**Minute No. 130**
**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 12, 2016**

**Item No. 14 Downtown Winnipeg Business Improvement Zone Back Lane Project Funding**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and adopted the following:

1. That, subject to the conditions set out below, the City of Winnipeg provides a capital grant from the 2015 Downtown Enhancement Capital Program in the amount of $20,000 to the Downtown Winnipeg Business Improvement Zone ("the BIZ") for its Back Lane Project:

    A. that the final design is approved by the Director of Planning, Property and Development or delegate;
    B. that the BIZ accepts full responsibility and liability for carrying out the work in accordance with the approved design;
    C. that the BIZ accepts full responsibility and liability for maintenance of the project after the work has been completed;
    D. that the funding flow as invoices are submitted to the City and that no funding will flow to the BIZ after two years have elapsed since the agreement was executed;
    E. that the City be entitled to terminate the agreement upon the provision of notice to the BIZ.

2. That The City of Winnipeg enter into a grant agreement for the above-noted Streetscaping Project and such other agreements as are determined necessary by the City Solicitor/ Director of Legal Services to implement the intent of Recommendation #1.

3. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the agreements referred to in Recommendation #2 in accordance with this Report in addition to such other terms and conditions deemed necessary by the City Solicitor/ Director of Legal Services to protect the interests of the City.

4. 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 Property and Development, Heritage and Downtown Development – January 12, 2016**

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 20, 2016, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 12, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

# ADMINISTRATIVE REPORT

**Title:** **Downtown Winnipeg Business Improvement Zone Back Lane Project Funding**

**Critical Path:** **SPC on Property and Development, Heritage and Downtown Development – EPC – Council**

## AUTHORIZATION

| Author | Department Head | CFO | CAO/COO |
|---|---|---|---|
| K. McKim | J. Kiernan | Mike Ruta | Mike Jack |

## RECOMMENDATIONS

1. That, subject to the conditions set out below, the City of Winnipeg provides a capital grant from the 2015 Downtown Enhancement Capital Program in the amount of $20,000 to the Downtown Winnipeg Business Improvement Zone (“the BIZ”) for its Back Lane Project:

    - that the final design is approved by the Director of Planning, Property and Development or delegate;
    - that the BIZ accepts full responsibility and liability for carrying out the work in accordance with the approved design;
    - that the BIZ accepts full responsibility and liability for maintenance of the project after the work has been completed;
    - that the funding flow as invoices are submitted to the City and that no funding will flow to the BIZ after two years have elapsed since the agreement was executed;
    - that the City be entitled to terminate the agreement upon the provision of notice to the BIZ.

2. That The City of Winnipeg enter into a grant agreement for the above-noted Streetscaping Project and such other agreements as are determined necessary by the City Solicitor/ Director of Legal Services to implement the intent of Recommendation #1.

3. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the agreements referred to in Recommendation #3 in accordance with this Report in addition to such other terms and conditions deemed necessary by the City Solicitor/ Director of Legal Services to protect the interests of the City.

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

## REASON FOR THE REPORT

Council approval is required to enter into grant agreements with the BIZ.

## EXECUTIVE SUMMARY

The Downtown BIZ is asking for civic assistance in supporting their streetscaping enhancement initiative:

- The Downtown BIZ launched a back lane design competition to transform uninviting back lanes into vibrant and unique spaces.

## IMPLICATIONS OF THE RECOMMENDATIONS

- Funding of $20,000 is proposed through the Council Adopted 2015 Downtown Enhancement Capital Program.
- It is proposed that a standard agreement, which has been employed for similar funding agreements with BIZ's in the past, be used. Besides standard provisions that protect the City legally, the agreement provides for:
    - Design approval by the Director of Planning, Property and Development or delegate;
    - The BIZ accepting full responsibility and liability for carrying out the work in accordance with the approved design;
    - The BIZ accepting full responsibility and liability for maintenance of the project after the work has been completed;
    - Funding to flow as invoices are submitted to the City and the termination of funding after two years have elapsed since the agreement was executed;
    - Termination by the City upon the provision of notice to the BIZ.
- The City of Winnipeg insures the BIZ Zones within the City of Winnipeg. Any issues of liability for these streetscape elements are covered through the Risk Management Division and therefore there is coverage for replacement value if damage occurs by a third party.

## HISTORY

The Downtown BIZ plans to use the funds for a design competition in the back lane between Donald Street and Smith Streets. The competition is for a semi-permanent installation (three to five years) that will further enhance the CentrePoint/SHED neighbourhood in order to transform a utilitarian space into one that invites exploration. The intent of this project is to improve the look and feel of the lane, as well as improve safety in the area (see Appendix A “Back Lane Public Art Project”).

The lane starts at Notre Dame Avenue, at the edge of the Exchange District, and ends at CentrePoint. The selected portion of the back lane is behind Mountain Equipment Co-op and Dollarama on Portage Avenue. It provides an opportunity to create a link between the two areas, with possible views of the installation from either end of the lane.

## FINANCIAL IMPACT

### Financial Impact Statement

**Date:** December 21, 2015

**Project Name:** Downtown Winnipeg Business Improvement Zone Back Lane Project Funding

**First Year of Program** 2016

| | 2016 | 2017 | 2018 | 2019 | 2020 |
|---|---|---|---|---|---|
| **Capital** | | | | | |
| Capital Expenditures Required | $ 20,400 | $ - | $ - | $ - | $ - |
| Less: Existing Budgeted Costs | 20,400 | - | - | - | - |
| 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 | $ - | $ - | $ - | $ - | $ - |
| Less: Incremental Revenue/Recovery | 400 | - | - | - | - |
| Net Cost/(Benefit) | $ (400) | $ - | $ - | $ - | $ - |
| Less: Existing Budget Amounts | (400) | - | - | - | - |
| Net Budget Adjustment Required | $ - | $ - | $ - | $ - | $ - |

**Additional Comments: Capital expenditures consist of the $20,000 grant + short-term financing charges of $400, which will be charged to the 2015 Downtown Enhancement Capital Program budget. The latter amount is offset by an equal recovery in the current budget of the Corporate Finance Department.**

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

## CONSULTATION

Legal Services (as to legal issues)

## OURWINNIPEG POLICY ALIGNMENT

**OurWinnipeg**:
August 17, 2011 Council adopted Municipal Development Plan *OurWinnipeg* and includes direction to:

- Respond to Winnipeg's dynamic urban character and create a legacy of high quality public and private places to ensure its competitive position as a functional, livable and memorable city. (*Complete Communities* section 12 Urban Design).
- Promote high quality urban design.
- These directions include but are not limited to several key components including: Downtown; Safety; Environment; Heritage; Opportunities; Creativity and Urban Form.

**Complete Communities:**

August 17, 2011 Council adopted Secondary By-law *Complete Communities*. Urban Design Directions in *Complete Communities* focuses on land use design and outcomes:

Downtown:
Pursue high quality urban design in a manner that conserves, enriches, and showcases the rich collection of heritage resources Downtown.

- Invest in high-quality Downtown public spaces that attract people and promote private sector investment.
- Create pedestrian spaces that effectively accommodate all ages and abilities.

## SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Design
Prepared by: Marsha Christiuk
Date: December 21, 2015
File No.:

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Appendix A: Back Lane Public Art Project