Agenda – Executive Policy Committee - November 29, 2006

REPORTS

Item No. 14 Annual Report on Community Groups Occupying City-owned Facilities By-law No. 89/2005
File FL-2.5

ADMINISTRATIVE RECOMMENDATION:

1. That Council amend the table in section 2 of the Community Groups Occupying City-owned Facilities By-law No. 89/2005 by:

   A. Deleting Manitoba Soccer Association at 900 Waverley Street;
   B. Substituting 50 Cass Street for 71 Xavier Drive in respect of Charleswood Historical Society Inc. and the Caron House Historical Building;
   C. Substituting Rainbow Stage (1993) Inc. for Rainbow Stage (1993) Inc. Theatre Facility;
   D. Adding Good Neighbours Senior Centre Inc. at 755 Henderson Highway;
   E. Adding East Winnipeg Sports Association at Buhler Recreation Park;
   F. Adding Manitoba Organization of Disc Sports at Maple Grove Park; and
   G. Adding YMCA-YWCA of Winnipeg at St. Vital Memorial Park (new parking lot).

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary amending by-law for submission to Council.

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

RE: **Annual Report on Community Groups Occupying City-owned Facilities - By-law 89/2005**

FOR SUBMISSION TO: **Executive Policy Committee**

ORIGINAL REPORT SIGNED BY: **Director of Planning, Property and Development**

REPORT DATE: **October 30, 2006**

RECOMMENDATIONS:

1. That Council amend the table in section 2 of the Community Groups Occupying City-owned Facilities By-law 89/2005 by:

   (a) deleting Manitoba Soccer Association at 900 Waverley Street;
   (b) substituting 50 Cass Street for 71 Xavier Drive in respect of Charleswood Historical Society Inc. and the Caron House Historical Building;
   (c) substituting Rainbow Stage (1993) Inc. for Rainbow Stage (1993) Inc. Theatre Facility;
   (d) adding Good Neighbours Senior Centre Inc. at 755 Henderson Highway;
   (e) adding East Winnipeg Sports Association at Buhler Recreation Park;
   (f) adding Manitoba Organization of Disc Sports at Maple Grove Park; and
   (g) adding YMCA-YWCA of Winnipeg at St. Vital Memorial Park (new parking lot).

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary amending by-law for submission to Council.

3. 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:

- At its meeting held on April 27, 2005, Council approved the Community Groups Occupying City-owned Facilities By-law 89/2005, which requires an annual update by the Director of Planning, Property and Development Department.

- The Administration has completed a review of the list of Community Groups included in By-law 89/2005 and is requesting that the Manitoba Soccer Association occupancy at 900 Waverley Street be deleted. In addition, the Planning, Property and Development Department is requesting that the Charleswood Historical Society

Inc. Historical Building Caron House address be changed from 71 Xavier Drive to 50 Cass Street and that the Organization name for Rainbow Stage (1993) Inc. Theatre Facility be changed to Rainbow Stage (1993) Inc.

- In 2005, Council adopted recommendations to add the Good Neighbours Senior Centre Inc., Brooklands Pioneer Senior Citizens Club Inc., Winnipeg Lawn Tennis Club, East Winnipeg Sports Association, Manitoba Organization of Disc Sports and YMCA-YWCA of Winnipeg to the Community Groups Occupying City-owned Facilities By-law 89/2005.

- However, in the case of the Good Neighbours Senior Centre Inc., East Winnipeg Sports Association, Manitoba Organization of Disc Sports and the YMCA-YWCA of Winnipeg occupancies, a By-law amendment has not yet been passed by Council.

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

Policy Implications

(x) No

( ) Yes

Regulatory Implications

(x) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Environmental Implications

(x) No

( ) Yes

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

Report

REASON FOR THE REPORT:

At its meeting held on April 27, 2005, Council approved the recommendations within an Administrative Report dealing with Community Groups Occupying City-owned Facilities and By-law 89/2005, (the "By-law").

The By-law requires the Director of Planning, Property and Development Department to annually review the list of non-profit organizations contained in the By-law for the purpose of determining whether the occupiers named continue to use the corresponding properties or portions thereof. The Director of Planning, Property and Development Department has completed this review and has identified a number of issues that require an amendment to the By-law.

In accordance with the procedural rules of By-law 89/2005, this Report is being submitted to Council for approval.

HISTORY:

Properties owned and occupied by the City are exempt from municipal and school taxes pursuant to the Municipal Assessment Act (MAA). However, in the past, the MAA eliminated that exemption where the City-owned properties were occupied by a third party.

In 2000, the City requested that the Province of Manitoba amend the MAA to provide for exemptions for City-owned properties that were occupied by non-profit groups operating community centres.

In 2004, the Province of Manitoba amended the MAA to eliminate the restriction on the exemption for City-owned properties occupied by non-profit groups operating community centres. However, the amendment is only applicable where the groups and properties are identified in a By-law.

At its meeting held on April 27, 2005, Council approved a list, prepared by the Administration, of properties and occupiers for exemption.

DISCUSSION:

1. Recent Additions to By-law 89/2005

The Administration has prepared several reports, regarding additional City-owned properties and occupiers to be added to the By-law in 2005 and 2006, which are summarized as follows:

- Good Neighbours Senior Centre Inc. – 755 Henderson Hwy.
  Council Approval – May 18, 2005;

- Brooklands Pioneer Senior Citizens Club Inc. – Logan Avenue added as 143/2005
  Council Approval - July 27, 2005;

- Winnipeg Lawn Tennis Club – 761 North Drive added as 178/2005
  Council Approval – September 28, 2005;

- East Winnipeg Sports Association – Buhler Recreation Park
  Council Approval - July 27, 2005;

- Manitoba Organization of Disc Sports – Maple Grove Park
  Council Approval – June 28, 2006;

- YMCA-YWCA of Winnipeg – Memorial Park (new parking lot)
  Council Approval – June 28, 2006

When considering the Brooklands Pioneer Senior Citizens Club Inc. and the Winnipeg Lawn Tennis Club reports, Council approved formal By-law amendments. In the case of the Good Neighbours Senior Centre Inc., East Winnipeg Sports Association, Manitoba Organization of Disc Sports and YMCA-YWCA of Winnipeg occupancies, Council has not yet approved a By-law amendment. Therefore, an amendment is being requested at this time to formally include these four occupiers in the By-law.

2. Review of the Community Groups Occupying City-owned Facilities By-law

The Administration has completed a review of the List of Community Groups occupying City-owned facilities and is requesting the following amendments:

- Manitoba Soccer Association – 900 Waverley Street be deleted as they no longer occupy the subject premises;

  (Note: The Planning, Property and Development Department are currently negotiating a new lease agreement with the Winnipeg Soccer Federation for the operation of the Winnipeg Soccer Complex. At such time as the lease is completed, a request to add this property in the By-law will be incorporated into the report.)

- Charleswood Historical Society Inc. Historical Building Caron House - 71 Xavier Drive be amended by changing the address to 50 Cass Street;

- Rainbow Stage (1993) Inc. Theatre Facility be amended by changing the name to Rainbow Stage (1993) Inc.

Financial Impact Statement Date: October 30, 2006

COMMENTS:

The recommendation in this report is that Council amend the table in section 2 of the Community Groups Occupying City-owned Facilities By-law 89/2005. There are no financial implications associated with this recommendation.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Legal Services Division as to legal issues

Corporate Finance

Property Assessment Department

External Consultation With:

Not applicable

THIS REPORT SUBMITTED BY:

Department	Planning, Property and Development
Division	Real Estate
Prepared by:	D. Armstrong
PPD File No.	8641

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