 101 Macdonald Avenue be sold to Mr. John Vernaus at the appropriate fair market value.

3. That if a signed purchase agreement for the sale of the vacant property has not been received by September 30, 2021, the Winnipeg Public Service be directed to market the property for sale to the general public.

4. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the Offer to Purchase, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services 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.

On November 16, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development laid the matter over to its meeting on December 7, 2020.

On September 17, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development directed the Winnipeg Public Service to report back on the recommendation of the Lord Selkirk-West Kildonan Community Committee within 60 days, namely:

1. That Council declare the vacant property located at 101 Macdonald Avenue, Roll No. 13091205000 as surplus to the requirements of the City;

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – December 7, 2020

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

2. That the vacant property located at 101 Macdonald Avenue be sold to Mr. John Vernaus at the appropriate fair market value;

3. That if a signed purchase agreement for the sale of the vacant property has not been received by September 30, 2021, the Winnipeg Public Service be directed to market the property for sale to the general public;

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

COMMUNITY COMMITTEE RECOMMENDATION:

On September 8, 2020, the Lord Selkirk-West Kildonan Community Committee passed the following motion:

WHEREAS there is a City of Winnipeg vacant lot located at 101 Macdonald Avenue, Roll No. 13091205000 (the "vacant property");

AND WHEREAS the vacant property has remained vacant for a number of years and zoned "M - Multiple-Use", with Property Use Code VINDU - Vacant Industrial;

AND WHEREAS Mr. John Vernaus is owner of Vernaus Auto-body Ltd. at 160 Higgins Avenue which his business property is adjacent to the vacant property and has been voluntarily maintaining the vacant property;

AND WHEREAS Mr. Vernaus wants to combine his business property at 160 Higgins Avenue and the vacant property to continue to maintain it;

AND WHEREAS Mr. Vernaus wishes to purchase 160 Higgins Avenue from the City of Winnipeg at fair market value;

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – December 7, 2020

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

THEREFORE BE IT RESOLVED:

1. That the Lord Selkirk-West Kildonan Community Committee recommends to the Standing Policy Committee on Property and Development, Heritage and Downtown Development that Council declare the vacant property located at 101 Macdonald Avenue, Roll No. 13091205000 as surplus to the requirements of the City;

2. That the vacant property located at 101 Macdonald Avenue be sold to Mr. John Vernaus at the appropriate fair market value;

3. That if a signed purchase agreement for the sale of the vacant property has not been received by September 30, 2021, the Winnipeg Public Service be directed to market the property for sale to the general public;

4. That the Winnipeg Public Service report back to the Standing Policy Committee of Property and Development, Heritage and Downtown Development within 60 days on the matter;

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

and report back to the Standing Policy Committee of Property and Development, Heritage and Downtown Development within 60 days.

ADMINISTRATIVE REPORT

Title: City-Owned Property Located at 101 Macdonald Avenue

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

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	J. Kiernan	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

The City acquired the property located at 101 Macdonald Avenue (the "Subject City Property") through the Taking Title Without Compensation process in 2010.

On September 17, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development directed the Public Service to report back on a direct sale of the Subject City Property to the adjacent owner.

The Subject City Property is considered to be a buildable site based on a review of the Downtown Winnipeg Zoning By-law No. 100/2004. In accordance with Council policy, buildable sites are required to be publicly marketed. As a result, the Public Service recommends the Subject City Property be publicly marketed upon Council adoption of Complete Communities 2.0.

RECOMMENDATIONS

1. That the Public Service market the City-owned property located at 101 Macdonald Avenue (the "Subject City Property", identified on attached Misc. Plan No. 14518/1) in accordance with the "Offers to Purchase City-owned Property" policy, adopted by Council on December 6, 2006.

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

On September 17, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development instructed the Winnipeg Public Service to report back on the following motion within 60 days, namely:

1. That Council declare the vacant property located at 101 Macdonald Avenue, Roll No. 13091205000 as surplus to the requirements of the City;

2. That the vacant property located at 101 Macdonald Avenue be sold to Mr. John Vernaus at the appropriate fair market value;

3. That if a signed purchase agreement for the sale of the vacant property has not been received by September 30, 2021, the Winnipeg Public Service be directed to market the property for sale to the general public;

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

IMPLICATIONS OF THE RECOMMENDATIONS

There are no regulatory, environmental, operational, human resources or other implications associated with this report.

The City's standard terms and conditions of the sale include provisions to protect the City's interests in the event that environmental contamination is discovered.

There are no direct financial implications to this report.

HISTORY/DISCUSSION

On July 21, 2010, Council delegated the authority to the Director of Planning, Property and Development to declare properties surplus to the needs of the City that have been acquired through the Taking Title Without Compensation ("TTWC") process.

On December 6, 2010, the Standing Policy Committee on Property and Development authorized the Public Service to acquire 101 Macdonald Avenue (the "Subject City Property") through the TTWC process. Once the City acquired the Subject City Property, the existing building on site was demolished.

The Subject City Property is a buildable site based on the Downtown Winnipeg Zoning By-law No. 100/2004, but its highest and best use is considered to be for consolidation with an adjacent property. Consolidation cannot occur until a secondary plan is completed for the South Point Douglas Major Redevelopment Site, but Complete Communities 2.0 (to be presented to Council in 2021) recommends removal of this secondary plan requirement. As a result, it is possible that the Subject City Property could be consolidated in 2021 without the need for a secondary plan. In accordance with Council policy, all buildable sites are required to be publicly marketed, unless certain conditions are met (e.g. the site forms part of a land exchange).

The Subject City Property was circulated to all City Departments and no civic need was identified. The Director of Planning, Property and Development declared the Subject City Property as surplus to the City's needs on September 14, 2020.

On September 17, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development instructed the Winnipeg Public Service to report back on the following motion within 60 days, namely:

1. That Council declare the vacant property located at 101 Macdonald Avenue, Roll No. 13091205000 as surplus to the requirements of the City;

2. That the vacant property located at 101 Macdonald Avenue be sold to Mr. John Vernaus at the appropriate fair market value;

3. That if a signed purchase agreement for the sale of the vacant property has not been received by September 30, 2021, the Winnipeg Public Service be directed to market the property for sale to the general public;

With respect to the Committee motion, the Subject City Property has already been declared surplus. Unless the Committee provides direction that is contrary to Council policy, the Subject City Property will be marketed once a secondary plan is completed for the neighbourhood (or the area is no longer designated as a Major Redevelopment Site).

The Public Service has delegated authority to approve sales of surplus property which have a sale price of less than $500,000, provided the sale price is within 95% of the appraised value (and the Ward Councillor has concurred with the sale). An appraisal of the Subject City Property has not been completed.

FINANCIAL IMPACT

Financial Impact Statement

Date: October 15, 2020

Project Name:

City-Owned Property Located at 101 Macdonald Avenue

COMMENTS:

There are no direct financial implications associated with this report.

Mike McGinn Oct. 15, 2020
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

Major Redevelopment Sites
Areas that once thrived under particular land uses in the past may not be needed for those purposes today. Some of these underused sites have significant strategic value, since they can capitalize on existing infrastructure through intensification.

These Major Redevelopment Sites are either located within or adjacent to existing communities, and this proximity makes them highly valuable. While in many cases, there are challenges to their redevelopment, such as the potential requirement for infrastructure upgrades, fractured land ownership and possible contamination, Major Redevelopment Sites present large-scale opportunities to enhance Winnipeg's urban fabric by repurposing obsolete land uses as new developments.

Key Direction
Major Redevelopment Sites will provide transformative opportunities for the development of complete communities with significant residential and employment densities and attractive urban design, capitalizing on vacant or underutilized sites within the existing urban fabric.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

4.1 Increase Strategic Infill Development that Provides Access to and Capitalizes on Existing and Planned Corridors with Frequent Transit Service

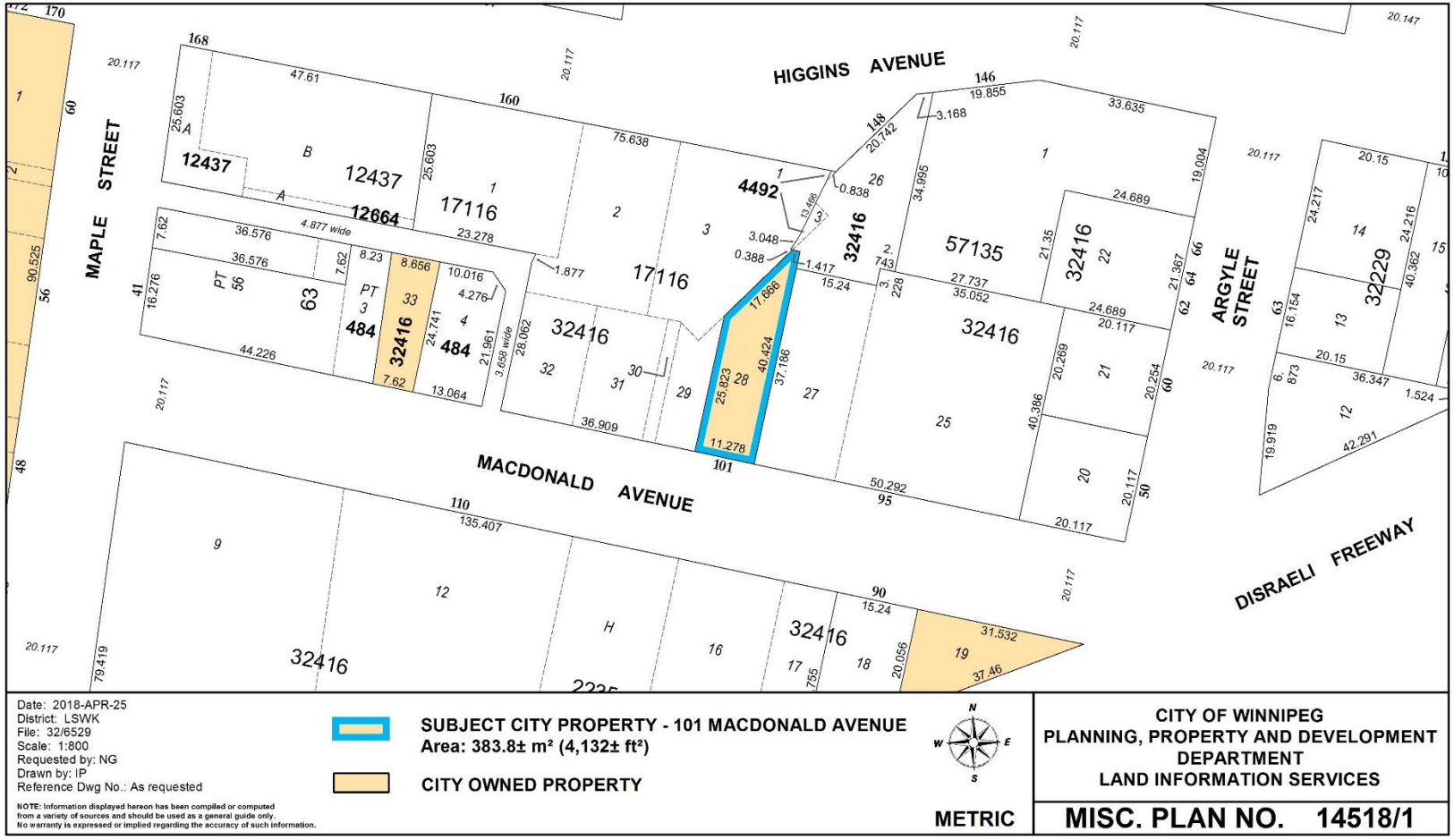
SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: Neil Gifford, Real Estate Officer
Date: October 16, 2020
File No:

Attachments:

Schedule A – Misc. Plan No. 14518/1

Schedule A


HIGGINS AVENUE
MAPLE STREET
ARGYLE STREET
MACDONALD AVENUE
DISRAELI FREEWAY
Date: 2018-APR-25
District: LSWK
File: 32/6529
Scale: 1:800
Requested by: NG
Drawn by: IP
Reference Dwg No.: As requested
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.
SUBJECT CITY PROPERTY - 101 MACDONALD AVENUE
Area: 383.8± m² (4,132± ft²)
CITY OWNED PROPERTY
N
W
E
S
METRIC
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPARTMENT
LAND INFORMATION SERVICES
MISC. PLAN NO. 14518/1