Minutes – Council – July 18, 2024

Minute No. 413
Report – Standing Policy Committee on Property and Development – July 4, 2024

Item No. 3 Proposed Surplus Declaration and Land Exchange – Desrosiers Drive – Canterbury Crossing Phase 3 (Transcona Ward)

COUNCIL DECISION:

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

1. That, subject to the approval of two-thirds of all Council members (pursuant to Section 4.4.A.i. of the Declaration as Surplus and Sale of Property policy), the City land identified as "Subject City Property" on Misc. Plan No. 15946/1 (attached hereto as Schedule A) be declared surplus to the City's needs.

2. That, subject to the approval of two-thirds of all Council members (pursuant to subsection 205(2) of The City of Winnipeg Charter) and approval of Recommendation 1, the land exchange between the City and Ravenhurst Developments Inc., that is in accordance with the terms and conditions set out in Schedule B, be approved.

3. That subject to the approval of Recommendations 1 and 2, the City enter into, execute and deliver a Land Exchange Agreement with Ravenhurst Developments Inc. in accordance with the terms attached hereto as Schedule B and such other agreements determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

4. 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 – July 4, 2024

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

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

Carried

Councillor Wyatt was absent from the vote on the above motion.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 9, 2024, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 4, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Proposed Surplus Declaration and Land Exchange – Desrosiers Drive – Canterbury Crossing Phase 3

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

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	H. Borys	T. Graham	M. Geer Acting CAO

EXECUTIVE SUMMARY

Ravenhurst Developments Inc. ("Ravenhurst") is interested in acquiring the parkland shown as "Subject City Property" on Misc. Plan 15946/1, attached as Schedule A, for development purposes.

The Public Service supports the sale of the Subject City Property if an equal or greater amount of parkland is acquired in an exchange. Ravenhurst has offered to sell Lots 72 and 73 Plan 70448 shown as "Proposed Acquisition" on Misc. Plan 15946/1.

If the land exchange is approved, the Proposed Acquisition will be improved with a maintenance garage for the Parks and Open Spaces Division.

The Public Service recommends a $1.00 land exchange for the above noted properties, which have nearly identical appraised values.

The Ward Councillor concurred with the intent of the Public Service.

RECOMMENDATIONS

1. That, subject to the approval of two-thirds of all Council members (pursuant to Section 4.4.A.i. of the Declaration as Surplus and Sale of Property policy), the City land identified as "Subject City Property" on Misc. Plan No. 15946/1 (attached hereto as Schedule A) be declared surplus to the City's needs.

2. That, subject to the approval of two-thirds of all Council members (pursuant to subsection 205(2) of The City of Winnipeg Charter) and approval of Recommendation 1, the land exchange between the City and Ravenhurst Developments Inc., that is in accordance with the terms and conditions set out in Schedule B, be approved.

3. That subject to the approval of Recommendations 1 and 2, the City enter into, execute and deliver a Land Exchange Agreement with Ravenhurst Developments Inc. in accordance with the terms attached hereto as Schedule B and such other agreements determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

4. 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

Pursuant to section 205(2) of The City of Winnipeg Charter and section 4.4.A.i. of the "Real Estate - Declaration as Surplus and Sale of Property" policy adopted by Council on September 29, 2021, two-thirds approval by Council is required to declare parkland surplus to the City's needs and approve a land exchange which includes parkland.

IMPLICATIONS OF THE RECOMMENDATIONS

Should the Subject City Property be declared surplus to the needs of the City, the standard terms and conditions for a Land Exchange Agreement will include provisions to protect the City's interest in the event that environmental contamination is discovered.

If the land exchange is approved, the City's amount of parkland will increase slightly but the maintenance cost is immaterial. Costs to subdivide the Subject City Property will be covered by the Developer, Ravenhurst.

HISTORY/DISCUSSION

The City of Winnipeg is the owner of the Subject City Property (identified on Misc. Plan 15946/1 in Schedule A), located in the Canterbury Crossing Neighbourhood. The Subject City Property is part of a Public Reserve that was acquired through DASZ 10/2017, though its boundaries were realigned by the subdivision and rezoning approval under DASZ 25/2020. Ravenhurst Developments Inc. (Ravenhurst) inquired about purchasing the Subject City Property as they are proceeding with a development on their adjacent private property.

Ravenhurst is the owner Lots 72 and 73 Plan 70448, identified as "Proposed Acquisition" on Misc. Plan No. 15946/1 (Schedule A) which is adjacent to another Public Reserve originally created through DASZ 10/2017. Ravenhurst wishes to acquire the Subject City Property in exchange for the Proposed Acquisition.

The Proposed Acquisition previously formed part of a Community Committee motion in 2023 which was received as information by the Standing Policy Committee on Property and Development on June 27, 2023. A land exchange was proposed through the motion, but included City land outside the immediate area.

The Public Service circulated the Subject City Property to City departments and no civic needs were identified. The Parks and Open Spaces Division is supportive of the exchange as the

maintenance garage that was to be located on the Subject City Property could be relocated to the Proposed Acquisition which is a more suitable location.

Pursuant to the “Real Estate - Declaration as Surplus and Sale of Property” policy, the Public Service may negotiate a land exchange where a civic department has a land requirement – in this case, for a maintenance garage.

Section 3.1 C of the “Real Estate – Acquisition of Property” policy adopted by Council on September 29, 2021, requires the Public Service to obtain a Phase I Environmental Site Assessment for the purchase of Non-City Property, unless directed otherwise by the City department requesting the Acquisition. The Client Department (Public Works) advised that a Phase I ESA is not required.

The Subject City property was appraised for $271,000 with a highest and best use of residential single family. The Proposed Acquisition was appraised for $270,000 also with a highest and best use of residential single family. Due to the nearly identical values, the parties agreed to a $1.00 land exchange.

The land exchange is considered to represent best value to the City for the following reasons:

- The total area of the City’s parkland will increase;
- The maintenance garage will be situated in a preferred location;
- The Developer will incur all costs related to the subdivision of the Subject City Property.

Pursuant to section 205(2) of The City of Winnipeg Charter and section 4.4.A.i. of the “Real Estate - Declaration as Surplus and Sale of Property” policy adopted by Council on September 29, 2021, two-thirds approval by Council is required to declare parkland surplus to the City’s needs and approve a land exchange which includes parkland.

The Ward Councillor concurred with the intent of the Public Service.

FINANCIAL IMPACT

Financial Impact Statement

Date: May 9, 2024

Project Name:

Proposed Surplus Declaration and Land Exchange – Desrosiers Drive - Canterbury Crossing Phase 3

COMMENTS:

As the two properties proposed to be exchanged are essentially equal in estimated value, there are no financial implications associated with the recommendations contained in this report.

Mike McGinn May 9, 2024

Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

Legal Services (as to legal issues)
Public Works – Parks and Open Spaces Division

OURWINNIPEG POLICY ALIGNMENT

Goal: Environmental Resilience
2.19 Leverage Green Infrastructure
Value, protect and integrate green infrastructure solutions within the urban environment, to achieve highest and best use for biodiversity and ecosystem integrity, mitigate servicing capacity constraints, and accommodate only park, recreation, open space, or City operations related uses in City-owned land used as parks or under parks jurisdiction.

Goal: Good Health and Well-Being
4.11 Equitable Service Access
Prioritize equitable access to recreation and parks systems, services, and infrastructure, in order to: enable active living; connect people and nature; create supportive environments; build community capacity; and achieve desired health outcomes, with a focus on children and youth.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

7.3 Preserve and Manage Parks and Natural Areas to Support Climate Change Mitigation

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the Poverty Reduction Strategy (PRS), as well as the corresponding 2021-2023 Implementation Plan, and it was determined that the Strategy is not applicable to this specific report.

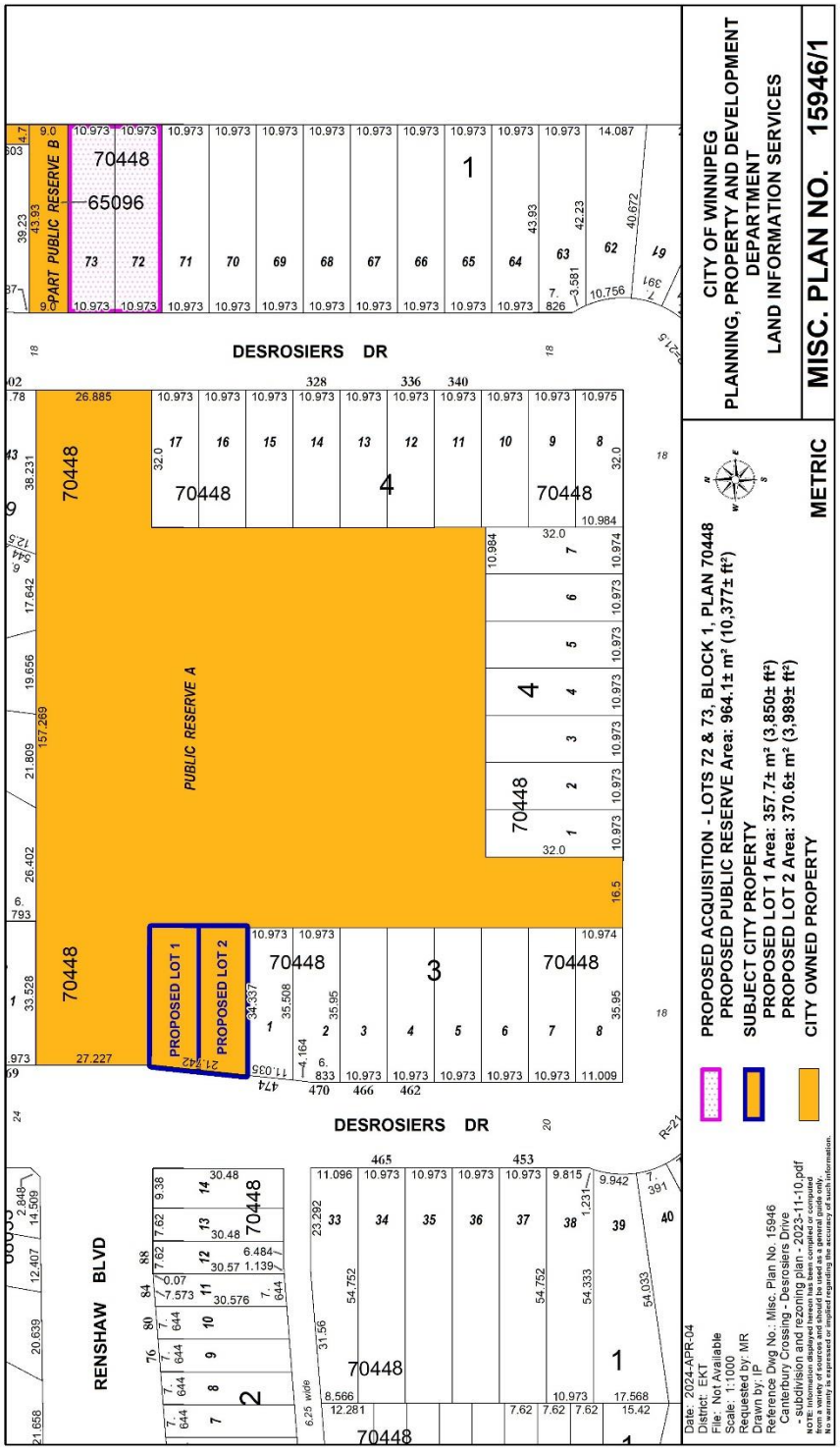
SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: Michelle Robertson, Real Estate Officer
Date: May 29, 2024
File No: 4726/8(V6)

Attachments:

Schedule A – Misc. Plan 15946/1
Schedule B – Proposed Terms and Conditions

Schedule A


CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT
DEPARTMENT
LAND INFORMATION SERVICES
MISC. PLAN NO. 15946/1
METRIC
PROPOSED ACQUISITION - LOTS 72 & 73, BLOCK 1, PLAN 70448
PROPOSED PUBLIC RESERVE Area: 964.1± m² (10,377± ft²)
SUBJECT CITY PROPERTY
PROPOSED LOT 1 Area: 357.7± m² (3,850± ft²)
PROPOSED LOT 2 Area: 370.6± m² (3,989± ft²)
CITY OWNED PROPERTY
DESROSIERS DR
RENSHAW BLVD
PUBLIC RESERVE A
PART PUBLIC RESERVE B
PROPOSED LOT 1
PROPOSED LOT 2
70448
65096
Date: 2024-APR-04
District: EKT
File: Not Available
Scale: 1:1000
Requested by: MR
Drawn by: JP
Reference Dwg No.: Misc. Plan No. 15946
Canterbury Crossing - Desrosiers Drive
- subdivision and rezoning plan - 2023-11-10.pdf

Schedule B

Parties:	The City of Winnipeg Ravenhurst Developments Inc.
Purchase Price:	$1.00
Lands to be Exchanged:	“Subject City Property” on Misc. Plan 15946 (Schedule “A”) “Proposed Acquisition” on Misc. Plan 15946 (Schedule “A”)
Other Terms:	Ravenhurst Developments is required to complete a DASZ application and will incur costs related to the subdivision and rezoning of the Subject City Property and Proposed Acquisition, including survey costs, and landscaping requirements as requested by Parks.
Closing Date:	The date for closing, vacant possession (free of leasehold interest) (hereinafter called the “Closing Date”) in respect of the Subject City Property and the Proposed Acquisition shall be by mutual agreement, but no later than ninety (90) days after the later of: a) The date of final approval by the City’s Council and/or its delegated authority; or b) The date on which the DASZ application has been completed and the Subdivision has been approved for registration by the Winnipeg Lands Titles Office and the City for the Subject City Property; or c) The date that the Due Diligence Period ends or is waived as provided for in this Agreement; Or such other date, initially approved by the City’s Director of Planning, Property and Development (hereinafter called the “Director”), and thereafter mutually agreed upon by the parties.