Agenda – Executive Policy Committee – May 5, 2010

REPORTS

Item No. 6 Annual Report on Community Groups Occupying City-owned Facilities By-law No. 89/2005
eFile FL-2.5

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

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

   (a) adding St. James Assiniboia Minor Baseball Association Inc.,1600 Summit Rd, Optimist Park

   (b) adding Winnipeg Senior Citizens Radio Club VE4WSC, 598 St. Mary's Road

   (c) deleting Aquatic Hall of Fame and Museum, Pan Am Pool

   (d) deleting Brooklands Community Centre, 26 Oddy Street

   (e) deleting Good Neighbours Seniors Centre, 755 Henderson Highway

   (f) substituting Winnipeg Radio Control Club Inc. at 115 Ed Spencer Drive for Winnipeg Remote Control Club Model Airplane at Perimeter and St. Mary's Road.

2. That the City Solicitor/Director, Legal Services Department 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.

ADMINISTRATIVE REPORT

ISSUE: Annual Report on Community Groups Occupying City-owned Facilities - By-law 89/2005
Critical Path: Executive Policy Committee, Council

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Klassen	D. Joshi	N/A	P. Sheegl Deputy CAO

RECOMMENDATIONS

1. That Council amend the table in Section 2 of the Community Groups Occupying City-owned Facilities By-law 89/2005 by:
   (a) adding St. James Assiniboia Minor Baseball Association Inc.,1600 Summit Rd, Optimist Park
   (b) adding Winnipeg Senior Citizens Radio Club VE4WSC, 598 St. Mary's Road
   (c) deleting Aquatic Hall of Fame and Museum, Pan Am Pool
   (d) deleting Brooklands Community Centre, 26 Oddy Street
   (e) deleting Good Neighbours Seniors Centre, 755 Henderson Highway
   (f) substituting Winnipeg Radio Control Club Inc. at 115 Ed Spencer Drive for Winnipeg Remote Control Club Model Airplane at Perimeter and St. Mary's Road.
2. That the City Solicitor/Director, Legal Services Department 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.

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 the 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 organizations continue to use the corresponding properties. The Director of the Planning, Property and Development Department has completed this review and has identified a number of issues that require changes to the By-law.

IMPLICATIONS OF THE RECOMMENDATIONS

In accordance with the procedural rules of By-law 89/2005, this Report is being submitted to Council for approval. The Department has determined that there is no general, policy, regulatory, environmental, human resource or financial implications to this report.

1. Additions to By-law 89/2005

The Public Service prepared several reports for consideration by the Standing Policy Committee on Property and Development (SPCPD) regarding additional City-owned properties and occupiers to be added to the By-law in 2009. The Reports are summarized as follows:

(a) **St. James Assiniboia Minor Baseball Association Inc.,** 1600 Summit Road, Optimist Park
Lease approved by SPCPD on December 3, 2009
(b) **Winnipeg Senior Citizens Radio Club VE4WSC**, 598 St. Mary's Road
Lease approved by SPCPD on September 8, 2009

2. Update to By-law 89/2005

The Public Service has completed a review of agreement activities in 2009 and is recommending the following updates to the List:

(a) **Aquatic Hall of Fame and Museum** – delete as tenant no longer occupying city-owned space
(b) **Brooklands Community Centre** – delete as this community centre no longer exists
(c) **Good Neighbours Seniors Centre** – delete as tenant no longer occupies the city-owned space located at 755 Henderson Highway
(d) substitute **Winnipeg Radio Control Club Inc.** at 115 Ed Spencer Drive for Winnipeg Remote Control Club Model Airplane at Perimeter and St. Mary's Road – Lease approved by SPCPD on September 8, 2009

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 Public Service, of properties and occupiers for exemption.
- At its meeting held on December 6, 2006, Council approved the 2006 Annual Report regarding the Community Groups Occupying City-owned Facilities – By-law 89/2005.
- At its meeting held on March 19, 2008, Council approved the 2007 Annual Report regarding the Community Groups Occupying City-owned Facilities – By-law 89/2005.
- At its meeting held on January 21, 2009, Council approved the 2008 Annual Report regarding the Community Groups Occupying City-owned Facilities – By-law 89/2005.

FINANCIAL IMPACT

Financial Impact Statement **Date:** April 8, 2010

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

COMMENTS:

The recommendations of this report deal with amendments required to the table in Section 2 of the Community Groups Occupying City-owned Facilities By-law 89/2005. As such, there are no financial implications associated with these recommendations.

Karen Ayotte
Acting Manager of Finance & Administration

CONSULTATION

In preparing this Report there was consultation with:

Legal Services Department

Assessment and Taxation Department

SUBMITTED BY

Department	Planning, Property and Development
Division	Real Estate
Prepared by	Wayne Bollman
Date:	April 20, 2010
File No.	n/a

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