Minute No. 381
Report – Standing Policy Committee on Property and Development – May 12, 2015

Item No. 8 **Acquisition of the land shown as "Subject Property" on Misc. Plan No. 14655/1, commonly known as Victoria Jason Park (Transcona Ward)**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the Chief Administrative Officer be authorized to negotiate the acquisition and transfer of the land shown as "Subject Property" on attached Misc. Plan No. 14655/1, from Her Majesty the Queen in Right of the Province of Manitoba to the City of Winnipeg, for the purchase price of $1.00.

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

Report – Standing Policy Committee on Property and Development – May 12, 2015

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 20, 2015, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 12, 2015, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: **To Approve the Acquisition of the land shown as "Subject Property" on Misc. Plan No. 14655/1, commonly known as Victoria Jason Park**

Critical Path: **Standing Policy Committee on Property and Development**
Executive Policy Committee
Council

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Zabudney	M. Pittet	n/a	M. Jack A/COO

RECOMMENDATIONS

1. That the Chief Administrative Officer be authorized to negotiate the acquisition and transfer of the land shown as "Subject Property" on attached Misc. Plan No. 14655/1, from Her Majesty the Queen in Right of the Province of Manitoba to the City of Winnipeg, for the purchase price of $1.00.

2. 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

Council approval is required for the acquisition of property which is not part of a Council approved program or project.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no regulatory, environmental or human resource implications associated with this report.

HISTORY

When the subject property was designated as Park by the City of Transcona council in 1961, title vested in the name of the Province. The Real Property Act, at the time the park was created, provided that park land in a municipality would issue in the name of the province, except for park land in the City of Winnipeg and the City of St. Boniface, where title would issue in the name of the municipality.

In 1971 the City of Winnipeg Act was amended dramatically as a result of the Unicity amalgamation. Section 668 of the City of Winnipeg Act transferred and vested in the City of Winnipeg all of the right, title, interests, obligations, liabilities, etc. of the predecessor municipalities. This vesting would have included the Victoria Jason Park land. Title to the subject property remained vested in the name of Her Majesty the Queen in Right of the Province of Manitoba instead of the City of Winnipeg.

Upon amalgamation of the City of Transcona with the City of Winnipeg, in 1972, arrangements should have been made to transfer the title. The transfer of title in accordance with the changes to the City of Winnipeg Act was overlooked until recently and is now being rectified.

Registered Owner	Her Majesty the Queen in Right of the Province of Manitoba (HMQ)
Certificate of Title	1787287
Legal Description:	All those portions of NE ¼ 4-11-4 EPM taken for Parks contained within the limits outlined in red on Plan 7569 WLTO exc out of said Park; Firstly: north 435.6 feet of west 200 feet and Secondly: Plan 39306 WLTO
Site Size:	+/- 17.9 acres
Zoning:	PR2 – Parks and Recreation – Active Neighbourhood/Community

The Province has agreed to transfer the subject property, commonly known as Victoria Jason Park, to the City subject to the City paying all associated administration fees. A Decision of Minister to approve the transfer of land to the City for $1.00, based on the Crown Lands Act Section 5.1.(1)(b) providing the right to dispose of Lands with minimal value, has been granted.

Park property history:

From 1935 to 1955, the northerly portion of the Park land was used as the Redonda Dump Site which served the Transcona area. This 3.5 acre surface landfill contains primarily incinerator ash, fill, and construction and demolition waste. The waste extends one metre below grade, and has been reshaped into a 15m high hill. There is over one meter of clay cap enclosing the waste. The landfill has extremely low to no methane gas generation, leachate production, or risks to surface or groundwater under current conditions.

The Redonda Dump Site is currently managed by the City of Winnipeg under the Solid Waste Services landfill environmental monitoring and management program. This program has tracked the site conditions, landfill gas generation, and risks to surface and groundwater since the early 1980s. Once the City of Winnipeg takes title to the subject property, the Water and Waste Department, Solid Waste Services Division will continue to manage the landfill environmental monitoring program.

Today, the subject property is commonly known as Victoria Jason Park and is improved with ball diamonds, soccer fields, basketball court, play structure, pathways, trees and a skate park facility. The Public Works Department, Parks and Open Space Division will continue to maintain and have jurisdiction over the subject property.

The Ward Councillor has been advised on the intentions of the Department.

FINANCIAL IMPACT

Financial Impact Statement

April 23, 2015

Project Name:

To Approve the Acquisition of the land shown as "Subject Property" on Misc. Plan No. 14655/1, commonly known as Victoria Jason Park

COMMENTS:

There are no material financial implications associated with this report.

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

CONSULTATION

In preparing this report there was consultation with:

Water and Waste Department – Solid Waste Services Division
Public Works Department - Parks and Open Space Division
Legal Services - as to legal issues

SUBMITTED BY

Department Planning, Property & Development
Division Real Estate
Prepared by: Kim Koszman
Date: April 27, 2015
File No. 6007

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KILDARE AVE
PLAN 19125
PLAN 8992
REDONDA ST
PLAN 13770
WIDLAKE ST
PT PUBLIC PARK
PLAN 7569
8
PLAN 13770
PLAN 7569
VICTORIA AVE
METRIC
SUBJECT PROPERTY - Area: ±17.9 acres
Date: 2014-APRIL-15
District: EKT
File: NotAvailable
Scale: 1:2000
Requested by: KK
Drawn by: MS
Reference Dwg No.: N/A
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CITY OF WINNIPEG
PLANNING, PROPERTY AND
DEVELOPMENT DEPARTMENT
LAND DEVELOPMENT, GEOMATICS, AND
LAND INFORMATION SERVICES
MISC. PLAN NO. 14655 / 1