Agenda – Council – January 26, 2023

Report – Standing Policy Committee on Property and Development – January 9, 2023

Item No. 2 Transfer of Park Land from the Province of Manitoba to the City of Winnipeg

STANDING COMMITTEE RECOMMENDATION:

On January 17, 2023 the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the transfer of park properties identified in Schedule A, from the Province of Manitoba to the City of Winnipeg, be approved for $1.00 plus ancillary costs (e.g. transfer and registration fees, GST if applicable, etc.).

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 – January 9, 2023

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 17, 2023, 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 January 9, 2023, 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: Transfer of Park Land from the Province of Manitoba to the City of Winnipeg

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

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	J. Kiernan	C. Kloepfer	M. Jack

EXECUTIVE SUMMARY

Due to the legislation in place at the time of subdivision, numerous City parks are vested in the name of the Province of Manitoba rather than the City of Winnipeg. The Province of Manitoba has a procedure in place to facilitate nominal transfers of properties which should be rightly held by the local municipality.

The transfers will have no impact to Parks programming or maintenance and are simply a housekeeping matter.

The cost to complete the transfers is estimated to be up to $75,000, which will be funded through a Public Works Department operating budget account (001-583010-181516).

RECOMMENDATIONS

1. That the transfer of park properties identified in Schedule A, from the Province of Manitoba to the City of Winnipeg, be approved for $1.00 plus ancillary costs (e.g. transfer and registration fees, GST if applicable, etc.).

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

The Acquisition of Property policy, adopted by Council on September 29, 2021, requires that the acquisition of non-City property must form part of a Council-approved land acquisition program. As the transfers recommended in this report do not fall under an existing land acquisition program, Council approval is required.

IMPLICATIONS OF THE RECOMMENDATIONS

The properties outlined in Schedule A, which have been managed and maintained by the City for decades, will legally vest in the name of the City of Winnipeg. Land transfers will be completed without the need for a sales agreement.

The Parks and Open Space Division has provided an acquisition budget of up to $75,000 to cover all possible registration and/or transfer fees.

HISTORY/DISCUSSION

During an inventory review of all City land in 2021, it was discovered that numerous City parks were legally owned by the Province of Manitoba rather than the City of Winnipeg. Internal databases identified the City as the beneficial owner of the properties noted in Schedule A but Her Majesty the Queen (Manitoba) is the legal registered owner on Title.

As the City has thousands of Titles to property, discovering inconsistencies in ownership can be an exhaustive exercise which takes the coordination of multiple City departments/branches.

In total, 30 park properties will be transferred to the City at a nominal cost of $1.00 plus registration/transfer fees. The park properties in question were legally created between 1909 and 1965 through various Plans of Subdivision. The Public Service is not aware of any other park properties which should be transferred from the Province.

The 2021 inventory review also identified several other parcels of land where the City of Winnipeg was not identified as the registered owner on Title, even though the City was considered the beneficial owner. The Public Service was able to correct these inconsistencies as the land transfers had already been completed/approved but the Title had not been updated. The transfers of properties identified in Schedule A will have no impact on Parks programming or maintenance and is simply a housekeeping matter.

FINANCIAL IMPACT

Financial Impact Statement

Date: December 5, 2022

Project Name:

First Year of Program **2023**

Transfer of Park Land from the Province of Manitoba to the City of Winnipeg

	2023	2024	2025	2026	2027
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ 75,000	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ 75,000	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	75,000	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Direct costs represent possible registration and/or transfer fees to legallly acquire the park properties. For the purposes of this analysis, it is assumed that the full $75,000 will be required and will be expended in 2023.

Mike McGinn Dec. 5, 2022

Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

- Public Works - Parks and Open Spaces Division

OURWINNIPEG POLICY ALIGNMENT

Providing accessible and adequate park space to the residents of Winnipeg is a fundamental building block of OurWinnipeg 2045.

4.11 Equitable Service Access
Prioritize equitable access to recreation and parks systems, services, and infrastructure, in order to: enable active living; connect people and nature; create supportive environments; build community capacity; and achieve desired health outcomes, with a focus on children and youth.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The recommendations of this report ensure community climate resiliency by ensuring parks are owned by the City of Winnipeg

7.3 Preserve and Manage Parks and Natural Areas to Support Climate Change Mitigation

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: Gord Chappell, Real Estate Administrator
Date: December 12, 2022
File No: TBD

Attachments:
Schedule A – list of parks properties to be transferred

Schedule A

Roll #	Address	Park (Legal)
3070568000		Farwell Bay Greenspace (Public Park Plan 6264)
3070670000		Waller Park (Public Park Plan 6264)
3070593000		Marshall Crescent Park (Public Park Plan 6264)
3071852300		Byng Island Buffer (Public Park Plan 3308)
3080285000		Kebir Place Playground (Public Park Plan 6159)
3081229000		Wildwood Park (public park Plan 4565)
7074886000	50 ARMOUR CRES	no park name (Public Park Plan 5996)
8001035000	KILLARNEY ST	Carey Park (Parcel A Plan 6263 - road closing)
8001109500	11 NORFOLK AVE	Norfolk Park (Public Park Plan 8959)
8006805500		Christie Road Prop (Public Park Plan 6044)
8006912000	PAUL BLVD	Paul Boulevard Park (Public Park Plan 8004)
9000692000	50 PARK CIR	Park Circle (Block 43 Plan 1504)
9001067100	331 WHITTIER AVE W	Maple Leaf Park (Lots 11/26, 33/47 & lane Block 73 Plan 1504)
9002059700	WABASHA ST	Wabasha Buffer (Public Reserve Plan 8026)
9002400000	WAYOATA ST	Wayota Buffer - 9 & 10 (Public Reserve Plan 8600)
9002464000	WAYOATA ST	Wayota Buffer - 8 (Public Reserve Plan 8600)
9002486000	WAYOATA ST	Wayota Buffer - 6 & 7 (Public Reserve Plan 8600)
9002571300	KILDARE AVE E	Redonda Lane Walkway - 1 (Public Reserve Plan 8851)
9010422800	WHITEHALL BLVD	Redonda Lane Walkway - 3 (Public Reserve Plan 8851)
9005103100	455 MCMEANS AVE W	Transcona Trail Park (Park Plan 8226)
9005103200		McMeans Park (Park Plan 8226)
9005105700	WHITESHELL AVE	no park name (Public Reserve Plan 8226)
11040036000	1 DAHLIA AVE	Harry Hatz Palatnick Memorial Park (Public Park Plan 6232)
11040096000	46 PRIMROSE CRES	Primrose Tot Lot (Park Plan 6187)
11040181000	4 CROCUS ST	Aster Dhalia Park (Park Plan 6187)
11040403000	105 TEAKWOOD AVE	Teakwood Tot Lot (Park Plan 6187)
11040681200	MCPHILLIPS ST	McPhillips Greenway - 4 (Public Reserve Plan 6271)
11040803000	19 COLISH DR	Collish Tot Lot (Park Plan 6271)
11040806000	30 RICHARDSON AVE	Richardson Fir Tot Lot (Park Plan 6271)
11040811000	33 MCCURDY ST	Richardson McCurdy Tot Lot (Park Plan 6271)