Minutes – Council – February 27, 2025

Minute No. 161
Standing Policy Committee on Property and Development – Motions

Item No. 1 Expropriation and Rezoning of Lemay Forest

Moved by Councillor Wyatt,
Seconded by Councillor Schreyer,

WHEREAS Winnipeg City Council must strive to always maintain the highest Quality of Life for the Citizens of the City, but since the creation of the modern day Winnipeg in 1972, our Regional Park System has been underfunded by City Council and therefore has not expanded at an appropriate rate to accommodate Winnipeg's population growth, which has witnessed thousands of acres of lands inside the City being subject to rezoning, for the purpose of creating new housing, commercial and industrial subdivision developments since 1972;

AND WHEREAS with the City failing to create enough new Regional Parks, strategically located in all parts of Winnipeg, the lack of Council leadership on this matter has negatively affected Winnipeg's ability to meet the ever increasing demand for recreational opportunities and green spaces (both natural and traditional park space);

AND WHEREAS the existence of a strong regional park and park system is one of the key indicators used in study after study that rates the 'livability' of North American Cities, as said park systems affect both the perceived and the real health, wellness and beauty of a city, therefore impacting the competitive ability for a city to market itself as a 'City of Choice' where one chooses to live or relocate a company, for the purpose of Live, Work, and Play;

AND WHEREAS inside the Lemay Forest a Ceremonial Sweat Lodge has operated as a spiritual gathering place for decades, attended by Indigenous and non-Indigenous citizens alike;

AND WHEREAS the Sisters of Misericordia ran an orphanage for young children and infants in St. Norbert between 1904 and 1948; professional archivists and an expert in Catholic history, employing the Sisters of Misericordia's own Admissions Registers, have established that 3,383 children and infants died at the Asile Ritchot orphanage in St. Norbert in those years; most were buried in unmarked communal graves in a cemetery established in Lemay Forest; according to the Archaeological Unit of the Historic Resources Branch there is evidence the bodies were not removed; that according to the Archaeological Unit past practice meant that members of the surrounding communities likely buried loved ones close to the cemetery and possibly elsewhere in the forest; therefore the entire Lemay Forest may hold human remains;

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AND WHEREAS the land referred to as the Lemay Forest lands, was, during this present term of office, subject to a Public Hearing Rezoning at the Riel Community Committee, which recommended the denial of rezoning, for a proposed housing development, with the said recommendation for the DENIAL OF REZONING being CONFIRMED by decision of the City of Winnipeg City Council, thus this decision by Winnipeg City Council, pertaining to this specific parcel of land, now REPRESENTS the APPROVED Council Policy, which up to and including this point, had not formally stated in any way a different Council policy direction, as it pertains to this parcel of land, as Council preserves the all rights guaranteed to it under the City of Winnipeg Charter, namely the said powers provided for and by the Province of Manitoba, through the Public Hearing Rezoning process, thus securing and strengthening the City of Winnipeg position prior to land expropriation, as COUNCIL has now determined the land value that is reflected in its present land use, which is non-developable/non-growable agrarian lands (what is known as 'pasture lands') thus minimizing the capital cost impact to the City for acquiring the said land by the City, as the City can now successfully present a position in the Land Expropriation process that provides for a land evaluation which is consistent with lands known as non-developable/non-growable agrarian lands, or what is known as 'pasture lands', which presently has a value of $1000 to $10,000 an acre, for land located in and around the City of Winnipeg;

AND WHEREAS the Lemay Forest has recently been threatened due to the existing private property owners' appeared and publicly stated desire to immediately cut down and destroy the entire existing forest, along with its biodiversity therein.;

AND WHEREAS the creation of a new Regional Park in the historic location known as the 'Lemay Forest' will add a new city park to the underfunded and under dedicated park system inside the City.

AND WHEREAS the said location for a new City Regional Park, is home to endangered and threatened species protected under the federal Species At Risk Act as well as woodpecker population protected under the Migratory Bird Regulations, and is a forest of such age that it can not be replaced in a human lifetime, thus guaranteeing that this land needs to be preserved for the said wildlife, along with being a new park that can be enjoyed by citizens and species in future generations;

AND WHEREAS the creation of this new Park shall successfully add a new park to Winnipeg's existing Regional Park System, and therefore presents an opportunity for Winnipeg to provide a practical demonstration of City Council's sincere desire to live up to its signatory decision to join the Montreal Accord for Biodiversity, an accord which demands that communities make a higher commitment to the preservation of the natural world, and therefore the assembling of the said lands for a new park is consistent with existing City Park Policy;

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AND WHEREAS one of the few key and strategic access points for the proposed new City park is via Rue Landry, which has a connection to an existing City of Winnipeg Right-Of-Way (an ROW which runs in an East/West direction, backing onto homes located on the north side of Lemay Avenue), as the said ROW, at its eastern boundary, provides for a direct connection into the Lemay Forest lands;

THEREFORE BE IT RESOLVED:

1. That the Winnipeg Public Service be directed to undertake the following:

    A. Initiate the process required in order to Rezone to a PR 'Park' zoning classification, an existing City of Winnipeg Right-Of-Way (ROW) which runs in an East/West direction, backing onto homes located on the north side of Lemay Avenue, abutting up and connecting to an eastern portion of the Rue Landry ROW.

    B. Immediately expropriate all of the privately held lands known as the Lemay Forest, which includes forested lands, newly unforested lands, and open lands, that constitute the privately-owned land, popularly referred to as the Lemay Forest lands or property, for the purpose of creating a new City of Winnipeg Regional Park.

    C. The expropriation should include all the privately held land including Lemay Forest Title #1: 2927614/1, Lemay Forest Title #2: 2927613/1, and 823 Lemay Ave Title 3039746/1, commonly referred to the Lemay lands, the Lemay Forest, by the community, and that was, in this term of office, subject to a Public Hearing Rezoning at the Riel Community Committee, which recommended that the application for rezoning be rejected, a decision which was adopted by Council, in order to ensure a proper and comprehensive land assembly for the creation of a single new Regional Park, and therefore specifically that the two parcels of land, namely the said ROW referred to in Recommendation 1.A., and the Lemay Forest Lands referred to in Recommendation 1.B., as well as the lands referred to in this Recommendation, shall represent the lands required to create one new Regional Park.

2. That the successful or unsuccessful rezoning of the said ROW land parcel will not negate in anyway the direction given herein by Council to immediately secure the lands known as the Lemay Forest via expropriation, as referred to in the above Recommendation.

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

Required to Stand as Notice of Motion in accordance with Rule 17.1 of the Procedure By-law No. 50/2007.