Agenda – Executive Policy Committee – October 17, 2023

Report – Standing Policy Committee on Property and Development – October 6, 2023

Item No. 2 Options to Lease Athletic Fields at 1377 Clarence Avenue to Fort Garry Lions Football Club Inc.
(Fort Rouge-East Fort Garry Ward)

STANDING COMMITTEE RECOMMENDATION:

On October 6, 2023, the Standing Policy Committee on Property and Development did not concur in the recommendation of the Winnipeg Public Service and submitted the following to Council:

1. That subject to a maximum lease term of 15 years (not including renewal), the City enter into, execute, and deliver a Lease Agreement with Fort Garry Lions Football Club Inc. for the land located at 1377 Clarence Avenue as identified on Misc. Plan No. 14527/1 for $1.00 per annum, and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

2. That authority be delegated to the Director of Planning, Property and Development to negotiate and approve the terms and conditions for the Fort Garry Lions Football Club Inc. Lease Agreement and the Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interest of the City.

3. 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 – October 6, 2023

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On October 6, 2023 the Standing Policy Committee on Property and Development did not concur in the recommendation of the Winnipeg Public Service, and submitted the following to the Executive Policy Committee and Council:

1. That, subject to a maximum lease term of 15 years (not including renewal), the City enter into, execute, and deliver a Lease Agreement with Fort Garry Lions Football Club Inc. for the land located at 1377 Clarence Avenue as identified on Misc. Plan No. 14527/1 for $1.00 per annum, and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

2. That authority be delegated to the Director of Planning, Property and Development to negotiate and approve the terms and conditions for the Fort Garry Lions Football Club Inc. Lease Agreement and the Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interest of the City.

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

STANDING COMMITTEE RECOMMENDATION:

On June 1, 2023 the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and directed the Winnipeg Public Service to explore options to lease the athletic fields located at Ray Fennell Sports Park (1377 Clarence Ave.) to the Fort Garry Lions Football Club and report back within 90 days.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 17, 2023, the City Centre Community Committee passed the following motion:

Moved by Councillor Rollins,

Report – Standing Policy Committee on Property and Development – October 6, 2023

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

WHEREAS the Fort Garry Lions is a football program that takes tremendous pride in fostering a sense of community and inclusion;

AND WHEREAS the program fosters a positive atmosphere for youth and their families while utilizing sport as a foundation to build confidence and numerous life skills;

AND WHEREAS the Fort Garry Lions Club provides football to kids aged 8-15, free events such as open houses, free training camps, outreach programs with the Winnipeg Blue Bombers, host high school football games beginning in the fall of 2023, and host other new community groups.

THEREFORE BE IT RESOLVED that the Standing Policy Committee on Property and Development be requested to direct the Winnipeg Public Service to explore options to lease the athletic fields located at Ray Fennell Sports Park (1377 Clarence Ave.) to the Fort Garry Lions Football Club and report back within 90 days.

ADMINISTRATIVE REPORT

Title: Options to Lease Athletic Fields at 1377 Clarence Avenue to Fort Garry Lions Football Club Inc.

Critical Path: Standing Policy Committee on Property and Development

AUTHORIZATION

Author	Department Head	CFO	CAO
G. Chappell (Acting)	H. Borys	N/A	M. Jack

EXECUTIVE SUMMARY

On June 1, 2023, the Standing Policy Committee on Property and Development directed the Public Service to explore options to lease the athletic fields located at Ray Fennell Sport Park (1377 Clarence Avenue) to Fort Garry Lions Football Club Inc. The area under consideration is indicated on Misc. Plan No. 14527/2, attached on the final page of this report.

The Public Service circulated the lease request for the subject property to relevant City departments and no objections were received. As well, the Public Service contacted the Fort Garry Lions Football Club Inc. to determine their interest in the possibility of leasing the athletic fields and received a positive response.

Only two viable options for occupancy are possible – maintain the status quo booking arrangement or enter into a long-term lease.

RECOMMENDATIONS

That this report be received as information.

REASON FOR THE REPORT

On June 1, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and directed the Winnipeg Public Service to explore options to lease the athletic fields located at Ray Fennell Sport Park (1377 Clarence Avenue) to Fort Garry Lions Football Club Inc.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no implications associated with this report.

HISTORY/DISCUSSION

The options considered by the Public Service were leasing, licensing and the status quo which is a booking arrangement through Public Works Department – Parks and Open Space Division.

The main difference between a lease and licence is that a lease provides the group with exclusive care, custody and control of the site whereas a license provides non-exclusive use of the site. Both of these options allow consideration for a below market rent, provided the tenant meets criteria, as per 3.2 C. of the Leasing and Licensing of Property Policy.

> *3.2 C. Despite Section 3.2(A)(i), the City may consider, where appropriate, a Property Management Lease or Property Management Licence for less than Market Rent where:*
>
> ***i.*** *The Tenant is a registered Non-Profit Organization (community garden Tenants may be unregistered if applicable);*
>
> ***ii.*** *The Tenant provides activities/programs that are compatible with the City's provision of services/programs, or addresses an identified gap in service to the community as determined by Stakeholders;*
>
> ***iii.*** *The Tenant provides a service for which there is a current and projected need in that location, as determined by Stakeholders, operating for a minimum prescribed number of operating hours;*
>
> ***iv.*** *If the Tenant requires a building, the Lease or Licence must be for a Designated Non-Profit Building;*
>
> ***v.*** *The Tenant agrees to pay proportionate Operating Costs associated with the Lease or Licence (a requirement for improved and unimproved City Property); and*
>
> ***vi.*** *The Tenant agrees to provide their annual financial statements to the City prior to June 1 in each calendar year for the duration of the Lease or Licence.*

A direct lease or license with the group is possible in accordance with 3.2 B. vi. of the same policy provided, “The Tenant Provides programming or a service in lieu of the City”. Under the leasing/licensing options, the group would be responsible for operating costs as well as field and facility maintenance as outlined by the Parks and Open Space Division.

Currently, the Fort Garry Lions blanket book the two fields at this site every year from May to October through Parks and Open Space Division. Maintaining a booking arrangement does not allow the group to apply for grants, as a long-term lease is normally a prerequisite.

Based on the above, a long-term lease, or booking arrangement through Public Works Department, represent the two viable options for occupancy.

FINANCIAL IMPACT

Financial Impact Statement

Date: September 7, 2023

Project Name:

Options to Lease Athletic Fields at 1377 Clarence Avenue to Fort Garry Lions Football Club Inc.

COMMENTS:

There are no direct financial implications associated with this report.

9/7/23 C. Turman, for
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services Department (as to legal issues)
- Public Works Department – Parks and Open Space Division

OURWINNIPEG POLICY ALIGNMENT

Goal 4 Good Health and Well-Being

Objective 1. Enable access to basic needs for good physical and mental health.

Policy 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

Strategic opportunity #3 – Community Climate Resiliency
Key Directions - Preserve and Manage Parks and Natural Areas to Support Climate Change Mitigation

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

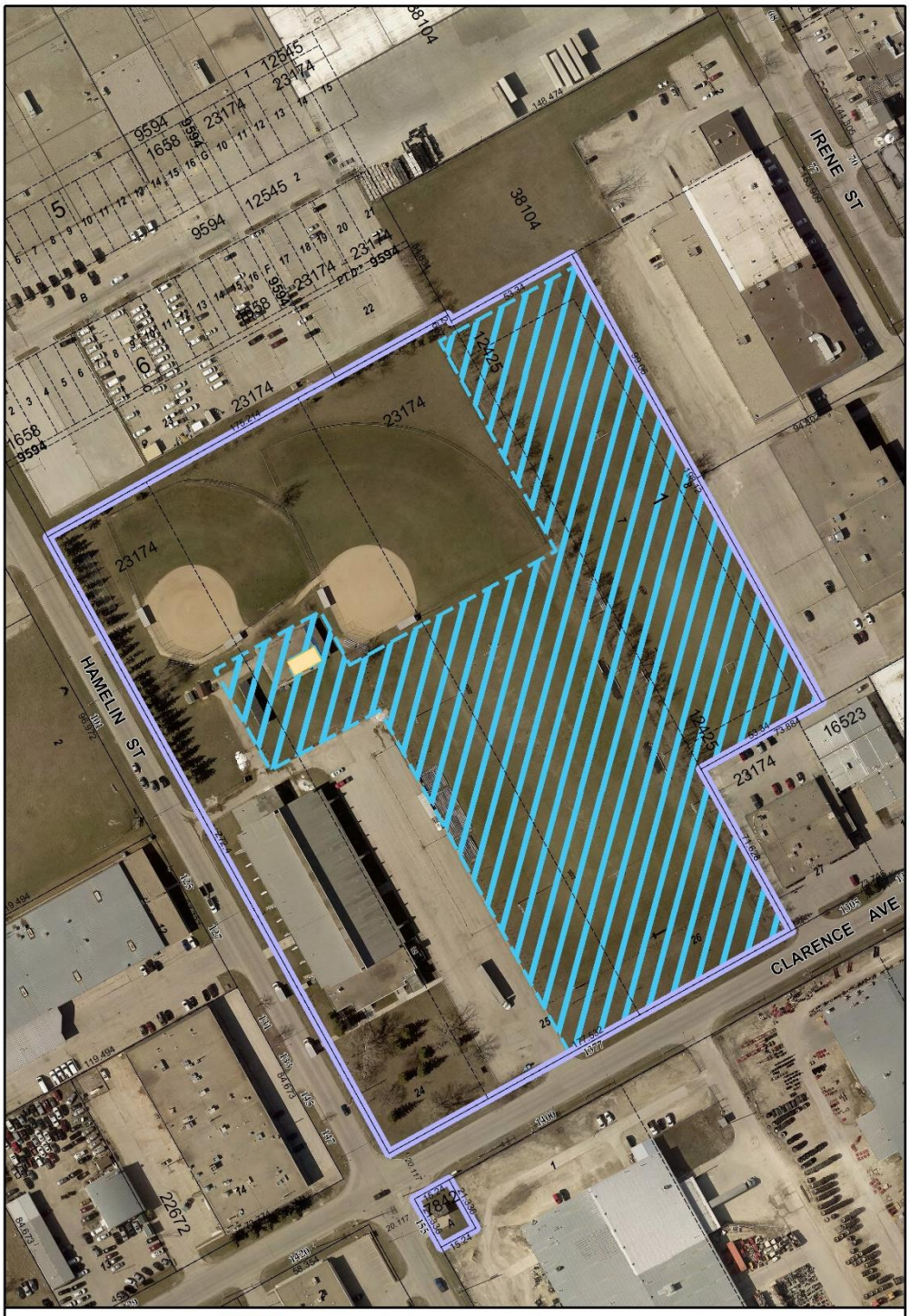
Goal 6: All City Services are Equitable, Inclusive and Accessible
Recreation services and access to nearby greenspace contribute to enhanced individual and community well-being, social inclusion, and positive health outcomes.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: Adeayomi Adeyemi
Date: September 8, 2023
File No: 4619 V2

Attachment:
Miscellaneous Plan 14527/2

MISCELLANEOUS PLAN



EXCLUSIVE USE - AREA: 29,872± m² (321,540± ft²)
JOINT USE - AREA: 72± m² (775± ft²)
CITY OWNED PROPERTY

Date: 2023-JUN-28
District: CC
File: Not Available
Scale: 1:1800
Requested by: AA
Drawn by: IP
Reference Dwg No.: As requested

NOTE: Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only. No warranty is expressed or implied regarding the accuracy of such information.

AERIAL (2021) METRIC

CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPARTMENT
LAND INFORMATION SERVICES

MISC. PLAN NO. 14527/2