Agenda - Council - June 28, 2006

Report - Standing Policy Committee on Property and Development - June 6, 2006

Item No. 20 St. Vital Memorial Park Redevelopment and YW-YMCA Expansion File PR-7(35)

STANDING COMMITTEE RECOMMENDATION:

On June 21, 2006, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submits the following to Council:

1. That the concept plan for the redevelopment of St. Vital Memorial Park shown as Appendix A with modifications as noted on Appendix C to the report from the Director of Planning, Property and Development dated May 24, 2006, be endorsed.

2. That the funding partnership model for the redevelopment of St. Vital Memorial Park, as shown on Appendix D to the report from the Director of Planning, Property and Development dated May 24, 2006, be approved.

3. That the Director of Planning, Property and Development be authorized to transfer jurisdiction of approximately 2.5 acres of land from the Canoe Club Golf Course to St. Vital Memorial Park with an agreement protecting the interests of the Golf Course.

4. That the "Subject City Property" on Misc. Plan No. 12274 be declared surplus to the City's needs.

5. That the exchange of lands between the Louis Riel School Division and the City of Winnipeg be approved in accordance with the terms and conditions shown on Schedule A to the report from the Director of Planning, Property and Development dated May 24, 2006, subject to the lands identified as "Subject City Property" on Misc. Plan No. 12274 being declared surplus to City's needs.

6. That the Director of Planning, Property and Development be delegated the authority to amend the Three-Party Parking Lease as outlined in the report from the Director of Planning, Property and Development dated May 24, 2006, and any other such amendments deemed necessary by the Director of Planning, Property and Development and by the City Solicitor/Manager of Legal Services to protect the City's interest.

Report - Standing Policy Committee on Property and Development - June 6, 2006

7. That the Director of Planning, Property and Development be delegated the authority to amend the 1954 Land Lease, as outlined in the report from the Director of Planning, Property and Development dated May 24, 2006, and any other such amendments deemed necessary by the Director of Planning, Property and Development and by the City Solicitor/Manager of Legal Services to protect the City's interest.

8. That Parking Lease Agreement be approved in favour of The YMCA-YWCA of Winnipeg, to develop and maintain a vehicle parking area shown shaded and identified as "Proposed Parking Lease Area" on Misc. Plan No. 12839 in accordance with the terms and conditions outlined in the "Offer to Lease" contained in the report from the Director of Planning, Property and Development dated May 24, 2006, and any other such terms and conditions and amendments deemed necessary by the Director of Planning, Property and Development and by the City Solicitor/Manager of Legal Services to protect the City's interest.

9. That pursuant to Subsection 11(2.1) of The Municipal Assessment Act, the Community Groups Occupying City-owned Facilities By-law No. 89/2005 be amended to add the parking area identified on Misc. Plan No. 12389.

10. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Pursuant to Section 205(2) of The City of Winnipeg Charter, disposal of land owned or acquired by the City for park or cemetery purposes requires approval by two-thirds of all Members of Council.

Report - Standing Policy Committee on Property and Development - June 6, 2006

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 21, 2006, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 6, 2006, the Standing Policy Committee on Property and Development concurred in the administrative recommendation and submitted the matter to the Executive Policy Committee and Council.

STANDING COMMITTEE RECOMMENDATION:

On November 30, 2004, the Standing Policy Committee on Property and Development did not concur in the administrative recommendation in the report from the Director of Planning, Property and Development dated October 19, 2004, and referred the matter back to the Administration for additional information.

RE: St. Vital Memorial Park Redevelopment and YW-YMCA Expansion

FOR SUBMISSION TO: Standing Policy Committee on Property and Development

ORIGINAL REPORT SIGNED BY: Director of Planning, Property and development

REPORT DATE: May 24, 2006

RECOMMENDATION:

1. That the Standing Policy Committee on Property and Development endorse the attached concept plan for the redevelopment of St. Vital Memorial Park attached as Appendix A with modifications as noted on Appendix C.
2. That the Standing Policy Committee on Property and Development approve the proposed funding partnership model for the redevelopment of St. Vital Memorial Park (Appendix D).
3. That the Director of Planning, Property and Development be authorized to transfer the jurisdiction of approximately 2.5 acres of land from the Canoe Club Golf Course to St. Vital Memorial Park with an agreement protecting the interests of the Golf Course.
4. That Council declares the "Subject City Property" on Misc. Plan No. 12274 surplus to the City's needs.
5. That Council approve the proposed exchange of lands between the Louis Riel School Division and the City of Winnipeg in accordance with the terms and conditions attached hereto as Schedule "A" subject to the lands identified as "Subject City Property" on Misc. Plan No. 12274 being declared surplus to City's needs.
6. Subject to Recommendation No. 5, the Director of the Planning, Property and Development Department be delegated the authority to amend the Three-Party Parking Lease as outlined within and any other such amendments deemed necessary by the Director of the Planning, Property and Development Department and by the City Solicitor/Manager of Legal Services to protect the City's interest.
7. Subject to Recommendation No. 1, the Director of the Planning, Property and Development Department be delegated the authority to amend the 1954 Land Lease as outlined within and any other such amendments deemed necessary by the Director of the Planning, Property and Development Department and by the City Solicitor/Manager of Legal Services to protect the City's interest.

8. Subject to Recommendation No. 1, Council approve the proposed Parking Lease Agreement in favour of The YMCA-YWCA of Winnipeg, to develop and maintain a vehicle parking area shown shaded and identified as “Proposed Parking Lease Area” on Misc. Plan No. 12839 and in accordance with the terms and conditions as outlined in attached “Offer to Lease” and any other such terms and conditions and amendments deemed necessary by the Director of the Planning, Property and Development Department and by the City Solicitor/Manager of Legal Services to protect the City’s interest.

9. That Council amend by-law 89/2005 to add the parking area to the list of properties exempt from municipal taxes, pursuant to section 11(2.1) of The Municipal Assessment Act.

10. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report Summary

Key Issues:

- This report deals with the following issues related to the YW-YMCA expansion and redevelopment of St. Vital Memorial Park
    - Endorsement of the Concept Plan
    - Approval of the Funding Partnership Model
    - Approval of a Land Exchange
    - Approval of YW-YMCA Leases

- The Project Advisory Committee (PAC), made up of representatives of the immediate neighbourhood, the soccer community, the Louis Riel School Division, and the YW-YMCA, has reached consensus regarding the proposed concept plan and funding partnership model that will enable the YM-YWCA expansion and the St. Vital Memorial Park redevelopment to proceed.

- The funding required for the City’s share of the project has been identified from the Riel Land Dedication Reserve Fund.

- The YMCA-YWCA of Winnipeg is a registered non-profit organization and under the terms of the new lease will continue to receive tax exemptions.

- All lands identified within this report are zoned PR2 – Park and Recreation District; therefore, the Proposed Parking Lease requires consideration and approval by Council by at least two-thirds majority.

- The parking area needs to be added to By-Law 89/2005 in order that it be exempt from municipal taxes, as is the remainder of the property.

Implications of the Recommendation(s):

General Implications

(X) None

( ) For the organization overall and/or for other departments

( ) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s):

Policy Implications

(X) No

( ) Yes

Comment(s): The YW-YMCA is not affected by the Recreation, Libraries, and Leisure Facilities Policy (RLALFP) as it is not funded with operating grants from the City of Winnipeg.

Regulatory Implications

(X) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s):

Environmental Implications

(X) No

( ) Yes

Comment(s):

Human Resources Implications

(X) No

( ) Yes

Comment(s):

Financial Implications

(X) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s):

Report

REASON FOR THE REPORT:

At its meeting of November 30, 2004, the Standing Policy Committee on Property and Development asked for additional information regarding the St. Vital Memorial Park Redevelopment and YW-YMCA Expansion.

Leases or exchange of parkland over five years in length are to be referred to Council for approval by at least two-thirds majority.

HISTORY:

In a letter dated January 31, 2003, the YM-YWCA approached the City in regards to acquiring additional land from St. Vital Memorial Park for the purpose of expanding their facility located on Fermor Avenue in St. Vital.

On July 31, 2003, the City retained a consultant, David E. Lettner and Associates, to facilitate a stakeholder workshop process for the enhancement of the St. Vital Memorial Park and to assess factors associated with the proposed redevelopment and expansion of the existing YM-YWCA facility. Workshops were held in this regard during January and February 2004.

At its meeting of March 22, 2004, the Riel Community Committee recommended to the Standing Policy Committee on Property and Development that the Administration be directed to establish a Stakeholder Steering Committee to address the YM-YWCA's request to expand their facility into St. Vital Memorial Park.

At its meeting of April 27, 2004, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and directed the Administration to establish a Stakeholder Steering Committee to address the YM-YWCA's request to expand their facility into St. Vital Memorial Park.

At its meeting of July 9, 2004, the Standing Policy Committee on Property and Development requested the Stakeholder Steering Committee to bring forward a recommended site plan and funding partnership model.

On November 30, 2004, the Standing Policy Committee on Property and Development requested the Project Advisory Committee be established and supply additional information regarding the recommendations of the Stakeholder Steering Committee (SSC) in regards to the St. Vital Memorial Park redevelopment and YW-YMCA Expansion.

On January 24, 2005, a Project Advisory Committee (PAC) was established to ensure ongoing liaison and continuity with the neighbourhood stakeholders during the project planning and implementation stage.

On April 27, 2005, Council approved funding to assist with the cost of the St. Vital Memorial Park Redevelopment Project, in the amount of $135,000, to be allocated from the Riel Land Dedication Reserve.

On September 28, 2005, Council endorsed the application from the YMCA-YWCA of Winnipeg for funding of the St. Vital Memorial Park redevelopment and the YMCA-YWCA expansion through the Municipal Rural Infrastructure Fund (MRIF).

On March 28, 2006 the Riel Community Committee recommended to Executive Policy Committee that further funding to assist with the cost of the St. Vital Memorial Park Redevelopment project, to a maximum of $100,000.00, be allocated from the Riel Land Dedication Reserve Account.

On April 5, 2006, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee that further funding to assist with the cost of the St. Vital Memorial Park Redevelopment project, to a maximum of $100,000.00, be allocated from the Riel Land Dedication Reserve Account.

On April 26, 2006 Council adopted the EPC recommendation that further funding to assist with the cost of the St. Vital Memorial Park Redevelopment project, to a maximum of $100,000.00, be allocated from the Riel Land Dedication Reserve Account.

DISCUSSION:

Introduction

The YW-YMCA request to utilize some of the St. Vital Memorial Park for their proposed expansion was met with a great deal of concern and anxiety from the stakeholders of

the Park. The immediate neighbourhood, the soccer community and Glenlawn School were prepared to oppose the proposal.

A consultant, David E. Lettner and Associates, facilitated 5 workshops in early 2004 to gain stakeholder consensus regarding the YM-YWCA expansion into St. Vital Memorial Park. At the end of this process, consensus was reached on three possible land use concept plans and that a Stakeholder Steering Committee (SSC) be established to further discuss and refine the land use concept plans.

The culmination of the SSC meetings was the preparation of a Memorandum of Understanding, attached as Appendix A, which outlines a recommended site plan for the St. Vital Memorial Park. In addition, the SSC has identified all land transfer requirements, developed an estimate of total project costs, a proposed cost-sharing funding formula for each project element, and identified a process, namely the establishment of a Project Advisory Committee (PAC), to enable community stakeholders to remain involved as the project details are further resolved.

First Proposed Site Plan

The proposed St. Vital Memorial Park site plan is included in Appendix A and identifies the development of the following elements.

- A 17,900 sq. ft. expansion for the YM-YWCA.
- A minimum 2.5 acres land transfer from the golf course to the St. Vital Memorial Park.
- A maximum of 200 parking stalls in two parking areas.
- The relocation and construction of two athletic fields.
- The relocation and construction of a six-lane running track.
- An internal pathway system and pedestrian amenities.
- A skateboard facility and amenities.
- Enhancements to the site landscaping.
- Protect land for the possible construction of a new field house.

A cost estimate (2004) was developed for the redevelopment of St. Vital Memorial Park based on the recommended site plan (Appendix A). The cost estimate is attached as Appendix B. The total cost of the St. Vital Memorial Park redevelopment was $1,327,964. The YM-YWCA agreed to be responsible for approximately $757,874 of this amount, which left approximately $570,090, or 43% of the cost of the project, to be funded by the City of Winnipeg. The funding source for the City of Winnipeg ($570,090) had not been identified

On November 30, 2004, the Standing Policy Committee on Property and Development requested the Project Advisory Committee to supply additional information in regards to how the St. Vital Memorial Park redevelopment would be funded.

Project Advisory Committee (PAC) Process

On January 24, 2005, a Project Advisory Committee (PAC) was established to work towards refining the concept plan and funding partnership model in order to address the funding short fall.

Over the course of four months and four meetings the PAC considered two adjustments to the concept plan and funding partnership model in order to resolve the funding shortfall.

Redevelopment of the West Field

The possibility of adjusting the configuration of the 6-lane running track around the west field, such that redevelopment of the west field would no longer be necessary, was the first issue investigated. Preliminary findings indicate that this might be problematic for the following reasons:

- The existing ditch between the track and Fermor Ave would have to be replaced with underground services.
- The Transportation Division needs to reserve the land necessary in case an additional traffic lane is required in the future.
- The Transportation Division is concerned the adjustment will adversely affect the sight lines of drivers traveling on Fermor Ave.

Incorporation of the Running Track into the Park Pathway System

The PAC considered the option of incorporating some features of the running track into the pathway system within the Park. The running track is used exclusively for training as no formal competitions are held at the site. It was resolved to review the idea of incorporating important features of the running track into the pathway system in such a way that track and field training but not formal competitions could occur at the site. The important features would include a 4 lane granular surfaced 100 m sprint area and a 2 lane granular surfaced running area of the proper length.

Consensus was reached at the PAC that the concept plan illustrated in Appendix C would be adequate to replace the existing running track at St. Vital Memorial Park, subject to the following modifications:

- No pathways would be included on the land currently used by the golf course.
- Addition of a long jump pit.
- The requirement for the parking of approximately 6 service vehicles west of the clubhouse building.
- Bonivital Soccer offered to maintain the track if they were able to utilize the clubhouse.

An important benefit to incorporating the training features of the running track into the pathway system of the park as illustrated, in Appendix C, is that the west field would require minimal adjustment in its location, which would remove the necessity of redeveloping the west field. The incorporation of the running track into the pathway system and the deletion of the requirement to redevelop the west field are reflected in a budget savings of $270,866.

Funding Partnership Model

A cost estimate (2005) has been produced for the redevelopment of St. Vital Memorial Park based on the recommended concept plan illustrated in Appendix C. The cost estimate with details of the corresponding park elements to be funded is attached as Appendix D. The total cost of the St. Vital Memorial Park redevelopment is now estimated at $1,064,325. The YM-YWCA has agreed to be responsible for approximately $781,916 of this amount, which leaves approximately $282,408.38 (including a contingency of 15%), or 26% of the cost of the project, to be funded by the City of Winnipeg.

On April 27, 2005, Council approved that funding to assist with the cost of the St. Vital Memorial Park Redevelopment Project, in the amount of $135,000, be allocated from the Riel Land Dedication Reserve. The Parks and Open Space Division of the Public Works Department has identified $50,000 in Capital Funding for this project.

On April 5, 2006, the Executive Policy Committee concurred in the recommendation of the Riel Community Committee that further funding to assist with the cost of the St. Vital Memorial Park Redevelopment project, to a maximum of $100,000.00, be allocated from the Riel Land Dedication Reserve Account.

There is now adequate funding identified to allow the St. Vital Memorial Park redevelopment and the YW-YMCA expansion project to be submitted for the required Standing Policy Committee and Council approval.

Land Transfer from the Golf Course to the St. Vital Memorial Park

Throughout this process, the neighbourhood stakeholders groups have been concerned that the green space represented by St. Vital Memorial Park not be reduced in size. In addition, concerns regarding the loss of green space represented by the Canoe Club Golf Course have been identified on many occasions. Incorporating part of the Canoe Club Golf Course into St. Vital Memorial Park, in order to offset the loss of green space required by the YW-YMCA expansion, has been discussed from the outset.

The SSC has discussed the possible addition of land from the Golf Course with the COO, Winnipeg Golf Services. It is Golf Services' position that playability and safety considerations of the golf course must be maintained and that ideally the current parcel of land designated for the Canoe Club Golf Course is kept intact. However, should any

lands be transferred to St. Vital Memorial Park, Golf Services recommends a caveat be placed on the transferred lands ensuring that they remain usable for golf course purposes only so long as there is a golf course on that site and further that no development (e.g. paths, benches, shelters or other such facilities or amenities) be allowed excepting for that required for golf course purposes.

The SSC has considered the following three options regarding transferring Golf Course lands to the St. Vital Memorial Park.

- **Option 1**. Transfer approximately 2.5 acres of land occupied by the tree stand on the east end of the Golf Course.
- **Option 2**. Consolidate all Golf Course lands east of Dunkirk Drive into St. Vital Memorial Park. The land would remain used exclusively for the Golf Course but would remove the possibility that the land could be redeveloped for non-green space uses.
- **Option 3**. An amount of land somewhere between that required for Option 1 and Option 2 be transferred. The objective is that the residual land left for the Golf Course would be of a size incompatible with commercial or residential development.

The SSC strongly endorse Option 2 as the preferred alternative but would support Option 1 or Option 3. The Administration supports land transfer Option 1 and further recommends that a caveat be placed on the land transferred to protect the interests of Winnipeg Golf Services.

Land Exchange between the City and the Riel School Division

The attached Schedule “A” contains the terms and conditions of a proposed land exchange with the Louis Riel School Division and the City of Winnipeg that will facilitate the expansion of the YM-YWCA.

The Planning, Property and Development Department are of the opinion that the equal exchange of lands is fair and acceptable and therefore recommendations that the City complete this transaction in accordance with the terms and conditions contained within the attached Schedule “A”.

Three-Party Parking Lease, City of Winnipeg, The Young Men’s Christian Association of Winnipeg and St. Vital School Division No. 6.

The Three-Party Parking Lease Agreement commenced in 1984 with the three principals to the agreement being the City of Winnipeg, The Young Men’s Christian Association of Winnipeg, and St. Vital School Division No. 6.

The agreement outlines the terms and conditions for the development, maintenance and joint use (the YMCA and School Division) of the parking area located behind the

YW-YMCA building at 5 Fermor Avenue. To date, this agreement remains in place and continues to meet the needs of the three parties.

Subject to the approval of the proposed St. Vital Memorial Park Redevelopment Concept Plan and the proposed land exchange between the City of Winnipeg and the Louis Riel School Division, the Three-Party Parking Lease Agreement will require certain amendments. The content and intent of agreement will remain the same; however, the following amendments should be made: reformatting the agreement to that presently used by the City; change the legal description to reflect the new lands to be used for the parking lease resulting from the proposed land exchange; update the names of the principals of the agreement as, since the commencement of the Parking Lease Agreement in 1984, The Young Men's Christian Association of Winnipeg and The St. Vital School Division No. 6 have formally changed their names to the YMCA-YWCA of Winnipeg and the Louis Riel School Division, respectfully.

1954 Land Lease, City of Winnipeg, The Young Men's Christian Association of Winnipeg

In 1954 the Rural Municipality of St. Vital and The Young Men's Christian Association of Winnipeg entered into a 99-year land lease for the land now commonly know as 5 Fermor Avenue. The Rural Municipality of St. Vital eventually became the City of St. Vital and then became part of the City of Winnipeg in 1972.

The purpose of the lease was to allow The Young Men's Christian Association to develop a recreational facility for local area residents. Since the commencement of this lease, the facility has continued to provide recreational services to residents in the area. In the last several years, this facility has experienced a drastic increase in its membership and has increased the number of programs it offers. As a result of the increased programming and membership at this location, the present facility can no longer meet the demands of area residents. Therefore, the YW-YMCA has found it necessary and desirous to add an addition to its building and perform renovations.

Subject to the approval of the St. Vital Memorial Park Redevelopment Concept Plan, the YW-YMCA will invest in excess of the $3.5 million into this facility for a 17,900 sq. ft. addition and renovations. The proposed addition to the building will result in the footprint of the building exceeding the limits of the land described in the original 1954 Land Lease Agreement. As well, the proposed addition will require the development of new ingress/egress locations as shown in the St. Vital Memorial site plan included in Appendix C.

Subject to the approval of the St. Vital Memorial Park Redevelopment Concept Plan, the 1954 Land Lease Agreement will require certain amendments. The content and intent of the agreement will remain the same; however, the following amendments should be made: reformatting the agreement to that presently used by the City, change the legal description to reflect the new lands to be covered under the lease as a result of the

building addition, and update the name of The Young Men's Christian Association of Winnipeg to the YMCA-YWCA of Winnipeg.

New Parking Lease – West of 5 Fermor in favor of the YMCA-YWCA of Winnipeg

Subject to the approval of the St. Vital Memorial Park Redevelopment Concept Plan, the requirement for additional parking has been identified. The PAC has identified an area to the west of the YW-YMCA's facility as being the most practical location, shown as "Proposed Parking Lease" on Misc. Plan No. 12839 on the last page of the attached Offer to Lease.

The development and ongoing maintenance of the new parking area, including all ingress and egress locations, will be performed at the sole cost, expense and effort of the YW-YMCA. The general public will have unrestricted access and use of the parking area at all times, save and except during regular maintenance, as well as have access from the parking area to the adjacent athletic fields.

The development of the new parking area will also assist in alleviating the long standing issue of vehicle parking on the residential streets north of the athletic fields during sporting events.

The Planning, Property and Development Department and The YMCA-YWCA of Winnipeg have negotiated the terms and conditions of the proposed new parking lease as outlined on the attached Offer to Lease.

The parking area is currently owned by the City and is therefore exempt from both municipal and school taxes. The Legal Services Division advise that with the development of the parking area and given the terms of the proposed lease, it will likely qualify for an exemption from school taxes pursuant to section 23(1)(h) and/or Section 23(1)(i) of The Municipal Assessment Act. Further, the parking area will meet the criteria necessary to be added to the list of properties exempted from municipal taxes in accordance with Subsection 11(2.1) of The Municipal Assessment Act. By-law 89/2005 must be amended to effect this exemption.

Financial Impact Statement

Date: May 17, 2006

Project Name:

St. Vital Memorial Park Redevelopment and YW-YMCA Expansion

First Year of Program 2006

	2006	2007	2008	2009	2010
Capital					
Capital Expenditures Required	$ 283,830	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	283,830	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ 4,267	$ 4,267	$ 4,267	$ 4,267
Less: Incremental Revenue/Recovery	1,422	-	-	-	-
Net Cost/(Benefit)	$ (1,422)	$ 4,267	$ 4,267	$ 4,267	$ 4,267
Less: Existing Budget Amounts	(1,422)	4,267	4,267	4,267	4,267
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: The capital expenditure consists of the City's share of $282,408 plus short-term financing and corporate admin charges totaling $1,422. The latter two items are offset by equal recoveries in the Corporate Finance Department's current budget. Direct costs of $4,267 from 2007 onward represent debt & finance charges on $47,408 of funding from the Equity in Capital Assets Fund.

"Original signed by"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Public Works Department

Community Services Department

Legal Services Division, Corporate Services

Winnipeg Golf Services (SOA)

External Consultation With:

Neighbourhood stakeholder groups.

Boni-Vital Soccer Community.

Louis Riel School Division.

YM-YWCA.

THIS REPORT SUBMITTED BY:

Department: Planning, Property and Development
Division: Planning and Land Use /Real Estate
Prepared by: Kevin Nixon, Park Strategic Planner/Stewart Anderson
PPD File No. 5099/37

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Appendix A

MEMORANDUM OF UNDERSTANDING
ST. VITAL MEMORIAL PARK LAND USE CONCEPT SITE PLAN

Preamble

In January 2004 a series of four community workshops were conducted to address issues involving the potential expansion of the south Winnipeg YMCA and the associated implications for the adjacent St. Vital Memorial Park (SVMP). Twenty stakeholders representing five distinct groups were invited to participate in the process. These interests reflected the immediate neighbourhood, broader community interests, the Louis Riel School Division (LRSD) and the YMCA and were referred to as the Community Stakeholder Committee (CSC). At the conclusion of the workshops, a community vision plan emerged from the design exercise prompting the formation of a Stakeholder Steering Committee (SSC) to refine the concept and explore issues associated with reconfiguring the SVMP site in keeping with the spirit and intent of the community vision. The community vision included improvements and enhancements to SVMP as well as allowing for the YMCA facility to be modernized and expanded.

The Stakeholder Steering Committee

The Stakeholder Steering Committee (SSC) was established under the authority of the Riel Community Committee (March 22, 2004: Item 116) and the Standing Policy Committee on Property and Development (April 27, 2004: Item 186) of the City of Winnipeg. The Department of Property and Development was authorized to proceed and to report back to both committees on the results of the SSC process.

The SSC included one representative from four of the five stakeholder groups. Excluded were broader community interests insofar as their input was integrated at the CSC level. The SSC met on April 21, May 19, June 9, July 7 and August 11, 2004. The culmination of these SSC meetings was the preparation of a site land use concept plan for SVMP, an identification of all land transfer requirements, an estimate of total project costs and a proposed cost-sharing funding formula for each project element.

Final Site Land Use Concept for SVMP

The Final Site Land Use Concept for SVMP is attached to this Memorandum of Understanding as Appendix A. The site concept plan can be broadly described as follows:

- Identify a minimum 2.5 acre land transfer from the golf course to SVMP
- Identify an18, 000 sq. ft. expansion to the YMCA building footprint
- Identify a maximum of 200 parking stalls in two parking areas
- Identify the relocation and construction of two athletic fields
- Identify the relocation and construction of a six lane running track
- Identify an internal pathway system and pedestrian amenities
- Identify a skateboard facility and amenities
- Identify enhancements to the site landscaping
- Protect land for the possible construction of a new field house

Agreement of the SSC

The members of the SSC and the stakeholder organizations, groups and interests that they represent do hereby concur with the Final Site Land Use Concept Plan for SVMP as attached in Appendix A and identified as Drawing No. C1 – 4 dated 29.06.04.

The support and concurrence of the SSC will facilitate preparation of the necessary administrative reports to be considered by the City of Winnipeg and the Louis Riel School Division. Notwithstanding the requirement for any and all review and approval processes, detailed facility design and specific cost-sharing formulas, the SSC hereby signs off on Drawing No. C1 – 4 and agrees to the spirit and intent of the land use plan for SVMP.

This acceptance of the site land use concept plan does not preclude the neighbouhood from further involvement in a Project Advisory Committee role during the final design and implementation stages of the project should it proceed to the construction phase with all the necessary approvals and funding in place. Nor does it preclude any public participation as part of the formal or statutory review process required for any element of the project. However, in signing off on the site land use plan the SSC is endorsing the proposed concept and providing the necessary level of neighbourhood and community support to initiate the formal project review and approval process.

del david e. lettner and associates
planning and policy consultants

Signature Page: Final Site Land Use Concept Plan for SVMP

We the undersigned members of the SSC do hereby give consent and approval to Drawing No. C1 – 4 dated 29.06.04.

Doug Stiles
Resident Representative

Ross Edye-Rowntree
Resident Representative

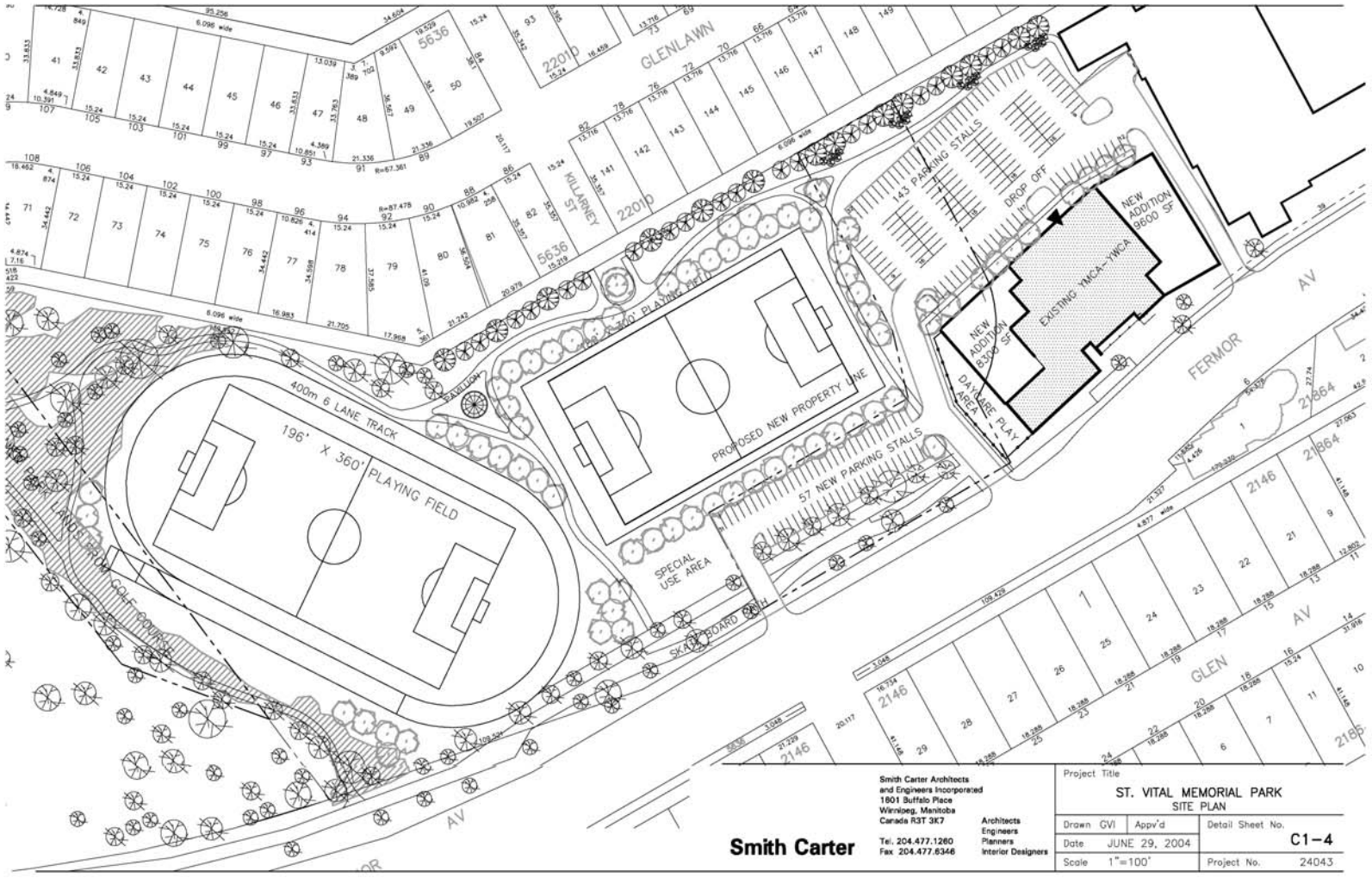
Gail Atkins
Louis Riel School Division

Arpena Babaian
Louis Riel School Division

David Young
YMCA

Signed and Dated August 11, 2004
Appendix A: Drawing No. C1 – 4

55 ferndale avenue, wpg, mb R2H 1T7 tel (204) 233-1671 fax (204)237-471



Smith Carter

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Fax 204.477.6346

Architects
Engineers
Planners
Interior Designers

Project Title
ST. VITAL MEMORIAL PARK
SITE PLAN

Drawn GVI	Appv'd	Detail Sheet No. C1–4
Date JUNE 29, 2004		
Scale 1"=100'		Project No. 24043

Appendix B

Smith Carter (As corrected by the City and YM-YWCA)

Phase I: SITE PREPARATION

	Item:	Description	Quantity:	Rate:	Totals:	YMCA Cost	City Cost
1)	DEMOLITIONS (field house):				$20,000		$20,000
2)	REMOVALS (fencing):				$10,000	$5,000	$5,000
3)	UTILITIES AND SERVICES (hydro, water):	CB location/ Installation	7	$3,000	$21,000	$21,000	
		City storm connection	2	$15,000	$30,000	$30,000	
		6* piping	320 m	$125	$40,000	$40,000	
4)	SITE GRADING & DRAINAGE:						
	ROADWAYS/PARKING	Stripping/ Excavation	10000 sq.m	$10	$100,000	$100,000	
	PRIMARY FIELD:	Field Prep/ Stripping	10346 sq.m	$3	$25,865		$25,865
		Fill/Grading /Crown	10346 sq.m	$5	$51,213		$51,213
		Irrigation	1	$50,000	$50,000		$50,000
	SECONDARY FIELD:	Field Prep/Stripping	6655 sq.m	$3	$16,638	$16,638	
		Fill/Grading/ Crown	6655 sq.m	$5	$32,942	$32,942	
		Irrigation	0.5	$50,000	$25,000	$25,000	
	SUBTOTAL:				$422,658.00	$270,580.00	$152,078.00
	15% CONTINGENCY				$63,398.70	$31,699.35	$31,699.35
	TOTAL:				$486,056.70	$302,279.35	$183,777.35

Phase II: SITE DEVELOPMENT

	Item:	Description	Quantity:	Rate:	Totals:	YMCA Cost	City Cost
5)	PARKING/ROADWAY SURFACES:	Asphalt Paving with	8000 sq.m	$32	$256,000	$256,000	
		230mm base & 75mm topping					
6)	PRIMARY FIELD:	Sod & Top Soil	10346 sq.m	$8	$82,768		$82,768
7)	SECONDARY FIELD:	Sod & Top Soil	6655 sq.m	$8	$53,240	$53,240	
8)	6-LANE RUNNING TRACK:	Weeping Tile & sock	450 m	$1	$450		$450
		3/4 Sub-base	3357 sq.m				
		filter fabric	450 m				
		finishing clay	3357 sq.m	$27	$89,800		$89,800
9)	SOCCER GOAL POSTS	for fields	2	$2,000	$4,000		$4,000
	SUBTOTAL:				$486,258	$309,240	$177,018
	15% CONTINGENCY				$72,939	$36,469.50	$36,469.50
	TOTAL:				$559,197	$345,709.50	$213,487.50

Phase III: SITE AMENITIES

	Item:	Description	Quantity:	Rate:	Totals:	YMCA Cost	City Cost
10)	PAVILION:		1	$25,000	$25,000	$25,000	
11)	KILARNEY GATEWAY:		1	$10,000	$10,000		$10,000
12)	PATHWAY SYSTEM:	Asphalt	1170 sq.m	$15	$17,550		$17,550
		Aggregate	131 cu.m	$50	$6,550		$6,550
13)	PATHWAY AMENITIES	Benches	10	$1,500	$15,000		$15,000
		Site Lighting	10	$3,500	$35,000		$35,000
		Bike Racks	4	$1,000	$4,000		$4,000
		Garbage Bins	7	$750	$5,250		$5,250
14)	FENCING:	6"Chair-Link	400 m	$50	$20,000	$10,000	$10,000
		Light proof Parking Lot	350 m	$100	$35,000	$35,000	
		Decorative Bollards	50 m	$217	$10,850	$10,850	
15)	SKATEBOARD FACILITIES:	Misc.	9	$3,000	$27,000		$27,000
16)	SITE LANDSCAPING:						
	YMCA TREES	Deciduous	13	$320	$4,160	$4,160	
	MEMORIAL PARK TREES	Deciduous	55	$320	$17,600		$17,600
	LANE	Deciduous	15	$320	$4,800	$2,400	$2,400
		Coniferous	19	$425	$8,075	$4,037.50	$4,037.50
	SUBTOTAL:				$245,835	$91,447.50	$154,387.50
	15% CONTINGENCY				$36,875	$18,437.50	$18,437.50
	TOTAL:				$282,710	$109,885.00	$172,825.00
			Total Estimate:		$1,327,963.70	$757,873.85	$570,089.85

Appendix C


Killarney ST
Sunset BLVD
Parking
St. Vital YM-YWCA
Proposed Soccer Field
100m x 55 m
Existing
Soccer Field
Proposed
Soccer Field
Special
Use Area
Parking
Existing Path
Gravel Path (2.4m wide)
Asphalt Path (2.4 - 3.0 m wide)
Sprint Track (4 Lane, 4.8 m wide)
Gravel/ Woodchip Path (1.5m Wide)
CONCEPT PLAN
ST. VITAL MEMORIAL PARK- Informal Track Opt 1
APR 21, 2005

Appendix D

See Separate Adobe Attachment

SCHEDULE 'A'

Proposed terms and conditions for an exchange of lands between the City of Winnipeg and the Louis Riel School Division for the lands shown on attached Misc. Plan No. 12274 to facilitate the expansion of the YM-YWCA into St. Vital Park.

1. For the nominal sum of **ONE ($1.00) DOLLAR** the parties agree to transfer to each other their respective lands as shown on attached Misc. Plan No.12274.

2. Each party will convey to the other their respective lands as shown on the attached Misc. Plan No. 12274 free and clear of any liens, encumbrances or leasehold interests.

3. The date for vacant possession – free of leasehold interest and adjustment of taxes, to be the date that a Caveat is filed by the City in the Winnipeg Land Titles Office respecting a duly executed Exchange Agreement to be prepared by the City's Legal Services Branch regarding this transaction or by mutual agreement.

4. The City to attend to and pay all costs including the survey and plan preparation work required by the Winnipeg Land Titles Office in order to effect the transfers of land between the Louis Riel School Division and the City of Winnipeg.

5. The Louis Riel School Division declares that to the best of its knowledge and belief:

a) the School Division land complies with all applicable environmental laws, regulations and bylaws;
b) there are no outstanding governmental orders or requests for information;
c) there are no existing, pending or threatened actions of an environmental nature;
d) there are no waste disposal sites on the property, nor has the property ever been used as a landfill or waste disposal site, or for temporary storage of special wastes on an interim basis pending treatment or disposal;
e) the Louis Riel School Division further acknowledges and accepts that should the City determine that there are environmental concerns or contamination, it may elect to cancel the proposed exchange.

6. The Louis Riel School Division retains the right to cancel the proposed exchange of land for
environmental reasons.

7. The Louis Riel School Division will permit the City at its discretion and expense, before the possession date, to conduct or have conducted on its behalf an environmental assessment together with any soil testing and analysis required.

8. Each party hereto is responsible for their respective legal costs.

9. The Louis Riel School Division agrees:

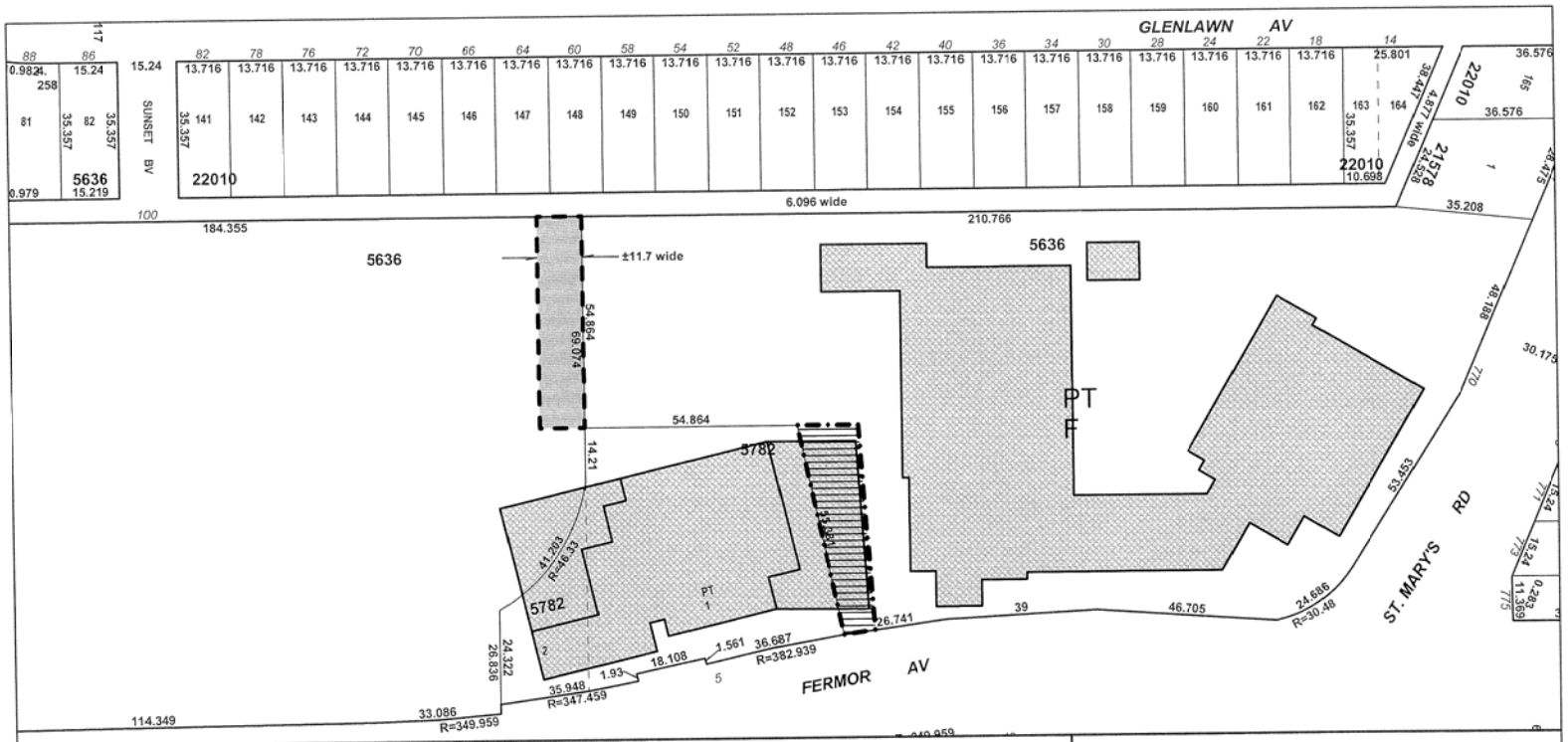
a) that the subject property will not be conveyed, disposed of or encumbered in any manner whatsoever, except subject to this agreement;

b) that subject to Item 10 herein, the parties will consent on Real Owner Property Application Forms to add each other to the Assessment Rolls of the City of Winnipeg as the Real Owner of the lands to be exchanged.

10. The City will self-assess any tax payable by it on this transaction. Its Goods and Services Registrant No. is R121682967.

11. This proposal is subject to approval by the City of Winnipeg Council.

12. The Louis Riel School Division consents to allow the City or its contractor or delegate, to enter and construct on the lands upon Council approval and receipt of one weeks notice in advance. The City will indemnify and save harmless the Louis Riel School Division from any actions, causes of actions, suits and demands whatever arising out of the consent granted to the City to enter and construct.



METRIC

Date: 2004-JUNE-11
District: RIEL
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NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only.
No warranty is expressed or implied regarding the accuracy of such information.

Land Required from School Division for expansion
Area: ±642 m² (±6910 ft²)

Subject City Property - Area: ±642 m² (±6910 ft²)

CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES

MISC. PLAN NO. 12274

OFFER TO LEASE
City Owned Property, Shown As "PROPOSED PARKING LEASE"
On Attached Misc. Plan No. 12839
For Parking Purposes

Use:	The development, use and maintenance of a public parking lot.
Term:	Annual continual, commencing on a mutually acceptable date.
Gross Rental Rate:	**$1.00** per annum, plus GST.
Insurance:	General Liability Insurance of at least $2,000,000.00, naming The City of Winnipeg as additional insured and containing a cross-liability clause.
Option To Cancel:	The proposed lease may be terminated on 360 days written notice by either party. Should the City initiate the cancellation of the proposed lease within the first 10 years from the commencement of the proposed lease, the City shall reimburse the YMCA-YWCA of Winnipeg an amount equivalent to one-tenth of the tenant's initial capital investment ($ *Per Annum Value*) for each year, or portion thereof; to be calculated from the date the tenant is required to yield up possession to the Proposed Lease Area to a maximum of ($*Value to be Determined*)
Other:	The YMCA-YWCA of Winnipeg understands and agrees that it is leasing the Proposed Parking Lease on an "as is" basis. The development of the Proposed Parking Lease will be performed at the sole cost, expense and effort of YMCA-YWCA of Winnipeg, including, obtaining all permits required to develop, occupy and utilize Lease Area for its intended use. All maintenance, including but not limited to, surface repairs, fencing, snow clearing, snow removal from the Proposed Parking Lease, etc, will be performed at the sole cost, expense and effort of YMCA-YWCA of Winnipeg. At no time shall the YMCA-YWCA of Winnipeg restrict the public access or use of the Proposed Parking Lease, except during regular scheduled maintenance, repairs, snow removal, etc. The YMCA-YWCA of Winnipeg will provide two points of pedestrian access from the Proposed Parking Lease to the St. Vital Memorial Park.

Any other terms and conditions and amendments as are deemed necessary by the Director of the Planning, Property and Development Department and by the City Solicitor/Manager of Legal Services to protect the City's interests.

The YMCA-YWCA of Winnipeg agrees to enter into an appropriate Lease Agreement with the City embodying the within terms and conditions and in a form satisfactory to the City Solicitor/Manager of Legal Services.

This proposal is subject to final approval by the City of Winnipeg's Council, or its delegated authority.

The form and content of the proposed lease are subject to final approval by the Board of Directors of the YMCA-YWCA of Winnipeg.

I, KENT PATERSON, for and on behalf of the YMCA-YWCA of Winnipeg, hereby agree that the YMCA-YWCA of Winnipeg will enter into a lease agreement with the City of Winnipeg for the use of City owned lands identified as "Proposed Parking Lease" on Misc. Plan No. 12839, attached, in accordance with the terms and conditions as outlined herein on this Offer to Lease.



Agent for the YMCA-YWCA of Winnipeg.

APRIL 7, 2006

Date

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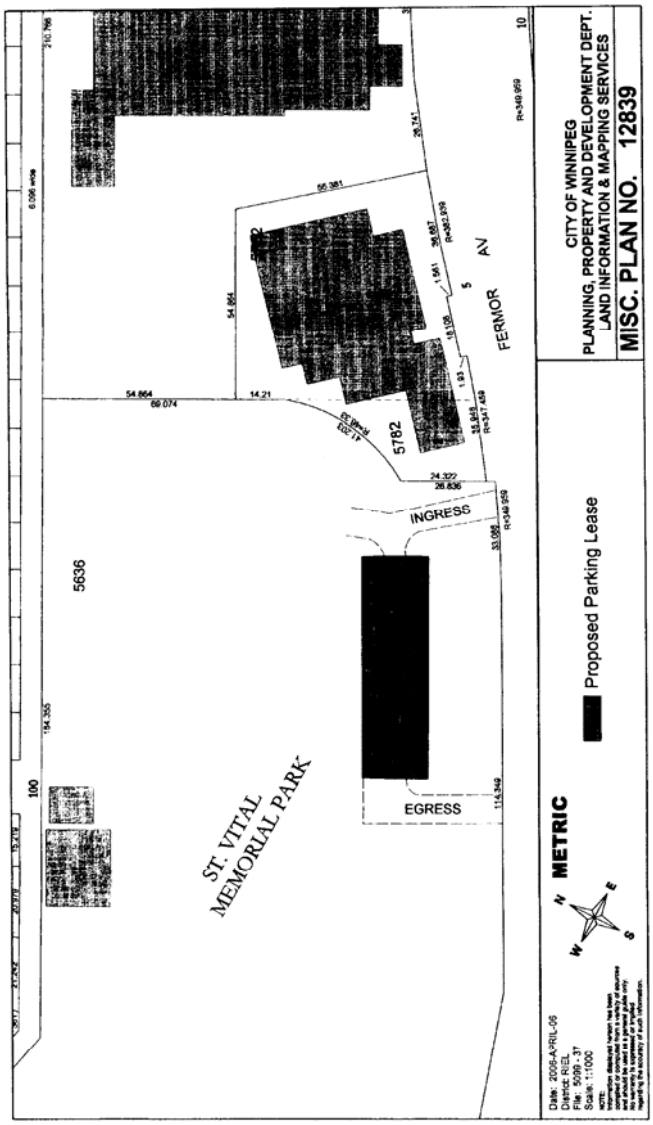
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12839
Proposed Parking Lease
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ST. VITAL
MEMORIAL PARK
FERMOR
AV
INGRESS
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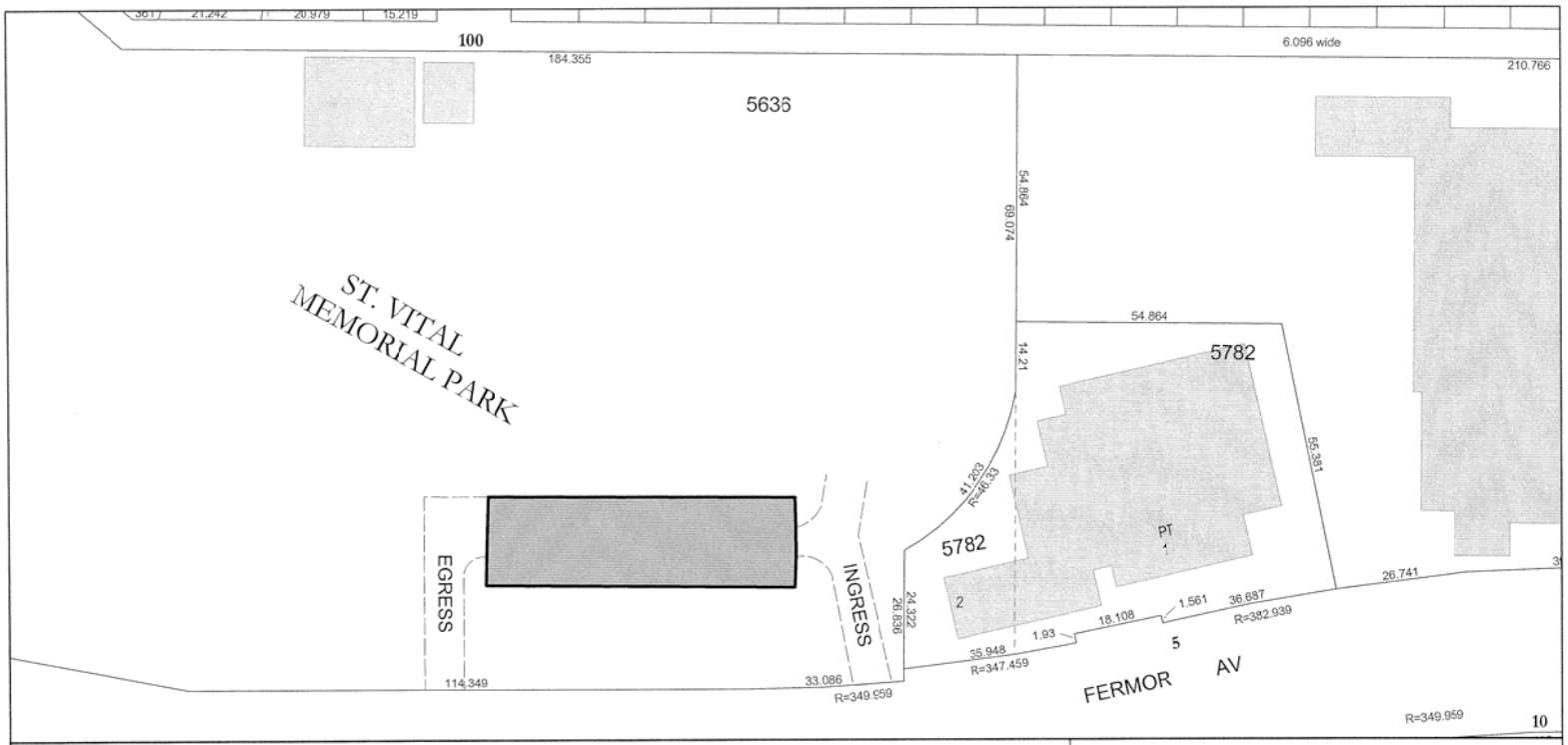
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Date: 2006-APRIL-06
District: RIEL
File: 5099 - 37
Scale: 1:1000
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only. No warranty is expressed or implied regarding the accuracy of such information.
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METRIC
Proposed Parking Lease
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12839