September 10, 2018

Re: Your request for access to information under Part 2 of The Freedom of Information and Protection of Privacy Act: Request Number 18 07 620

I have now had an opportunity to consider your request under Part 2 of The Freedom of Information and Protection of Privacy Act, received on July 11, 2018 by the City of Winnipeg, for access to the following records:

All Public Works Department records relating to the Route 90 project and Canada Lands Company for the month of October 2017.

On August 10, 2018, I wrote to you advising that the records you requested may contain information the disclosure of which might affect the business interests of a third party. I also advised that the third party was being given an opportunity to make representations to me about disclosure of the records.

The third party submitted written representations objecting to the disclosure of parts of the records.

Our search returned 10 pages of responsive records. After reviewing the records and considering the representations of the third party and all relevant circumstances, access is granted in part, with severing under s. 18(1)(b) and 18(1)(c)(ii) of the Act. This is because the records contain commercial, financial and technical confidential information and disclosing this information could reasonably be expected to interfere with the third party’s negotiations. This information has been severed, as required by the Act.

Disclosure harmful to a third party’s business interests

18(1) The head of a public body shall refuse to disclose to an applicant information that would reveal
(b) commercial, financial, labour relations, scientific or technical information supplied to the public body by a third party, explicitly or implicitly, on a confidential basis and treated consistently as confidential information by the third party; or

(c) commercial, financial, labour relations, scientific or technical information the disclosure of which could reasonably be expected to

(ii) interfere with contractual or other negotiations of a third party

Additionally, access to a portion of the record has been severed under s. 23(1)(a), 23(1)(b) and 23(1)(c) of the Act, which specifically protects information that was provided as advice, opinions, proposals, recommendations, analyses, or policy options developed by or for the public body, or positions, plans, instructions developed for the purpose of contractual consideration that relate to negotiations.

Advice to a public body

23(1) The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to reveal

(a) advice, opinions, proposals, recommendations, analyses or policy options developed by or for the public body or a minister;

(b) consultations or deliberations involving officers or employees of the public body or a minister;

(c) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the Government of Manitoba or the public body, or considerations that relate to those negotiations;

As required by subsection 7(2) of The Act, we have severed information that is protected from disclosure and have provided you with as much information as possible.

7(2) - The right of access to a record does not extend to information that is excepted from disclosure under Division 3 or 4 of this Part, but if that information can reasonably be severed from the record, an applicant has a right of access to the remainder of the record.

As you requested a copy of these records, and as they can be reasonably reproduced, in accordance with clause 14(1)(a) of The Freedom of Information and Protection of Privacy Act, a copy of the records is enclosed.

14(1) - Subject to subsection 7(2), the right of access is met under this Part (a) if the applicant has asked for a copy and the record can reasonably be reproduced, by giving the applicant a copy of the record

Subsection 59(1) of The Freedom of Information and Protection of Privacy Act provides that you may make a complaint to the Manitoba Ombudsman about this decision. You have 21 days from the receipt of this letter to make a complaint on the prescribed form.
to:

Manitoba Ombudsman
750 – 500 Portage Avenue
Winnipeg, MB R3C 3X1
(204) 982-9130 or 1-800-665-0531

The third party also has the right under subsection 59(2) of the Act to make a complaint to the Manitoba Ombudsman about my decision. If the third party does not make a complaint within 21 days, we will give you access to those records which are accessible as described above on September 13, 2018.

If you have any questions, please contact me at (204) 986-3041, by email at ssmith@winnipeg.ca, or by mail at the address below.

Sincerely,

Shelly Smith
Records and Information Management Coordinator
Public Works Department

c.c. K. Krahn, Corporate Access and Privacy Officer
Smith, Shelly

From: Deana Grinnell <DGrinnell@clc.ca>
Sent: Monday, October 30, 2017 3:21 PM
To: Banthia, Vaibhav
Cc: Burmey, Darren
Subject: RE: Preliminary Design of Route 90 Widening: Project Update - Canada Lands Company

Thank you Vaibhav, I'm looking forward to our meeting later this week.

I will be able to provide insights into the discussions between the Treaty One First Nations and CLC, and the likely role of CLC in the project, however these aspects are yet to be finalized as we await the resolution of the agreement between Canada and the Nations as a necessary first step.

Thanks for the schematic concept. I note there is no information about the lands that are south of Taylor. It looks to be about 10 acres when that area is included.

I'd appreciate having some understanding of the City’s performance and design objectives related to Kenaston.

18(1)(b), 18(1)(c)(ii)

Thanks, Deana

Deana Grinnell
Regional Director, Real Estate | Directrice Regional, Immobilier
Canada Lands Company | Société immobilière du Canada
4949 Heather Street, Suite 200, Vancouver BC V5Z 3L7
4949 rue Heather, bureau 200, Vancouver BC V5Z 3L7
T 604-257-0147 M 604-351-3562 www.clc.ca

From: Banthia, Vaibhav [mailto:VBanthia@winnipeg.ca]
Sent: Sunday, October 29, 2017 12:15 PM
To: Deana Grinnell
Cc: Burmey, Darren
Subject: RE: Preliminary Design of Route 90 Widening: Project Update - Canada Lands Company

Hello Deana,

The project team has identified some items for discussion ahead of our forthcoming meeting on November 3. Please see attached. You would notice that majority of queries primarily relate to the role of the three parties – DND, CLC, and First Nations. It would be extremely beneficial for the project team if you could please review these queries and provide clarification during our meeting. It is also understood that you may not have crystal clear answers for all the queries at
this time but a general guidance regarding the process based on your past experience will help the project move in the right direction.

Also attached is a schematic of the proposed alignment for Route 90 widening that also identifies required properties. Based on the 2012 Study, approximately 7 Acres is required from the Barrack Lands. However, the current study based on newer design standards may result in requirement of additional property.

Lastly, if you have any questions regarding this project and would like us to answer them, please let me know.

Regards,

Vaibhav

Bridge Projects Engineer
Engineering Division, Public Works
P: 204-986-5008

---Original Appointment-----

From: Deana Grinnell [mailto:DGrinnell@clc.ca]
Sent: Wednesday, October 18, 2017 2:42 PM
To: Banthia, Vaibhav
Subject: RE: Preliminary Design of Route 90 Widening: Project Update - Canada Lands Company

Hi Vaibhav, I have forwarded the meeting information to Robert Howald, EVP Real Estate for Canada Lands as he will be in Winnipeg for our earlier meeting and he may wish to attend. Kelsie Bishop is his assistant. Regards, Deana
Thank you Deana for accommodating this meeting within your tight schedule.
NOTES:

1) THE ESTIMATED PROPERTY ACQUISITION FROM KANGONG BARRACKS AND LIPSETT HALL IS APPROXIMATELY 7.2 ACRES BASED ON 2012 TPS, OPTION 4.

2) THE CURRENT STUDY MAY RESULT IN AN INCREASE PROPERTY ACQUISITION.
NOTES:

1) THE ESTIMATED PROPERTY ACQUISITION FROM KAPONG BARRACKS AND LIPSETT HALL IS APPROXIMATELY 7.2 ACRES BASED ON 2012 TPS, OPTION 4.

2) THE CURRENT STUDY MAY RESULT IN AN INCREASE PROPERTY ACQUISITION.
Good Afternoon Deana,

We wanted to provide you with an update on the Preliminary Design of Route 90 Widening project. The project has been awarded to WSP Canada Group Limited (WSP) for undertaking the aforementioned work. This study will build on the conceptual road alignment design proposed in the 2012 functional study in order to develop a detailed scope of work and cost estimate that can be used for budgeting purposes. We call this type of study a Preliminary Engineering Study, which is expected to be completed by March 2019. The next step after this study would be for the City Council to make a decision on funding and whether the project can proceed to detailed design and then construction.

Best Regards,

Vaibhav

Bridge Projects Engineer
Engineering Division, Public Works
P: 204-986-5008

Hello Deana,

As discussed during our meeting today, provided below are links for additional information related to Transportation Planning Study of Route 90 widening between Taylor Avenue and Ness Avenue.

- [http://www.winnipeg.ca/publicworks/construction/studies/route90.stm](http://www.winnipeg.ca/publicworks/construction/studies/route90.stm) The Transportation Planning Study started in Fall 2008 and was completed in April 2012.
- Council Approval for Route 90 widening is attached.

Thanks a lot for sharing valuable information related to the functioning of CLC and proposed next stages for the Kapyong Barracks. We sincerely look forward to further collaborating with CLC as we move forward in commencing Preliminary
Design for Route 90 widening. We will provide you with regular updates but in the meantime if you have any questions, please do not hesitate to contact me.

Best Regards,

**Vaibhav Banthia, M.Sc., P.Eng., CIM**
Bridge Projects Engineer
Bridge Planning and Operations Branch, Engineering Division, Public Works
City of Winnipeg

Phone: 204-986-5008
Email: vbanthia@winnipeg.ca
Website: winnipeg.ca
Address: 106-1155 Pacific Avenue, Winnipeg, MB R3E 3P1

CONFIDENTIALITY NOTICE: The information contained in this message is intended solely for the person or entity to which it is addressed and may contain confidential and/or privileged information. Any use, dissemination, distribution, copying or disclosure of this message and attachments, in whole or in part, by anyone other than the intended recipient is strictly prohibited. If you have received this message in error, please notify the sender and permanently delete the complete message and any attachments. Thank you.