Report of the Committee on Environment dated May 28th, 1973

"**A Recommended Approach to the Maximum Utilization of Public School, Park and Recreation Sites and Buildings. File PR-2.3**

892 The Committee on Environment has given careful consideration to the question of joint use of all sites and structures acquired through the expenditure of public funds. As a result, a set of guidelines to be employed as the basis for development of policy with respect to joint acquisition, development and use of public school, park and recreation facilities has been prepared.

The purpose of the guidelines and the policy which might evolve from consideration of same is to provide the basis for coordinated planning, acquisition and development of public open space. The investment of public dollars by the respective school divisions, recreation authorities and the City of Winnipeg ought to produce the maximum utilization and benefit of lands and buildings to the citizens of Winnipeg. The coordination of the many programs of summer and winter activity for citizens of all age ranges is considered to be increasingly important as senior citizen housing, socially assisted housing and high density residential construction are being located in the suburban sectors of the city. Similarly, the lack of open public space in certain of the existing residential areas characterized by high densities, urban change, and a wide range of population characteristics, requires maximum utilization of any available public open space. Both redevelopment schemes and new plans of subdivision will call for the acquisition and dedication of open space for school, park and recreation purposes.

The Committee on Environment is very much aware that there is a very strong feeling in the community that the City of Winnipeg, the various School divisions and the recreation authorities must somehow coordinate and participate jointly in plans for the acquisition, development, and use of any lands and structures acquired for their respective purposes.

The Committee On Environment recognizes that the City of Winnipeg is responsible for the overall planning of the urban environment, the servicing and development of new residential areas, the approval of plans of subdivision, and the land use and building controls which establish the standard of development.

Therefore, the Committee on Environment submits for the consideration of City Council, the following policy designed to achieve the previously mentioned objectives, such a policy to adequately reflect the concerns and interest of the School Divisions and recreation authorities:

The Guidelines

1. The basis for the distribution, frequency and dimensions of public open space shall be the Greater Winnipeg Development Plan (Section 570 of The City of Winnipeg Act). It is

this By-law which defines the general land use relationships and the density of occupancy within the various residential, commercial and industrial sectors of the City.

The Development Plan defines areas to be developed as major public open space and riverbank parks. However, the definition of public open space requirements is expressed in general terms calling for the definition, dedication and development of carious types of open space such as tot lots, quiet parks, recreation grounds, and public school sites in response to the population densities and characteristics which evolve with development.

2. The District Plan shall define in more precise terms the location, type and scale of public open space to be developed within the various sectors of the City. The standards of public open space as developed in the report – "Metropolitan Winnipeg Parks Systems and Standards Study" as prepared by the former Metropolitan corporation of Greater Winnipeg shall be employed as the basis for prescribing a minimum standard of public open space development throughout the City.

   The District Plan shall establish the open space requirements in all residential, commercial and industrial sectors. However, prior to their preparation and adoption, the above noted standards of public open space shall be the basis for review of any redevelopment plans and approval of new plans of subdivision.

3. Public open space shall be so distributed and designed as to meet the wider range of needs and leisure time activities of the population. This will include separate tot lot or recreation sites, individual school sites, and smaller quiet park areas typical of those found scattered throughout the urban settlement pattern. However, there shall also be established areas of open pace of such acreage, dimensions and location as to accommodate combinations of park, recreation and public school uses. The intent of such open space areas shall be to provide the opportunity for joint use of space and plant by the respective jurisdictions which must satisfy the aesthetic, recreational and educational needs of the community.
4. The acquisition and dedication of public open space within the developed sectors of the City shall be accomplished through purchase of lands offered to the City at a fair market value and from capital funds budgeted on an annual basis. Also, the City shall expropriate lands necessary to facilitate the completion of the development of public open space deemed essential to the needs of the populace. The School Divisions with jurisdiction within the City of Winnipeg shall also employ their respective resources to acquire or expand specific and individual public school sites in conformance with the provisions of the zoning and District Plan By-laws.

5. The acquisition and dedication of public open space within new plans of subdivision shall be accomplished through the application of the provisions of Section 637 of The City of Winnipeg Act.

(a) A minimum of 10% of the area included in a draft plan of subdivision and not including public right-of-ways shall be dedicated to public use, title to such lands shall be conveyed to the City of Winnipeg within the terms of the applicable development agreement and the criteria set forth in the Development Agreement By-law.

(b) In the case of draft plans of subdivision which shall have public open space needs met on sites beyond the limits of the plans of subdivision, or where the number of building sites to be created is small, a sum of money shall be paid to the City by the applicant for approval of a plan of subdivision in lieu of the conveyance of 10% of the land to the City, to be held in a reserve account for the Community Committee concerned and to be employed for the purchase of lands for public school, park and recreation purposes. This shall be accomplished within the provisions of the Development Agreement By-law.

6. The City of Winnipeg shall employ the resources provided under Section 637 in order to assure the acquisition and dedication of public open space. Such land may be employed for public uses such as tot lots, quiet parks, schools and recreation sites as well as larger public open space sites intended to accommodate the needs of a combination of such uses under a joint use arrangement.

7. The City of Winnipeg shall refer all draft plans of subdivision to the appropriate School division for its comments prior to consideration of approval of the plan. In the event that a School Division should require a plan of subdivision to provide for a school site of an area in excess of the acreages considered to be appropriate by the committee on Environment or as specified in a Development Agreement By-law, the plan shall be required to be amended, within reason, provided the School Division shall acquire the requested additional acreage for school purposes, at a fair price from the applicant.

8. In the case of all school sites created to in new plans of subdivision, the City of Winnipeg shall transfer two (2) acres of land to the School Division for school building at a nominal fee of $1.00 or at the City's cost, whichever is the greater amount, for the purposes of the School Plant. The two acre site shall be located in consultation with the School Division and in such a manner as to be contiguous to any additional acreage to be acquired by the School Division as well as the remaining acreage conveyed to or acquired by the City of Winnipeg as public open space. In addition, the City will enter into a joint-use agreement on a long term basis with the school division on adjacent land on condition that the total site and school building, as well as the recreational facilities that will be provided by the City, will be the subject of a joint-use agreement to be entered into between the City and School Division at the time that the transfer of title and the long term agreement are being entered into, such adjacent lands will attempt to include at least four (4) acres title to

which shall be retained by the City in order to assure a minimum site of six (6) acres for joint use related to the school function.

9. The joint-use agreement will be on a standard general form but may be modified in any particular case to suite the circumstances of the particular case, but in general, it shall provide for the use of the school building and recreational facilities on the site by both the School Division and the City, with the School Division having priority over the use of same during school programs. In general, the maintenance cost of the building shall be borne by the School Division and the maintenance cost of the recreational facilities on the joint-use land shall be that of the City. The development of joint use facilities shall be a matter of negotiation between the School Division and the appropriate Community Committee.

10. Similarly, in the case of a recreation authority such as a community club which requires a building or plant site, the City of Winnipeg shall reserve or lease for the purposes of that authority a site of two (2) acres located as to be contiguous to lands to be the subject of a joint use agreement and any other land acquired by the recreation authority with its own resources.

11. a portion of a joint school-park-recreation site may be designated as a quiet park area not subject to a joint use agreement with a School Division or a Recreation authority. The sitting of such an area shall be such as to not interfere with the most effective relationship of school and recreation area plant sites and the lands employed for joint use purposes.

12. Generally speaking, rights to the use of all sites assembled and intended for joint use purposes, shall be distributed 20% for school plant site 20% for recreation plant site, 20% quiet par site, and 40% for joint recreation and school use. Such a site shall attempt to assure that minimum site standards for the school and any recreational facilities shall be realized within the lands assembled or acquired under Section 637.

13. The design and location of all school, park or recreation sites shall insofar as is possible avoid excessive frontage upon serviced public right-of-ways. Should a School Division or Recreation authority require a site with a greater degree of frontage on serviced or improved streets, the appropriate costs shall be borne by that authority.

14. A site of six (6) acres or less acquired under the provisions of Section 637 and which is intended for school purposes only shall be subject to similar conditions as above; namely, transfer of title to a two (2) acre parcel for school plant at a nominal fee of $1.00 or at the City's cost, whichever is the greater amount subject to the School Division entering into a joint use agreement with the City of Winnipeg with respect to the total site and plant.

15. In the case of a site acquired under the provisions of Section 637 for recreation purposes only, two (2) acres of that site may be reserved or leased to the Recreation Authority as a recreation plant site and the balance of the site retained by the City and subject to a joint use agreement.

16. In the case of additional land required by the School Division the School division shall negotiate its requirements with the owners or developer with the City assisting in the negotiations and the City will, in addition, make available on a joint-use basis with the School Division additional land based on a joint-use agreement a community centre or a quiet park area in addition to the usual recreation facilities, such joint-use to be decided by joint planning between the school division and the appropriate Community Committee.

17. This arrangement will apply to those School Divisions which entered into such a reciprocal agreement with the City so that where the land is no longer required by the School Division or the City, it will be resold to either part at the original cost of acquisition, plus the costs of local improvements.

18. In each case, where the School Division acquires land as aforesaid, it will be required to pay its share of local improvements chargeable to its land site.

19. The minimum dedication of 10% of the area within a plan of subdivision for commercial or industrial purposes shall be required to the extent that a reasonable standard of park and recreation site area shall be available to employees of the industrial and commercial firms which shall locate within that subdivision, the balance of the 105% dedication to be received in the form of cash in lieu of land. The funds to be acquired shall be placed in a land acquisition reserve account of the City of Winnipeg and utilized to faciliate the acquisition of public open space in areas of redevelopment, developed area lacking public open space and plans of subdivision calling for public junior high and high school sites.

20. Public junior high and high school sites required to be provided within a plan of subdivision and in accordance with a District Plan shall be assembled under the provisions of Section 637 provided all elementary school, park and recreation site requirements have been met. The balance of such sites shall be acquired under some form of agreement between the City of Winnipeg and the School Divisions. The plant site portion consisting of at least four (4) acres shall be sold to the School Division based on the assessed value plus costs of improvements and joi8nt use arrangement on the balance of the site which shall be owned by the City of Winnipeg. Any provision for conveyance of the plant site portion of the site back to the City shall assure repayment of the School Division in the amount of the assessed value of the property and all costs of improvements borne by the School Division.

21. A joint use agreement involving a School Division and/or a Recreation Authority and the City of Winnipeg shall provide for joint use of the plant and plant site areas owned by the respective School Division and Recreation Authority, as well as the joint use areas owned by the City of Winnipeg.

22. That portion of an existing school site not defined as a school plant site and owned by a School Division may be leased to the City of Winnipeg for the sum of one dollar and be subject to a joint use agreement for school recreation purposes.

23. A basic joint use agreement shall be negotiated and employed as the nucleus of all joint use arrangements.

24. a caveat may be filed against both the School Division lands and the City lands to protect the terms set out in the joint use agreement on each particular site.

25. That in areas designated for urban expansion but are characterized by a multiplicity of small holdings under former plans of subdivision, the City of Winnipeg in consultation with the appropriate Community Committee shall acquire lands for public purpose in advance of subdivision or development. Such lands shall be retained and incorporated into a new plan of subdivision in accordance with District Plan requirements. The owners of any private lands shall be required as they proceed to subdivide, to pay cash in lieu of a 10% land dedication to the city under the land Dedication section of the Development Agreement By-law in recognition of the prior use of public funds to assure assembly of adequate open space sites. Such funds are to be held in a reserve account for the community Committee concerned by the acquisition of public school, park and recreation open space.

26. The City of Winnipeg shall attempt to maintain a sufficient land acquisition account as to meet its obligations under this type of policy towards the provision of public open space."

The Executive Policy Committee recommends that Section 20 of the above Clause be deleted in its entirety and the following substituted in its place thereof

"20. The plant site for junior and senior high schools is suggested to be a minimum of four acres. The portion of such a site over the two acre site to be transferred in accordance with paragraph 8 hereof and up to the suggested minimum four acre site, shall be acquired under some form of agreement between the City and the School Division and shall be sold to the School on the assessed value plus costs of improvements and subject to a joint use agreement. Such agreement shall assure where the land is no longer required by the School Division, it will be resold or transferred to the City at the original cost of acquisition, plus the cost of local improvements."

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Moved by Councillor Yanofsky,
Adoption of the clause.

Moved by Councillor Fuga,
That the clause and the proposed amendment of the Executive Policy Committee be referred to the Committee on Finance.

Lost.

His worship the Mayor called Councillor Taft to the Chair.

Councillor Marion assumed the Chair.

Moved by Councillor Fuga,
That the recommendation of the Executive Policy Committee be adopted.

In amendment,

Moved by Councillor Norrie,
Seconded by Councillor Fuga,
That in Item #8 of the report of the Committee on Environment headed "A Recommended approach to the Maximum Utilization of Public School, Park and Recreation sites and buildings," the first two sentences and the first two words in the third sentence be deleted.

Lost.

The motion for the adoption of the clause, as amended, was put and carried.

(Sgd.) D. A.Yanofsky, Chairman.