Minute No. 227
Report – Standing Policy Committee on Public Works – February 7, 2023

Item No. 7 **Realignment of Smith Street from Ellice Avenue to Notre Dame Avenue and Management Agreement with Downtown Winnipeg Biz to Maintain Odeon Park**
(Daniel McIntyre Ward)

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Public Works and adopted the following:

1. That Smith Street between Ellice Avenue and Notre Dame Avenue be realigned as shown on the drawing attached as Appendix A to this report.

2. That the City enter, execute and deliver a Management Agreement with the Downtown Winnipeg Biz to maintain and possibly further develop the consolidated and expanded Odeon Park, and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

3. That the authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the Management Agreement and the Ancillary Agreements, in accordance with this report and 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 Public Works – February 7, 2023

DECISION MAKING HISTORY:

Moved by Councillor Lukes,

That the recommendation of the Standing Policy Committee on Public Works be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 14, 2023, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Public Works and submitted the matter to Council.

Kate Fenske, CEO, Downtown Winnipeg BIZ, submitted a communication in support of the matter.

STANDING COMMITTEE RECOMMENDATION:

On February 7, 2023, the Standing Policy Committee on Public Works concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

Alan Reiss, Bedford Investments, submitted a communication with respect to the matter.

ADMINISTRATIVE REPORT

Title: Realignment of Smith Street from Ellice Avenue to Notre Dame Avenue and Management Agreement with Downtown Winnipeg Biz to Maintain Odeon Park

Critical Path: Standing Policy Committee on Public Works – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Kibbins, P.Eng.	B. Neirinck on behalf of J. Berezowsky	C. Kloepfer	M. Jack

EXECUTIVE SUMMARY

The renewal of Smith Street – Notre Dame Avenue to Midtown Bridge is part of the Accelerated Regional Street Renewal Program funded through the New Building Canada Fund. Street renewal works commenced in 2022 under Tender No. 620-2021. The scope of work included the reconstruction of Smith Street between Ellice Avenue and Notre Dame Avenue on its existing alignment.

Late in the engineering design process, the Public Service was approached by True North Sports and Entertainment (TNSE), owners of the Burton Cummings Theatre (BCT) at 364 Smith Street, about diverting the Notre Dame Avenue street alignment towards King Street. The perceived benefits include improved safety and functionality for patrons of events at the BCT as well as future enhancements to Odeon Park which is located within the Smith Street and Notre Dame Avenue rights-of-way.

The Public Service consulted with the Downtown Winnipeg BIZ and Centre Venture who were supportive of the proposal. As a result, with Smith Street construction on-going, the Public Service deferred the renewal of the Smith Street segment between Ellice and Notre Dame from 2022 to 2023 in order to explore the realignment of Smith Street.

The Public Service is recommending that vehicular traffic on Smith Street travelling in the northbound direction and then travelling in the westbound direction on to Notre Dame Avenue be realigned to King Street per the plan included in Appendix A of this Report. The realignment of Smith would expand the Odeon Park adjacent to the BCT. The expanded Odeon Park would remain street right-of-way to accommodate sidewalks and underground utilities. The realignment of Smith Street can be used to enhance Odeon Park, which is consistent with the "COVID-19 Economic Response and Recovery Plan – Projects Situated Inside Downtown" adopted by Council on April 28, 2022. Project #6 related to the SHED Exchange Gateway envisioned new public space for outdoor programming in front of the BCT as well as improved intersections/connections at Notre Dame Avenue.

The street renewal modifications, including related engineering costs, are estimated to increase the renewal of Smith Street by approximately $400,000, which would be covered within the project budget. No property acquisition is required.

The Public Service will be collaborating with TNSE, the Downtown Winnipeg BIZ, and Centre Venture on future enhancements to Odeon Park. These enhancements may be partially funded, up to $600,000 for Project #6, through the Economic Response and Recovery Plan noted above, as well as leveraging other funds to contribute to the enhancements.

However, in the interim, as part of the street renewal project, sidewalks will be reconstructed and landscaping restored to a basic level. Once enhancements are completed, it is envisioned that the City will enter into a Management Agreement with the Downtown Winnipeg BIZ for the maintenance of Odeon Park.

RECOMMENDATIONS

1. That Smith Street between Ellice Avenue and Notre Dame Avenue be realigned as shown on the drawing attached as Appendix A to this Report.

2. That the City enter, execute and deliver a Management Agreement with the Downtown Winnipeg Biz to maintain and possibly further develop the consolidated and expanded Odeon Park, and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

3. That the authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the Management Agreement and the Ancillary Agreements, in accordance with this report and 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 of Winnipeg be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

Council approval is required for the realignment of a street.

Further, the Public Works Department requires Council approval to negotiate and enter into a Management Agreement with the Downtown Winnipeg BIZ to maintain and possibly further develop the consolidated and expanded Odeon Park.

IMPLICATIONS OF THE RECOMMENDATIONS

The realignment and intersection changes proposed will cost approximately $400,000 more than identified in Tender No. 620-2021, which includes the estimated cost to remove the

existing private approach to 370 Smith Street and construct a new private approach off Donald Street; approximately $14,000. The realignment and intersection changes proposed can be completed within the existing Council-approved budget allocated to the Accelerated Regional Street Renewal Program.

HISTORY/DISCUSSION

In 2019, the City entered into contribution agreements with the Government of Canada and the Province of Manitoba for the Accelerated Regional Street Renewal Program as part of the New Building Canada Fund. The Smith Street – Notre Dame Avenue to Midtown Bridge project is one of eight projects included within the Downtown Streets component of the Accelerated Regional Street Renewal Program, which has a total adopted budget allocation of $36,120,000. The Regional and Local Street Program is a scalable program and budgets are reallocated as required, including allocations of surplus within the program. The current budget allocation to the Smith Street project is $10,587,000. The street renewal modifications, including related engineering costs, are estimated to increase the renewal of Smith Street by approximately $400,000. The additional cost can be accommodated within the overall approved budget for the downtown street renewals in the Accelerated Regional Street Renewal Program.

During the Detailed Design phase of the Smith Street Reconstruction Project, the Public Service was approached by True North Sports and Entertainment (TNSE), the owner/operators of the Burton Cummings Theatre (BCT) located at 364 Smith Street, to realign the west leg of Smith Street adjacent to the theatre. The BCT has approximately 100 events and an estimated attendance of 100,000 people annually.

The proposal would consolidate greenspace or potentially create a plaza area within Odeon Park, which is actually part of the Smith Street and Notre Dame Avenue rights-of-way. The Public Service will be working with TNSE, the Downtown Winnipeg BIZ, and Centre Venture on potential future enhancements to this area.

Enhancements to Odeon Park are consistent with the “COVID-19 Economic Response and Recovery Plan – Projects Situated Inside Downtown” adopted by Council on April 28, 2022. Project #6, related to the SHED Exchange Gateway, envisioned new public space for outdoor programming in front of the BCT as well as improved intersections/connections at Notre Dame Avenue. That report identified a $600,000 budget for the SHED Exchange Gateway that could be funded through Canada Community Building Funding (formerly the Federal Gas Tax Fund).

TNSE will be preparing conceptual design enhancements for the Odeon Park area that will be reviewed by a steering committee including representatives from Public Works and Property Planning and Development Departments, Centre Venture, Downtown Winnipeg BIZ, and TNSE. Conceptual design of future Odeon Park enhancements has not progressed at this time. However, realignment of the roadway, if approved, needs to occur in 2023 to meet the street renewal project timelines. As a result, basic interim landscaping of the Odeon Park will occur with the street renewal project.

The engineering consultant engaged for this project undertook traffic analysis, modelling and development of the realignment options. The realignment identified in Appendix A of this Report balances traffic accommodation, improved safety for all modes of traffic and accommodation of future transit improvements identified in the Winnipeg Transit Master Plan.

The intersection options were reviewed by the steering committee. The proposed design was determined to be the most advantageous design for all users.
Currently Smith Street from Ellice to Notre Dame has four traffic lanes that are split by the existing Odeon Park. Two traffic lanes adjacent to the BCT enter a signalized intersection and travel westbound onto Notre Dame Avenue. The other two traffic lanes travel north through a signalized intersection and travel north on King Street.

The new proposed design of the realigned intersection increases the existing Odeon Park space from approximately 335 square meters to 970 square meters for greenspace or future plaza by utilizing the former Smith Street roadway. Pedestrian travel will be maintained on the west side adjacent to the BCT from Ellice to Notre Dame Avenue. Three traffic lanes will be split by a Transit Stop, waiting area and heated shelter with two lanes turning left onto Notre Dame and two through lanes to King Street.

The proposed changes will require the removal of the existing private approach for 370 Smith Street off Smith Street and the construction of a new approach off Donald Street. The Public Works Department has contacted the owner's representative and they have verbally indicated their opposition to the closing of the existing private approach from Smith Street as they believe that relocating the approach to Donald Street will negatively affect their parking space rentals. To date, they have not responded to requests for feedback or confirm their opposition to the proposed changes in writing, as requested.

The expanded Odeon Park will remain as right of way as it contains sewer, water and other utilities and will maintain a public sidewalk on the west side adjacent to the BCT to provide pedestrian travel from Ellice to Notre Dame Avenue. The existing Odeon Park is currently also contained within the right of way.

Several Trees in the existing Odeon Park will need to be removed for the street and intersection to be realigned. The trees will be compensated and equivalent value will be planted within the ward, possibly in structural soil cells within the new Transit stop and waiting area or within the newly expanded greenspace in the future when development plans are confirmed.

The Public Service will request that Downtown Winnipeg BIZ enter into an agreement with the City for to provide maintenance services for the expanded greenspace or plaza area, which would reduce maintenance costs in the future. To date, Downtown Winnipeg BIZ has been supportive of this proposed maintenance arrangement.

FINANCIAL IMPACT

Financial Impact Statement

Date: December 14, 2022

Project Name:

First Year of Program **2022**

Realignment of Smith Street from Ellice Avenue to Notre Dame Avenue and Management Agreement with Downtown Winnipeg Biz to Maintain Odeon Park

	2022	2023	2024	2025	2026
Capital					
Capital Expenditures Required	$ -	$ 420,000	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	420,000	-	-	-
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	-	20,000	-	-	-
Net Cost/(Benefit)	$ -	$ (20,000)	$ -	$ -	$ -
Less: Existing Budget Amounts	-	(20,000)	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Subject to Council approval of the realignment of Smith Street, the total estimated cost of $420,000.00 will be funded by the Accelerated Street Renewal Program (Public Works Capital Project (#1804102319 - Dwtn-SmthNB-NtrDme-Midtwn-NBCF) and constructed in 2023. Incremental Revenue/Recovery represents estimated Departmental Engineering and Corporate Interest Overheads.

J. Ruby, 2022-12-23

J. Ruby, CPA, CA
Manager of Finance & Administration

CONSULTATION

This Report has been prepared in consultation with:

- Planning Property and Development Department
- Water and Waste Department
- Winnipeg Transit
- Legal Services Department (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

The recommendation of this report is aligned with the OurWinnipeg Goal; Good Health and Well-Being, Policy 4.13 Inclusive Public Places Integrate public art and green infrastructure into neighborhood-scale public gathering spaces, to promote usability, beauty, pride, belonging and sense of place.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The recommendation within this report is consistent with the City of Winnipeg's objectives and targets with respect to reducing greenhouse gas emissions and adapting to the harmful impacts of climate change.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

SUBMITTED BY

Department: Public Works
Division: Engineering
Prepared by: Colin Titchkosky
Date: December 23, 2022
File No: 19-C-07

Attachments:
Appendix A – Drawing of Proposed Realignment of Smith Street