



Council Report

For the Meeting of October 28, 2021

To: Council **Date:** October 21, 2021
From: Peter Rantucci, Head of Strategic Real Estate
Subject: City Land Exchange with SD 61

The purpose of this report is to provide an update with regards to the land exchange agreement with The Board of Education of School District No. 61 (Greater Victoria) ("SD61"), that was referenced in the Committee of the Whole staff report by the department of Sustainable Planning and Community Development from the meeting of April 23, 2020. No Council action is required and this report is provided for information purposed only.

The Caledonia affordable housing project requires SD 61 leasing a project site to the Capital Region Housing Corporation (CRHC) for the development of affordable housing units and community amenity space (the "Caledonia Project"). The site includes both the CRHC's existing townhouse site currently leased from SD 61, as well as the lands south of the site which are under a mixture of ownership by SD 61, the City and BC Housing. To facilitate the Caledonia Project, the City and SD 61 negotiated for an exchange of lands whereby the City would receive three distinct parcels of SD 61 owned land, in exchange for two remnant surplus parcels of City land and additional City land created through partial road closures.

The proposed land exchange originally contemplated that the following lands currently owned by the City (collectively the "City Lands") totalling approximately 22,400 sq. ft, would be transferred to SD61:

1. Civic address: 1235 Caledonia Street, Victoria, B.C.

Legal description:

Parcel Identifier: 017-710-545

Lot 18, Spring Ridge, Victoria City, Plan 205;

2. Civic address: 1230 Grant Street, Victoria, B.C.

Legal description:

Parcel Identifier: 009-226-290

Lot 6, Section 50, Spring Ridge, Victoria City, Plan 205; and

3. That portion of the eastern end of Vining Street and that portion of eastern end of North Park Street labelled "Closed Road" in Reference Plan EPP88785, a reduced copy of which is shown in Attachment A to this report.

In exchange, SD61 would transfer the following lands currently owned by SD61 to the City:

1. Civic address: 1801 Chambers Street (adjacent to Haegart Park)

Legal description:

PID: 009-233-318

LOT 1, SPRING RIDGE, VICTORIA CITY, PLAN 205;

2. Civic address: 1805 Chambers Street (adjacent to Haegart Park)

Legal description:

PID: 009-233-334

LOT 2, SPRING RIDGE, VICTORIA CITY, PLAN 205;

3. Civic address: 1855 Chambers Street (Compost Education Centre & Community Gardens)

Legal description:

PID: 009-226-141

AMENDED LOT 12 (DD 302067I), SPRING RIDGE, VICTORIA CITY, PLAN 205;

4. Civic address: 1216 North Park Street (Compost Education Centre & Community Gardens)

Legal description:

PID: 009-226-206

AMENDED LOT 10 (DD 302066I), SPRING RIDGE, VICTORIA CITY, PLAN 205

5. Civic address: 2005 Chambers Ave. (Spring Ridge Commons)

Legal descriptions:

PID: 009-233-504

LOT 25, SECTION 67, SPRING RIDGE, VICTORIA CITY, PLAN 205;

PID: 009-233-512

LOT 26, SPRING RIDGE, VICTORIA CITY, PLAN 205;

PID: 009-233-539

LOT 27, SPRING RIDGE, VICTORIA CITY, PLAN 205;

These lands collectively and their ownership are outlined in Attachment B to this report.

During the due diligence process, SD 61 discovered an issue that prevents them from transferring one of their properties.

The property impacted is Spring Ridge Commons which represents approximately 16,000 sq. ft. of the approximate total 43,000 sq. ft. of SD 61 lands that was proposed to be transferred. While SD 61 is listed on title as the owner of Spring Ridge Commons, there is a right of reverter registered in favour of the Province whereby if SD 61 declares the property surplus (i.e. no longer needed for educational purposes), the lands shall revert back to provincial ownership. Earlier this month, the Province confirmed that the land cannot be transferred or leased directly to the City by SD 61 as this would be inconsistent with the provincial reverter clause. As a result of the confirmation, Spring Ridge Commons has been removed from the land exchange and will not form part of the SD 61 lands to be received by the City in exchange for the City Lands. The City will continue to seek ways to maintain the Spring Ridge Commons lands as community gardens or public green space.

There are no transfer issues with the other SD 61 lands that would be transferred to the City if the Caledonia Project proceeds. The SD 61 lands that would be transferred to the City equate to approximately 27,000 sq. ft. located at the Compost Education Centre & Community Gardens and the lands adjacent to Haegert Park. Permanently securing the Compost Education Centre & Community Gardens and lands adjacent to Haegert Park is in the public interest to ensure their current community uses can continue and to support improved park programming in the future. Both of these lands will add to the City's existing parks and greenspace inventory and would be formally designated under a parks bylaw if the City takes ownership.

The land exchange is dependant on the Caledonia Project proceeding, which requires final financing approval by BC Housing and a successful rezoning. However, the land exchange itself is not a factor that should be considered by Council during the rezoning process. The rezoning decision should be based on suitability of the proposed land-use at this location.

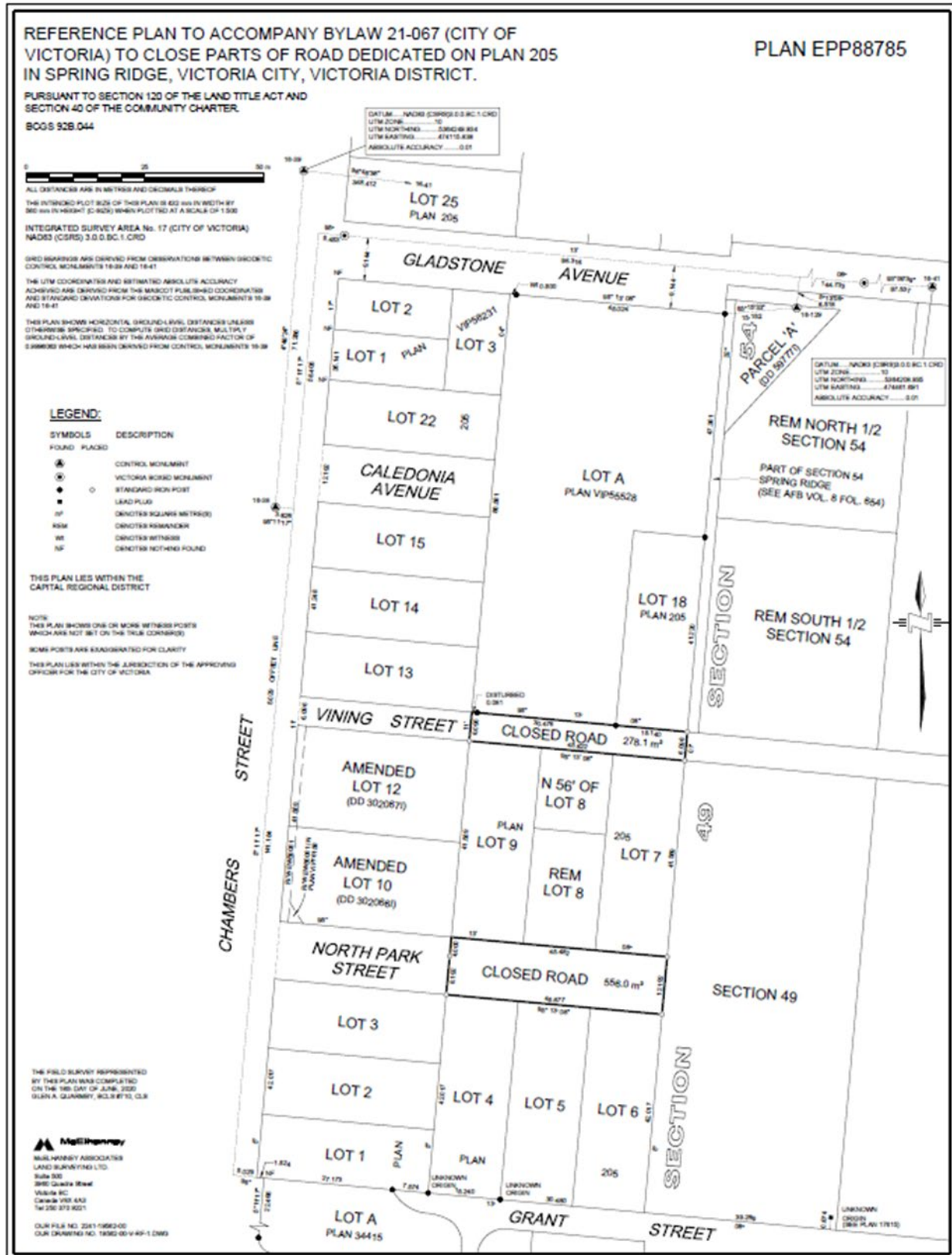
Respectfully submitted,

Peter Rantucci
Head of Strategic Real Estate

Attachments:

A - Road Closure Plan EPP88785
B – Lands Map

Attachment A - Road Closure Plan EPP88785



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Council Report
City Land Exchange with SD 61

October 21, 2021
Page 4 of 5

Attachement B – Lands Map

