



CITY OF WINNIPEG POLICY NO. XXX-XXX

POLICY TITLE <i>Parkland Acquisition Fund</i>	ADOPTED BY <i>City Council</i>	EFFECTIVE DATE XXXXXXXXXX
ORIGIN / AUTHORITY <i>City Council</i>	CITY POLICY NO	MOST RECENT CONSOLIDATION XXX-XXX

1. Purpose:

The policy describes how proceeds or revenues are deposited into the Parkland Acquisition Fund and identifies authorized expenditures out of the Parkland Acquisition Fund.

2. Definitions:

“Acquisition” means the acquisition of property rights, in full or in part, including but not limited to fee simple ownership or an easement;

“CAO” means the Chief Administrative Officer of the City;

“Charter” means The City of Winnipeg Charter, SM 2002 c. 39, as amended from time-to-time;

“City” means the municipal corporation The City of Winnipeg, continued under section 8 of the Charter;

“City Property” means all or a portion of the interests, benefits and rights inherent in the ownership of physical real estate that is owned by the City;

“Council” means the municipal council of the City;

“Director of PPD” means the director of the City department responsible for planning and land use, which, on the date this policy is enacted, is the Director of the City’s Planning, Property and Development Department;

“Ecologically Significant Lands” means natural heritage sites identified by the City as important for maintaining biodiversity and enhancing quality of life.

“Environmental Site Assessment” means a site investigation to determine whether the site contains contaminants;

“Habitat Preservation Property” means a property whose natural ecosystem must be protected and may include parks, ecologically significant natural lands,

forests, grasslands, riparian habitat or a variety of other lands intended to preserve nature;

“Non-City Property” means all or a portion of the interests, benefits and rights inherent in the ownership of physical real estate that is not owned by the City;

“Parkland” means Non-City Property that is to be acquired and used for park purposes or City Property that will be converted into a park and used for park purposes;

“Public Service” means the employees of the City, but does not include elected officials;

“Purchase” means the acquisition of property by a willing purchaser from a willing vendor for fair market value or the acquisition of property by way of donation;

3. Parkland Acquisition Fund Policy

3.1 The Parkland Acquisition Fund is a special purpose reserve intended to support all costs associated with the acquisition of Parkland, in order to meet the level of service targets, as set out in the *Winnipeg Parks Strategy, Recreation Strategy* and *OurWinnipeg 2045*. Parkland includes, but is not limited to, lands serving parks, recreation and community use purposes, and/or Habitat Preservation Property.

3.2 Sources of Funding: The Parkland Acquisition Fund generates funding from the following sources:

- a) Cash-in-lieu contributions from developers, exclusively for the acquisition of Non-City Property for parks or recreation facilities, in accordance with *Contribution in Lieu of Land Dedication Reserve Fund Policy*;
- b) Proceeds from any sale of City Property that is defined as a “Park” under the *Parks By-law No. 85/2009* and any City Property that is defined as “Parkland” under the *Real Estate – Declaration as Surplus and Sale of Property Policy*;
- c) Percentage of gross sale revenue from the sale of City Property, in accordance with *Real Estate – Land Operating Reserve Fund Policy*;
- d) Grants or donations from private entities, non-profits, or other levels of government; and,
- e) Interest income generated from the reserve fund balance.

3.3 Acquisition of Non-City Property, which is intended to be used for the creation of Parkland, is subject to approval by Council or its delegated authority, in accordance with the following:

- a) Council approved development policies;
- b) *Real Estate -- Acquisition of Property* policy;

- c) Parks and/or recreation policies and strategies, including;
 - (i) *Winnipeg Parks Strategy*;
 - (ii) *Winnipeg Recreation Strategy*;
 - (iii) *Riverbank Property Acquisition Strategy*;
 - (iv) *Ecologically Significant Natural Lands Strategy & Policy*;
 - (v) *Winnipeg Comprehensive Urban Forest Strategy*; and
 - (vi) Others

3.4 In order to sustain the business operations supported by the Parkland Acquisition Fund, equity is allowed to accumulate within the Parkland Acquisition Fund.

- a) The Parkland Acquisition Fund must carry a minimum balance of \$0.00 (i.e. cannot operate in a deficit position); and
- b) The Parkland Acquisition Fund does not have a maximum balance.

3.5 Any expenditure out of the Parkland Acquisition Fund that is not consistent with the intent of this policy requires approval by Council or its delegated authority, except for:

- a) Expenses related to the Acquisition of Parkland, which include but are not limited to:
 - (i) Appraisal or consultant costs;
 - (ii) Realty commissions;
 - (iii) Legal fees;
 - (iv) Registration fees, land titles office fees, land transfer tax, and other closing costs;
 - (v) City inventory cost; and,
 - (vi) Environmental site assessment costs.
- b) Expenses related to legally creating Parkland, which include, but are not limited to:
 - (i) Subdivision and rezoning costs;
 - (ii) Application fees;
 - (iii) Site improvement costs; and
 - (iv) Other costs necessary to cause the conversion of Non-City Property into Parkland.

3.6 The Parkland Acquisition Fund shall not be used for:

- a) Salaries related to the regular operation of the City's services;
- b) Operating costs, materials and supplies;
- c) Maintenance of facilities or equipment; or
- d) Expenses related to capital improvements in Parkland other than restoration works required to make the land useable by the public.

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4. Responsibilities

- 4.1** The Director of PPD is the Fund Manager of the Parkland Acquisition Fund and the Finance and Administration Division of the Planning, Property and Development Department will administer the fund.
- 4.2** The authority to negotiate and approve Acquisitions of Parkland shall be in accordance with the Real Estate - *Acquisition of Property Policy*.