



## Cowessess First Nation – Sale of Lane

<b>Date</b>	November 30, 2022
<b>To</b>	Executive Committee
<b>From</b>	Financial Strategy & Sustainability
<b>Service Area</b>	Land, Real Estate & Facilities
<b>Item No.</b>	EX22-127

### RECOMMENDATION

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The Executive Committee recommends that City Council:

1. Approve the City of Regina (City) entering into a land sale agreement for the sale of the City-owned property identified on the attached Appendix with Cowessess TLE Holdings Inc., consistent with the terms and conditions stated in this report.
2. Delegate authority to the Executive Director, Financial Strategy & Sustainability or their designate, to negotiate any other commercially relevant terms and conditions, as well as any amendments to the agreement that do not substantially change what is described in this report and any ancillary agreements or documents required to give effect to the agreement.
3. Authorize the City Clerk to execute the agreement upon review and approval by the City Solicitor.
4. Approve these recommendations at its meeting on December 7, 2022, following the required public notice.

### ISSUE

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Cowessess First Nation (Cowessess) owns the entire block of land located between Albert Street and Angus Street and 6th Avenue and 7th Avenue. Cowessess is planning to continue development of the block as part of an Urban Reserve development, however, there is a lane that runs through

the middle of this block that is owned by the City of Regina and Cowessess has requested that the City sell the existing laneway (comprising of approximately 10,011 square feet of land) within the parcel to them for \$1 to assist in the development of the entire block.

When considering the sale of City-owned property, standard procedure is for Administration to ensure that the property is made publicly available and sold at fair market value. In this case, the land is proposed to be sold without a public offering and at less than fair market value, which requires City Council approval. Administration recommends that City Council approve the sale of the land to Cowessess for \$1 on the terms as described in this report.

## **IMPACTS**

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### **Financial Impacts**

Cowessess has requested to purchase the subject lands for \$1. The estimated market value of the property is \$159,000. Cowessess will be responsible for all associated fees with the transfer of the property including survey and planning applications. As part of the transaction, Cowessess will also transfer to the City a separate corner cut of land from its property adjacent to the laneway at the corner of Albert Street and 6th Avenue which the City requires for future traffic signal upgrades. Typically, the City would be required to pay for the corner cut but it has been negotiated with Cowessess to provide the corner cut for \$1 with the City responsible for all other costs of the acquisition. This will save the City approximately \$1,000 in land costs.

### **Policy/Strategic Implications**

The lands located adjacent to the laneway are owned entirely by Cowessess First Nation, with some parcels having acquired urban reserve status and others intended for future reserve status under their TLE land holdings companies. Cowessess has advised the City that it intends to develop an Urban Indigenous Health Centre (UIHC) along Albert Street and is working on attracting other business development to their land. Sale and consolidation of the lane with the other lands will support the development plans.

Providing the land for \$1 will contribute to Cowessess achieving their economic potential by removing a barrier and promoting their autonomy within their development. This action reaffirms the City's commitment to the Truth and Reconciliation Commission of Canada: Calls to Action and economic reconciliation.

The sale of the land is promoting the development of the new UIHC in alignment with the Official Community Plan Section D9 – Health and Safety by collaborating with stakeholders regarding the development of new major health facilities.

### **Environmental Impacts**

The recommendations in this report have limited direct impacts on energy consumption and greenhouse gas emissions.

### **OTHER OPTIONS**

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#### **Option 1**

The City could choose to sell the lane to Cowessess for fair market value. This is not the recommended option as the City has made a commitment to the TRC Calls to Action. By providing the land for \$1, the City is supporting First Nation economic development within the City and the broader benefits this development brings to our community.

#### **Option 2**

The City could choose to not sell the lane to Cowessess. While the proposed purpose of the existing laneway could be achieved while maintaining the laneway as City property (flow through parking on either side of the laneway), this is not recommended as it would prevent Cowessess from maximizing the potential of the development, as well as reduce their ability to alter the existing storm drainage services on the property to meet their design and drainage requirements.

### **COMMUNICATIONS**

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Public Notice is required for City Council to approve the sale of City-owned property without a public offering and for less than fair market value. Notice regarding this proposal has been advertised in accordance with *The Public Notice Bylaw 2020*.

Cowessess will be informed of any decision by City Council.

### **DISCUSSION**

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The entire City block between Albert Street and Angus Street and 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue is owned by Cowessess as an existing Urban Reserve or by their TLE land holdings companies. The laneway between the properties only services this block and is not marketable to anyone else. Cowessess has requested to purchase the laneway for \$1 to help facilitate their development of the property.

Cowessess has intentions of developing an Urban Indigenous Health Centre (UIHC) along Albert Street and has already received funding through the Green and Inclusive Community Buildings Program to support the construction of the property under Net Zero Carbon standards. The proposed UIHC will be owned, operated, and occupied by Cowessess First Nation and Health Services and will be a first of its kind in Regina. It will be designed to support traditional medicine and healing on reserve status land. It will be built to the new federal Net Zero Carbon standards.

Cowessess is currently working to attract other business development on this land and wish to utilize this laneway to develop a shared parking lot to support all development on the land. There is existing storm drain infrastructure within the laneway that only services the adjacent property that belongs to Cowessess. Following the sale Cowessess will be responsible for all future maintenance or alteration of the existing infrastructure.

At Cowessess' request, Administration internally reviewed their request to purchase the alley and no concerns were noted. Accordingly, and in support of Cowessess' development plans, Administration proposes to sell the subject lands to Cowessess on the following terms:

- The purchase price for the lane shall be \$1.
- Cowessess shall transfer to the City approximately 60 square feet of land to be severed from their property at the corner of Albert Street and 6<sup>th</sup> Avenue, also for \$1.
- Cowessess shall be responsible for the legal, survey, subdivision and transfer costs related to the lane lands. The City shall be responsible for the legal, survey, subdivision and transfer costs related to the corner cut land.
- The agreement shall be conditional on the parties obtaining the necessary subdivision approvals and approval of an application and related bylaw to close the lane as a dedicated right of way. The latter will be the subject of a separate report to be brought forward to the Regina Planning Commission.

The sale of this laneway would greatly assist Cowessess with their development, which will support many needs in the neighbourhood. Administration is recommending the approval of the sale.

## **DECISION HISTORY**

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This has never been before Council.

The recommendations contained in this report requires City Council approval.

Respectfully Submitted,

Respectfully Submitted,



Shauna Bzdel, Director, Land, Real Estate & Facilities

11/10/2022



Barry Lacey, Exec. Director, Financial Strategy & Sustainability

11/16/2022

Prepared by: Sherri Hegyi, Real Estate Officer

## ATTACHMENTS

Appendix A