Agenda - Council - February 22, 2006

Report - Standing Policy Committee on Downtown Development - January 30, 2006

Item No. 1 Weather Protected Walkway System - Amendments to Existing Bridge Agreements to Permit Access for MTS Centre Patrons to Millennium Library, Winnipeg Square and Portage Place Underground Parking Garage
File SC-3.2

STANDING COMMITTEE RECOMMENDATION:

On February 15, 2006, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Downtown Development and submits the following to Council:

1. That the operating hours for the CityPlace-Millennium Bridge Agreement be changed to 7:00 a.m. until 12:30 a.m., Monday through Sunday, with any additional costs being allocated and financed in accordance with the report of the Director of Planning, Property and Development dated December 20, 2005.

2. That the operating hours for the Garry Street (Cargill Building) and the Fort Street and Graham Avenue (200 Graham Avenue) Bridge Agreements be changed to 7:00 a.m. until 12:30 a.m., Monday through Sunday, with any additional costs being allocated and financed in accordance with the report of the Director of Planning, Property and Development dated December 20, 2005.

3. That the operating hours for the Post Office Building and the Smith Street Bridge Agreement be changed to 7:00 a.m. until 12:30 a.m., Monday through Sunday, with any additional costs being allocated and financed in accordance with the report of the Director of Planning, Property and Development dated December 20, 2005.

4. That the Chief Operating Officer - Winnipeg Parking Authority (WPA) be requested to finalize a funding agreement with the Downtown Business Improvement Zone to provide annual funding to offset the additional operating costs associated with the Graham and Garry Street Bridge Agreements above $15,000.00 and that the Winnipeg Parking Authority be designated as the City's central contact body for the Weather Protected Walkway System operational issues.

5. That the matter of operating hours and additional costs for the Hargrave Bridge (Newport Building) and East Portage Bridge Agreements be received as information.

6. 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 Downtown Development - January 30, 2006

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 15, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 30, 2006, the Standing Policy Committee on Downtown Development concurred in the administrative recommendations and submitted the matter to the Executive Policy Committee and Council.

COUNCIL:

On December 17, 2003, Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the proposed terms and conditions for the Somerset Building Air Rights and Bridge Agreement to facilitate the construction of a new pedestrian bridge at "Location No. 1" as shown on Misc. Plan No. 12005 as described in the administrative report dated November 26, 2003, be approved.

2. That the proposed terms and conditions for the Powerhouse Building Air Rights and Bridge Agreement to facilitate the construction of a new pedestrian bridge at "Location No. 2" as shown on Misc. Plan No. 12005 as described in the administrative report dated November 26, 2003, be approved.

3. That the Assignment of the Newport Building Air Rights and Bridge Agreement (as applicable to "Location No. 3" shown on Misc. Plan No. 12005) to TN Arena Inc., 3017977 Nova Scotia Company and Consolidated Properties (Alberta) Ltd., be approved.

4. That the Assignment of the City Place Building Air Rights and Bridge Agreement (as applicable to "Location No. 4" shown on Misc. Plan No. 12005) to TN Arena Inc. and 2017166 Ontario Ltd, be approved.

5. That the Assignment of the City Place - Centennial Library Building Air Rights and Bridge Agreement (as applicable to "Location No. 5" shown on Misc. Plan No. 12005) to 2017166 Ontario Ltd., be approved.

Report - Standing Policy Committee on Downtown Development - January 30, 2006

DECISION MAKING HISTORY (Continued):

6. That the Director of Planning, Property and Development be delegated the authority to approve and finalize the terms and conditions for the Bridge Agreements as identified in Recommendations 1 through 5 inclusive.

Re: **Weather Protected Walkway System – Proposed Amendments to Existing Bridge Agreements to Permit Access for MTS Centre Patrons to Millennium Library, Winnipeg Square and Portage Place Underground Parking Garage**
Fort Rouge Ward
City Centre Community

For submission to: **Standing Policy Committee on Downtown Development**

Original report signed by: **Director of Planning, Property and Development**

Report date: December 20, 2005

Recommendation(s):

1. That the operating hours for the CityPlace-Millennium Bridge Agreement be changed to 7:00 AM until 12:30 AM, Monday through Sunday with any additional costs being allocated and financed in accordance with the discussion herein.

2. That the operating hours for the Garry Street (Cargill Building) and the Fort Street and Graham Avenue (200 Graham Avenue) Bridge Agreements be changed to 7:00 AM until 12:30 AM, Monday through Sunday with any additional costs being allocated and financed in accordance with the discussion herein.

3. That the operating hours for the Post Office Building and the Smith Street Bridge Agreement be changed to 7:00 AM until 12:30 AM, Monday through Sunday with any additional costs being allocated and financed in accordance with the discussion herein.

4. That the Chief Operating Officer – Winnipeg Parking Authority (WPA) be requested to finalize a funding agreement with the Downtown Biz Association to provide annual funding to offset the additional operating costs associated with the Graham and Garry Street Bridge Agreements above $15,000.00 and that the (WPA) be designated as the City's central contact body for WPWS operational issues.

5. That the matter of operating hours and additional costs for the Hargrave Bridge (Newport Building) and East Portage Bridge Agreements be received as information.

REPORT SUMMARY

Key Issues:

- The Planning, Property and Development Department (Real Estate Division) were part of the 'Readiness Committee" to support the official opening of the MTS Centre and ongoing operations. The Division facilitated a discussion with various building and bridge owners connected to the WPWS to ensure that MTS Centre Patrons could access

various underground parking structures via the Weather Protected Walkway System (WPWS) before and after events at the MTS Centre.

- The Planning, Property and Development Department (Planning and Land Use Division) are responsible for the administration and operation of the WPWS and the Winnipeg Parking Authority, a Special Operating Agency, for the operation of the Millennium Library and Winnipeg Square Underground Parkades. The Forks North Portage Partnership is responsible for the administration and operation of the Portage Place Underground Parkade.

- Because the City is responsible for the operation of the Millennium Library and Winnipeg Square Parkades that are situated along the WPWS and there is financial benefit in selling existing unused parking lot capacity to MTS Centre Patrons, the Winnipeg Parking Authority has agreed to pay for the additional operating costs of extending the operating hours within the CityPlace (Donald Street) parkade.

- The Winnipeg Parking Authority has also agreed to pay up to $15,000 in the additional costs towards the Cargill Building, Garry Street Bridge, 240 Graham Avenue Building and Fort and Graham Avenue Bridges. This agreement is contingent on the participation of the Downtown Biz Association agreeing to pay the remaining $6,432 in additional costs. The Winnipeg Parking Authority reports that the Downtown Biz Association is prepared to pay the additional annual costs provided that the Parking Authority identifies a central contact person to deal with the WPWS operational issues.

- Should a formal agreement not be completed with the Downtown Biz Association, the Department would then propose to amend the operating hours associated with this portion of the walkway to eliminate the additional costs.

Implications of the Recommendation(s):

General implications:

	None
X	**For the organization overall and/or for other departments**
X	**For the community and/or organizations external to the City of Winnipeg**
	Involves a multi-year contract

Comment(s):

By extending the existing operating hours of the various Skywalk Bridge Agreements in the Downtown, the City has facilitated access for MTS Centre patrons to a variety of underground parkades through various walkways in the Downtown.

The financial performance of the City's underground parkades will improve as a result of selling unused parking capacity to the MTS patrons.

Policy implications:

X	**No**
	Yes

Comment(s):

Environmental implications:

X	**No**
	Yes

Comment(s):

Human resources implications:

X	**No**
	Yes

Comment(s):

Financial implications:

X	**Within approved current and/or capital budget**
	Current and/or capital budget adjustment required

Comment(s):

REASON FOR THE REPORT:

The Planning, Property and Development Department are seeking approval from the Standing Policy Committee on Downtown Development for amendments made to the CityPlace-Millennium Library, Garry Street and Fort Street and Graham Avenue Bridge Agreements.

HISTORY:

The original details and history of each Overhead Bridge Agreement is attached for information purposes as Schedule "A".

By Report dated November 24, 2003, the Planning, Property and Development Department requested Council approval to: approve the creation of two new Bridge Agreements, approve the assignment of 3 existing Bridge agreements, and; to delegate authority to the Director of the Planning, Property and Development Department to approve and finalize the terms and conditions for the Bridge Agreements relative to the MTS Centre.

During 2004, representatives of the MTS Centre requested that the WPWS be made accessible for MTS patrons seven days a week until 12:30 AM.

The Planning, Property and Development Department considered this request and developed an appropriate strategy to amend the existing WPWS operating hours. The strategy was based on the premise that the additional operating costs associated with the extended operating hours should be paid for by the major underground parking lot owners in proximity to the WPWS and the MTS Centre. Subsequently, the City (Millennium Library underground parkade, Winnipeg Square underground parkade), 2017166 Ontario Ltd. (CityPlace parkade) and the Forks North Portage Partnership (Portage Place underground parkade) discussed the matter of payment for additional operating costs.

By facsimile dated September 29, 2004, Aspen Property Management, the Agent for Consolidated Properties (Owner of Portage Place Shopping Centre) advised the Planning, Property and Development Department of the estimated cost for additional operation of the walkway between MTS Centre and the Portage Place Shopping Centre.

By letter dated October 29, 2004, the Planning, Property and Development Department notified 20117166 Ontario Ltd. (the new owners of CityPlace) that it was amending the operating hours of the CityPlace – Centennial Library Bridge Agreement effective November 16, 2004 and that the additional operating costs would be calculated in accordance with the formula in the Agreement.

By letter dated October 29, 2004, the Planning, Property and Development Department notified Royal Canadian Properties Limited that it was amending the operating hours of the Garry Street and Fort Street and Graham Avenue Bridge Agreements effective November 16, 2004 and that the additional operating costs would be calculated in accordance with the formula in the Agreement. Royal Canadian Properties Limited requested that the City pay for all of the

additional costs in accordance with the formula because the City would benefit through increased parking revenues at the Winnipeg Square underground parkade.

By letter dated November 1, 2004, the Planning, Property and Development Department notified the BLJC Company, the agent for Canada Post, that it was amending the operating hours of the Smith Street Bridge Agreement effective November 16, 2004 and that the City would pay for the additional operating costs. Originally, Her Majesty provided a one-time contribution to maintenance for the entire term of the agreement.

DISCUSSION:

As identified on the attached Misc. Plan 12005/5, various overhead bridges have been constructed to link the new MTS Centre with the Portage Place Shopping Centre, the Millennium Library and the Winnipeg Square Parking Structures.

1. <u>CityPlace – Millennium Library Bridge and Post Office Building and Smith Street Bridge Agreements:</u>

Specific details related to the CityPlace-Millennium Library Bridge and Post Office Building and Smith Street Agreements are outlined in Schedule "A" attached.

The Public Works Department (Building Services) estimated the additional annual operating costs for the CityPlace-Millennium Library Bridge, the Millennium Library Corridor, the Smith Street Bridge and the Post Office Building Corridor at $21,000.00. By contract, the City is responsible to pay for 2/3 of the maintenance costs for the CityPlace-Millennium Bridge portion and to pay all of the costs for the Millennium Library Corridor and Smith Street Bridge.

In accordance with the premise that the additional operating costs for the walkway should be borne by the underground parkade operators, the Department notified 2017166 Ontario Limited (the new owners of CityPlace) and Public Works Canada of the change in operating hours 7:00AM until 12:30AM Monday through Sunday, and that it would pay its proportionate share according to the existing formula in the Agreement. The Department did not extend its willingness to pay for the entire additional cost since 2017166 Ontario Limited operates the parkade within CityPlace and would benefit from the MTS patrons who require parking. Given the need to utilize the Millennium Library underground parkade, the Winnipeg Parking Authority Special Operating Agency agreed to pay 2/3 of the $21,000.00 or $14,000.00 per year, which will be offset by increased public parking fees for special events.

In addition to the hours of access issue, the Planning, Property and Development Department inquired of 2017166 Ontario Limited as to the request for additional right of way as shown on Schedule "B". Redcliffe Realty, the Agent for 2017166 Ontario Limited verbally advised that it is agreeable to the request and is awaiting the receipt of an Amending Agreement.

The agent representing Public Works Canada, BLJC Company agreed to the change in operating hours.

2. Cargill Building and Garry Street Bridge and 240 Graham Avenue Building and Fort and Graham Avenue Bridges:

Specific details related to the Garry Street and Fort and Graham Avenue Bridge Agreements, are outlined in Schedule "A" attached.

Royal Canadian Properties Limited has estimated the annual additional cost to operate the Garry Street Bridge, the Cargill Building Corridor, the Fort Street Bridge and the Graham Avenue Bridge at $21,432.00.

By contract, the City is responsible to pay for 2/3 of the maintenance costs for the Garry Street Bridge. In addition, the City is responsible for paying 1/3 of the maintenance costs for the Fort and Graham Avenue Bridges.

In accordance with the premise that the additional operating costs for the walkway should be borne by the underground parkade operators, the Department notified Royal Canadian Properties Limited of the change in operating hours, from 7:00AM to 12:30AM Monday through Sunday. The Department also advised that it would pay all of the additional operating costs for the extension of hours in accordance with the existing formula in the Agreement, even though it is legally responsible to pay the 2/3 and 1/3 portion of the costs. The Department extended its willingness to pay for all additional costs because it operates the Winnipeg Square Parking Structure and would benefit from the MTS patrons. Given the need to utilize the Winnipeg Square Parking Structure, the Winnipeg Parking Authority - Special Operating Agency agreed to pay up to $15,000.00 of the additional $21,432.00 per year from increased public parking fees for special events. On this basis, Royal Canadian Properties Ltd. voluntarily agreed to extend their regular operating hours of the Garry, Fort and Graham Avenue Bridges and the Cargill and 240 Graham Avenue Corridors from 8:00AM to 7:00PM on ordinary business days to 7:00 AM until 12:30AM Monday through Sunday, as of November 16, 2004.

Since the Winnipeg Parking Authority cannot justify paying the entire additional cost of $21,432.00, a shortfall of ($21,432 - $15,000) $6,432.00 will be created.

To address this shortfall, the Department has developed two alternatives:

1) Approach the Downtown Biz Association to provide up to $6,432.00 per year to cover the shortfall on the basis that many Downtown merchants are benefiting from increased pedestrian traffic using the WPWS; or,

2) Amend the operating hours to the original operating hours, that existed prior to November 16, 2004.

The Winnipeg Parking Authority has indicated that the Downtown Biz Association is prepared to pay the additional annual cost of $6,432.00 provided that a central contact person is identified within the parking authority to deal with the WPWS operational issues. The Winnipeg Parking

Authority is prepared to designate a central contact person to deal with the WPWS operational issues.

If a formal agreement with the Downtown Biz Association cannot be completed with regard to additional funding, the Department may proceed with an adjustment to the hours of operation for that portion of the Weather Protected Walkway System.

3. Newport and East Portage Bridges:

Specific details related to the Newport and East Portage Bridge Agreements are outlined in Schedule "A" attached.

Aspen Property Management, the Agent for Consolidated Properties (Owner of Portage Place Shopping Centre), estimated the annual additional cost to operate the Newport and East Portage Bridges and to provide access from the MTS Centre to the Portage Place Shopping Centre at $50,000.00/ annum. By contract, the City is not responsible to pay the maintenance costs of the Hargrave Street or East Portage Bridges.

In keeping with the premise that the additional operating costs to extend the hours of the walkway should be borne by the Underground Parkade Owner, the Department advised Aspen Property Management that it should contact the Forks North Portage Partnership regarding the increased operating costs as it is the Owner and operator of the Portage Place Underground Parkade.

The Department was advised that Aspen Property Management and FNPP reached a mutually satisfactory agreement on the additional costs and that access is being facilitated between the MTS Centre and the Portage Place Shopping Centre Parkade.

Departmental Comments:

The Weather Protected Walkway System is an integral means of improving the movement and circulation of pedestrians within the Downtown. The MTS Centre connects the Designated Walkway (Graham Avenue east of CityPlace) and Other Walkway (Portage Avenue west of the MTS Centre) at the second level.

Prior to the opening of the newly constructed MTS Centre, the Readiness Committee identified patron access via the WPWS to underground parkades (Millennium Library, Winnipeg Square and Portage Place) as an important issue. The Planning, Property and Development Department were requested to explore the feasibility of obtaining additional access.
The Department explored the feasibility based on the following:

- That the beneficiaries of the extended WPWS hours of operation should pay for the additional costs; and,

- That the City should not be required to fund the additional operating costs.

Being that the prime beneficiaries of the extended hours are the underground parkade owners, the Real Estate Division initiated discussions with the Winnipeg Parking Authority and the Owner of CityPlace regarding the operation of the Millennium Library, Winnipeg Square and CityPlace Underground Parkades relative to the Graham Avenue east portion of the WPWS. Based on these discussions, the Winnipeg Parking Authority agreed to pay up to $29,000 in additional operating costs on the basis that it would recover same through increased parking revenues. The Owners of CityPlace agreed to pay up to $7,000 in additional annual operating costs given the benefit to its parkade operation. As well, the Downtown Biz Association agreed to contribute $6,432 towards the cost of the Graham and Garry Street Bridges on the proviso that the Winnipeg Parking Authority would become the central point of contact for WPWS operational issues. The Winnipeg Parking Authority is prepared to accept this organizational responsibility given its relationship to access and parking in the Downtown.

The Owner of the Portage Place Shopping Centre and the Forks North Portage Partnership (Owner of Portage Place Underground Parkade) were encouraged to discuss the additional costs of the Portage Avenue West portion of the WPWS. The parties reached a separate understanding that does not require any City funding.

Financial Impact Statement

Date: November 15, 2005

Project Name:

Weather Protected Walkway System – Proposed Amendments to Existing Bridge Agreements to Permit Access for MTS Centre Patrons to the Millenium Library, Winnipeg Square and Portage Place Underground Parking Garages

First Year of Program 2005

	2005	2006	2007	2008	2009
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
External	-	-	-	-	-
Grants (Identify)	-	-	-	-	-
Reserves, Equity, Surplus, Other	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ 42,432	$ 42,432	$ 42,432	$ 42,432	$ 42,432
Less: Incremental Revenue/Recovery	42,432	42,432	42,432	42,432	42,432
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

The annual operating costs of $42,432 will be borne by the Winnipeg Parking Authority Special Operating Agency ($29,000), the Downtown Biz Association ($6,432), and the owners of the CityPlace parkade ($7,000). The Parking Authority anticpates recovering at least the amount of the additional operating costs as a result of providing parking for MTS patrons via the WPWS. As such, no budget adjustment is required.

"Original signed by"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

Planning and Land Use Division

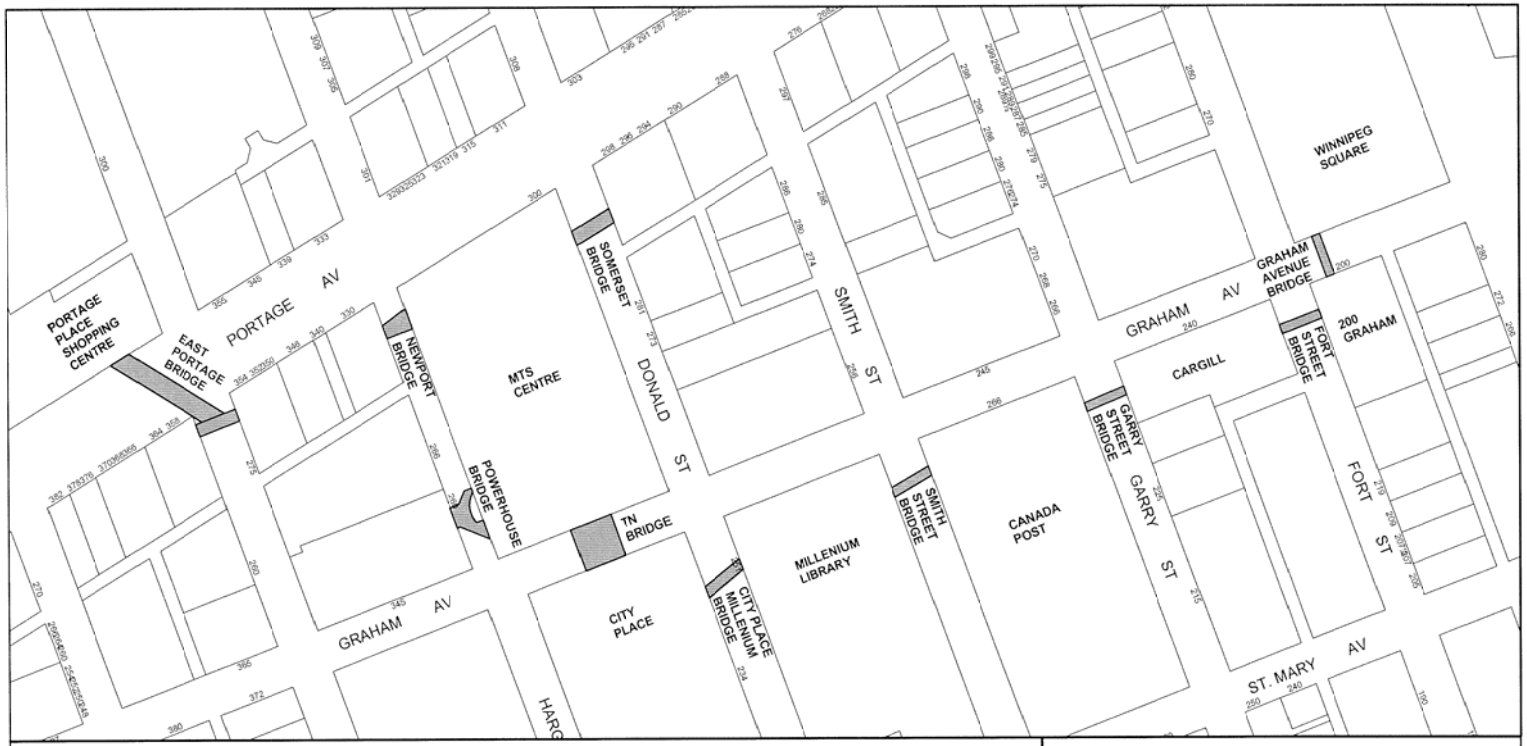
Winnipeg Parking Authority

Public Works Department

Winnipeg Police Service

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Real Estate
Prepared by: D.Armstrong
PPD File #: 39/119 V2



Date: 2005-MAR-21
District: CC
File: 974
Scale: 1:2250

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.

Overhead Pedestrian Bridges

METRIC

CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES

MISC. PLAN NO. 12005 / 5

Schedule "A"

CityPlace- Millennium Bridge Agreement:

The City entered into a Bridge Agreement with Bocan B.V. and Oosterhof Winkels I B.V. on June 19, 1987 for the construction of an overhead bridge between Eaton Place and the Centennial Library and for Eaton Place interior walkway.

The particulars of the existing agreement are as follows:

Party No.1:

Owner:	Bocan B.V. and Oosterhoff Winkels I B.V.
Principles:	Bocan B.V. D.J.A. De Bock, The Hague Netherlands J.H.Ubas, The Hague Netherlands William J.A. Van Den Nieuwelaar, The Hague Netherlands Innovest N.V., The Hague Netherlands
Location:	CityPlace - 234 Donald Street

Party No.2:

Owner:	City
Bridge Owner:	City
Location:	Centennial Library Building – 251 Donald Street and additional City-owned land shown as Existing City Place/Winnipeg Centennial Library Bridge on Misc. Plan No. 12005.

Fundamental Terms of Agreement:

Term:	June 19, 1987 and ending December 28, 2016
Renewal:	(12) twelve periods of (5) five years each
Purpose:	Pedestrian
Air Space Area:	1,311 sq. ft.
Rent:	No Fee (City owned)
Hours of Operation:	7:00 AM till 10:00PM. Monday through Saturday

Post Office Building and Smith Street- Millennium Bridge Agreement:

The City entered into a Bridge Agreement with Her Majesty the Queen on June 11, 1987 for the construction of an overhead bridge between the Post Office Building and the Centennial Library and for Post Office Building interior walkway.

The particulars of the existing agreement are as follows:

Party No.1:

Owner:	Her Majesty the Queen
Location:	Post Office Building – Graham Avenue

Party No.2:

Owner:	City
Bridge Owner:	City
Location:	Smith Street and Garry Street and access through the Post Office Building as shown on Misc. Plan No. 12005/5.

Fundamental Terms of Agreement:

Term:	June 11, 1987 and ending March 31, 2006
Renewal:	(3) periods of (10) ten years each
Purpose:	Pedestrian
Rent:	No Fee (City owned)
Hours of Operation:	7:00 AM till 10:00PM. Daily
Special Conditions:	Her Majesty the Queen contributed $114,000 in capital costs and a one-time maintenance payment of $21,800.

Garry Street and Fort and Graham Avenue Bridge Agreements:

The City entered into a Bridge Agreement with the Partnership, Winnipeg Square Equities Limited and Associated Taxis (1964) Ltd. on July 6, 1983 for the construction of the Fort and Graham Bridges and interior access through the building located at 200 Graham Avenue. The particulars of the Agreement are as follows:

The particulars of the proposed four party agreement are as follows:

Party No. 1

Property Owner:	The Partnership - Bentall Properties Ltd., Royal Canadian Properties Ltd., Royal Canadian Properties/ Bentall Investments Company being a partnership carried on by Bentall Properties Ltd. and Royal Canadian Properties Ltd.
Location:	240 Graham Avenue

Party No. 2

Property Owner:	Winnipeg Square Equities Limited
Location:	360 Main Street

Party No.3

Property Owner:	Associated Winnipeg Taxis (1964) Ltd.
Location:	200 Graham Avenue

Party No. 4

Property Owner:	City
Subject Property:	Portion of Fort Street and Graham Avenue right of way
Bridge Owner:	City for the portions over City Streets

Proposed Fundamental Terms of Agreement:

Purpose:	Overhead Pedestrian Bridge only
Term:	(40) fourty years commencing July 6, 1983
Renewal:	1 further period of (10) ten years
Rent:	No charge for pedestrian use; provincial and municipal realty taxes
Hours of Operation:	8:00 AM till 7:00 PM during normal business days or at other such hours as the remainder of the system is open.

The City entered into a Bridge Agreement with the Partnership on June 19, 1987 for the Garry Street Bridge and Cargill Building interior walkway.

The particulars of the two party agreement are as follows:

Party No. 1

Property Owner:	The Partnership - Bentall Properties Ltd., Royal Canadian Properties Ltd., Royal Canadian Properties/ Bentall Investments Company
Location:	240 Graham Avenue

Party No. 2

Property Owner:	City
Subject Property:	Portion of Garry Street
Bridge Owner:	City for the portions over City Street

Proposed Fundamental Terms of Agreement:

Purpose:	Overhead Pedestrian Bridge only
Term:	(39) thirty nine years commencing June 19, 1987
Renewal:	1 further period of (10) ten years
Rent:	No charge for pedestrian use; provincial and municipal realty taxes
Hours of Operation:	7:00 AM till 10:00 PM, Monday through Saturday

Newport Bridge Agreement:

The City entered into a Bridge Agreement with Cadillac Fairview Corporation Limited, North Portage Development Corporation, Great West Life Assurance Co. and the T. Eaton Company Limited on March 30, 1987 for the construction of an overhead bridge between Eaton Place and the Newport Building.

The particulars of the existing bridge agreement dated March 30, 1987 are as follows:

Party No 1

Property Owner(s):	Cadillac Fairview Corporation Limited
Location:	Portage Place Shopping Centre -393 Portage Avenue
Bridge Owner:	Cadillac Fairview Corporation Limited

Party No.2

Property Owner(s)	North Portage Development Corporation
Location:	Portage Place Shopping Centre -393 Portage Avenue

Party No. 3

Property Owner:	Great-West Life Assurance Co.
Location:	Newport Building – 330 Portage Avenue

Party No.4

Property Owner:	T. Eaton Realty Co.
Location:	Former Eaton's Building – 320 Portage Avenue

Party No.5

Property Owner:	City
Subject Property:	Portion of Hargrave Street right of way shown as Location No.3 on Misc. Plan 12005

Fundamental Terms of Agreement:

Term:	(75) seventy-five years commencing January 31, 1987
Renewal:	2 further periods of (10) ten years each
Zoning:	NRc;NRd
Rent:	Payable to City- No charge for Pedestrian Use, Provincial and Municipal taxes.

Hours of Operation: 7:00 AM till 10:00 PM during Monday to Friday and 7:00 AM till 12:00 Midnight Saturday and other hours as to be determined by the City

East Portage Bridge Agreement:

The City entered into a Bridge Agreement with Cadillac Fairview Corporation Limited and North Portage Development Corporation on March 16, 1987 for the construction of an overhead bridge across Portage Avenue between the CF Building and the North Portage Shopping Centre.

The particulars of the existing bridge agreement dated March 30, 1987 are as follows:

Party No 1

Property Owner(s):	Cadillac Fairview Corporation Limited
Location:	Portage Place Shopping Centre -393 Portage Avenue
Bridge Owner:	Cadillac Fairview Corporation Limited

Party No.2

Property Owner(s)	North Portage Development Corporation
Location:	Portage Place Shopping Centre -393 Portage Avenue

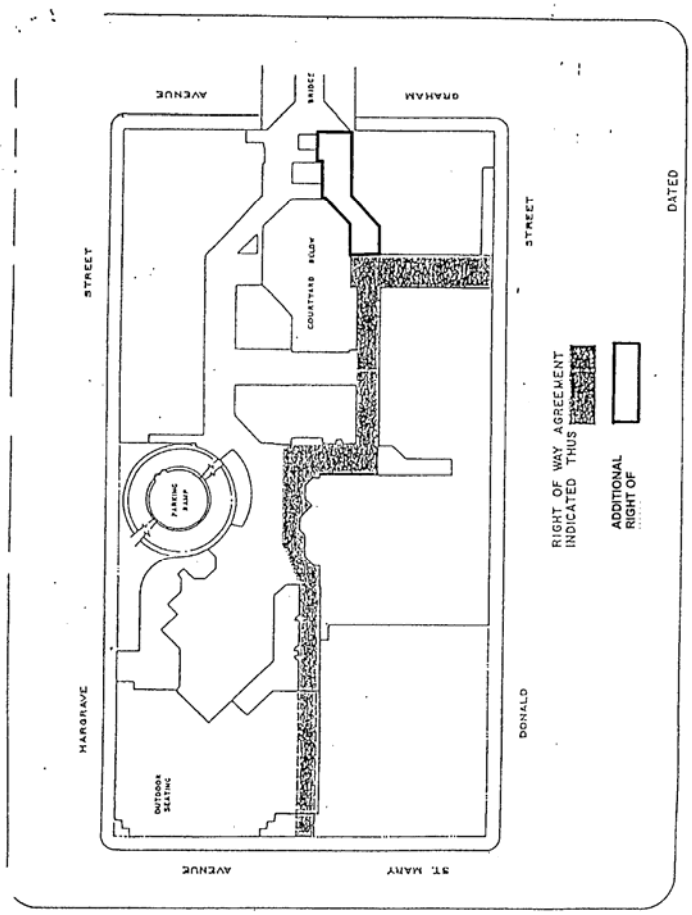
Party No.3

Property Owner:	City
Subject Property:	Portion of Carlton Street and Portage Avenue right of way as shown on the attached Misc. Plan 12005/5.

Fundamental Terms of Agreement:

Term:	(75) seventy five years commencing February 1, 1987
Renewal:	2 further periods of (10) ten years each
Rent:	No charge for Pedestrian Use, Provincial and municipal taxes.
Hours of Operation:	Reasonable business hours on ordinary business days.

SCHEDULE "B"


AVENUE
BRIDGE
GRAHAM
STREET
COURTYARD BELOW
STREET
DATED
PARKING RAMP
RIGHT OF WAY AGREEMENT INDICATED THUS
ADDITIONAL RIGHT OF
HARGRAVE
OUTDOOR SEATING
DONALD
AVENUE
ST. MARY