



**City of Winnipeg  
Planning, Property and Development  
Department**

**Invitation for Expressions of Interest and  
Development Proposals For  
City Owned Property Located in Pointe  
Hebert – 825 Tache Avenue  
Winnipeg, Manitoba**

**(EOI # 617-2014)**

## **1.0 INTRODUCTION**

The City of Winnipeg (City) invites Expressions of Interest (EOI) from Proponents, with respect to the purchase and redevelopment of 825 Tache Avenue located in the North St. Boniface area, commonly referred to as “Pointe Hebert” for Multiple Family Residential.

This information package provides a brief overview of the subject property and the associated terms of reference for this EOI.

## **2.0 LOCATION**

The subject property is located on the west side of Tache Avenue between Rue Hebert and Rue Darveau and illustrated as “Subject Property” on the attached Misc. Plan No. 14209/5.

The City offering consists of +/- 53,126 square feet, wherein the City will retain an unlimited reversionary right over the “Proposed Rapid Transit Corridor” as shown on Misc. Plan No. 14209/5.

The offering does not include the +/- 100 feet of land from top of riverbank, shown as “City Property to be Retained for Riverbank” on Misc. Plan No. 14209/5 for Park and Open space.

## **3.0 BACKGROUND**

The City of Winnipeg Forestry Division most recently occupied this property as a Parks and Recreation Maintenance Facility.

## **4.0 COUNCIL DIRECTIVE**

On May 24, 2006, Council adopted the report of the Standing Policy Committee on Property and Development dated May 2, 2006, wherein the subject property was declared surplus under the Declaration of Surplus Properties for the Public Works-Water and Waste Facilities Master Plan. This Expression of Interest (EOI) has been issued in response to the above Council Directive.

## **5.0 PREVIOUS STUDIES**

### **5.1 Environmental Assessments**

No previous environmental investigations for the potential presence of soil contaminants have been carried out by the City of Winnipeg.

The City hereby discloses that some components of the building may contain various forms of asbestos and lead paint containing materials.

The demolition of the existing building within the Subject Property will be completed by the City prior to possession. The City will be responsible for the safe removal of the asbestos and any other hazardous materials as part of the demolition process.

The Proponent shall be required, at its expense, to remediate the Subject Property to an environmental standard acceptable to Manitoba Conservation for the intended residential uses.

The Subject Property is offered in an “**as is, where is**” condition, and it is the responsibility of the Proponent to do its own due diligence in this regard.

## **6.0 CURRENT STATUS**

### **6.1 Development Plan**

Development in North St. Boniface must be consistent with the North St. Boniface Secondary Plan (By-law No. 965/75), attached as “Schedule A”. The subject site is located within the "Higher Density Residential" policy area of the Plan. This policy area allows a maximum density of 55 units/net acre and encourages the development of locally-oriented commercial development in conjunction with higher density residential development. Community services such as schools, daycares and health care facilities are also encouraged in the Higher Density Residential policy area.

In accordance with Section 2 under the Implementation heading of the North St. Boniface Secondary Plan By-Law No. 965/75, the ‘Higher Density Residential’ and ‘Lower Density Residential’ density maximums may be exceeded by up to 25% where the Community Committee within whose boundaries the North St. Boniface District is located declares by motion that “one or more of” the following exceptional or extraordinary circumstances exist in respect of a site:

- A. the location of a utility (e.g. hydro transmission tower, aqueduct) or irregular lot configuration encumbers land assembly;
- B. lot area is reduced through street widening (or similar measure that results in lot area reduction) imposed by Council;
- C. the site requires unusually high preparation or remediation costs (e.g. environmental clean-up, major building demolition);
- D. the site requires exceptionally high infrastructure costs (e.g. front-ending water, sewer), which will subsequently provide offsite development opportunities.

Expressions of Interest submitted by Proponents should indicate how the proposed development will address how the property will be developed for residential multi-family housing.

## **6.2 Zoning and Surrounding Land Use**

The “Subject Property” is currently zoned “M2” Manufacturing General.

## **6.3 Services**

The Water and Waste Department advises that the availability of adequate water service to meet the firefighting requirements as specified in the Fire Underwriter’s Survey (FUS) standards must be met. Generally, the existing water main sizing at this location is only adequate for protection of single family homes. In order to allow for higher density multi-family development, the existing watermain in Tache Avenue would likely have to be upsized.

It is the responsibility of the Proponent to satisfy itself that sufficient services are available to develop the site for its proposed use. The Proponent is advised to retain the services of a qualified municipal engineer to investigate any servicing requirements to be paid for by the Proponent as a result of a rezoning/development application.

The Public Works Department advises that it is the responsibility of the Proponent to pay their share of upgrading Tache, Hebert, and Darveau and/or the Proponent would be responsible for upgrading the roads including sidewalks, street lighting, boulevard landscaping, and land drainage, if required by the Water and Waste Department. The options will be evaluated at the time of a development application.

## **6.4 Property Information**

Titles: 1279146/1, 1279195/1, 2371769/1, 1702575/1, 423802, 2350957/1

Legal Description:

Firstly: SP Lots 11 to 15, Plan 29652 WLTO,  
Subject to a right of way for all purposes and as appurtenant to SP Lot 16 as shown on said Plan, over and upon said Lot 15,  
Subject to a right of way for all purposes and as appurtenant to SP Lot 17 as shown on said Plan, over and upon said Lots 14 and 15,  
Subject to a right of way for all purposes and as appurtenant to SP Lot 18 as shown on said Plan, over and upon said Lots 13, 14 and 15,  
In RL 76, Parish of Saint Boniface

Secondly: SP Lot 17, Plan 29652 WLTO,  
Together with a right of way for all purposes and as appurtenant to said Lot 17, over and upon SP Lots 14 and 15 as shown on said Plan,  
In RL 76, Parish of Saint Boniface

Thirdly: Lots 1, 2, 7 and 8, Block “D”, Plan 10 WLTO (S Div)

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Exc out of said Lots 7 and 8, all those portions taken for the Canadian Northern Railway Industrial Spur Track, Plan No. 3071 WLTO, In RL 76, Parish of Saint Boniface

Fourthly: All those portions of Lots 5, 6, 7 and 8, Block “D”, Plan 10 WLTO (S Div) taken for the Canadian Northern Railway Industrial Spur Track, Plan No. 3071 WLTO, In RL 76, Parish of Saint Boniface, and

Fifthly: All that portion of RL 76 of the Parish of Saint Boniface, taken for Public Lane in Block “D”, Plan 10 WLTO (S Div)

shown bordered in solid line and identified as “Subject Property Area: ± 4,935.6 m<sup>2</sup> (± 53,126 ft<sup>2</sup>)” on a drawing on file in the City’s Planning, Property and Development Department as Misc. Plan No. 14209/5.

Encumbrances:

No registered encumbrances currently exist on the above noted Titles.

The Subject Property is being sold subject to an easement in favour of Manitoba Hydro for existing overhead facilities. The Easement Agreement was granted by the City on January 8, 2014 and has not been registered by Manitoba Hydro against Title 1279146/1 to date.

The Subject Property is being sold subject to the registration of the following Caveats that will be registered by the City prior to a sale being completed:

- i) An Agreement between the City and the Proponent providing the City with an unlimited reversionary right over the “Proposed Rapid Transit Corridor” as shown on Misc. Plan No. 14209/5, in a form acceptable to the City; and
- ii) An Agreement between the City and the Proponent providing the City with a temporary construction easement and/or access agreement adjacent to the “Proposed Rapid Transit Corridor” as shown on Misc. Plan No. 14209/5, in a form acceptable to the City.

Assessment: Roll # 06060005500, 06060012000

Building: To be demolished by the City of Winnipeg prior to possession.

## **6.5 Required Applications**

1. A closing application, Plan and by-law will be required to legally close the area identified as “Proposed Closing” on Misc Plan No. 14209/5;
2. A Plan of Survey to create Parcels for the land identified as “City Property to be retained for Riverbank”, “Proposed Rapid Transit Corridor” and to facilitate consolidation of the “Proposed Closing with the “Subject Property” (see Misc. Plan No. 14209/5); and
3. A rezoning application will be required to rezone “City Property to be retained for Riverbank” to Parks and to rezone the “Subject Property” to a multi-family residential use.

**Any and all applications shall be at the sole cost, effort and expense of the Proponent.**

## **7.0 INSTRUCTIONS TO PROPONENTS**

### **7.1 Process**

The City invites EOI’s for the purchase of the “Subject Property” as shown on Misc. Plan No. 14209/5 (attached hereto as Schedule “A”). Development of this property in the Pointe Hebert area should be in accordance with the North St. Boniface Secondary Plan (By-law No. 965/75).

### **7.2 Material and Information to be Supplied by Proponents**

#### **7.2.1 Background Information**

- i) the names of all Principals associated with the proposal;
- ii) a list of the successful projects carried out by the Proponent, if any;
- iii) financial information about the Proponent;
- iv) any other information which the Proponent considers pertinent to the EOI.

#### **7.2.2 Details of the Proposed Purchase and Site Development**

The proposals must include the offering price, financial terms, conditions, if any, related to the development of the Subject Property, the proposed land use, an outline of the development timing, and any other relevant terms or assumptions.

### **7.3 General Conditions of EOI**

#### **7.3.1 Sealed EOI's**

Sealed EOI's marked 825 TACHE AVENUE – EOI #617-2014 should be addressed and delivered to:

Materials Management  
City of Winnipeg  
Main Floor, 185 King Street  
Winnipeg, Manitoba

Sealed EOI's will be received up to the deadline of:

4:00 pm, Winnipeg Time, on September 26, 2014.

EOI submissions determined by the Manager of Materials to have been received later than the EOI deadline may not be accepted and returned upon request.

The Contract Administrator or the Manager or Materials may extend the submission deadline by issuing an addendum at any time prior to the submission deadline.

EOI's submitted by facsimile transmission (fax) or internet electronic mail (e-mail) will not be accepted.

EOI's will not be opened publicly.

The City may at any time prior to the submission deadline, issue addenda correcting errors, discrepancies or omissions in the Invitation for Expressions of Interest, or clarifying the meaning or intent of any provisions therein.

Addenda will be available on the Bid Opportunity page at the City of Winnipeg, Corporate Finance, Materials Management Branch internet site at <http://www.winnipeg.ca/matmgt/bidopp.asp>

The Proponent is responsible for ensuring that it has received all addenda and is advised to check the Materials Management Branch internet site for addenda shortly before the submission deadline.

#### **7.3.2 Proposals on all or Part of the Lands**

The City will only consider proposals which intend to purchase and develop all of the Subject Property.

### **7.3.3 Evaluation**

The City shall evaluate each proposal on its own merit and price alone may not be the sole determining factor that the City considers in the evaluation of each and every proposal.

Purchase price, tax revenue, compatibility with surrounding uses, overall development layout, building design and quality, and compliance with Council's Directives for the re-development of the properties, as well as compliance with the Urban Design Controls, will all be critical factors within the evaluation.

### **7.3.4 Right to Reject**

The City reserves the right to reject all or any EOI.

### **7.3.5 Caveat Emptor**

The City makes no representations or warranty with respect to the quality, condition or sufficiency of the Subject Property.

No current legal survey was made of the Subject Property to determine the nature and extent of any structure thereon or to determine if there are any encroachments from adjoining lands.

The Subject Property is being offered for sale on an “**as is, where is**” basis, subject to the conditions as outlined within this EOI.

### **7.3.6 Phase I – EOI Evaluation**

The Proponents are advised to present their best offer, not a starting point for negotiations in their Proposal submission. The City will only negotiate with the Proponents submitting, in the City's opinion, the most advantageous and thorough proposal.

The Planning, Property and Development Department will review all proposals on the basis of financial, operational and strategic merit to the City.

Conformance with Council's Directives and their requirement for Urban Design Controls will constitute a major component of the evaluation process.

If, after this initial review, the Department deems the proposals to be unacceptable, the proponents will be notified and no further discussions will be held.

Upon completion of the initial Phase I review, the Department will short list those submissions that are of worthy of additional discussions and proceed to the Phase II evaluation process.

### **7.3.7 Phase II – Detailed Proposal Solicitation and Evaluation**

The Department will notify all proponents of their status within the short listed process, and will invite the short listed proponents to submit additional or clarifying details, regarding their submission(s).

### **7.3.8 Phase III - Negotiations**

The Department will enter into detailed negotiations with one or more short listed proponents which it believes have the most merit. The proposal(s) will be finalized for submission to, and consideration by the Standing Policy Committee on Property and Development.

The Council of the City of Winnipeg, or its designate, is the final authority for the approval of the disposition of Subject Property.

### **7.3.9. No Contract**

The Expression of Interest is an inquiry only. By responding to this EOI and participating in the process as outlined in this document, proponents expressly understand and agree that no contract of any sort is implied or formed under, or arises from this EOI and that no legal obligations between parties has, or will be, pre-determined. The City will have no obligation to enter into negotiations or a contract with any proponent as a result of this Expression of Interest.

The successful Proponent will then be required to enter into a Purchase and Sale Agreement that embodies the terms and conditions herein, together with any additional terms and conditions set out by the City.

### **7.3.10 Confidentiality**

Information provided to a Proponent by the City, or by a Proponent to the City, or acquired by any party by way of further enquiries or through investigation, **is strictly confidential**. Such information shall not be used or disclosed in any way without the prior written authorization of the City, or of the Proponent.

The Proponent, or the City, shall **not** make any statement of fact or opinion regarding any aspect of the EOI to the media or any member of the public without the prior written authorization of the Director of the Planning, Property and Development Department, or without the authorization of the Proponent.

Disclosure of a successful submission by a proponent is the sole responsibility of the Council of the City of Winnipeg, or its Designated Authority. The City may be obligated to disclose the final purchase price after closing date of the sale of the Subject Property.

**7.3.11 No Commissions Payable**

There will be no commissions payable by the City.

**7.3.12 Contact Person**

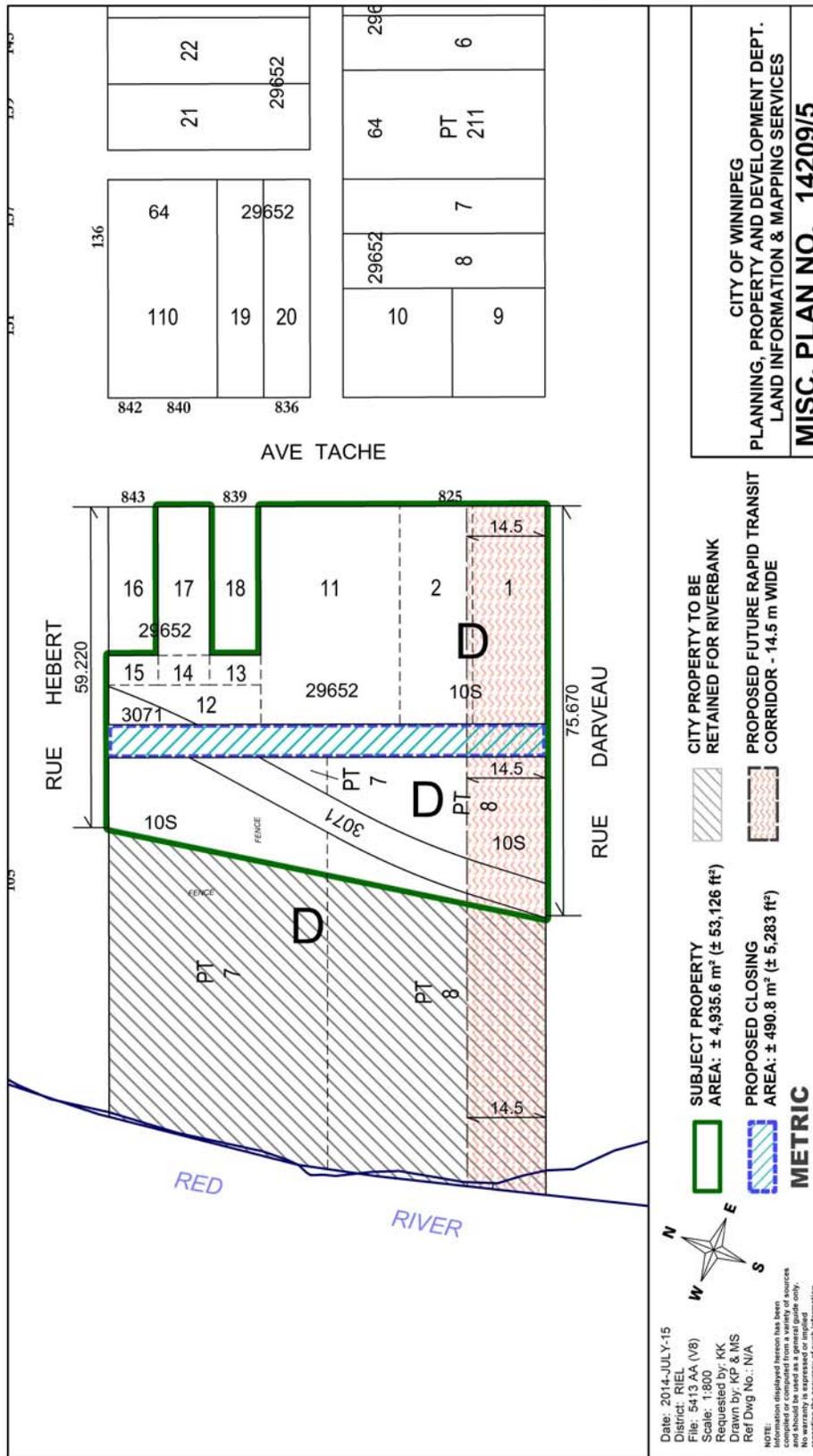
Kim Koszman, Real Estate Officer  
City of Winnipeg  
Planning, Property and Development Department  
2<sup>nd</sup> Floor – 65 Garry Street  
Winnipeg, MB R3C 4K4

Phone: 204-986-5176      Fax: 204-944-8476

**List of Figures**

- Misc. Plan No. 14209/5      Subject Property
- Schedule “A”      North St. Boniface Secondary Plan

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**SCHEDULE “A”**

This document is an office consolidation of by-law amendments which has been prepared for the convenience of the user. The City of Winnipeg expressly disclaims any responsibility for errors or omissions.

**CONSOLIDATION UPDATE: FEBRUARY 20, 2008**

THE CITY OF WINNIPEG

**NORTH ST. BONIFACE SECONDARY PLAN**  
**BY-LAW NO. 965/75**

**A District Plan By-law of THE CITY OF WINNIPEG to approve a District Plan for The North St. Boniface District and to determine the boundaries of that District.**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. The document attached to this By-law marked Schedule A to By-law No. 965/75 is hereby approved as the North St. Boniface Secondary Plan.  
amended 179/2005
2. The boundaries of the North St. Boniface Secondary Plan are hereby established, as described in the North St. Boniface Secondary Plan Proposed Land Use Map forming part of Schedule A to this By-law.  
amended 179/2005
3. This by-law shall be referred to as the “**North St. Boniface Secondary Plan By-law**”.  
added 8162/2002

RECEIVED FIRST READING on this 16<sup>th</sup> day of April, A.D., 1975;

RECEIVED SECOND READING on this 17<sup>th</sup> day of September, A.D., 1975;

RECEIVED THIRD READING on this 21<sup>st</sup> day of January, A.D.,

1976.

DONE AND PASSED in Council assembled, this 21<sup>st</sup> day of January 1976.

THE NORTH ST. BONIFACE DISTRICT PLAN

SCHEDULE A  
to By-law No. 965/75 of THE CITY OF WINNIPEG

INTRODUCTION

The City of Winnipeg Charter authorizes Council to adopt a secondary plan to provide such objectives and actions as Council considers necessary or advisable to address, in a neighbourhood, district or area of the city, any matter within a sphere of authority of the City. This includes matters dealt with in Plan Winnipeg or matters relating to economic development or the enhancement or special protection of heritage resources or sensitive lands.

amended 179/2005

It is the intent of this District Plan to establish “Policies” for the improvement of the North St. Boniface District within the broad guidelines set out in Plan Winnipeg.

amended 179/2005

The North St. Boniface Secondary Plan Proposed Land Use Map which forms part of this Plan, showing the boundaries of existing and proposed land use areas, thoroughfares and any other features, indicate only the approximate boundaries or locations thereof and precise boundaries or locations will be determined by land use control or other appropriate by-laws.

amended 179/2005; 221/2007

NEIGHBOURHOOD CHARACTER

1. To encourage the maintenance and continued development of North St. Boniface as a predominantly residential community.  
amended 179/2005
2. To encourage the location of family units in North St. Boniface through the adoption of suitable policies pertaining to housing, parks and recreation, transportation, commercial and community services.
3. To encourage the maintenance of the character of the existing community through the provision of community services and the encouragement of existing and additional cultural activities.
4. To encourage the recognition of the historical significance of the confluence of the Seine and Red Rivers eg. Lagimodiere Homestead, Louis Riel’s birthplace and the Seine River Mill.

HOUSING

1. To encourage the location of family units in North St. Boniface through the provision of a wide variety of housing types.
2. To encourage the rehabilitation and maintenance of the existing housing stock.
3. deleted 179/2005
4. To endeavour to ensure that any redevelopment in North St. Boniface is compatible with the area by allowing redevelopment of smaller parcels with housing types reasonably in character with the existing development and by re-zoning larger parcels for development only on application and subject to a zoning agreement when deemed necessary by the City.
5. To encourage the provision of conveniently located senior citizens housing in this area.

PARKS AND RECREATION

1. To recognize the urgent priority of the acquisition of the riverbanks along the Red and Seine Rivers and their development as an integral part of the park system in North St. Boniface. The Belgian Club and the Belgian Credit Union as they are presently zoned commercial should be allowed to remain in their present location.
2. Subject to any thoroughfare requirements Whittier Park, together with its name, should be preserved as a major parkway linking the lineal parkway system along the Red River to that along the Seine.  
amended 179/2005
3. To develop an internal park system within the community when suitable sites becomes available.

INDUSTRY

1. To establish a set of performance standards for industrial and Commercial uses located in North St. Boniface which will endeavour to ensure that these uses are compatible with residential uses.
2. To encourage the upgrading of the physical appearance of both industrial and commercial establishments which remain in the area.

3. To establish a program to encourage and assist the relocation of non-compatible industries.
4. To endeavour to acquire all industrial land along the riverbank for public use.

#### COMMUNITY SERVICES

1. To encourage an Action Area Plan for the commercial sector of Boulevard Provencher in conjunction with the local merchants and residents.
2. deleted 179/2005

#### COMMERCIAL SERVICES

1. To encourage the concentration of retail, service, entertainment, and cultural uses along Boulevard Provencher.  
amended 179/2005
2. To establish standards for off-street parking, including paving, landscaping and screening, which will endeavour to ensure that these facilities are compatible with adjacent uses.

#### TRANSPORTATION

1. To establish public transportation within North St. Boniface, the manner and system to be determined after consultation with the residents.
2. To endeavour to ensure that adverse environmental effects are reasonably minimized if any public transportation thoroughfares are situated in this area.
3. To encourage the removal of those spur tracks which are no longer required.
4. deleted 179/2005

#### MUNICIPAL SERVICES

1. To prepare a program for the replacement and upgrading of the municipal services in North St. Boniface.
2. To establish a program to pave or resurface the streets and lanes.

3. To establish a program of boulevard planting once servicing is completed.
- 3A. To establish a program to introduce or improve pedestrian sidewalks and pathways.  
added 179/2005
4. To encourage the replacement of overhead hydro/telephone distribution with underground services when replacement is warranted.

### IMPLEMENTATION

1. To guide development and redevelopment of properties, based on the following land use policies and the Proposed Land Use Map that follows, and in accordance with Plan Winnipeg:
  - A. Lower Density Residential
    - i. Encourage retention and enhancement of existing residential development and establishment of new residential development, up to a maximum of 25 units per acre net (62 units per hectare);  
amended 221/2007
    - ii. Accommodate community services—including schools, parks, daycares, healthcare facilities—provided they are primarily intended to serve North St. Boniface residents.
  - B. Higher Density Residential
    - i. Focused along regional roads (namely Provencher Boulevard), collector roads (namely Tache Avenue and St. Joseph Street) railway lines, and public transportation corridors, encourage retention and enhancement of existing residential development and establishment of new residential development up to a maximum of 55 units per acre net (136 units per hectare), with the exception of the property located at the north east corner of Tache Avenue and rue La Verendrye where a density of 76 units per acre (188 units per hectare) may be achieved.  
amended 181/2007
    - ii. Accommodate community services-including schools, parks, daycares, healthcare facilities-provided they are primarily intended to serve North St. Boniface residents;
    - iii. Encourage retention and enhancement of existing and establishment of new locally-oriented commercial development in conjunction with higher density residential development.

C. Park and Riverbank

- i. Assemble and enhance riverbank properties to enable an integrated and continuous linear parkway system;
- ii. Encourage retention and enhancement of existing riverbank public access points and activity centres and establishment of new public access points and activity centres;
- iii. Away from the riverbanks, encourage retention and enhancement of existing public parks and establishment of new active and passive locally-oriented parks throughout the neighbourhood.

D. Commercial

- i. Encourage a vibrant, pedestrian-oriented concentration of retail, service, restaurant, entertainment, and cultural developments along Boulevard Provencher: initially from Tache Avenue to Langevin Street; subsequently from Tache Avenue connecting to the commercial area east of Thibault Street-including higher density residential development above street-level;
- ii. Away from Boulevard Provencher, encourage retention and enhancement of existing and establishment of new locally-oriented commercial development in conjunction with Mixed-Use developments and Higher Density Residential developments.

E. Mixed-Use

- i. Encourage retention and enhancement of existing and establishment of new mixed-use developments-including predominantly residential and locally-oriented retail, service, restaurant, office, and industry;
- ii. Encourage mixed-use developments: initially along south side of Dumoulin Street between Tache Avenue and Langevin Street; subsequently along both sides of St. Joseph Avenue, from Dumoulin Street to Aubert Street.

F. Industrial Employment

- i. Encourage retention and enhancement of existing and establishment of new industrial developments along the west side of Archibald Street, north of the CNR Redditt mainline;
- ii. Acquire riverbank portions of these Archibald Street properties in order to establish Elmwood Parkway;

- iii. Away from Archibald Street, encourage retention and enhancement of existing and establishment of new compatible industries, especially in conjunction with Mixed-Use and Commercial developments.”
  2. The ‘Higher Density Residential’ and ‘Lower Density Residential’ density maximums may be exceeded by up to 25% where the Community Committee within whose boundaries the North St. Boniface District is located declares by motion that “one or more of” the following exceptional or extraordinary circumstances exist in respect of a site:
    - A. the location of a utility (e.g. hydro transmission tower, aqueduct) or irregular lot configuration encumbers land assembly;
    - B. lot area is reduced through street widening (or similar measure that results in lot area reduction) imposed by Council;
    - C. the site requires unusually high preparation or remediation costs (e.g. environmental clean-up, major building demolition);
    - D. the site requires exceptionally high infrastructure costs (e.g. front-ending water, sewer), which will subsequently provide offsite development opportunities.
  3. To ensure the secondary plan remains contemporary and continues to provide adequate land development and redevelopment guidance, the North St. Boniface Secondary Plan must be continuously monitored. Plan performance will be gauged according to the following objectives:
    - E. Increasing number of proposed developments and redevelopments that correspond to the Implementation land use policies and the Proposed Land Use Map;
    - F. Increasing property values;
    - G. Decreasing number of long-term building vacancies; and
    - H. Increasing pedestrian traffic along boulevard Provencher.

amended 179/2005 (Nos. 1 to 3 inclusive)

amended 221/2007

# North St. Boniface Secondary Plan Proposed Land Use Map

