Minutes – Executive Policy Committee – September 21, 2023

Report – Standing Policy Committee on Property and Development – September 18, 2023

Item No. 6 Transfer of Park Land from the Province of Manitoba to the City of Winnipeg – Kern Park – 50 Kern Drive (Transcona Ward)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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 Kern Park located at 50 Kern Drive (Blocks 61 and 62 Plan 1504), 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 – September 18, 2023

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

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 four business days preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Rollins,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On September 18, 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 – Kern Park – 50 Kern Drive

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

AUTHORIZATION

Author	Department Head	CFO	CAO
G. Chappell (Acting)	M. McGinn (Acting)	J. Hall (Acting)	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.

On January 26, 2023, Council approved the transfer of 30 of these parks' properties.

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. As these properties are identified, the Public Service will bring them forward for consideration as required.

The following Parks property was recently identified as being owned by the Province.

Roll#	Address	Park (Legal)
09000912000	50 Kern Drive	Kern Park (Blk 61 & 62, Plan 1504)

The cost to complete this transfer is estimated to be up to $15,000 which will be funded through a Public Works Department operating budget account.

RECOMMENDATIONS

1. That the transfer of Kern Park located at 50 Kern Drive (Blocks 61 and 62 Plan 1504), 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.

IMPLICATIONS OF THE RECOMMENDATIONS

Kern Park, which has been managed and maintained by the City for decades, will legally vest in the name of the City of Winnipeg. The land transfer will be completed without the need for a sales agreement.

The Parks and Open Spaces Division has provided an acquisition budget of up to $15,000 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 but His Majesty the King (Manitoba) is the legal registered owner on Title.

On January 26, 2023, Council approved the transfer of 30 of these parks' properties.

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. As these properties are identified, the Public Service will bring them forward for consideration as required.

In mid-2023, the Public Service discovered one additional park (Kern Park) in the name of the Province rather than the City

The transfer of property will have no impact to Parks programming or maintenance and is simply a housekeeping matter.

FINANCIAL IMPACT

Financial Impact Statement

Date: July 20, 2023

Project Name:

First Year of Program 2023

Transfer of Park Land from the Province of Manitoba to the City of Winnipeg – Kern Park – 50 Kern Drive

	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	$ 15,000	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ 15,000	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	15,000	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Direct costs represent possible registration and/or transfer fees to legallly acquire this park property. For the purposes of this analysis, it is assumed that the full $15,000 will be required and will be expended in 2023.

Mike McGinn July 20, 2023

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.

Good Health and Well-Being

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.

Strategic Opportunity #7 – Community Climate Resiliency

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

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Poverty Reduction Strategy (PRS) and its Goals and Objectives, and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: Marlene Haderer, Acting Real Estate Administrator
Date: July 21, 2023