Agenda – Council – March 23, 2011

Report "A"– Executive Policy Committee – March 16, 2011

Item No. 2 Amendment to Weather Protected Walkway (Skywalk) Agreement and related Local Improvement Authorization By-law (Fort Rouge - East Fort Garry Ward)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 16, 2011, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Downtown Development and the Standing Policy Committee on Infrastructure Renewal and Public Works and submits the following to Council:

1. That the Skywalk Agreement Amendment as outlined in the Winnipeg Public Service report dated February 28, 2011 be approved.

2. That an amendment, as outlined in the Winnipeg Public Service report dated February 28, 2011, be approved to the Local Improvement Authorization By-law titled: "330 St. Mary Avenue Weather Protected Walkway Authorization By-law No. 88/2009".

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

Report "A"– Executive Policy Committee – March 16, 2011

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 16, 2011, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Downtown Development and the Standing Policy Committee on Infrastructure Renewal and Public Works and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On March 15, 2011, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in Recommendation 2 of the Winnipeg Public Service and the matter to the Executive Policy Committee and Council.

On March 7, 2011, the Standing Policy Committee on Downtown Development concurred in Recommendation 1 of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: **AMENDMENT TO WEATHER PROTECTED WALKWAY (SKYWALK) AGREEMENT AND RELATED LOCAL IMPROVEMENT AUTHORIZATION BY-LAW**

Critical Path: **Standing Policy Committee on Downtown Development and Standing Policy Committee on Infrastructure Renewal & Public Works – Executive Policy Committee – Council**

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Cull Manager of Taxation and Finance	N. Karpa City Assessor	M. Ruta Acting CAO	M. Ruta Acting CAO

RECOMMENDATIONS

Standing Policy Committee on Downtown Development

1. That Council approve the Skywalk Amending Agreement as outlined in this report.

Standing Policy Committee on Infrastructure Renewal & Public Works

2. That Council approve an amendment, as outlined in this report, to the Local Improvement Authorization By-law titled:
    - "330 St. Mary Avenue Weather Protected Walkway Authorization By-law No. 88/2009"

REASON FOR THE REPORT

Amendments to the Weather Protected Walkway Agreement (the "Skywalk Agreement") and Local Improvement Authorization By-law require Council approval.

IMPLICATIONS OF THE RECOMMENDATIONS

FINANCIAL IMPLICATIONS

(x) Within approved Current and/or Capital Budget.

( ) Current and/or Capital Budget adjustment is required.

Comment(s): There are no financial implications in these recommendations.

HISTORY

On November 18, 2008 Council adopted the Skywalk Agreement for the Weather Protected Walkway System.

On May 27, 2009 Council approved the three Local Improvement Projects for the parties named in the Skywalk Agreement, with Local Improvement Authorization By-laws as follows:

Project	Local Improvement Authorization By-law No.	Local Improvement Tax Imposition By-law No.
330 St. Mary Ave.	88/2009	
333 St. Mary Ave. (Cityplace)	89/2009	13/2011
350 St. Mary Ave. (Delta Hotel)	87/2009	14/2011

The Weather Protected Walkway System was completed in October 2010. The related Tax Imposition By-laws require Council approval prior to realty tax billing in April 2011. This will provide the authority to impose the Local Improvement annual levy on the property tax bill for each property above.

The Tax Imposition By-laws for 333 St. Mary Ave. and 350 St. Mary Ave. were passed by Council on Feb 23, 2011. The Tax Imposition By-law for 330 St. Mary Ave. has not been approved by Council, and that is the reason for this report.

The registered owner of 330 St. Mary Ave. made a formal request with the City to amend the Local Improvement Authorization By-law 88/2009 to include the adjacent property to the south; 175 Hargrave St. (see Attachment 1). This request was considered by the Winnipeg Public Service due to the following:

- The registered owner for 330 St. Mary Ave. is the registered owner of 175 Hargrave St. as well.
    - A revised “Petition For” form was signed by the registered owner for both properties on December 29, 2010 and received by the City on December 30, 2010.
- 175 Hargrave St. benefits from the Weather Protected Walkway System.
- 175 Hargrave St. is connected to 330 St. Mary Ave. via underground parkade, so tenants of 175 Hargrave St. can access the Weather Protected Walkway System.
- The requested change only impacts on the realty tax billing to 330 St. Mary Ave. It does not affect anything to do with the construction of the Walkway itself. Further, it has no

impact on the other two parties to the Skywalk Agreement - 333 St. Mary Ave. (Cityplace), and 350 St. Mary Ave. (Delta Hotel).

- This change simply adds one roll number to the Local Improvement Project for 330 St. Mary Ave. Therefore, the registered owner will receive a Local Improvement Levy on two tax bills (instead of one bill as originally set up).

The inclusion of 175 Hargrave St. required an amendment to the Skywalk Agreement. The Skywalk Amending Agreement was prepared and circulated to all three parties. All have signed as of the date of this report.

Council approval of the Skywalk Amending Agreement is required and, in turn, Council approval to amend Local Improvement Authorization By-law No. 88/2009 is required *prior to* the Tax Imposition By-law for 330 St. Mary Ave. being passed by Council on March 23, 2011.

FINANCIAL IMPACT

Financial Impact Statement **Date:** February 28, 2011

Project Name:

Weather Protected Walkway Amendment

COMMENTS:

The amendment to the Skywalk Agreement and the Local Improvement Authorization By-law No. 88/2009 have no financial implications.

[original signed by]
Radhika Abeysekera
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

In preparing this report there was consultation with:

Internal

Property Management Branch of Planning, Property & Development Department
Legal Services Department

External

Property owners for 330 St. Mary Ave, 333 St. Mary Ave, and 350 St. Mary Ave

SUBMITTED BY

Department:	Assessment and Taxation
Division:	Taxation and Finance
Prepared by:	B. Cull, Manager of Taxation & Finance
Date:	February 28, 2011
File No.	N/A

ATTACHMENT 1

