Agenda - Executive Policy Committee – June 13, 2007

Report - Standing Policy Committee on Property and Development – May 22, 2007

Item No. 14 Terms and Conditions - Lease Agreement - Burrows Central Residents Committee Inc. - 1100 College Avenue - Neighbourhood Resource Centre
(Point Douglas Ward)
File FI-2.2(34)

STANDING COMMITTEE RECOMMENDATION:

On May 22, 2007, the Standing Policy Committee on Property and Development concurred in the administrative recommendation and submits the following to Council:

1. That the terms and conditions for a Lease Agreement with the Burrows Central Residents Committee Inc. for the use of a City-owned building, as outlined in the report from the Acting Director of Planning, Property and Development dated May 14, 2007, be approved.

2. That pursuant to Subsection 11(2.1) of The Municipal Assessment Act, the Community Groups Occupying City-Owned Facilities By-law No. 89/2005 be amended by substituting "Burrows Central Residents Committee Inc." at 1100 College Avenue for "Boyd Park Satellite Site" at 1100 College Avenue.

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

Agenda - Executive Policy Committee – June 13, 2007

Report - Standing Policy Committee on Property and Development – May 22, 2007

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On May 22, 2007, the Standing Policy Committee on Property and Development concurred in the administrative recommendation and submitted the matter to the Executive Policy Committee and Council.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 21, 2006, the Executive Policy Committee directed the Administration to work with the Burrows Central Residents Council for a short term management agreement to occupy the space at Boyd Park Centre and report back to the appropriate Committee of Council.

COUNCIL DECISION:

On July 26, 2006, Council adopted Item 5 of the Report of the Executive Policy Committee dated July 19, 2006, removing the Sinclair Park Boyd Park Satellite site from the Community Centre Inventory, and allocating any unused funds from the Building Communities Program from Boyd Park to the Sinclair Park Community Centre.

RE: **Proposed Terms and Conditions for a Lease Agreement with the Burrows Central Residents Committee Inc. for the Use of a City-owned Building Located at 1100 College Avenue as a Neighbourhood Resource Centre**
Point Douglas Ward
Lord Selkirk/West Kildonan Community

FOR SUBMISSION TO: Standing Policy Committee on Property and Development

ORIGINAL REPORT SIGNED BY: A/Director of Planning, Property and Development

REPORT DATE: May 14, 2007

RECOMMENDATION:

1. That the proposed terms and conditions for a Lease Agreement with the Burrows Central Residents Committee Inc. for the use of a City-owned building as referenced herein, be approved.

2. That By-law 89/2005 be amended by substituting “Burrows Central Residents Committee Inc.“ at 1100 College Avenue for “Boyd Park Satellite Site” at 1100 College Avenue.

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

Report Summary

Key Issues:

- Following the Council’s decommissioning of the Boyd Park Community Centre from the Community Centre inventory, the Executive Policy Committee subsequently requested the Planning, Property and Development Department to enter into a management agreement with the Burrows Central Residents Committee Inc. for the use of the Boyd Park Satellite Site building for neighbourhood resource purposes.

- By letter dated April 16, 2007, the Burrows Central Residents Committee Inc. agreed to the proposed terms and conditions for a Lease Agreement governing the use of the former Boyd Park Satellite Site building located at 1100 College Avenue. The Agreement requires that the Tenant be responsible for all operating costs associated with the building including all repairs, maintenance, utilities, insurance and programming costs.

- To assist with the cost of operations in 2007, the Standing Policy Committee on Finance at its meeting held on May 8, 2007 approved an additional appropriation in the amount of $24,000 in favour of the Burrows Central Council Inc.

- The Community Services Department will continue to operate the water play park amenity situated adjacent to the Boyd Park Satellite Site building and it requires the use of washrooms located within the building. As such, access to the washrooms has been negotiated into the proposed terms and conditions of lease.

- That By-law 89/2005 be amended by substituting “Burrows Central Residents Committee Inc“ at 1100 College Avenue for “Boyd Park Satellite Site” at 1100 College Avenue. The Administration supports this change being as the List provides an exemption for a similar occupancy for the West Broadway Neighbourhood Centre located at 185 Young Street.

Implications of the Recommendation(s):

General Implications

( ) None

( ) For the organization overall and/or for other departments

(x) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s):

The Burrows Central Residents Committee wish to use the Boyd Park Satellite Site building to provide neighbourhood resource programs and activities to residents within the community.

Policy Implications

(x) No

( ) Yes

Comment(s):

Regulatory Implications

(x) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

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):

Report

REASON FOR THE REPORT:

In accordance with the Council Order of July 18, 1979, the Standing Policy Committee on Property and Development shall authorize the leasing or rental of City properties for which the Director of the Planning, Property and Development Department has no authority. In this regard, the Department has negotiated a proposed lease in favour of Burrows Central Residents Council Inc. for the use of the City-owned lands identified as "Leased Area" on Misc. Plan No. 12919/1 as attached. This report seeks the Committee's approval of the lease as negotiated.

Council approval is required to amend By-law 89/2005.

HISTORY:

At its meeting held on July 26, 2006, Council approved the decommissioning of the Boyd Park Community Centre from the Community Centre inventory.

At its meeting held on September 21, 2006, the Executive Policy Committee requested the Planning, Property and Development Department to enter into a management agreement with the Burrows Central Residents Committee Inc. for the use of the Boyd Park Satellite Site building for neighbourhood resource purposes.

At its meeting held on March 29, 2007, the Lord Selkirk/West Kildonan Community Committee approved a motion to provide funding in the amount of $24,000 to the Burrows Central Residents Committee Inc. to assist with operating cost in the first year of operation.

By letter dated April 16, 2007, the Burrows Central Residents Committee Inc. agreed to the proposed terms and conditions for a Lease Agreement governing the use of the former Boyd Park Satellite Site building located at 1100 College Avenue.

DISCUSSION:

1. Former Boyd Park Satellite Site Building:

As shown on the attached Misc. Plan 12919/1, the building is located at 1100 College Avenue. The building is +/- 4,800 sq. ft. and contains a multi-purpose room, washrooms, canteen and change rooms.

The 2.27 acre site is improved with playing fields, walkways and a splash pad water amenity. The Community Services Department plans to continue operating the water play structure in 2007 and beyond.

2. Proposed Neighbourhood Resource Centre:

The Burrows Central Residents Council Inc. requested an approval to use the Boyd Park Satellite Site building for neighbourhood resource programming. In September 2006, the Executive Policy Committee endorsed the request and directed that a management agreement be completed.

Within the next year, it is anticipated that the Burrows Central Council Inc. will develop a comprehensive neighbourhood resource centre concept and business plan for submission and review by the appropriate Committees of Council. This plan shall identify the concept, proposed programming and funding sources involving a partnership with several community organizations including: MamaWiChita, Ndinawa, Age and Opportunity and Graffiti Art Gallery

3. Proposed Terms and Conditions for a Lease Agreement:

Owner:	City
Tenant:	Burrows Central Residents Council Inc.
Leased Lands:	1100 College Avenue - See attached Misc. Plan 12919/1 (building plus entranceways)
Use:	Neighbourhood Resource Centre
Term:	Annual continuing commencing April 1, 2007
Rent:	$1.00 per annum
Realty Taxes:	To be added to By-law 89/2005
Cancellation:	Upon (180) days written notice by either party
Insurance:	To indemnify the City and to provide separate Comprehensive General Liability in the amount of $5.0 Million dollars including all necessary endorsements, all risks property policy for building and contents, boiler and machinery breakdown, and automobile liability for automobiles used in connection with the Centre
Tenant Resp:	To pay all operating costs, utilities, to maintain the Leased Lands including all structural and non-structural building repairs and replacements and keep in a neat and tidy condition to the satisfaction of the Director of Pubic Works, snow removal of entranceways, no assignment without written consent, no sub-letting without approval of landlord, no leasehold improvements without approval of the

	Landlord and any required or desired improvements shall be at the Tenant's sole cost and expense.
Special Tenant Resp:	To provide annual access to the washrooms for Community Services Department water park programming upon receipt of written notice by the Landlord.
City Resp:	To reimburse the Tenant for the cost of water and sewer service and toiletries associated with the Community Services Department water park programming use of the washrooms.

4. By-law 89/2005:

At its meeting held on April 27, 2005, Council approved a list of Community Groups occupying City-owned property for exemption from municipal realty taxes. The Boyd Park Satellite Site was identified as a community centre occupier of a City-owned building located at 1100 College Avenue.

Given that:

- the Burrows Central Council Inc. is a non-profit and non share entity;
- no commercial activities under sub-lease are to be conducted on site;
- the City supports the creation of neighbourhood resource centres within neighbourhoods to increase community infrastructure; and,
- the Burrows Central Council Inc. concept is similar in nature to the West Broadway Neighbourhood Centre who occupy the former West Broadway Community Centre at 185 Young Street and currently on By-law 89/2005,

the Administration recommends that By-law 89/2005 be amended by substituting "Burrows Central Residents Committee Inc." at 1100 College Avenue for "Boyd Park Satellite Site" at 1100 College Avenue.

Financial Impact Statement — Date: May 9, 2007

Project Name: — **First Year of Program** 2007

Proposed Terms and Conditions for a Lease Agreement with the Burrows Central Residents Committee Inc. for the Use of a City-owned Building Located at 1100 College Avenue as a Neighbourhood Resource Centre

	2007	2008	2009	2010	2011
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ 24,000	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ 24,000	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	24,000	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Direct costs consist of utilities expenses for the City-owned facility located at 1100 College Avenue. At its meeting on May 8, 2007, SPC on Finance approved an additional appropriation to the current budget to fund these costs.

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

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Community Services Department

Internal Services Department - Legal Services Division (as to legal issues)

Public Works Department

Property Assessment Department

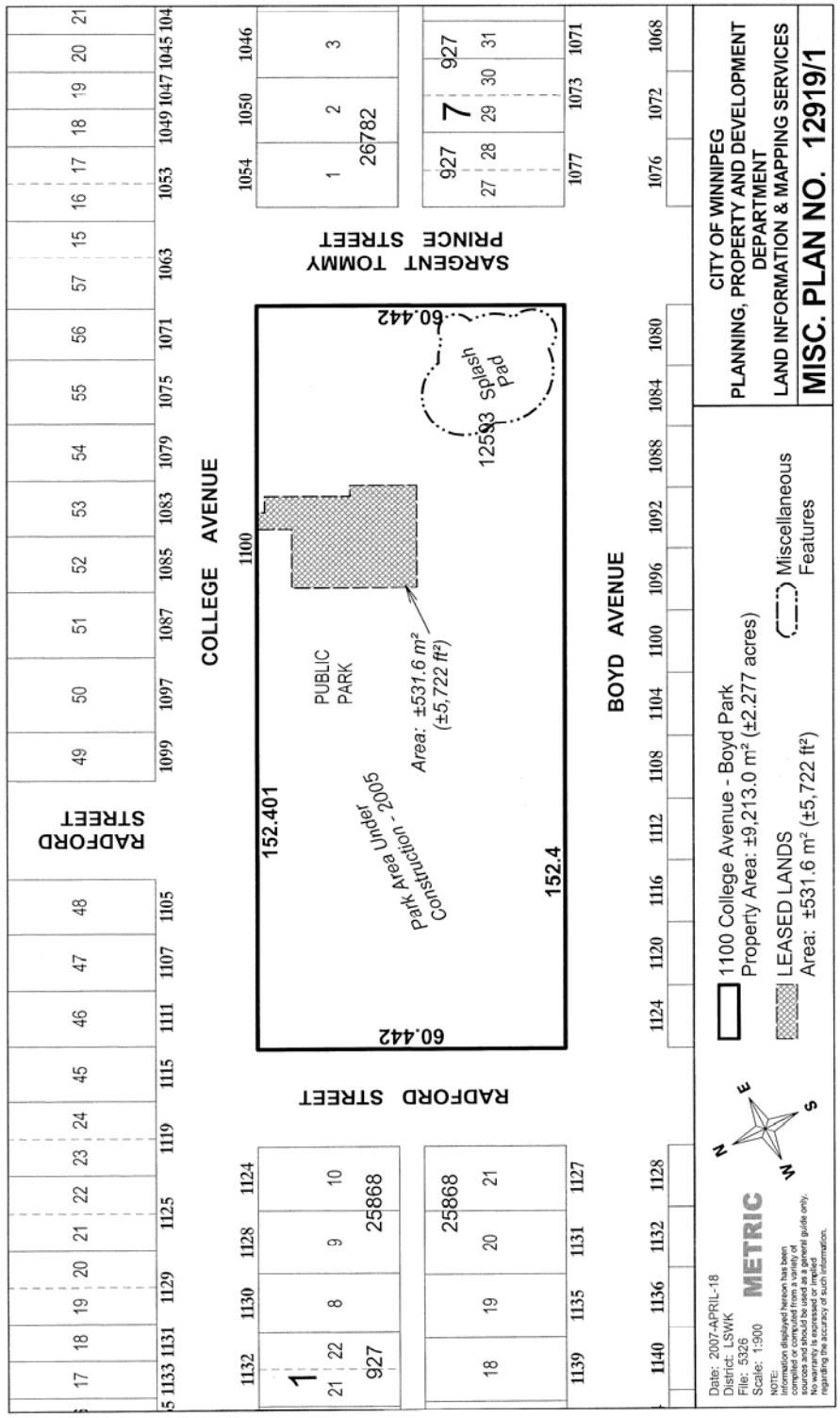
External Consultation With:

n/a

THIS REPORT SUBMITTED BY:

Department Planning, Property and Development
Division Real Estate
Prepared by: D. Armstrong
PPD File No. 5326

O:\Reports Directive\Real Estate\Leasing\(da) Burrows Central.doc



COLLEGE AVENUE
RADFORD STREET
SARGENT TOMMY PRINCE STREET
BOYD AVENUE
PUBLIC PARK
Park Area Under Construction - 2005
Area: ±531.6 m² (±5,722 ft²)
Splash Pad
152.401
152.4
60.442
1100
1100 College Avenue - Boyd Park
Property Area: ±9,213.0 m² (±2.277 acres)
LEASED LANDS
Area: ±531.6 m² (±5,722 ft²)
Miscellaneous Features
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPARTMENT
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12919/1
Date: 2007-APRIL-18
District: LSWK
File: 5326
Scale: 1:900
METRIC