Minutes – Executive Policy Committee – May 12, 2010

REPORTS

Minute No. 283 Annual Report on Community Groups Occupying City-owned Facilities By-law No. 89/2005
eFile FL-2.5

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the May 11, 2010 recommendation of the Winnipeg Public Service and recommends to Council:

1. That the table in Section 2 of the Community Groups Occupying City-owned Facilities By-law No. 89/2005 be amended 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 Director of Legal Services and City Solicitor 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.

DECISION MAKING HISTORY:

Moved by Councillor Fielding,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Fielding,

That the May 11, 2010 recommendation of the Winnipeg Public Service be concurred in and forwarded to Council.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 5, 2010, the Executive Policy Committee laid over the matter to its meeting on May 12, 2010 and requested the Winnipeg Public Service to provide a listing of the non-profit organizations and the corresponding properties or portions of them they occupy as identified on the table in Section 2 of the Community Groups Occupying City-owned Facilities By-law No. 89/2005.

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	M. Ruta	G. Laubenstein

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.

At the Executive Policy Committee meeting held on May 5, 2010, the Committee requested *"the Winnipeg Public Service to include a listing of the corresponding properties or portions of them they occupy as identified on the table in Section 2 of the Community Groups Occupying City-*

owned Facilities By-law No. 89/2005". 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 and has included the list of community groups in this report.

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).
- 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.
- A copy of the current By-law 89/2005, including a listing of Community Groups as approved by Council on January 21, 2009, is attached.

FINANCIAL IMPACT

Financial Impact Statement **Date:** May 7, 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.

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

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:	May 11, 2010
File No.	n/a

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This document is an office consolidation of by-law amendments which has been prepared for the convenience of the user. The City of Winnipeg expressly disclaims any responsibility for errors or omissions.

CONSOLIDATION UPDATE: JANUARY 28, 2009

THE CITY OF WINNIPEG

COMMUNITY GROUPS OCCUPYING CITY-OWNED FACILITIES BY-LAW NO. 89/2005

A By-law of THE CITY OF WINNIPEG to exempt from property tax occupiers of City-owned facilities.

WHEREAS subsection 11(2.1) of *The Municipal Assessment Act* provides as follows:

Non-profit occupying community hall etc.

11(2.1) Subsection (2) does not apply to assessable property that is exempt under subclause 22(1)(a)(i) (property owned by municipality) if

(a) the occupier is a non-profit organization that uses or operates the property, or a portion of it, as a community hall, community recreation area, community centre or community rink; and

(b) the municipality, by by-law, expressly names the non-profit organization and provides that this subsection applies to the property, or that portion of it.

NOW THEREFORE THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. This by-law may be referred to as the **"Community Groups Occupying City-owned Facilities By-law"**.

2. Subsection 11(2.1) of *The Municipal Assessment Act* applies to the non-profit organizations named in the first column of the following table and the corresponding properties or portions of them they occupy identified in the second column of the following table:

Organization	Property or portion of it
1st Transcona Boy Scouts Scout Hall	SE Corner Melrose and Winona
Alpine Climbing Association	Rue Messager
Anderson Park Recreation Building Soccer	900 Raleigh Street
Aquatic Hall of Fame and Museum	Pan Am Pool
Archwood Community Centre	565 Guilbault Street
Arts Action Centre Recreation Building	120 Dowling Avenue E.
Assiniboia West Community Centre	861 Buchanan Avenue
Assiniboia West/Morgan Satellite Site	305 Morgan Crescent
Assiniboine Lakewood Athletic Field	57 Galbraith Crescent
Assiniboine Park Bandshell Inc. *amended 11/2009*	45 Pavilion Crescent
Bleak House Centre Museum	1637 Main Street
Bord Aire Community Centre	471 Hampton Street
Bourkvale Community Centre	100 Ferry Road
Boys and Girls Clubs of Winnipeg Inc. *added 143/2007*	200 Isabel Street
Bronx Park Community Centre	131 Chelsea Place
Brooklands Community Centre	26 Oddy Street
Brooklands Pioneer Senior Citizens Club *added 143/2005*	1960 William Avenue West
Burrows Central Residents Council Inc. *amended 52/2008*	1100 College Avenue
Burton Cummings Community Centre	960 Arlington Street
Central (Freight House) Community Centre	200 Isabel Street
Chalmers Community Centre	480 Chalmers Avenue
Champlain Community Centre	282 Niverville Avenue
Charleswood Broncos Football Club Inc. *added 52/2008*	535 Oakdale Drive
Charleswood Historical Society Inc. Historical Building Caron House	50 Cass Street
Charleswood Senior Centre Inc. and Charleswood Historical Society Inc. *amended 11/2009*	5006 Roblin Boulevard
Clifton Community Centre	1315 Strathcona Street
Club Eclipse '79 Inc. Seniors Centre	255 Rue de la Cathedrale
Crescentwood Community Centre	1170 Corydon Avenue
Cross Country Ski Association of Manitoba Inc.	10 Rue des Meurons
Dakota Community Centre	1188 Dakota Street
Deer Lodge Community Centre	323 Bruce Avenue
Deerlodge Community Centre Athletic Field	Lyle Street
Dufferin Senior Citizens Inc. *amended 11/2009*	377 Dufferin Avenue
Earl Grey Community Centre	358 Cockburn Street N.
East Elmwood Community Centre	927 Beach Avenue

East End Community Centre	517 Melrose Avenue E.
East End Culture Centre Leisure Centre	575 Larsen Avenue
East Winnipeg Sports Association *added 233/2006*	Buhler Recreation Park
Elmwood Resource Centre and Area Association Inc. *amended 11/2009*	75 Brazier Street
Exchange BIZ Association Outdoor Market/Theatre	Old Market Square
Festival du Voyageur Fort Gibraltar	866 St. Joseph Street *amended 52/2008*
Fort Garry Community Centre	969 Dowker Avenue
Fort Rouge Lawn Bowling	625 Osborne Street
Frank Whyte Satellite Site	1245 Fife Street
Garden City Community Centre	725 Kingsbury Avenue
Garden Grove Satellite Site	2370 Burrows Avenue
Gateway Community Centre	1717 Gateway Road
GCWCC Community Centre Council	265 Osborne Street
Glenlee Community Centre	176 Worthington Avenue
Glenwood Community Centre	27 Overton Street
Golden Rule Seniors Association Seniors Centre	625 Osborne Street
Good Neighbours Seniors Centre *added 233/2006*	755 Henderson Highway
Good Neighbours Seniors Centre *added 206/2007*	within Chief Peguis right-of-way, east of Henderson Highway, south of Douglas Avenue
Greendell Park Community Centre	75 Woodlawn Avenue
Heritage Victoria Community Centre	950 Sturgeon Road
Isaac Brock Community Centre	715 Telfer Street N.
Isaac Brock/Minto Satellite Site	687 Minto Street
Kildonan Tennis and Canoe Club Inc. Access to Dock	33 Valhalla Drive
Kinsmen Building Recreation Building	255 Redonda Street
Kirkfield Westwood Community Centre	165 Sansome Avenue
Kirkfield Westwood/McBey Satellite Site	3160 McBey Avenue
Leo Mol Gallery	Assiniboine Park
Lord Roberts Community Centre	725 Kylemore Avenue
Luxton Community Centre	210 St. Cross Street
Magnus Eliason Neighbourhood Centre	430 Langside Street
Manitoba Cricket Association	Assiniboine Park
Manitoba Handgun Association Gun Range	Bridgewater
Manitoba Lawn Bowling St. Vital	1188 Dakota Street
Manitoba Organization of Disc Sports *added 233/2006*	Maple Grove Park
Manitoba Paddling Association	Churchill Drive
Manitoba Rowing Association	20 Lyndale Drive
Manitoba Speed Skating Association	Sargent & Wall
Manitoba Wildlife Federation Inc. Fish Ladder	Sturgeon Creek
Maple Grove Rugby Park Inc.	190 Frobisher Road

Maples Community Centre	434 Adsum Drive
Maples Recreation Association Inc. Arena	434/444/454 Adsum Drive
Maples/Elwick Satellite Site	44 Maberley Road
Mayfair Recreation Building	40 Mayfair Place
McBeth House Centre Museum	31 McBeth Street
Melrose Park Community Centre	480 Kimberley Avenue
Morse Place Community Centre	700 Munroe Avenue
Norberry Community Centre	26 Molgat Avenue
Norquay Community Centre	65 Granville Street
North Centennial Seniors Association Seniors Centre	86 Sinclair Street
North Kildonan Community Centre	1144 Kingsford Place
North Winnipeg Nomads Minor Football Inc. *amended 11/2009*	80 Sinclair Street
Northwood Community Centre	1415 Burrows Avenue
Norwood Community Centre	87 Walmer Street
Norwood Lawn Bowling Club	87 Walmer Street
Notre Dame Community Centre	271 Avenue de la Cathedrale
Orioles Community Centre	448 Burnell Street
Oxford Heights Community Centre	359 Dowling Avenue E.
Park City West Community Centre	115 Sanford Fleming Road
Pavilion Gallery Museum Inc. *amended 11/2009*	55 Pavilion Crescent
Pembina Trail Recreation Centre Satellite Site	6363 Rannock Avenue
Rainbow Stage (1993) Inc.	Kildonan Park
Red River Community Centre	293 Murray Avenue
Richmond Kings Community Centre	666 Silverstone Avenue
River Heights Community Centre	1370 Grosvenor Avenue
River Heights Lawn Bowling Club	1360 Grosvenor Avenue
River Osborne Community Centre	101 Pembina Highway
River Osborne Recreation Building	466 Gertrude Avenue
Riverview Community Centre	112 Ashland Avenue
Robert Steen Community Centre	980 Palmerston Avenue
Robertson Playground Satellite Site	665 Radford Street
Robin Hood Archery Club	Mission & Dawson
Roblin Park Community Centre	640 Pepperloaf Crescent
Ross House Museum	140 Meade Street N.
Ryerson Satellite Site	577 Dalhousie Drive
Sargent Park Lawn Bowling Club	999 Sargent Avenue
Seven Oaks House Museum	Rupertsland Avenue E.
Silver Heights Community Centre	2080 Ness Avenue
Sinclair Park Community Centre	490 Sinclair Street
Sir John Franklin Community Centre	1 Sir John Franklin Road
SJA Minor Hockey Association Inc.	80 Allard Avenue
South Transcona Community Centre	124 Borden Avenue
Southdale Community Centre and Arena	254 Lakewood Boulevard

Springers Gymnastics Club Inc.	4246 Ridgewood Avenue
St. Boniface Mohawks Hockey Club	Bertrand Arena
St. Boniface/St. Vital Baseball Club Inc. and Manitoba Baseball Association Inc. *amended 11/2009*	836 St. Joseph Street
St. James Canadians Junior Hockey Club	2055 Ness Avenue
St. James Lawn Bowling Club	100 Ferry Road
St. James Rods Football	Rutland & Silver
St. John's Lawn Bowling Club	St. John's Park
St. Norbert Community Centre	3450 Pembina Highway
St. Vital Mustangs Football Club	190 Frobisher Road
St. Vital Scouts Scout Hall	27 Overton Street
Sturgeon Creek Community Centre	210 Rita Street
Summit Park	N. of Saskatchewan
Tennis Manitoba Inc. *added 11/2009*	999 Sargent Avenue
The Boy Scouts of Canada Camp Amisk	LaBarriere Park
The SJA Pioneer Association Inc. Grant's Old Mill	Sturgeon Creek
Thistle Lawn Bowling Club	999 Sargent Avenue
Transcona Nationals Football	875 McMeans Avenue E.
Transcona Retired Citizens Organization Inc. *amended 11/2009*	328 Whittier Avenue
Turtle Island Neighborhood Centre	510 King Street
Tuxedo Community Centre	368 Southport Boulevard
Tuxedo Lawn Bowling Club	Corydon and Grenfell
Tuxedo Tennis Club	370 Southport Boulevard
Tyndall Community Centre	2255 King Edward Street
Tyndall Park Satellite Site	2099 Manitoba Avenue
Varsity View Community Centre	4230 Ridgewood Avenue
Varsity View Satellite Site	315 Laxdal Road
Victoria Lindenwoods Community Centre	80 Derek Street
Victoria Lindenwoods Satellite Site	414 Lindenwood Drive W.
Vimy Ridge Lawn Bowling Club	North-east Corner Home and Preston
Vince Leah Community Centre	1295 Salter Street
Vince Leah Lawn Bowling Club	1295 Salter Street
Water Ski MB. Inc.	365 Murdock Road
Waverley Heights Community Centre	1885 Chancellor Drive
West Broadway Development Neighbourhood Park	Young, Langside
West Broadway Neighbourhood Centre	185 Young Street
West Kildonan Community Centre	346 Perth Avenue
West Kildonan Memorial Arena	346 Perth Avenue
Westdale Community Centre	550 Dale Boulevard
Weston Memorial Community Centre	1625 Logan Avenue
Westridge Community Centre	3 Marshall Crescent
Westridge Community Centre Satellite Site	170 Fleetwood Road

Wildewood Community Centre	271 North Drive
Winakwa Community Centre	980 Winakwa Road
Windsor Community Centre	99 Springside Drive
Winnipeg Fastball League Inc. *added 52/2008*	535 McPhillips Street
Winnipeg Indoor Lawn Bowls	Pan Am Pool
Winnipeg Lawn Tennis Club *added 178/2005*	761 North Drive
Winnipeg Remote Control Club Model Airplane	Perimeter and St. Mary's Road
Winnipeg Soccer Federation Inc. *added 144/2007*	Winnipeg Soccer Complex, 900 Waverley Street
Winnipeg South Minor Baseball Association Inc. and Manitoba Baseball Association Inc. *added 11/2009*	7050 Wilkes Avenue
Winnipeg Touch Football League	N. of Saskatchewan
Woodhaven Park Community Centre	200 Glendale Boulevard
YMCA-YWCA of Winnipeg *added 233/2006*	St. Vital Memorial Park

3. The Director of the Planning, Property & Development Department must review the table in section 2 every year for the purposes of determining whether the occupiers named in the table continue to be non-profit organizations that use the corresponding properties or portions of them identified in the table as a community hall, community recreation area, community centre or community rink.

DONE AND PASSED in Council assembled, this 27th day of April, 2005.

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

2. 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
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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:

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2. Update to By-law 89/2005

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(e) **Aquatic Hall of Fame and Museum** – delete as tenant no longer occupying city-owned space

(f) **Brooklands Community Centre** – delete as this community centre no longer exists

(g) **Good Neighbours Seniors Centre** – delete as tenant no longer occupies the city-owned space located at 755 Henderson Highway

(h) 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.

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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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