

ITEM	11
MANAGER'S REPORT NO.	42
COUNCIL MEETING	1980 06 16

RE: PROPOSED EXCHANGE AND SALE OF LANDS
LOT 3 OF BLOCK "A" OF BLOCK 47, D.L. 151, PLAN 1437 MUNICIPAL LAND
FOR PORTION OF LOTS 15, 16, 17, BLOCK "A" OF BLOCK 47, D.L. 151, PLAN 1437
(LOEWEN DEVELOPMENT CORPORATION)
(ITEM 18, REPORT NO. 49, 1979 JULY 16)

The attached report from the Municipal Solicitor provides information on the negotiations that were carried out in accordance with the following authority as received from Council on 1979 July 16:

"1. THAT Council approve the land exchange and authorize the Legal and Lands Department to negotiate for the sale of Lot 3 of Block A of 47, D.L. 151, Plan 1437 for consolidation with the development site as outlined in Section 3.4 of this report."

The preceding recommendation was made and adopted on the basis of the following information which was contained in Item 18, Report No. 49:

"3.4 Land Exchange and Sale of Property

In order to achieve an improved development site and to dispose of the vacant Municipal parcel of land, one additional lot has been added to the development site on the south end. A site on the south side of Willingdon (4,269.6 sq.ft.) owned by the developer will be exchanged with the Municipal site which is 9,087 sq.ft., with the balance of the Municipal site being sold for consolidation with the development site. The site being acquired will be consolidated with a future development site.

Council is therefore requested to authorize the exchange of these two properties as stated above and the sale of the balance of the Municipal property to the developer. A further report to Council will be forthcoming when the Legal and Lands Department has completed the negotiations with the developer for the sale of the balance of the Municipal property. Please refer to the attached Sketch #1."

RECOMMENDATION:

1. THAT the recommendation of the Municipal Solicitor be adopted.

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TO: MUNICIPAL MANAGER
 FROM: MUNICIPAL SOLICITOR

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RECOMMENDATION:

1. THAT Lot 3 of Block "A" of Block 47, D.L. 151, Plan 1437 be exchanged for portions of Lots 15, 16, 17 of Block "A" of Block 47, D.L. 151, Plan 1437 and that the additional Municipal land be sold at \$13.00 per square foot, final areas to be determined by legal survey.

BACKGROUND:

Council at its meeting of July 23rd, 1979 received a report from the Director of Planning, ITEM 18 Manager's Report No. 49 and adopted the recommendation and instructed this Department to open negotiations for a land exchange and sale of those lands described above (see attached sketch).

PROPOSED ZONING - MUNICIPAL LANDS:

Assembled lands to be rezoned from R5 residential to C.D. Comprehensive Development District utilizing the RM5 Multiple Family District, unit density of 100 units per acre.

APPRAISED VALUE:

Due to the economic situation, very little high rise development has taken place recently, making a comparable analysis unreliable. However, by examining the Land Title Office records we were able to determine that most of the land assembly was completed in May of this year and, in a majority of cases, acquisition costs were below \$13.00 per square foot.

ACQUISITION COST:


Lot 3 was purchased by the Municipality in July of 1975 for \$41,500.00 (ITEM 5, MANAGER'S REPORT NO. 46).

NEGOTIATIONS:

We have negotiated a land exchange on an equal trade basis, all final areas to be verified by legal survey. Our preliminary plans indicate that the additional Municipal land would be around 4,500 sq. ft., making a recapture to the Municipality at \$13.00 per sq. ft. of \$59,800.00.

The Community Plan No. 2 indicates that the portions of Lots 15, 16, 17 are proposed for park purposes or, alternatively, RM4 zoning, having a density of 80 units per acre.

Under normal circumstances, we would have to advertise Lot 3 for sale by public tender. Our original intent, when the property was acquired by the Municipality, was to prevent an opportunist acquiring the property and demanding and holding future developers to ransom, thereby frustrating the Planning Department's long term plans for the area. If this property is offered for sale by public tender, we may experience the very problem we were attempting to prevent. We, therefore, have to suggest that we proceed by a land exchange and sell the overages to the developer for inclusion and consolidation in the high rise site. The sale of the excess municipal land can be posted in the usual way, thereby eliminating the need to advertise by public tender.


 W. L. Stirling,
 MUNICIPAL SOLICITOR.

FAE:re
 Attach:

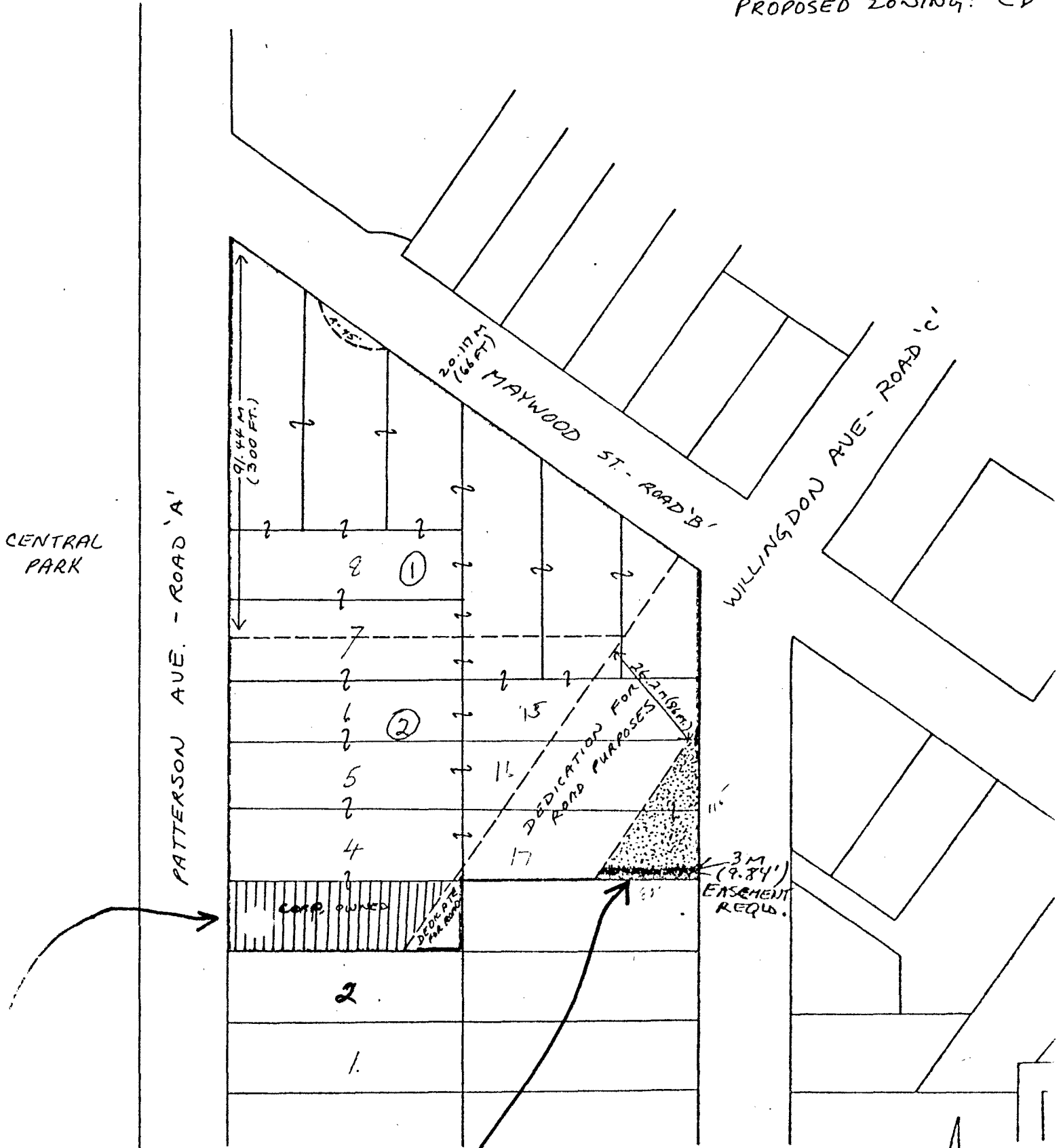
c.c. DIRECTOR OF PLANNING
 MUNICIPAL TREASURER

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D.L. 151/153

S.D. REF. # 51/79
 XREF R2 # 19/79
 R2. # 30/79

PROPOSED ZONING: CD



NOTE: ① DEDICATION AND CONSTRUCTION OF NEW ROAD REQUIRED.
 ② DEDICATE PORTION OF MAYWOOD CUL-DE-SAC.
 ③ SERVICING AGREEMENT REQUIRED.
 ④ RESTRICTIVE COVENANT UNDER SECTION 24A OF THE LAND REGISTRY ACT TO ALLOW USE OF COMMUNAL FACILITIES BY BOTH PHASES.

- PRIVATELY-OWNED
 - CORPORATION-OWNED

PROPOSED EXCHANGE

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SCALE: 1" = 100'
 1979 JUNE C.M.

