Proposed Acquisition of lands from the St. James School Division No. 2 for the St. James Centennial Pool Fitness Facility Addition Project

File FI-2(31) (Vol. 5)

14. The Standing Policy Committee on Property and Development has been advised that $3 million in tripartite funding has been allocated for the development of a multi-use inter-generational fitness facility at the St. James Centennial Pool has been secured. The most efficient development of the proposed fitness facility would require the acquisition of adjacent land owned by the St. James Assiniboia School Division No. 2, and which is part of the Ness Middle School site. All land acquisition programs that have not been previously approved through the Capital Budget or as specific programs require Council approval.

In 2000, the Unicity Mall was demolished and redeveloped as a "Power Centre" shopping centre, eliminating opportunities for indoor walking facilities in the St. James-Assiniboia Community.

In that same year, discussions on the lack of indoor fitness facilities in the St. James-Assiniboia Community and the feasibility of expanding the St. James-Assiniboia Centennial Pool into an "Inter-Generational" fitness facility were initiated. This led to the preparation of a Redevelopment Concept Plan for the St. James-Assiniboia Centennial Pool, which proposes a 24,000 square foot addition on the north side of the existing structure, housing a running/walking track and fitness programming space. This north side addition is the most functional and feasible option available, but would require the acquisition of a portion of land owned by the St. James School Division No. 2 at the Ness Middle School site.

On November 13, 2001, the Canada-Manitoba Infrastructure Program announced $3 million in tripartite funding for the development of a multi-use inter-generational fitness facility at St. James-Assiniboia Centennial Pool.

On January 10, 2002 the Standing Policy Committee on Property and Development authorized the Director of Planning, Property and Development, in consultation with the Director of Community Services, to negotiate the acquisition of the St. James School Division property required for the project, subject to the identification of an appropriate funding source.

On February 11, 2002, Council approved the Capital 2002 Budget Estimates, which budgeted $1.03 million as the City's contribution to the project.

On March 12, 2002, the Assiniboia Community Committee concurred with an administrative recommendation that the costs for the acquisition of the property required by the City be funded from the Assiniboia Land Dedication Reserve Fund.

On April 2, 2002, the Standing Policy Committee on Property and Development referred the March 12, 2002 recommendation from the Assiniboia Community Committee to the Administration for appropriate action. Although formally no amount was specified in the report, informally it was understood and agreed by the parties that no more than $20,000.00 would be charged against the Assiniboia Land Dedication Reserve Account.

Negotiations began in earnest, with the City proposing conveyance of the land required from the aforesaid School Division for the nominal sum of $1.00. The premise for the $1.00 proposed price was that the transfer of the lands required by the City did not diminish the use and utility of the balance of the Ness Middle School site and the proposed project would benefit the public at large. Although the School Division was reluctant at first to convey its lands without monetary compensation, meetings between senior School Division administrators, the School Board and the Ward Councillor resulted in a proposed settlement.

The St. James-Assiniboia School Division No. 2 agreed to recommend the conveyance of the School Division lands for the nominal sum of $1.00, subject to certain terms and conditions the most important of which is that there be full formal recognition by the City, that the School Division was a key community partner in the proposed project.

On April 16, 2002, the matter of partnership status for the School Division was presented and considered by the Assiniboia Community Committee. The Community Committee recognized the St. James-Assiniboia School Division No. 2 as a key community partner in the St. James Assiniboia Centennial Pool Fitness Addition Project, and requested the communication dated March 28, 2002 from the St. James-Assiniboia School Division be referred to Administration for appropriate action. The Community Committee also requested that the Administration make a presentation to the St. James School Board for information and feedback, once the schematic design has been prepared by the project architect.

Confirmation of the School Division's partnership status was provided by the City's Administration in a letter to the School Division dated April 24, 2002, which included as well a list of proposed terms and conditions for the conveyance of the required lands and a request that the School Division secure all requisite approvals for the transfer of land including the Public Schools Finance Board approval.

On May 3, 2002, the St. James-Assiniboia School Division No. 2 confirmed that it was prepared to finalize a transaction in accordance with the price, and terms and conditions; however, the authority for the final approval of the transaction rests with the Public Schools Finance Board. The matter was referred to the Public Schools Finance Board for consideration and a reply is anticipated within the next couple of weeks.

Notwithstanding that the School Division will transfer the lands required for the nominal sum of $1.00, the related acquisition costs that the City is responsible for include subdivision, legal plan preparation costs, survey work, Winnipeg Land Titles office registration fees, and the costs of an environmental audit. The tripartite funding is conditional on the City attending to these issues by utilizing its own funds as none of the tripartite funding can be utilized for these purposes. The Administration estimated that all these items could be accomplished within the $20,000.00 allocated in the Assiniboia Community Committee Land Dedication Reserve Account.

Although the funding for the project development was approved in the 2002 Capital Budget, the proposed land acquisition component was never identified or approved by Council in a Capital program or as part of any previous report. Therefore, in accordance with Council Policy the price, terms and conditions of the proposed land acquisition requires approval by City Council.

The Standing Policy Committee on Property and Development recommends:

I. That the acquisition of the subject property, as outlined on Misc. Plan No. 11087/2, from the St. James School Division No. 2, for the St. James Centennial Pool Fitness Addition Project, be

approved at a nominal consideration of One Dollar ($1.00) and in accordance with the terms and conditions as negotiated.

II. That the Assiniboia Land Dedication Reserve Fund be approved as the source of funding in the amount of $20,000.00 for this proposed acquisition and related costs.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.