REPORT OF THE

COMMITTEE ON PROTECTION, PARKS AND CULTURE

DATED DECEMBER 2, 1996

On motion of Councillor O'Shaughnessy, the Report of the Committee on Protection, Parks and Culture, dated December 2, 1996, was considered clause by clause.

Moved by Councillor O'Shaughnessy,
That the Consent Agenda, Clauses 1,4,5,6,7,8,9,10,11 and 12 be adopted.

Councillor Timm-Rudolph requested that Clauses 5 and 6 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,4,7,8,9,10,11 and 12 was put and declared carried.

Identification of Potential Sites of New Green Space in the City Centre Area, North of the Assiniboine River
File PR-7(32) (Vol. 2)

129 - 1. On July 24, 1996, Council ruled automatic referral of the following motion to the Committee on Protection, Parks and Culture, in accordance with Rule 16.1 of the Procedure By-law No. 5400/90, namely:

Moved by Councillor Silva,
Seconded by Councillor Murray,

BE IT RESOLVED THAT Council identify potential sites of new green space in the City Centre area north of the Assiniboine River to convert to park space that would bring the area closer to the policy goal stated in Plan Winnipeg.

On September 9, 1996, the Committee on Protection, Parks and Culture requested the Administration to submit a report identifying the potential sites of new green space in the City Centre area, north of the Assiniboine River, to convert to park space and that would bring the City Centre area closer to the policy goal stated in Plan Winnipeg.

On October 7, 1996, the Committee on Protection, Parks and Culture further directed that the administrative report requested by Committee on September 9, 1996, also incorporate the concept of allocating 20% of all (gross) land sales in the City Centre area to be utilized towards the replacement of greenspace in the City Centre area, and requested that Council grant an extension of time to consider the matter. On October 23, 1996, Council granted an extension of 60 days.

On December 2, 1996, the Committee on Protection, Parks and Culture considered a report dated November 18, 1996, from the Commissioner of Protection, Parks and Culture, in this connection. The report outlines that during its consideration of selling the former Alexander Park-Velodrome-Fire Training Centre at its meeting on July 24, 1996, Council directed that a review of available sites be completed to identify those sites which could be converted to park space in order to bring the area closer to the policy goal stated in Plan Winnipeg. In response to the subject request from Council, the Parks and Recreation Department reviewed its property acquisition policy and procedures and its existing strategy for improving and increasing the amount of open space available to residents in the inner city, including the City Centre Community area north of the Assiniboine River, prior to initiating an extensive search for available properties.

DEPARTMENT PROPERTY ACQUISITION POLICY

The longstanding practise of the Parks and Recreation Department has been to assemble properties for various programs and initiatives such as riverbank parkways in the City as the properties become available for sale on the open market at a fair market value. The Department has refrained from identifying its acquisition priorities or

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obtaining broad acquisition programs through Council as the disclosure of same usually will result in protracted negotiations with landowners and an inflation in the value of properties which have either been identified or are situated within the approved acquisition plan area.

Moreover, the initial acquisition assumptions and supporting background research regarding land values or sources of available capital will change quite significantly over time and as such, practise has shown low value in pursuing such activities. Accordingly, the Parks and Recreation Department has not initiated a formal review of potential sites at this time.

DEPARTMENTAL PROPERTY ACQUISITION MONITORING PROCEDURES

The Land and Development Services Department routinely reviews properties which become available for sale on the open market and circulates properties offered to the City which may be of interest to the Parks and Recreation Department for a wide variety of Departmental programs and initiatives. The Land and Development Services Department is aware of the shortage of open space in the inner-city and routinely advises the Parks and Recreation Department of same. The Department has identified the parameters of those properties which are of specific interest in the inner city being those which adjoin existing community centres, parks or schools and other holdings which are at least two to four acres in size which have significant programming and recreation development potential.

As well, the Land and Development Services Department will advise as to the availability of larger sized properties which have a larger community or regional sports potential use which may result from the occurrence of a fire, or due to the fact that the existing buildings on site have reached the end of their economic life, such as in the case of the former Budd Canada building on Osborne Street and Mulvey Avenue last winter.

In addition to monitoring the availability of privately-owned properties via the Land and Development Services Department, the Parks and Recreation Department also monitors the availability of school owned sites which may become available for local parks and recreation use from Winnipeg School Division No.1 within the City Centre Community.

STRATEGY FOR INCREASING THE AMOUNT OF GREEN SPACE IN THE CITY CENTRE COMMUNITY NORTH OF THE ASSINIBOINE RIVER

The proposed Parks and Recreation Department strategy for increasing the amount of green space in the City Centre Community is based on Council's Policy of establishing new or upgrading existing Neighbourhood and Community Parks in Plan Winnipeg and the Departmental Strategic Plan and policies and practises regarding land acquisition for Parks and Recreation purposes.

The combination of the above referenced policies and practises indicate that the Parks and Recreation Department, where possible, establish new or upgrade neighbourhood or community parks in association with existing school sites and that the sites be accessible and visible and be of sufficient size to support a neighbourhood centre or community recreational complex or portions thereof, and possess significant programming and development potential.

On the basis of the aforementioned, the Parks and Recreation Department proposed that the following strategy be adopted for increasing green space which is outlined as follows:

(a) Continue to liaise with Winnipeg School Division No. 1 regarding the preservation of existing school sites which are no longer required for public school purposes. Recently, the Department has reached agreement with the Division regarding the retention of the former 4.5 acre Sir John Franklin School site which is now exclusively used by the Sir John Franklin Community Centre.

(b) Continue to acquire those properties which become available and are offered for sale to the City at fair market value which meet the Departmental acquisition parameters for new properties located within the Inner City.

(c) Continue to monitor available properties in the City Centre Community via the Land and Development Services Department and arrange for the Committee and Council authority and financing of same as they become available to the City.

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PROPOSED ALLOCATION OF 20% OF GROSS LAND SALES IN THE CITY CENTRE COMMUNITY TOWARDS THE REPLACEMENT OF GREEN SPACE IN THE CITY CENTRE COMMUNITY

Conceptually, the Parks and Recreation Department is supportive of the practise of directing proceeds or portions thereof from the sale of assets to improve or expand the remaining asset portfolio to better meet the needs of a community, however, Council has directed that the proceeds from the sale of surplus City-owned lands be allocated to the General Revenue Account to be used to offset the budget shortfall in 1996.
The proposal to allocate a portion of the proceeds to the City Centre Community to replace green space would require a subsequent directive from Council regarding the allocation of sale proceeds. Accordingly, the Parks and Recreation Department will await direction in this matter.

Moreover, in considering this matter, Council currently directs 25% of all cash in lieu of land dedication payments from the four Community Committee areas to the City Centre Community for the acquisition of additional green space, as well as approves funds in the Capital Budget for the acquisition of additional properties to, in part, improve the amount and quality of green space in the City Centre Community.

Inasmuch as the administrative report dated November 18, 1996, has been received as information, and forwarded to the City Centre Community Committee with the suggestion that the Members of the Community Committee meet with the Parks and Recreation Department Administration to identify potential sites of new green space in the City Centre area, the Committee on Protection, Parks and Culture recommends that the motion be filed.

Moved by Councillor O'Shaughnessy,
That the recommendation of the Committee on Protection, Parks and Culture, that the clause be filed, be adopted.

Carried.

Proposed Acquisition of Additional Park Land in the City Centre Area, North of the Assiniboine River
File FI-2.4(32) (Vol. 2)

130 - 2. On October 9, 1996, Council ruled automatic referral of the following motion to the Committee on Protection, Parks and Culture, under Rule 16.1 of the Procedure By-law No. 5400/90:

Moved by Councillor Murray,
Seconded by Councillor Thomas,

BE IT RESOLVED that up to twenty percent (20%) of the total sale price of the city-owned parcels of land at the southeast corner of Empress Street and St. Matthews Avenue be dedicated to the acquisition of additional park land in the City Centre area north of the Assiniboine River.

On November 4, 1996, the Committee on Protection, Parks and Culture requested that the administrative report requested on September 9, 1996, with respect to identifying potential sites of new green space in the City Centre area north of the Assiniboine River to convert to park space that would bring the area closer to the policy goal stated in Plan Winnipeg, also incorporate the particulars outlined in the motion referred by Council on October 9, 1996.

On December 2, 1996, the Committee on Protection, Parks and Culture considered a report dated November 18, 1996, from the Commissioner of Protection, Parks and Culture, outlining the Parks and Recreation Department policies on property acquisition and property acquisition monitoring procedures, the strategy for increasing the amount of green space in the City Centre Community north of the Assiniboine River, and the proposed concept of allocating twenty percent of all (gross) land sales in the City Centre Community towards the replacement of green space in the City Centre Community.

With respect to the proposed concept of allocating twenty percent of gross land sales in the City Centre Community towards the replacement of green space in the Community, the Parks and Recreation Department is conceptually supportive of the practise of directing proceeds or portions thereof from the sale of assets to improve or expand the remaining asset portfolio to better meet the needs of a community.

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However, Council has directed that the proceeds from the sale of surplus City owned lands be allocated to the General Revenue Account to be used to offset the budget shortfall in 1996. The proposal to allocate a portion of the proceeds to the City Centre Community to replace green space would require a subsequent directive from Council regarding the allocation of sale proceeds.

Moreover, in considering this matter, Council currently directs 25% of all cash in lieu of land dedication payments from the four Community Committee areas to the City Centre Community for the acquisition of additional green space, as well as approves funds in the Capital Budget for the acquisition of additional properties to, in part, improve the amount and quality of green space in the City Centre Community.

The Committee on Protection, Parks and Culture therefore recommends:

I. That up to twenty percent (20%) of the total sale price of the City-owned parcels of land at the southeast corner of Empress Street and St. Matthews Avenue be dedicated to the acquisition of additional park land in the City Centre area north of the Assiniboine River.

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

The Executive Policy Committee recommends non-concurrence with the recommendations of the Committee on Protection, Parks and Culture.

Moved by Councillor O'Shaughnessy,
That the clause be considered.

Carried.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

The Speaker here resumed the Chair.

The motion for the adoption of the clause was put.

Councillor Murray called for the yeas and nays, which were as follows:-

Yea: Councillors Lubosch, Murray, Silva, Thomas and Vandal. 5

Nay: Councillors Prystanski, Clement, Golden, O'Shaughnessy, Phillips, Steek, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Angus. 9

and the motion for the adoption of the clause was declared lost.

Proposed Agreement for the Operation of the Chief Peguis Health and Fitness Centre File PR-2 (Vol. 82)

131 - 3. The Committee on Protection, Parks and Culture has been advised that on September 17, 1996, the East Kildonan-Transcona Community Committee recommended that the Parks and Recreation Department review the feasibility of entering into an operational agreement between the Chief Peguis Health and Fitness Centre (1017 Co-op Inc.), the River East School Division No. 9, and the City of Winnipeg.

As background history, the Chief Peguis Health and Fitness Centre is located in the basement of the Chief Peguis Junior High School at 1400 Rothesay Street, and was a concept made possible in the original construction of the Junior High School in 1969. The area was constructed in such a way that a running track could be installed at some undetermined future date.

In 1985, the Advisory Council of Chief Peguis Junior High School became interested in the facility and began its efforts toward the development of the track area. In 1991, a separate committee was formed to work on this project. On June 11, 1996, this committee formalized its existence through incorporation under The Cooperatives Act of the Province of Manitoba, and became known as 1017 Co-op Inc.

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By 1996, the volunteers of 1017 Co-op Inc. had managed to generate funding from a number of grant sources, including the Canada/Manitoba/Winnipeg Infrastructure Program, the Community Incentive Grant Program, the Community Places Grant Program, and the Community Services Council. As well, the Co-op generated approximately $35,000.00 in donations from individuals in the surrounding community. These final donations entitled the benefactors to a "charter membership" in the future Fitness Centre. As well, the Co-op had secured a line of credit in the amount of $60,000.00 from a financial institution.

Based upon the availability of these funds, on May 8, 1996, the Board of Trustees of the River East School Division No. 9 granted the Co-op permission to proceed with the development of the Fitness Centre.

The Parks and Recreation Department is of the view that it is apparent that a long term expectation has existed amongst the volunteers of the Co-op that the City of Winnipeg would manage the facility upon its completion. A document published by the Co-op, (at that time the Chief Peguis Health and Fitness Centre Committee) in November 1992, outlines that "the City of Winnipeg supports the project" and that the City "expressed interest in managing the Centre during public use hours". That same understanding has been reiterated by representatives of both the 1017 Co-op Inc. and the River East School Division No. 9 as late as October 1996. While there has been no formal commitment of the Parks and Recreation Department for any involvement in the operation of the Fitness Centre, some staff of the Department have supported the Co-op by assisting them in their efforts. At the same time, it is equally apparent to the Parks and Recreation Department that the volunteers have envisioned a continuing hands-on involvement in the operation of the site.

The by-laws of 1017 Co-op Inc. dated June 11, 1996, continue to reference the responsibilities of the Co-op as including: the determination of user fees at the Fitness Centre; the reduction or elimination of user fees for specific individuals; the approval of all "commercial activities" at the Centre; and, the handling of user complaints.

For its part, the River East School Division No. 9 has been supportive of the concept, but has declined any direct involvement with the Fitness Centre. On May 8, 1996, the River East School Division No. 9 made it clear that it wanted no connection to be drawn between itself and the activities of the Co-op. The School Division stated that it assumed no responsibility for the operation of the space once developed, and requested that the name of the School (Chief Peguis) be removed from the name assigned to the completed fitness facility.

In September of 1996, the Parks and Recreation Department confirmed the following:

(a) The Co-op was nearing the completion of Phase 1 development of the Fitness Centre, and had advertised an October 1, 1996, opening of the site throughout the Community;

(b) The Co-op had an expectation that the Parks and Recreation Department was committed to operating the site;

(c) The Co-op had an expectation that the Department's fitness equipment which was to be removed from the Joseph Zuken Fitness Centre (Seven Oaks Hospital) would be relocated to the Fitness Centre (at Chief Peguis School); and

(d) That no agreements were in place between the Co-op and/or the City of Winnipeg and the River East School Division No. 9 for the occupancy and operation of the Centre.

In an effort to meet the community's expectations and to allow for time to study the entire situation at the Fitness Centre, the Parks and Recreation Department negotiated a six-month occupancy permit for the site with the River East School Division No. 9. The Parks and Recreation Department has also temporarily relocated the above mentioned fitness equipment to the Fitness Centre and has assumed interim operational control of the site in co-operation with 1017 Co-op Inc.

The determination of what the City of Winnipeg's level of involvement should be in the operation of a new Fitness Centre is dependant upon a number of interrelated factors. These factors have been identified and discussed as follows.

THE NEED FOR THE FACILITY WITHIN THE COMMUNITY

(a) Potential Users of the Centre

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The catchment area for the Fitness Centre has been envisioned by the Co-op as extending from the Perimeter Highway to the North, the Red River to the West, Lagimodiere Boulevard to the East, and Nairn Avenue to the South. In fact, it has been argued by the Co-op that the Kildonan Settlers Bridge has extended the western boundary of the catchment area into the West Kildonan Community.

The experience of the Parks and Recreation Department at the Joseph Zuken Fitness Centre and other Community Recreation Facilities indicates that this type of facility will tend to attract clientele from a much smaller catchment area, limited to the surrounding North Kildonan Communities.

(b) Benefit to the Community-at-large

While other commercial fitness facilities exist in North East Winnipeg, the Fitness Centre could serve a unique role in meeting the needs of the average resident of the Community who wishes to improve and maintain their level of fitness.

The location and amenities of the Centre will tend to attract the recreational users of fitness facilities, as opposed to hard core fitness participants. Recreational users tend to take part in activities which are offered within easy access to home, and where the ambiance of the facility is friendly and non-threatening. To that extent, the Fitness Centre is well situated. Residents of the surrounding Communities will have easy access to the site, many finding themselves within walking distance. The Centre will act as a meeting place for community residents and will help to improve the quality of life in the Community. While the physical amenities of the Centre would be inadequate for a higher level health club, the current facility does provide enough services to the recreational participant to create a comfort level within the site.

(c) Benefit to Community Youth

An exciting potential role for the Fitness Centre is the impact that it could have on the community's youth. The Centre is ideally situated in the immediate vicinity of over 1,200 students of the Chief Peguis Junior High School and the River East Collegiate. The Centre could provide the community with a safe location for these young people to participate in positive activities on a drop-in basis. Drop-in participation could, and should, be encouraged both before and after school, as well as during weekends and late evening hours.

To the extent that positive opportunities of this kind can act to reduce youth crime, vandalism, and other negative lifestyle choices by the community's youth, the Centre would provide a definite benefit to North East Winnipeg.

THE VIABILITY OF THE PHYSICAL FACILITIES FOR THE OPERATION FOR A FITNESS CENTRE

(a) Current Status

The Fitness Centre occupies the basement area of the Chief Peguis Junior High School at 1400 Rothesay Street. The Centre is accessed through a separate entrance located at the back of the school and is wheelchair accessible.

At present, the Centre is comprised of a 1/10 mile rubber matted walking/running track. In the centre of the track are two large exercise floor areas covered in the same rubber matting. On one of these areas the Parks and Recreation Department has installed a wide variety of weight training equipment as well as high quality exercise bikes and step machines. The other exercise floor is intended for use as an aerobics floor, as well as having potential for other health and fitness activities (eg: martial arts classes, seniors carpet bowling). While the flooring in this area is not fully completed, it is anticipated that the Parks and Recreation Department could function at the site at present, and that the remaining flooring could be installed after the first year of operation.

There is a public entrance desk area and a limited number of lockers in the common track area. Public washrooms have been constructed adjacent to the front desk area, and are attractive and well sized.

The site is surrounded by the unfinished area of the school's basement, making it somewhat reminiscent of the "gritty grotto" at the University of Manitoba.

While this site certainly has several shortcomings as a fitness facility, it does provide an intimate community feel for participants. With minimal cosmetic augmentation (eg: painting the ceiling and pillars) the Centre can presently accommodate a neighbourhood based fitness clientele. An expansion of the rubber flooring in the middle of the track area would further enhance the facility's viability.

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(b) Future Potential

The most obvious shortcoming of the facility is found in the lack of locker rooms and shower facilities. While the recreational nature of the facility has allowed for the site's operation without showers and locker rooms, the long term viability of the facility would be augmented by the addition of these amenities. In fact, the Co-op has identified the construction of these facilities as Phase 2 of their development of the site.

Another area of concern is less obvious. The rubber matting which forms the running track and exercise area is currently laid upon a compacted gravel base. While it is adequate in the foreseeable future, it should be acknowledged that, in order to provide a truly acceptable surface in the long term, major renovations to the floor and track foundations will be required. This may require the laying of a concrete pad at the site. An alternative suggestion by the Co-op has been to lay a plywood base below the rubber matting. Based upon a recent experience of a private sector enterprise in a similar situation, this suggestion would not appear to be advisable.

FINANCIAL VIABILITY OF THE FITNESS CENTRE

(a) 1017 Co-op Inc.'s Financial Situation

The Fitness Centre was originally conceived by volunteers within the Community; volunteers now represented by the Co-op. It was through their efforts that the monies required for the development to date were dedicated to this project, and their efforts to provide an improvement to their community should be fully acknowledged. That having been said, the Parks and Recreation Department has serious concerns regarding the funding of the development to-date.

A review of the October 9, 1996, business plan of the 1017 Co-op Inc. outlines a total Phase 1 construction cost of $293,550.00 on page 2 of the plan and $304,000.00 on page 5 of the same document. Actual construction costs to date as indicated by the invoices produced by the Co-op are $309,000.00. No apparent explanation exists for this discrepancy.

The total capital development of the Centre in Phase 1 is under-funded by $57,800.00. This shortfall has been offset by a line of credit with the Cambrian Credit Union, to which according to the Co-op's representative, the Co-op is currently indebted in the amount of $57,000.00. The Co-op has listed a number of fund raising strategies within its latest business plan which could generated the revenue needed to meet this debt; including fund raising banquets and corporate donations.

Also included in planned activities is the sale of advertising boards at the Fitness Centre. This assumes that the initial payment of advertising space forms a donation to Capital Costs and will not contribute to the operating revenue of the site in the first year. While this is not particularly significant on a one-time basis, it should be made clear to the Co-op that, in the long term, fund raising strategies which impact upon the site's operating revenues are not acceptable under the proposed operating arrangement.

The Co-op has received user fees for annual memberships from their own charter members which allow those members access to the site for a period of one year. The approximately $12,000.00 collected in this way has been used by the Co-op to help finance the capital development of the site. Given that the Parks and Recreation Department must rely on all of the user fees of the Centre if it hopes to offset even its direct operating costs for staff and supervision, these user fees must be returned to the City's operating fund for the Centre. As such, these fees are represented in the list of liabilities and revenues for the site, and form part of the indebtedness of the Co-op relative to Phase 1 construction.

There appears to be a belief on the part of Co-op volunteers that the Centre will generate significant profits in its initial years of operation. It has been the position of the Co-op that they will receive a share of these profits, and that these revenues will assist in the repayment of current debts and will fund the future development of the site. According to the estimates of operating costs and revenues prepared by the Parks and Recreation Department, the Fitness Centre will not generate significant profits in its initial years of operation.

(b) The Co-Ops Cost Revenue Projections for the Fitness Centre

The business plan, dated October 9, 1996, from 1017 Co-op Inc. was reviewed by the Parks and Recreation Department and found to be unrealistic. It assumes that the approximately 350 charter members of the Centre (those people having made a charitable donation of the site) will all participate as annual members of the facility. In reality, only about a third of those members have paid annual user fees to-date. The Parks and Recreation Department estimates that eventually as many as 50% may participate at the site.

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The Co-op's business plan also predicts a total revenue of $126,350.00 in the first year of operation. It ostensibly has based these projections on the City's experience at the Joseph Zuken Fitness Centre. A review of this claim shows that the Zuken Centre generated approximately $110,000.00 in revenues in its final year of operation, but that in its initial years of operation, revenues were considerably lower.

Despite the contention by the Co-op that revenues are based upon the experiences at the Zuken Centre, neither revenue projections nor operating costs are based upon a similar operating model for the facility. The revenue details which are provided bear little resemblance to the experience at the Zuken Centre, in that they do not reflect the drop-in nature of participation at a Centre of this kind.

Finally, there is an assumption by the Co-op that the School Division will absorb the costs for utilities at the Centre, at least in the first year. This assumption has been discarded by the School Division. Utility costs were in fact identified in the proposed lease agreement between the School Division and the Co-Op.

(c) The Parks and Recreation Department's Cost Revenue Projections for the Centre

A statement of projected revenues and expenses for the operation of the Fitness Centre was prepared by Parks and Recreation Department. Revenues were based upon a relatively high participation rate by community youth and a continued commitment of adults to the site through annual memberships. The commitment of the Co-op to its Charter Members was that they would receive a perpetual discount in user fees at the Centre in return for their one-time charitable donation. This commitment has been honoured by the Parks and Recreation Department in this income and expense statement, although it should be noted that it does represent a significant loss in potential revenues to the site in the initial years of the Centre's operation.

Revenues listed in the statement also include funds generated through the operation of aerobics programs and facility rentals.

The costs presented in the statement allow for a partial payment of utilities to the School Division. Only the cost for power has not been listed in this estimate, as the School Division's representatives have agreed that this amount could be waived in the first year of operation (and in fact may not be assessed in the long-term dependant upon the impact of the Centre's impact on the demand billing status of the School facility).

THE ROLE OF THE CO-OP

(a) Fiscal Concerns

The recommendations by the Parks and Recreation Department make it clear that the City of Winnipeg should not enter into any arrangement in which it accepts any liability for the financial commitments of the Co-op. As noted earlier, the Co-op is currently in a serious deficit position, and will have to expend considerable efforts in fund raising to cover this funding shortfall.

It is also imperative, however, that the Co-op not be allowed to draw upon operating revenues to cover capital construction shortfalls, as such a practice will in no way reduce the deficit of the Centre. Rather, it would shift the deficit liability from the Co-op's capital fund responsibility to the City's operating fund responsibility. In keeping with this position, the City must insist upon the return of those operating funds already taken by the Co-op in the form of annual user fees for charter members.

The City should, however, continue to recognize the valuable contribution which has been given to the community through the actions of the Co-op's volunteers. To that end, the City should cooperate in the generation of funds for the Co-op to retire its outstanding funding shortfall. An example of this kind of cooperation can include the allowance for the initial sale of advertising boards in the Centre (this was an original strategy planned by the Co-op). As well, any agreement reached between the partners in the Centre's operation could include provision for the sharing of any profit arising from the operations of the Centre with the Co-op and the School Division. This, of course, would be conditional upon a commitment by the Co-op that such funds would be utilized entirely in the capital development costs for the Centre. This arrangement would provide the Co-op with the matching funding that they would require in order to secure future grants. It would also recognize the financial contribution of the School Division in the original construction of the site and its ongoing support through items such as snow clearing and garbage removal.

(b) Operational Involvement of the Co-op

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The Co-op should continue to operate as an advisory board to the Parks and Recreation Department, ensuring that the volunteers of the community would continue to have a voice in the operational strategies of the Fitness Centre.

The Co-op should not continue to have any hands-on day-to-day decision making control over the operation of the Centre. In order for this to be acceptable to the Co-op, that organization will have to review and make major modification to its by-laws under The Corporations Act to allow for a revised role in the future. The representative of the Co-op who has acted on their behalf during the preparation of this report has agreed that this change in role might be acceptable to the membership.

Should the Co-op not be prepared to accept this role, the Parks and Recreation Department should decline any continuation of its involvement at the Centre.

THE ROLE OF THE CITY

(a) Immediate Involvement

The Parks and Recreation Department is currently acting as the permitted occupant and operator of the Centre. This involvement should continue, conditional upon the recommendations of this report being met.

From a financial standpoint, the Centre must be operated on the basis that all direct operating costs for staff, utilities, materials consumed at the Centre, and equipment replacements and repairs must be offset by the revenues generated through the operation of the Centre. The fitness equipment currently in use at the site does not represent an immediate cost to the Parks and Recreation Department as it was purchased by the Department several years ago.

It is important, however, that the operation be judged by the Parks and Recreation Department to be manageable within the current management and control capabilities of the Recreation Division staff, and that the operation of the Centre not result in either increased costs to the Department, or the substantial shifting of resources from other leisure opportunities within the Community.

(b) Long Term Strategies

While the Parks and Recreation Department's direct control of the Centre is critical to its immediate viability, the Department should work to set the stage for increased community involvement in the management and operation of the site in the long term.

The Department must establish operational policies, appropriate fees and charges for services, train a contract work force for the site, and develop marketing and promotional strategies for the site. Once this has been established, and once the Centre has operated for a number of years and has built up a stable market niche, the Department should work towards the kind of Community control originally envisioned by the Co-op volunteers.

CONSEQUENCES OF NON-INVOLVEMENT BY THE CITY OF WINNIPEG

The Parks and Recreation Department feels that it is apparent that, without the continued involvement of the Department, the continued operation of the Fitness Centre is in serious jeopardy. The Co-op has neither the financial resources nor the experience necessary to operate a fitness facility. As well, should they attempt to operate the site through the lease arrangement originally envisioned by the volunteers, they would become liable for property taxes on the site. This cost, estimated at $25,000.00 annually, would destroy the financial viability of the site.

For its part, the River East School Division No. 9 has made it clear that it has no intention of operating the site for the use of the general public.

In short, without the involvement of the City of Winnipeg (Parks and Recreation Department), the Fitness Centre will likely be lost as a leisure opportunity to the community. The funds already committed to the Centre's development cannot be recouped at this point, and although the facility may continue to be used by the students of the School during regular school hours, the expenditure of those funds will not have provided a benefit to the community at large. As well, the approximately 350 charter members of the Centre (those individuals in the community who contributed to the capital development of the site) would not receive the promised benefits of their support for the Fitness Centre concept.

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The Committee on Protection, Parks and Culture therefore recommends:

I. That the operation of the Health and Fitness Centre located at the Chief Peguis Junior High School, 1400 Rothesay Street, be deemed to be feasible by the Parks and Recreation Department under the following terms and conditions:

1. That a formal operating agreement be drawn between the City of Winnipeg (Parks and Recreation Department) and the River East School Division No. 9 only; the term of said agreement to be for an initial period of two years.

2. That the agreement give the City of Winnipeg (Parks and Recreation Department) full management control over the Health and Fitness Centre, including but not limited to, decisions regarding hours of operation, fees and charges, program content, facility promotion, staff selection, and all other operational decisions at the site.

3. That the City of Winnipeg (Parks and Recreation Department) attempt to sustain the community involvement represented by the 1017 Co-op Inc. in the Health and Fitness Centre by encouraging that organization's role as an advisory body relative to the operation of the Fitness Centre.

4. That the City of Winnipeg continue to accept no liability for the current or future financial liabilities of the 1017 Co-op Inc., including those liabilities incurred in the capital development of the Fitness Centre.

5. That the 1017 Co-op Inc.'s involvement in the capital development of the Fitness Centre to-date be recognized by the City of Winnipeg (Parks and Recreation Department) in that the Co-op be invited to continue to function as an advisory board to the Department relative to the operation of the Health and Fitness Centre.

6. That the 1017 Co-op Inc. modify their by-laws to reflect their revised role relative to the Fitness Centre's operation.

II. That in the absence of the aforementioned agreements being reached, the City of Winnipeg (Parks and Recreation Department) discontinue any active role in the management and/or operation of the Health and Fitness Centre.

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

Copies of the 1017 Co-Op Inc. Business Plan, the Parks and Recreation Department's Financial Status of the Project and the Project Income and Expense Statement, are on file in the Office of the City Clerk.

The Executive Policy Committee recommends non-concurrence with the recommendations of the Committee on Protection, Parks and Culture.

Moved by Councillor O'Shaughnessy,
That the clause be considered.

Carried.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

The Speaker called Councillor Lazarenko to the Chair in order to participate in the debate.

Moved by Councillor Golden,
That the clause be referred to the Committee on Protection, Parks and Culture.

The Speaker here resumed the Chair.

The motion to refer the clause was put and declared carried.

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Joint Use Agreement between City of Winnipeg and the Fort Garry School Division No. 5 - Whyte Ridge School/Recreation Site - Assiniboia Community File PR-2.3 (Vol. 14)

132 - 4. The Committee on Protection, Parks and Culture has been advised that on July 21, 1976, Council adopted a format for Master Joint Use Agreements. This format serves as the basis of understanding between the City and respective School Divisions for the sharing of facilities and development costs prior to entering into detailed agreements for specific school and recreation sites.

On September 9, 1987, Council approved a Procedure for Joint Use Development Projects and Joint Use Projects.

Due to time constraints regarding City funding in conjunction with the scheduled construction of the Whyte Ridge Elementary School, Council approved the first phase funding without the formal signing of the Joint Use Development Agreement. The funding is as follows:

(a) The 1990 Capital Estimates (page 258) contained funds in the amount of $93,000.00 for developer payback in conjunction with the landscape development of City-owned property identified as the Whyte Ridge School/Recreation Site.

(b) The 1992 Capital Estimates (page 214) contained funds in the amount of $137,000.00 for the joint use development at the Whyte Ridge Elementary School.

(c) The 1993 Capital Estimates (page 206) contained funds in the amount of $155,000.00 for the joint use development at the Whyte Ridge Elementary School.

On September 12, 1996, the Board of Trustees of the Fort Garry School Division No. 5 passed the following resolution: "That the Joint Use Development Agreement between the Fort Garry School Division No. 5 and the City of Winnipeg, dated September 12, 1996, with respect to Whyte Ridge Elementary School, be ratified."

In addition to the usual clauses associated with similar Joint Use Agreements, the following clauses have been highlighted for information purposes.

1. The School Division shall construct, as part of Whyte Ridge Elementary School located at the school and recreation site, the following facilities which shall form part of the shared facilities hereinafter described:

- gymnasium
- shower and dressing rooms
- kitchen
- community room
- equipment room
- parking lot
- grounds facilities
- supply room

2. The City agrees to pay to the School Division an amount not exceeding $283,208.00, subject to the approval of the expenditure of such funds by the Winnipeg City Council, which represents the City's partial share of the cost of construction of the shared facilities described in Clause 1 hereof. Payments to the School Division will be as follows:

(a) Fifty percent (50%) of the City's total obligation to the School Division, upon approval of the City's Capital Estimates in 1992.

(b) Fifty percent (50%) of the City's total obligation to the School Division, upon approval of the City's Capital Estimates in 1993.

(c) The City of Winnipeg will undertake, at its own cost, the relocation of the play structure. The School Division shall bear the cost of construction loan interest in connection with the cost of construction of all shared facilities including those which are to be paid by the City as hereinafter provided. Upon completion of the construction of the shared facilities and the relocation of the play structure, the parties shall combine the direct labour and material cost of relocating the play

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structure and the cost of construction loan interest on the portion of shared facilities to be paid by the City (hereinafter called the "Combined Cost"). The City and the School Division shall each be liable for fifty percent (50%) of the combined cost and an adjustment between the parties shall be made accordingly.

(d) All funds remaining after the City's financial commitment to the construction phases, shall be utilized for equipment and materials purchases, at the sole discretion of the City.

3. (a) The School Division shall have priority use of the shared facilities with the exception of the community room during normal school days until 6:00 p.m. and priority of these facilities two (2) days a week after 6:00 p.m. on normal school days. The two (2) days are to be determined by May 31 of each year.

(b) The School Division shall also have priority use of the kitchen during the normal school day until 6:00 p.m. with the understanding that the City shall have the right to access the kitchen when City programs are occurring in other shared facilities in the school during the school day. A schedule for use of the kitchen by the City shall be submitted annually to the principal of the school by May 31 of each year. Where the principal identified conflicts over use of the kitchen, the principal shall, by June 30, discuss and resolve those conflicts with the Superintendent of Recreation of the Parks and Recreation Department, the City shall have priority of use after 6:00 pm and when the school is not in session.

(c) The City shall have priority of use of the shared facilities with the exception of the kitchen (3) days a week after 6:00 p.m., with one (1) of these days to be Friday and shall have priority over all shared facilities when school is not in session.

(d) The City shall have priority use of the community room at least sixty percent (60%) of the time between 9:00 a.m. and 4:00 p.m. during normal school days and the School Division shall have priority of use forty percent (40%) during those time periods. These times are to be determined by May 31 each year. During all other periods of time the City shall have priority of use. The City shall have priority in scheduling its share of the use of the community room.

(e) The School Division and the City agree that the community room shall not be used for the purpose of a lunch room.

(f) The School Division shall have priority use of the parking and grounds facilities during normal school days until 6:00 p.m. and the City shall have priority of use of these facilities after 6:00 p.m. during normal school days and shall have priority of use when school is not in session. The School Division shall make available to the City the use of two (2) parking stalls with electrical outlets during normal school days at no cost.

(g) The City and School Division each shall have second priority on the times controlled by the other party on the entire joint use site and both parties are required to apply through proper procedure for the use of each other's facilities.

The Committee on Protection, Parks and Culture therefore recommends:

I. That the Procedure for Joint Use Development Projects approved by Council on September 9, 1987, be waived in this instance.

II. That the Joint Use Development Agreement, as outlined on Appendix "A", between the City of Winnipeg and the Fort Garry School Division No. 5, regarding the joint use development at the Whyte Ridge School/Recreation Site, be approved.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any necessary documents related thereto.

Adopted by consent.

(See Minute No. 194 for attachment)

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Sargent Park Speed Skating Oval - Manitoba Speed Skating Association
File PR-2.1 (Vol. 22)

133 - 5. On October 31, 1994, the Committee on Protection, Parks and Culture heard in delegation Bob Ireland from the Manitoba Speed Skating Association, and Brian Deans from the Winnipeg Speed Skating Club, with respect to the increase in fees and charges for the use of the Sargent Park Complex at 999 Sargent Avenue. The Committee subsequently requested the Parks and Recreation Department to submit a report outlining the actual costs involved with the operation of the Sargent Park Speed Skating Oval, to undertake a comparison of long track oval charges in other Canadian cities in comparison to the rates charged at the Sargent Park Facility, and to review the feasibility of allowing the Manitoba Speed Skating Association to take over the responsibility of establishing and maintaining the ice at the Sargent Park Speed Skating Oval.

On May 6, 1996, the Committee on Protection, Parks and Culture considered and received as information, an interim administrative report dated April 23, 1996. The Committee also considered a report dated April 26, 1996, from the Manitoba Speed Skating Association, and subsequently referred it to the Parks and Recreation Department for review and incorporation into the final report on Speed Skating at the Sargent Park Oval.

During the period from May 1996 thru October 1996, representatives from the Parks and Recreation Department and the Manitoba Speed Skating Association met to discuss increasing payments toward the cost of the Speed Skating Oval, alternate maintenance and service levels and changes to the Equipment Reserve Account.

OPERATING COSTS - SARGENT PARK SPEED SKATING OVAL

The costs of operating the Speed Skating Oval are outlined in the report dated April 26, 1996, from the Parks and Recreation Department, and total approximately $49,061.00 per year. As indicated in that interim report, the Department, in conjunction with the Manitoba Speed Skating Association, investigated two options for reducing these costs. Option 1 involved the development of an alternate service and maintenance package by the Parks and Open Space Division around basic service parameters as provided by the Association. This package may result in a reduction of Oval maintenance costs of approximately $7,000.00 per year.

As such, it is the view of the Department that the cost of maintaining the Oval may be reduced by approximately $7,000.00 per year, resulting in a yearly cost of $42,061.00. At this time, it appears that no additional cost savings are possible within the current work methods, however, a recording of actual savings from the revised service and maintenance package may provide additional savings as well as further changes to the Association's operations.

Moreover, it may be possible to reduce the cost of constructing and maintaining the Oval via contracting out, however, this option has not been pursued at this time pending further direction from the Committee on Protection, Parks and Culture and consideration of guaranteed hours obligations.

PROPOSAL BY THE MANITOBA SPEED SKATING ASSOCIATION

The Manitoba Speed Skating Association submitted its proposal to the Committee on Protection, Parks and Culture at its meeting on May 6, 1996. The proposal is premised on the basis that the Association is clearly interested in and committed to developing innovative and responsible approaches to dealing with costs associated with the Oval.

The request for full cost recovery of current costs is deemed to be outside of the present financial scope of the Association, however, the Association is willing to increase its user fee by $4,000.00 per year beginning this year (1996/97) to a total of $17,000.00 per year in the third year (1998/99). The Association proposes to cap their user fees at this amount, however, the Parks and Recreation Department does not support that position and will request that full cost recovery be achieved through a variety of means.

In addition to making a commitment to pay increased user fees, the Association has also demonstrated a willingness to participate in a larger initiative at the Sargent Park Complex as one of several user groups to examine various opportunities to increase the efficiency and use of the facility as a means of reducing costs or increasing revenues which could be used to further reduce the financial cost of the Oval. Improvements such as Scheduling Optimization of the Oval will result in lower costs.

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SARGENT PARK RECREATION COMPLEX

As indicated in the proposal from the Manitoba Speed Skating Association, the Association proposes that a review of other direct and indirect related issues be examined at the Complex as they relate to the Oval and its cost and revenue structure including other revenue sources, improved facility marketing, off-season revenue generation, privatization of Oval construction and maintenance services, improved user coordination, improved scheduling of staff and centralization of facility decision making.

A preliminary review of the proposal indicates merit in pursuing the review of same to determine if increased efficiency and use of the facility is possible as a means of not only improving the revenue and cost structure of the Oval but also of the Complex as a whole. Accordingly, the Parks and Recreation Department is in support of same and is willing to initiate the review and to report back to the Committee on Protection, Parks and Culture prior to the start of the 1998/99 season.

In summary, the reduction of costs in the approximate amount of $7,000.00 per year and the increase in user fees totalling $17,000.00 per year in 1998/99 will significantly improve the current financial position of the City at the Sargent Park Speed Skating Oval, resulting in a reduction of the net cost from $49,061.00 to $25,061.00 in year three (excluding $3,000.00 cost for change rooms).

As such, the Parks and Recreation Department is satisfied that some improvement in the financial situation has occurred at the Oval, however, the potential for additional revenue generation and cost savings should be pursued in order to further reduce cost of the Oval to the City via a further review of issues as identified by the Association at the Complex.

The Committee on Protection, Parks and Culture therefore recommends:

I. That the proposal from the Manitoba Speed Skating Association for the operation of the Speed Skating Oval at Sargent Park for the 1997, 1998 and 1999 Seasons only, which involves a subsidy to the group each year as outlined below, be approved subject to revisions as deemed necessary by the Director of Parks and Recreation:

Season	Revenue	Expense	Subsidy
1996-1997	9,000.00	42,061.00	35,061.00
1997-1998	13,000.00	42,061.00	29,061.00
1998-1999	17,000.00	42,061.00	25,061.00

II. That the Director of Parks and Recreation be requested to initiate a review and analysis of the Sargent Park Speed Skating Facility issues as referenced in the proposal by the Manitoba Speed Skating Association with a view to improving the efficiency and use of the Facility.

III. That the Director of Parks and Recreation request Sport Manitoba and the Manitoba Speed Skating Association to develop a plan for the promotion and development of speed skating at the Sargent Park Speed Skating Oval inclusive of identifying the potential for new additional revenue sources to be used to offset its maintenance cost.

IV. That the Director of Parks and Recreation request Sport Manitoba and the Manitoba Speed Skating Association to develop a business plan to eliminate the City subsidy of operations at the Sargent Park Speed Skating Oval.

V. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any necessary documents related thereto.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Carried.

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Restoration and Renovation of the Assiniboine Park Pavilion as an Art Gallery and Restaurant - Agreement between the City of Winnipeg and Pavilion Museum Inc.
File PR-7.1 (Vol. 8) [c/r PR-3 (Vol. 6)]

134 - 6. On October 23, 1996, Council approved in principle the proposal by the Pavilion Gallery Trust Inc. to renovate and retrofit the Pavilion in Assiniboine Park as a permanent Art Gallery and Restaurant, and authorized the Administration to develop an appropriate agreement between the City and the Pavilion Gallery Trust, and to arrive at an agreement acceptable to all affected parties (ie. Marriott Corporation of Canada Ltd.), and report back to Council for final approval.

As background history, on October 7, 1996, the Committee on Protection, Parks and Culture heard representation from the Pavilion Gallery Trust Inc. and considered the report dated October 3, 1996, from the Commissioner of Protection, Parks and Culture with respect to the proposed redevelopment of the Pavilion in Assiniboine Park.

Terms and conditions have been prepared by the City's Legal Services Division, in consultation with a lawyer representing the Pavilion Museum Inc. (formerly the Pavilion Gallery Trust Inc.), and reviewed by the Parks and Recreation Department. Whether the final agreement takes the form of a Management Agreement or a Lease Agreement, it will be consistent with other such agreements between the Parks and Recreation Department and private groups and organizations developing and operating facilities on City-owned property.

The Parks and Recreation Department advised that the current concessionaire for food services in parks and recreation facilities, Marriott Corporation of Canada Ltd., has been provided with notice of intent by the City not to renew its contract with the Marriott Corporation for the Pavilion beyond the 1996 season of operation. Negotiations with the Marriott Corporation are ongoing, particularly with respect to accommodating nineteen banquet bookings for the Pavilion during the 1997 season. As well, the provision of a fast-food take-out service in the vicinity of the Children's Meadow past the 1996 summer season has still to be resolved. The development of a new concession structure in conjunction with the existing picnic structure and washrooms is anticipated to cost approximately $20,000.00 to $25,000.00, however, the interim possibility of providing a mobile fast-food service during peak periods of park use is being investigated as an option until a source of funding becomes available for a permanent food concession structure.

The resolve of these food catering issues will be the subject of a further administrative report, however, it is important at this time that the terms and conditions of the Agreement, and coincident authorization for the Pavilion Museum Inc. (formerly the Pavilion Gallery Trust Inc.) to proceed, be ratified by Council at its December 1996 meeting, in order that renovations to the Pavilion can commence in January 1997, in readiness for re-opening to the public prior to the forthcoming peak-use period of the Park.

On December 2, 1996, the Committee on Protection, Parks and Culture heard representation from Wells Peever, Pitblado and Hoskin, Barristers and Solicitors, on behalf of Pavilion Museum Inc. accompanied by Garry Hilderman, Hilderman Thomas Frank Cram, Landscape Architects and Planners, in support of the agreement and requesting that the Assiniboine Park Pavilion site be given the status of a "centennial project" under the provisions of The Centennial Projects Tax Status Act, in order to achieve the objective that the facility be exempt from property and school taxes. This request was referred to the Administration for review and report back to the Committee on Protection, Parks and Culture.

The Committee on Protection, Parks and Culture therefore recommends:

I. That authorization be provided to finalize either a Management Agreement or Lease Agreement between the City of Winnipeg and the Pavilion Museum Inc. incorporating the terms and conditions, as outlined on Appendix "A", together with such other terms and conditions as deemed necessary by the City Solicitor/Manager of Legal Services and the Director of Parks and Recreation, to implement the intent of Council, in order that the redevelopment work can commence in January 1997, in readiness for re-opening to the public on July 1, 1997.

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II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any necessary documents related thereto.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

The Speaker called Councillor Silva to the Chair in order to participate in the debate, and after speaking resumed the Chair.

The motion for the adoption of the clause was put and declared carried.

The Speaker directed the Clerk to note the intent of Council, that the management or lease agreement be submitted to Council through the Committee on Finance and Administration.

(See Minute No. 195 for attachment)

One Annual Admission Pass for the Assiniboine Park Zoo
PR-7.1.1 (Vol. 15) [c/r PR-2.10 (Vol. 9)]

135 - 7. The Committee on Protection, Parks and Culture has considered the concept of blending the existing annual pass systems for admission to the Assiniboine Park Zoo from the City of Winnipeg and the Zoological Society of Manitoba, into one joint pass program.

As background history, on April 7, 1995, the Committee on Protection, Parks and Culture heard in delegation representatives from the Zoological Society of Manitoba, suggesting that existing two pass admission system at Assiniboine Park Zoo be blended into a single-pass system, and be administered by the Zoological Society with a portion of the revenues accruing to the City. The Committee subsequently referred the request to the Administration for review and report back.

On September 9, 1996, the Committee on Protection, Parks and Culture heard in delegation representatives from the Zoological Society of Manitoba, and considered the Society's proposals (options) on the development of a one pass system. The Committee subsequently approved Option 7 as submitted by the Society, namely: the Society splits the first $60,000.00 in pass revenues to a maximum of $30,000.00 in any one year; the Society guarantees the City of Winnipeg $17,800.00 each year; future price changes must be approved by the City of Winnipeg; and, the agreement (between the City and the Society) should be formally reviewed.

On October 7, 1996, the Committee on Protection, Parks and Culture again heard in delegation representatives from the Zoological Society of Manitoba, requesting that the agreement become effective January 1997, and that the 1996 Actual Pass Revenue be the base line for the City's guarantee, which would lower the guaranteed revenue to the City from $17,800.00 per year to $12,000.00 per year. The Committee subsequently concurred in the Society's request.

The present City of Winnipeg and Zoological Society of Manitoba schedules, as at November 1996, are as follows:

Report of the Committee on Protection, Parks and Culture dated December 2, 1996

Present City Pass Fee Structure	
Family Pass (2 adults and children from the same household 18 years of age and under)	$43.75
Individual	$16.40
Build Your Own: First Adult (18-64)	$16.40
Build Your Own: Each additional adult	$13.12
Build Your Own: First Senior Adult (65+)	$13.12
Build Your Own: Each additional Senior	$10.94
Build Your Own: Each child (2-17)	$5.00
Present Society Pass Fee Structure	
Family	$52.00
Individual	$20.00

The Parks and Recreation Department proposed the following fee schedule, based on both the present Zoological Society of Manitoba and City of Winnipeg fee schedules as at November 1996, namely:

Family Pass (2 adults and children from the same household 17 years of age and under)	$52.00
Single Parent (1 adult and children from the same household 17 years of age and under)	$45.00
Individual Adult	$20.00
Zoo Two (2 adults)	$38.00
Student (17 years old or younger) or Senior (65 years of age or older)	$18.00

An attempt has been made to keep the fee schedule as simple as possible. The “Build Your Own” schedule, previously developed and used by the City, is not included in this option. Instead, the “Single Parent” and the “Zoo Two” categories are included. There is no “Child” category, so children will be included as part of the family or single parent packages. A “Youth” category could be used for families who wish to buy a membership so that they can take advantages of the Zoo Camp or other program discounts for individual children. Given the discount to these programs, the youth membership has high value. Many people presently take advantage of the single $20.00 membership so their children can get a discount with Zoo Camp.

The overall fee schedule has been set up with its marketing potential in mind. It should be noted that the benefits of being a Zoological Society Member include not only unlimited membership to the Zoo for one year, but a quarterly newsletter, a 20% discount at Zootique, previews of special events, and discounts for certain programs such as Zoo Camp. All of these benefits make the cost of annual membership a bargain.

Terms of the agreement, as recommended for approval by the Committee on Parks, Protection, and Culture, will include:

(a) The Zoological Society of Manitoba agrees to split equally with the City all revenues from annual zoo passes up to a maximum payable to the City of $30,000.00 in any one year.

(b) The Zoological Society will guarantee the City receive a minimum of $12,000.00 each year from annual pass sales.

(c) The Zoological Society annual passes will be the only zoo annual pass sold beginning January 1, 1997.

(d) The proposed annual pass fee schedule will be the fee schedule used as of January 1, 1997.

Terms of the agreement, as yet to be approved by Council, will also include:

(a) The annual pass fee schedule will be reviewed by both the City and the Zoological Society on a yearly basis in September. Proposed changes, if any, to the annual pass fee schedule will be submitted to Council for consideration.

(b) The agreement will be for a five year period, after which time it will be reviewed.

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The Committee on Protection, Parks and Culture therefore submits draft by-law and recommends:

I. That the annual passes for admission to the Assiniboine Park Zoo from the City of Winnipeg and the Zoological Society of Manitoba be blended into one joint pass according to the terms and the fee schedule outlined above.

II. That the implementation of a blended pass, as administered by the Zoological Society of Manitoba, begin on January 1, 1997.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

Joint Use Agreement between City of Winnipeg and the Seine River School Division No. 14 - The "Middle Years" School/Recreation Site - Riel Community
File PR-2.3 (Vol. 14)

136 - 8. The Committee on Protection, Parks and Culture has been advised that on July 21, 1976, Council adopted a format for Master Joint Use Agreements. This format serves as the basis of understanding between the City and respective School Divisions for the sharing of facilities and development costs prior to entering into detailed agreements for specific school and recreation sites.

On September 9, 1987, Council approved a Procedure for Joint Use Development Projects and Joint Use Projects.

On January 16, 1995, the Riel Community Committee passed the following motion:

> WHEREAS on December 5, 1994, the Riel Community Committee concurred in the recommendation contained in the report from the Commissioner of Protection, Parks and Culture dated December 1, 1994, namely, that a joint development and reciprocal use agreement be negotiated with the Seine River School Division No. 14 for the new school and adjacent park on rue Le Maire and Bellemer Drive;
>
> AND WHEREAS the Committees on Planning and Community Services and Protection, Parks and Culture, respectively on January 4 and 9, 1995, concurred in the above recommendation;
>
> THEREFORE BE IT RESOLVED that Council be requested to waive the City Policy relative to the Procedure for the Initiation and Implementation of a Joint Use Development Agreement, as same pertains to the traditional joint planning process, in order to allow the Administration to negotiate immediately with the Seine River School Division No. 14 recommended basic terms of the proposed joint use development proposal.

On February 22, 1995, Council adopted Clause 2 of the Report of the Committee on Protection, Parks and Culture dated February 6, 1995, resolving that the City Policy on the Procedure for the Initiation and Implementation of a Joint Use Development Agreement be waived in this instance, and that the City enter into negotiations with the Seine River School Division No. 14 for a Joint Use Agreement for the new school and adjacent park on rue Le Maire and Bellemer Drive.

As additional information, Council was also advised that the Committee on Protection, Parks and Culture requested the Administration to review the City Policy on the Procedure for the Initiation and Implementation of a Joint Use Development Agreement, with a view to proposing amendments to streamline the process. On May 6, 1996, the Committee on Protection, Parks and Culture concurred in the recommendation contained in the administrative report dated April 18, 1996, namely, that the procedures for the initiation and implementation of Joint Use Projects be retained in the present formats.

On October 22, 1996, the Board of Trustees of the Seine River School Division No. 14 approved the amended Joint Use Development Agreement for the "Middles Year" School and Recreation Site at 245 rue Le Maire. The "Middle Years" School and Recreation Site is a 4.62 acre property situated on the southeast corner of rue Le Maire and Bellemer Drive, as shown on Plan No. 39-95.

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The Development Agreement AG 56/86 between the City of Winnipeg and Donnell Development Ltd. stipulates the following clauses namely;

(a) The Developer shall, upon registration of the approved subdivision mylars in the Land Titles Office, convey Block 16 as shown on Schedule "B" of the Agreement to the City for $1.00 as public open space, the area of which is 7.01% of the land within the Planned Area;

(b) The Developer shall carry out and shall be responsible for the costs of grading, levelling and sodding Block 16 and Lot 9 in Block 1 in accordance with plans and specifications approved by the General Manager of Parks and Recreation. The City shall repay the Developer 48% of the costs of park improvements when 80% of the Planned Area is occupied subject to the approval of Council for inclusion of funds in capital budgets. The Developer shall be responsible for maintenance for a period of two years.

In accordance with the terms of Development Agreement AG 56/86, the Developer landscaped the City-owned portion of the subject site (2.63 acres) which is designed to accommodate an athletic field, passive open space and at a future date playground apparatus. The Seine River School Division No. 14 has recently completed on School Division property (1.99 acres) a "Middle Years" School. The City and School Division did not cost share in the development of each others facilities.

In addition to the usual clauses associated with similar joint use agreements, the following clauses have been highlighted for information purposes.

1. The School Division shall construct as part of the said Middle Years School located on the School Lands the following facilities: change rooms, gymnasium, multi-purpose room and parking lot.

2. The City shall complete on City Lands as part of the School and Recreation Site, grading and sodding work (hereinafter called "Grounds Facilities").

3. All facilities referred to in Clause 1 hereof, and Grounds Facilities referred to in Clause 2 hereof, shall be hereinafter collectively referred to as "Shared Facilities".

4. Use of the Shared Facilities, shall be free of charge to the City and the School Division for the purpose of carrying out their respective programs.

5. The parties agree that the priorities of use shall be as follows:

    (a) The School Division shall have priority of use of the Shared Facilities during normal school days until 6:00 p.m.

    (b) The City shall have priority of use of the Shared Facilities after 6:00 p.m. on normal school days and shall have priority over Shared Facilities when school in not in session.

    (c) The City and School Division each shall have second priority on the times controlled by the other party on the entire School and Recreation Site and both parties are required to apply through their respective procedures for the use of each others facilities.

    (d) The aforementioned Section 5 paragraphs (a), (b), and (c) to conform with the Master Agreement Article 4 "Use of Facilities" signed May 23, 1980.

6. The School Division shall provide proper maintenance for the school building and lands and facilities located on School Lands, including snow and ice removal from the parking lot, and the City shall provide proper maintenance for the grounds and facilities located on City Lands.

7. The Agreement shall be in effect for a term of twenty-five (25) years, commencing on the date hereof, and continuing thereafter from year to year by mutual consent, provided that either party by giving notice in the month of January of any year may request a review, revision or termination of the Agreement to become effective on the first day of September in the same year as notice under this Clause is given upon such terms and conditions as may be agreed upon by both parties.

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The Committee on Protection, Parks and Culture therefore recommends:

I. That the Procedure for Joint Use Development Projects approved by Council on September 9, 1987, be waived in this instance.

II. That the Joint Use Development Agreement, as outlined on Appendix "A", between the City of Winnipeg and the Seine River School Division No. 14, regarding the joint use development at the "Middle Years" School/Recreation site, be approved.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any necessary documents related thereto.

Adopted by consent.

(See Minute No. 196 for attachment)

Community Incentive Grant Program -
Emerson School Advisory Council
File PR-2.6(33) (Vol. 3)

137 - 9. The Committee on Protection, Parks and Culture has considered an application from the Emerson School Advisory Council for a Community Incentive Grant in the amount of $2,000.00 towards the acquisition of granite curling rocks and the construction of a storage unit for the curling rocks to thereby support the Jam Pail curling program at Emerson School, 323 Emerson Avenue.

The application does not meet the program eligibility and selection criteria inasmuch as the project does not make a significant contribution to the long term benefit of the community-at-large in terms of improved facilities. In addition, the project will only remain accessible to the students and faculty of Emerson School, and therefore the community-at-large will not have access to the storage shed or use of the granite curling rocks.

On November 12, 1996, the East Kildonan-Transcona Community Committee recommended that the criteria for the Community Incentive Grant Program be waived in this instance, and a Community Incentive Grant in the amount of $2,000.00 be approved for this project.

The Committee on Protection, Parks and Culture concurred in the recommendation of the East Kildonan-Transcona Community Committee, and therefore recommends:

I. That the criteria for the Community Incentive Grant Program be waived in this instance.

II. That the amount of $2,000.00 be approved to the Emerson School Advisory Council for the purpose requested, subject to the following conditions:

(a) Confirmation of other funding sources;

(b) Approval of final plans and specifications for the project by the Director of Parks and Recreation; and

(c) The applicant entering into a formal agreement with the City of Winnipeg.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any necessary documents related thereto.

Adopted by consent.

Report of the Committee on Protection, Parks and Culture dated December 2, 1996

Community Incentive Grant Program -
Burton Cummings Community Centre
File PR-2.6(34) (Vol. 5)

138 - 10. The Committee on Protection, Parks and Culture has considered an application from the Burton Cummings Community Centre for a Community Incentive Grant in the amount of $536.00 for the purchase of a ten-foot bicycle rack.

The application does not meet the program eligibility and selection criteria inasmuch as the sole source of funding identified for the project is City funds, and therefore the applicant would not be contributing 50% of the capital costs from its own sources in accordance with the program eligibility requirements.

On November 19, 1996, the Lord Selkirk-West Kildonan Community Committee recommended that the criteria for the Community Incentive Grant Program be waived in this instance, and a Community Incentive Grant in the amount of $536.00 be approved for this project.

The Committee on Protection, Parks and Culture concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee, and therefore recommends:

I. That the criteria for the Community Incentive Grant Program be waived in this instance.

II. That the amount of $536.00 be approved to the Burton Cummings Community Centre for the purpose requested, subject to the following conditions:

(a) Approval of final plans and specifications for the project by the Director of Parks and Recreation; and

(b) The applicant entering into a formal agreement with the City of Winnipeg.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any necessary documents related thereto.

Adopted by consent.

Appointment of Council Representative to
the Winnipeg Safe City Committee
Files GF-2.7 (Vol. 12) and GC-7 (Vol. 26)

139 - 11. Council, at its Organizational Meeting on November 6, 1996, referred to each of the Standing Committees and Executive Policy Committee, the matter of appointment of a Council Member for the Winnipeg Safe City Committee for the one-year term expiring November 1997.

Up to five Members of Council are appointed annually, one member from each of the Standing Committees and Executive Policy Committee.

The Committee on Protection, Parks and Culture therefore recommends that Councillor Thomas be appointed as its representative on the Winnipeg Safe City Committee for the one-year term expiring November 1997.

Adopted by consent.

Report of the Committee on Protection, Parks and Culture dated December 2, 1996

Appointment of Council Representatives and Alternates to the Winnipeg Arts Advisory Council
Files FG-3 (Vol. 33) and GC-7 (Vol. 26)

140 - 12. Council, at its Organizational Meeting on November 6, 1996, referred to the Standing Committees of Protection, Parks and Culture, and Finance and Administration, the matter of appointment of representatives and alternates from each Standing Committee to the Winnipeg Arts Advisory Council.

Two Members of Council are appointed annually, one member from the Committee on Protection, Parks and Culture, and one member from the Committee on Finance and Administration. Each of the respective Standing Committees also designates an alternate member.

The Committees on Protection, Parks and Culture and Finance and Administration nominated the following Councillors for appointment as their representatives on the Winnipeg Arts Advisory Council, namely:

Committee	Representative
Committee on Protection, Parks and Culture	Councillor Thomas Councillor Vandal (alternate)
Committee on Finance and Administration	Councillor Lubosch Councillor Golden (alternate)

Adopted by consent.

COMMITTEE ON PROTECTION PARKS AND CULTURE

CONSIDERATION OF BY-LAWS

141 - On motion of Councillor O'Shaughnessy, By-law No. 6920/96, a By-law of The City of Winnipeg to amend The City of Winnipeg By-law No. 6549/95, being a By-law of The City of Winnipeg respecting unauthorized parking on private property, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed. File ST-9.2 (Vol. 5)

On motion of Councillor O'Shaughnessy, the rule was suspended and By-law No. 6945/96, a by-law of The City of Winnipeg to amend By-law No. 3219/82, being The City of Winnipeg Parks and Recreation By-law, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed. File PR-7.1.1 (Vol. 15)