Minute No. 183
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 18, 2021

Item No. 2 Amendment to Council Decision – Declaration of Surplus Land – City-Owned Property adjacent to 199 Hamelin Street (River Heights-Fort Garry Ward)

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 declaration of surplus land for the City-owned property south of 199 Hamelin Street, identified as Subject City Property on Misc. Plan 14619/3 (attached as Schedule B) be rescinded.

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 18, 2021

DECISION MAKING HISTORY:

Moved by Councillor Gilroy,

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 20, 2021, 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 18, 2021, 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: Amendment to Council Decision – Declaration of Surplus Land – City-Owned Property adjacent to 199 Hamelin Street

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

On July 23, 2020, Council declared the City-owned land identified as Subject City Property on Misc. Plan 14619/1 (attached as Schedule A) as surplus to the City's needs.

Subsequent to the declaration, the Public Service became aware that CN Rail still required running rights on a portion of the City-owned land, specifically, the Subject City Property on Misc. Plan 14619/3 (attached as Schedule B).

In light of the above, the Public Service recommends that the declaration of surplus land for the Subject City Property identified on Misc. Plan 14619/3 be rescinded. The Subject City Property will be retained by the City until such time the land is not required by CN Rail.

The Residual Surplus Land identified on Misc. Plan 14619/4 (attached as Schedule C) will be sold to the adjacent owner.

RECOMMENDATIONS

1. That the declaration of surplus land for the City-owned property south of 199 Hamelin Street, identified as Subject City Property on Misc. Plan 14619/3 (attached as Schedule B) be rescinded.

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

Council approval is required to rescind a decision that previously declared land surplus to the needs of the City.

IMPLICATIONS OF THE RECOMMENDATIONS

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

Should Council concur in the recommendation of the Public Service, a portion of the land, namely the Residual Surplus Land identified on Misc. Plan 14619/4, will remain surplus to the City's needs and sold.

The Public Service intends to sell the Residual Surplus Land to the adjoining owner at 199 Hamelin Street in accordance with the "Offers to Purchase City-Owned Property" Policy approved by Council on December 6, 2006. Pursuant to the policy, the Planning, Property and Development Department may act on unsolicited offers to purchase City-owned property from an adjacent existing owner when the property is not developable on its own.

HISTORY/DISCUSSION

In early 2020, the Public Service was approached by the owner of 199 Hamelin Street regarding the acquisition of City-owned land identified on Misc. Plan 14619/1 (attached as Schedule A) for consolidation with their existing holding. The City-owned land formed part of the Fort Garry Industrial Park rail spur network, in which CN Rail and CP Rail both have running rights.

At the time of circulation, CN Rail and CP Rail indicated they do not use the trackage contained within the limits of the land identified as Subject City Property on Schedule A.

On July 23, 2020, Council declared the City-owned land identified as Subject City Property on Schedule A as surplus to the City's needs. Subsequent to the Council approval, the Public Service became aware that the CN Rail company still required running rights on a portion of the City land, specifically, the Subject City Property as identified on Misc. Plan 14619/3 (attached as Schedule B).

As a result, the Public Service recommends that the declaration of surplus land for the Subject City Property shown on Schedule B be rescinded.

There is no intent to sell the Subject City Property shown on Schedule B until such time the land is not required by CN Rail and as such, the Subject City Property as identified on Schedule B should not be considered surplus to the City's needs.

The Public Service intends on selling the Residual Surplus Land identified on Misc. Plan 14619/4 (attached as Schedule C) to the adjacent owner to allow the owner to satisfy a building code requirement (exit corridor) as part of a building expansion.

In addition to the City's standard sale conditions, the Purchaser will be responsible to complete a DASSF application to consolidate the Residual Surplus Land with their current holdings into one (1) Lot.

FINANCIAL IMPACT

Financial Impact Statement

Date: December 4, 2020

Project Name:

Request to Rescind a Portion of Council's Decision of a Declaration of Surplus Land – City-Owned Property adjacent to 199 Hamelin Street

COMMENTS:

There are no financial implications associated with the recommendations contained in this report.

Mike McGinn Dec. 4, 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

The Subject City 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.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Land Use: Facilitate Compact, Complete Development and Increase Density – Section 4.4

"Support Redevelopment of Former Commercial and Industrial Lands into Active Use."

The recommendations of this report align with the Winnipeg Climate Action Plan as a proposed sale of this property would result in the re-purposing of a former spur line with new development at this site.

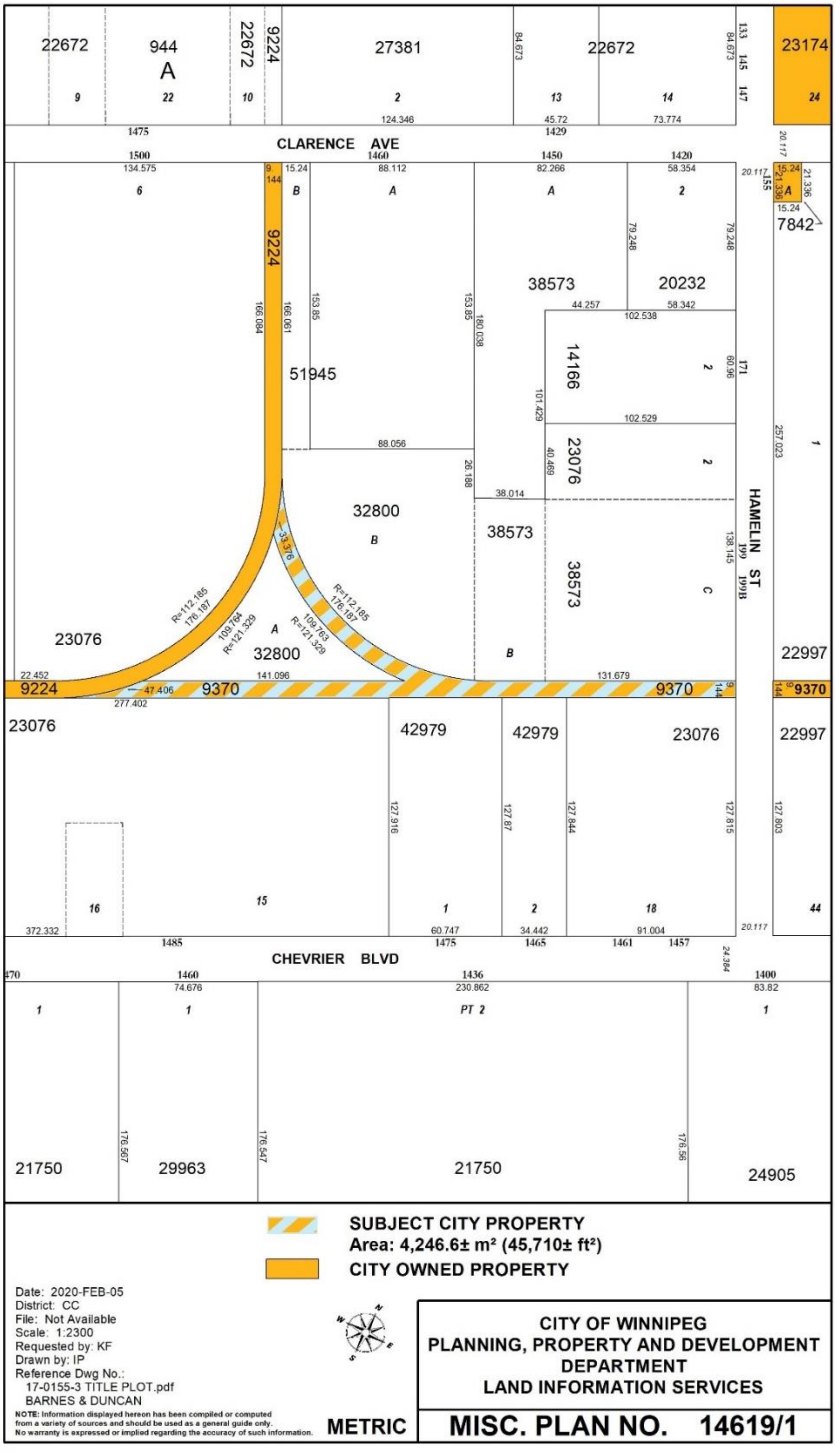
SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Division
Prepared by: Kim Fox, Senior Negotiator
Date: December 7, 2020
File No: 32/5504

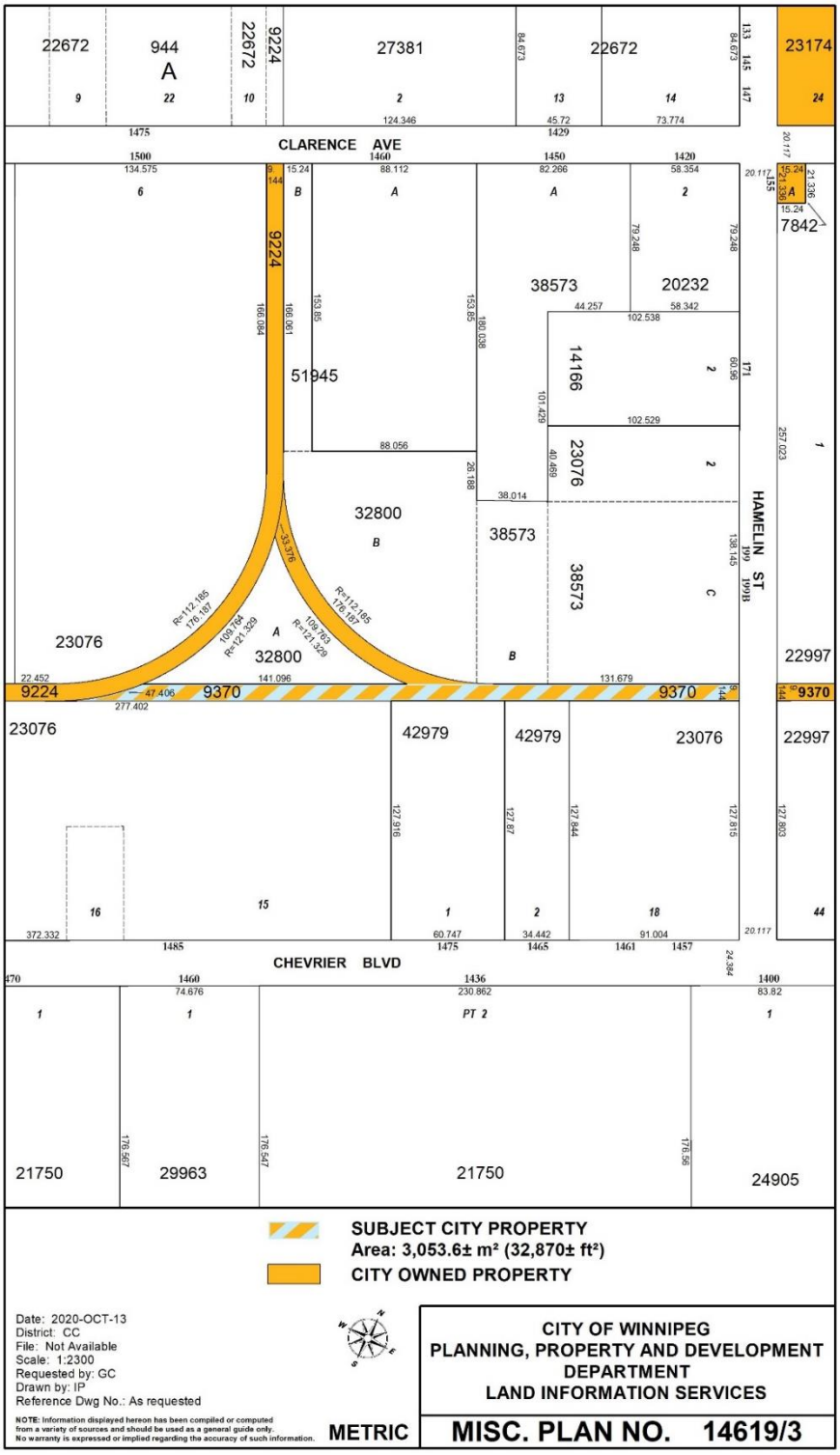
Attachments:

Schedule A – Misc. Plan 14619/1
Schedule B – Misc. Plan 14619/3
Schedule C – Misc. Plan 14619/4

Schedule A


CLARENCE AVE
HAMELIN ST
CHEVRIER BLVD
SUBJECT CITY PROPERTY
Area: 4,246.6± m² (45,710± ft²)
CITY OWNED PROPERTY
Date: 2020-FEB-05
District: CC
File: Not Available
Scale: 1:2300
Requested by: KF
Drawn by: IP
Reference Dwg No.:
17-0155-3 TITLE PLOT.pdf
BARNES & DUNCAN
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.
METRIC
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPARTMENT
LAND INFORMATION SERVICES
MISC. PLAN NO. 14619/1

Schedule B


CLARENCE AVE
HAMELIN ST
CHEVRIER BLVD
SUBJECT CITY PROPERTY
Area: 3,053.6± m² (32,870± ft²)
CITY OWNED PROPERTY
Date: 2020-OCT-13
District: CC
File: Not Available
Scale: 1:2300
Requested by: GC
Drawn by: IP
Reference Dwg No.: As requested
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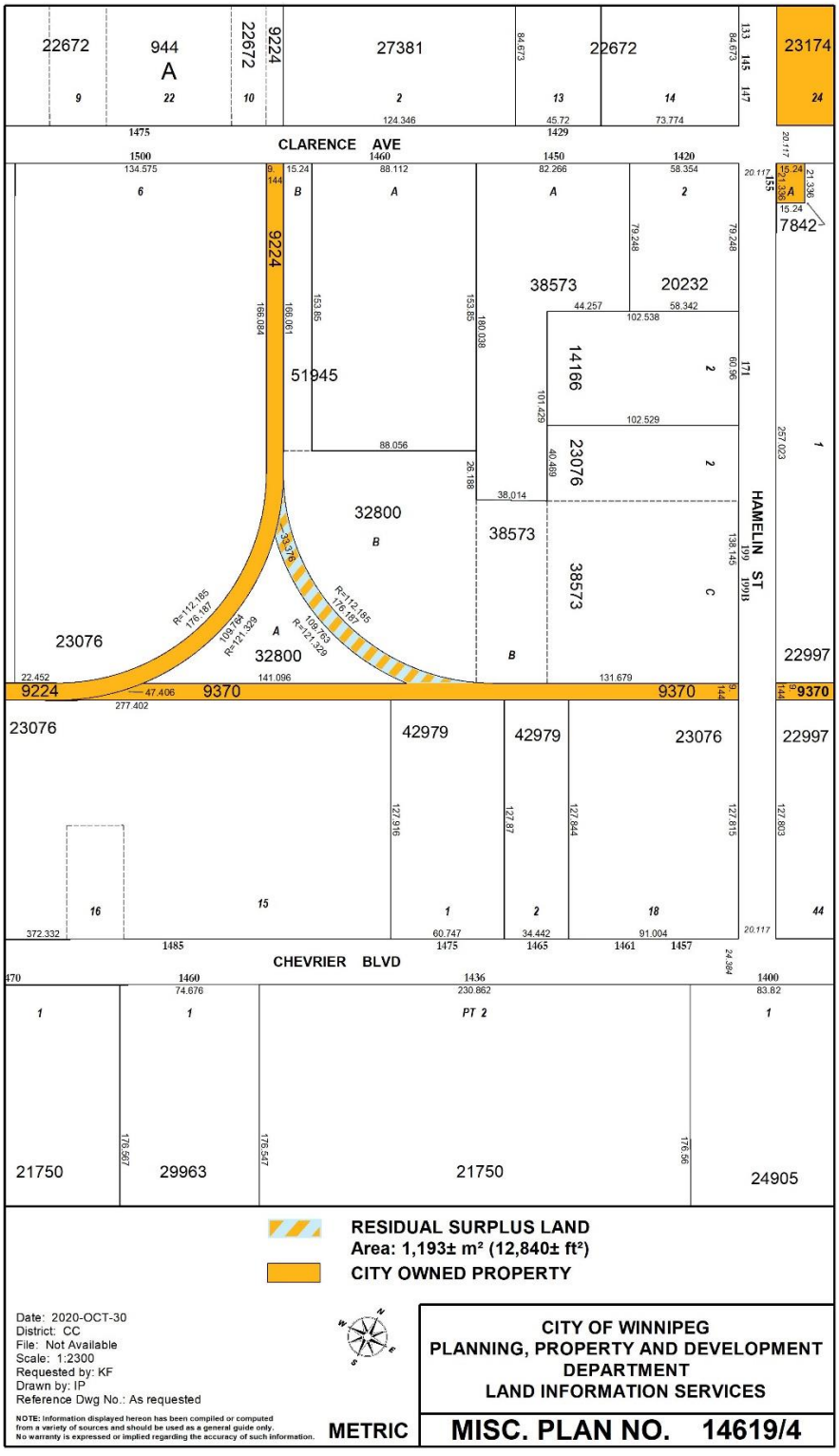
METRIC
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPARTMENT
LAND INFORMATION SERVICES
MISC. PLAN NO. 14619/3

Schedule C


CLARENCE AVE
CHEVRIER BLVD
HAMELIN ST
RESIDUAL SURPLUS LAND
Area: 1,193± m² (12,840± ft²)
CITY OWNED PROPERTY
Date: 2020-OCT-30
District: CC
File: Not Available
Scale: 1:2300
Requested by: KF
Drawn by: IP
Reference Dwg No.: As requested
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METRIC
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPARTMENT
LAND INFORMATION SERVICES
MISC. PLAN NO. 14619/4