Agenda – Executive Policy Committee – July 15, 2020

Report – Standing Policy Committee on Protection, Community Services and Parks – July 10, 2020

Moved by Councillor

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than four business days preceding the committee meeting, be considered by Committee.

Item No. 3 "Places to Go" – Public Restroom Strategy

STANDING COMMITTEE RECOMMENDATION:

On July 10, 2020, the Standing Policy Committee on Protection, Community Services and Parks concurred in the recommendation of the Winnipeg Public Service, as amended, and submitted the following to Council:

1. That Council approve the three-tiered Places to Go Framework as detailed herein and direct the Public Service to:

    A. work with external stakeholders to:

        i. conduct a public restroom facility analysis to determine existing gaps and high-needs areas;

        ii. determine best locations for installation of public restrooms, for all Winnipeggers inclusive of vulnerable persons on a priority basis; and

    B. work with external stakeholders to create a program and criteria to encourage private and public building owners to provide public washroom access; and

    C. identify all potential barriers within City By-laws, processes or procedures inhibiting the establishment of public restroom facilities, along with any proposed amendments to address same and report back in December of 2020 to the Standing Policy Committee on Protection, Community Services and Parks.

2. That the Public Service report back annually on the matter commencing in December 2021.

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 – July 15, 2020

Report – Standing Policy Committee on Protection, Community Services and Parks – July 10, 2020

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On July 10, 2020, the Standing Policy Committee on Protection, Community Services and Parks concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- In Recommendation 1.C. add “and report back in December 2020 to the Standing Policy Committee on Protection, Community Services and Parks” after “to address same”

- In Recommendation 1.A.ii. delete “downtown” after “for installation of”

- In Recommendation 2 add “annually” after “report back” and delete “by” after “on the matter” and replace with “commencing in”.

- In Recommendation 1.B. delete “business” after “encourage private” and replace with “and public building”

and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Places to Go – Public Restroom Strategy

Critical Path: Standing Policy Committee on Protection, Community Services and Parks – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Jack	M. Ruta	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

This Report presents a Framework created with a view to improving access to public restrooms for Winnipeg residents, with this Framework consisting of three separate tiers:

1. Advertiser-funded public restrooms
2. Public-Private Partnerships with local businesses and BIZes
3. Removing red tape for private businesses to install their own temporary public restroom facilities

This Report outlines the basis for the proposed Framework, informed by years of testing, pilot projects and input from a variety of stakeholders. While this Report does not seek funding for these initiatives, it recommends further exploration into potential revenue mechanisms that may be required to operationalize some of the proposed initiatives.

RECOMMENDATIONS

1. That Council approve the three-tiered Places to Go Framework as detailed herein and direct the Public Service to:

    A. work with external stakeholders to:

        i. conduct a public restroom facility analysis to determine existing gaps and high-needs areas;

        ii. determine best locations for installation of downtown public restrooms, for all Winnipeggers inclusive of vulnerable persons; and

    B. work with external stakeholders to create a program and criteria to encourage private business owners to provide public washroom access; and

C. identify all potential barriers within City By-laws, processes or procedures inhibiting the establishment of public restroom facilities, along with any proposed amendments to address same.

2. That the Public Service report back on the matter by December 2021.

3. 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

On November 1, 2019 the Standing Policy Committee on Protection, Community Services and Parks directed the Winnipeg Public Service to provide a verbal report, within 30 days, on the following:

1. A policy on Downtown Public Restrooms incorporating the following:
   A. Their own draft "PLACES TO GO - DOWNTOWN PUBLIC RESTROOM STRATEGY";
   B. Winnipeg Downtown BIZ recent restroom program options work; and
   C. Stakeholders within the downtown who since 2010 have continued to work to advocate for public washrooms including Siloam Mission, Main Street Project, Wins Bridgman, and the Downtown Winnipeg Biz.
2. Any relevant by-law amendments to support considerations on the recent model proposed by the Winnipeg Downtown BIZ to add pieces of the thoroughfares with the support of voluntary organizations and businesses and support private public partnerships and sponsorship package for public washrooms; and cost

Subsequent extensions were granted by the Standing Committee.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no immediate implications to the Recommendations of this report. Any potential costs or other implications will be identified in the recommended report back to Council.

HISTORY/DISCUSSION

"Places to Go" Report (Draft) - 2010

The Public Service has previously reviewed the possibility of City provision of public restrooms in the downtown area. In 2008, the Planning, Property and Development Department, in response to a motion by the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management, called together a working group of area stakeholders, including the social services and private sectors, to form the Places to Go Advisory Committee ("Advisory

Committee") and partner on options for downtown public washrooms. The Advisory Committee included representatives from:

- the Aboriginal Centre of Winnipeg,
- Salvation Army,
- Main Street Project,
- Red Road Lodge,
- Lighthouse Mission,
- Downtown Winnipeg and Exchange District Business Improvement Zones,
- Forks North Portage Partnership,
- Residents of the Exchange District and
- the City of Winnipeg.

Based on the work of the Advisory Committee, and informed by research and public engagement through 2008-2010 as well as a number of pilot projects in partnership with the Downtown Winnipeg BIZ, the Public Service prepared a draft summary report in 2010, titled *Places to Go: Downtown Public Restroom Strategy* (attached to this report as Appendix 1). The 2010 report indicated that "[t]he City supports the establishment of portable toilets at strategic locations downtown pending development of long term solutions". However, due to a number of factors, the report did not come forward to Committee for consideration at that time.

This 2010 report also detailed the history of public restrooms in Winnipeg, noting the following:

> These "comfort stations" as they were known, were available in city parks and on other city-owned lands (i.e., street rights-of-way). …. The comfort stations were supervised by paid attendants. They ceased to operate and were removed around the 1970s due to unsanitary conditions, deteriorating infrastructure and budgetary concerns.
>
> The Province of Manitoba built public restrooms in Memorial Park fronting Broadway, across from the Legislative Building in the spring of 1973 amid some controversy. The restrooms were located underground and were not supervised. The facility was closed in 2004 and the building was demolished in 2006 after concerns and complaints about personal safety and security, vandalism...

The 2010 report indicated that lack of public restrooms could lead to negative impacts on public health, social inequity, and human dignity, while also contributing to economic losses, including potential lost revenue to downtown businesses and the City due negative impacts on downtown livability and public image. Additionally, the City would invariably continue to bear the costs, including actual clean-up and maintenance costs for public urination sites.

For the 2010 report, the City partnered with the Downtown Winnipeg BIZ to conduct an initial portable toilet pilot project, with locations determined via collaborative research into:

- existing public urination sites

- activity areas, including:
    - high volume pedestrian sites,
    - paths,
    - parks,
    - plazas,
    - entertainment districts, and
    - social services clusters;
- the diversity of users of public restrooms, including:
    - people who work, shop, and visit the downtown,
    - bar patrons, and
    - the vulnerable population; and
- existing supply of public washroom facilities, like those in:
    - shopping centres,
    - food courts, and
    - publicly-owned buildings like government offices and libraries.

According to the 2010 report, determining the appropriate location of the portable toilet for the pilot project was challenging; its initial placement in the North Main area led to safety and sanitation concerns, but its subsequent relocation to the Salvation Army led to significant reductions in public urination. Specifically,

> Downtown businesses, property owners and users in the vicinity of the facilities are pleased about the availability and location of the toilets, and the appearance of the area has witnessed a marked improvement. The project proceeded without safety or maintenance concerns and the community seemed to be making use of the facilities. … The structures are supervised by the Downtown BIZ Clean Team and the property owner … and maintained by a private portable toilet operator. They are locked at midnight each night.

Noted challenges at the Salvation Army site were ensuring a steady supply of toilet paper and the cost of providing alcohol-free hand sanitizer.

Part of the initial research in the 2010 report included the exploration of options for “the most cost effective means of supplying restroom facilities including asking downtown businesses whether they would volunteer to open their restrooms to public access, or whether public investment would be required”. Accordingly, the Downtown Winnipeg BIZ reached out to local

business owners along Portage Avenue and Main Street to gauge their willingness to provide public access to their private washroom facilities. The response at the time was noted to be "surprisingly positive".

The draft 2010 report indicated that future research should include a facility analysis of downtown public restroom facilities that could include:

- an inventory of public and "semi-public" restrooms (defined as "a privately-owned facility" where customer status or fees may not be a prerequisite to use the restroom facilities),
- their hours of operation, location and/or address,
- number of stalls available,
- handicap accessibility,
- security measures,
- context (compatibility with adjacent land uses, level of pedestrian activity, proximity to transit, parking, etc), and
- photographs.

Subsequent Public Restroom Activity in Winnipeg

In 2018 and 2019, the Downtown Winnipeg BIZ and BridgmanCollaborative Architecture partnered to develop the Pop-Up Public Toilet Initiative to address the need for public restrooms in the downtown. This included the design and manufacturing of a temporary, mobile accessible public restroom facility that provided "a clean, secure, well-maintained, and attended public washroom facility" with the goal of "encourage[ing] publicity for future sponsored permanent toilets, through consciousness-raising, an iterative design process, and general public support." (https://www.bridgmancollaborative.ca/pop-up-winnipeg-public-toilet.html)

The 2018 installation included a kiosk staffed by Siloam Mission clientele, with sales proceeds going to Siloam Mission; in 2019, the kiosk was staffed by employees and clients of Main Street Project, who also conducted outreach services. The kiosk partnerships help to "create more opportunities for those experiencing poverty and homelessness to gain work experience as they work toward progress and transition," and provided a social enterprise component to these services. Operation hours in 2019 were 7:30 AM – 4:00 PM, seven days a week.



Photography by Jacqueline Young, Stationpoint Photographic

In its 2019 report on its public restroom pilot project (attached to this report as Appendix 2), the Downtown Winnipeg BIZ noted that, while the unheated Pop-Up toilets "made positive change in the downtown area and gained encouraging feedback from the public," they were "dependent on the season and partnerships with non-profit organizations, which typically have limited resources" in terms of funding, and needed to be stored in the off-season. Initial capital costs were $125,000 per two-toilet unit, with approximately $40,000 in annual operating costs.

Alternative options that the 2019 BIZ report also presented were permanent toilets, with an initial capital cost of $185,000 per unit, and $12,500 operating in subsequent years; and a public-private washroom program, similar to what was initially canvassed to Portage Avenue and Main Street businesses by the BIZ for the public service's draft 2010 report. Specifically, the BIZ proposed a one-year partner pilot project, wherein 17 pre-selected businesses would open their facilities to the public to provide public restroom services, with the City of Winnipeg covering the incremental costs of additional cleaning and supplies as well as providing signage, wayfinding, and maps, and administration of the program. The 2019 BIZ report indicates approximate costs of $22,500 to the City for this one-year pilot program.

Reasons for Public Restrooms

Both the 2010 draft Public Service report and the 2019 Downtown Winnipeg report discuss the various reasons for consideration of public restrooms. Because the need is universal, lack of publicly-available restroom facilities often contributes to the incidence of public urination and defecation, and consequential negative impacts on public health and human dignity. Further, public urination and defecation negatively impact the livability of the area it occurs in and is a detriment to the public image and reputation of the area.

There are also tangible costs for cleanup of human waste and extra maintenance requirements, and lost revenue to businesses and the City via decreased public attendance due to the

"impression that [the area] is unclean, uncared for and unappealing, … discourag[ing] consumer activity and private investment".

Similarly, the Downtown Winnipeg BIZ succinctly sums up the importance of public restrooms to Winnipeg's downtown, in particular:

> We believe that the availability of public washrooms is a core feature of a safe, comfortable downtown that is welcoming to all. This promotes a thriving environment for our member businesses. …
>
> Many people, especially those with chronic illnesses or age-related washroom challenges, must limit their travels around washroom availability and consequently face isolation at home. Visitors may limit their time spent in the downtown due to a lack of reliable washrooms. Others may feel they must go without food or drink, or "hold it", which can lead to preventable health problems. Another frequent side effect of scarce public washrooms is public urination and defecating, which is humiliating as well as a public health hazard that worsens the perception of the Downtown area.

The emphasis on public restrooms being equitably available for all is an important and reoccurring theme in both the Downtown Winnipeg BIZ report and the 2010 draft report. Understandably, the lack of public washrooms in any area unduly affects those individuals who spend more time in that area. In the case of the downtown, the Downtown Winnipeg BIZ indicated that:

> The need for a washroom is universal, but some groups are disproportionately affected by unreliable washroom access, including:
>
> - People experiencing homelessness,
> - Pedestrians, cyclists, and transit riders,
> - People with chronic illnesses and disabilities, and their caregivers,
> - Gender non-conforming people,
> - Elders and seniors (a population that is growing rapidly),
> - Pregnant individuals,
> - Babies and young children,
> - People travelling downtown late at night from bars and sporting events.

The diversity of this list is worth noting, with people across the spectrum of relative privilege. Similarly, the 2010 draft report indicated that the lack of public restroom access in the northern part of downtown left those living unsheltered without reliable options for restroom access outside of shelter hours, and also that:

> …on weekends when bar patrons spill out onto the street after closing and have nowhere to access a public toilet facility … . [i]ntoxicated persons generally have fewer inhibitions about relieving themselves in public, and this can create conflicts especially

where nightclubs, bars and restaurants are located in close proximity to downtown residences. The problem is pronounced in areas where there is a concentration of licensed facilities (e.g., entertainment clusters) and offenders can be seen urinating in back lanes, but also in public view at all hours of the day.

While the need for public restrooms is therefore endemic to densely-populated and highly-visited areas like the downtown, lack of the same has an effect on the population of the City as a whole, wherever they may live and work and play—from its most vulnerable to its everyday tax payer to its affluent, its residents to its visitors to its businesses. Further, the BIZ report notes that public restrooms can improve the pedestrian experience and make all modes of transportation more practical, and can encourage visits from individuals who may otherwise choose to stay home or close to available restroom facilities, like those with chronic health issues and those with small children, while simultaneously improving the experience of business owners by reducing public waste concerns and generating more foot traffic. Public restroom facilities have the potential to not only address a basic human need and provide dignified options to some of our most vulnerable, but also—and to extrapolate the BIZ report from the downtown—to make the City as a whole more inviting and welcoming to everyone.

On the other hand, the history of public restrooms and projects in Winnipeg also evidences that there are serious concerns and reservations that must be considered in any potential public restroom program. Various levels of government over the years have established public restrooms in downtown Winnipeg only to be faced with a demolition bill years later, because of deteriorating infrastructure, lack of a sustainable source of operating funding, and unsanitary and unsafe conditions**.**

Further, the work of the Public Service as well as that of the Downtown Winnipeg BIZ underscores the importance of thoughtful placement, maintaining a level of cleanliness and ensuring public safety, and the identification of a long-term funding model, to ensure that history does not repeat itself. The sustainability, practicality and future-facing orientation of any proposed plan is only made more vital by the current financial context of the City of Winnipeg as an organization, Winnipeg's recent downtown renaissance, and the city's continued population growth.

Stakeholder Engagement and proposed Places to Go Framework

Recognizing these challenges, and as per the Standing Committee's direction, the Public Service sought the expertise of various downtown stakeholders in the preparation of this report. In early 2020, members of the Public Service met with representatives from the Winnipeg Downtown BIZ, Siloam Mission, Main Street Project, and Bridgman Collaborative Architecture with the intent of discussing the various private projects, their lessons learned, and possible strategies for consideration going forward. Stakeholders emphasized similar findings as articulated in the 2010 draft report and the Downtown Winnipeg BIZ 2019 report, including the belief that the long-term success of a public restroom program would require:

- the identification of a sustainable funding model with buy-in from the private sector;

- a contextually-sensitive and data-based siting strategy, and a 'Winnipeg lens' with a focus on people rather than technology, and;

- a ‘critical mass’ of public restroom facilities across the entire City, not just the downtown, in order to integrate them into the public consciousness and fabric of Winnipeg as safe and equitable places to go for everyone.

After this initial meeting, the Public Service undertook a jurisdictional scan of similar municipalities across Canada, attached to this report as Appendix 3, to review and establish best practices in developing a strategy. Five municipalities—Vancouver, Calgary, Edmonton, Regina, and Toronto—were identified as municipalities with a developed public restroom strategy. Further, the strategies in four of these five cities incorporate a certain level of partnership, whether with other public-sector social services groups, business improvement zones, or private-sector sponsors or advertisers, in the same vein as the proposal of the Public Service and the BIZ to identify external private-sector stakeholders.

Funding scenarios under these strategies were then reviewed to determine their applicability and suitability for Winnipeg. Options to fund a public restroom program included crowdfunding; a utility bill levy of a fixed rate per household; and a street furniture program like Vancouver and Toronto, which is discussed in more detail below. Consideration was also given to removing red tape specifically around zoning and encroachment permits to allow private entities to place public restrooms outside of their facilities.

Bringing together the findings of the 2010 draft report, the BIZ 2019 report, discussions with stakeholders, and the jurisdiction scan and funding model proposals, the Public Service developed a three-tier Places to Go Framework that takes into consideration the various difficulties that previous programs had encountered. The proposed Framework incorporates the importance of an accessible and universal model that serves the diverse population of Winnipeg, while encouraging private stakeholder buy-in, sustainability, and accessibility, to serve the diverse population of Winnipeg.

Tier 1: Advertiser-funded public restrooms

This first tier would entail a review of the practicality of installing temporary restroom facilities (e.g. port-a-potty units) within City-controlled spaces and/or rights-of-way. Based on the strategies employed by a number of cities reviewed, an advertising company could own and/or operate one or more public restroom facilities in exchange for exclusive advertising opportunities on them. This approach is particularly relevant within the downtown area for a number of reasons:

- Locating these facilities within public spaces and/or rights-of-way would hopefully discourage loitering, vandalism, and misuse of the public restroom facilities; and

- Advertising in the downtown area is limited by provisions within the Downtown Zoning By-law**,** with advertisers eager to gain exclusive rights to eye-level advertising real estate on prominent and highly-visible intersections and locations in the City.

Advertising contracts for other City structures, such as bus shelters and advertising on buses, are up for renewal between in 2023 and 2025. Opportunities could be extended for advertisers to fund installation and maintenance of public restroom facilities at various designated locations for the exclusive right to advertise on public restroom facilities in a similar manner for an initial pilot period of one or two years, with a rotation of sites. Usage of the public restrooms would be

monitored to determine optimal locations, and to determine if they have any positive impact on public urination and defecation in general. This data could then be used to inform the installation of either long-term temporary facilities at certain locations, or the installation of permanent facilities.

Tier 2: Public-Private Partnerships with local businesses and BIZes

The second tier builds off of the work of the Places To Go Advisory Committee and the Downtown Winnipeg BIZ to develop a pilot partnership program with local businesses through their respective BIZ to encourage private businesses to open their washrooms to the public at large.

Funding of this program would be through incremental advertising revenue on the program proposed in Tier 1.

Tier 3: Removing red tape for private businesses to install their own temporary public restroom facilities

The third tier responds to calls from the external stakeholders, including the Downtown Winnipeg BIZ and BridgmanCollaborative Architecture, to remove red-tape on private entities wanting to place a temporary public restroom facility on or near their properties, through a review and possible amendment of the various applicable by-laws on encroachments, street signage, etc.

The City has not received any significant feedback from the community suggesting there is a desire on the part of the private sector to operate and maintain public restrooms independently of a publicly-operated program, by the Public Service intends to report back with a summary of any existing land use rules and policies which might inhibit or prevent the placement of public restrooms, to recommend the removal of any unnecessary barriers within the City’s By-laws.

FINANCIAL IMPACT

Financial Impact Statement **Date:** June 12, 2020

Project Name:

Places to Go – Public Restroom Strategy

COMMENTS:

There is no financial implications associated with approval of the Places to Go Framework.

electronically signed by
Tanis Yanchishyn
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

This Report has been prepared in consultation with:

BridgmanCollaborative
Siloam Mission
Main Street Project
Downtown Winnipeg BIZ
Community Services
Planning, Property and Development

OURWINNIPEG POLICY ALIGNMENT

03-1 Opportunity

- Direction 2: Provide equitable access to municipal programs, services and facilities
- Direction 3: Work with community partners to foster an inclusive and equitable community
- Direction 9: Collaborate with developers, community organizations and other partners to foster an age-friendly and accessible urban environment

03-2 Vitality

- Direction 3: Work in partnership with communities to identify and address neighbourhood issues
- Direction 6: Promote cleanliness and beautification

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

SUBMITTED BY

Department: Office of the CAO
Division:
Prepared by: Michael Jack
Date: June 12, 2020
File No: N/A

Attachments:

Appendix 1 - Draft 2010 Places to Go Report

Appendix 2 – Public Washroom Program Options: Downtown Winnipeg BIZ, October 2019 Report

Appendix 3 – Public Washroom Jurisdictional Scan