Minute No. 421
Report – Executive Policy Committee – May 11, 2005

Item No. 7 **Property Acquisition – Railway Crossing Closure – Kenaston Underpass Project – R.M. of MacDonald**
File GL-4

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the Director of Planning, Property and Development be authorized to negotiate the acquisition of any and all land and interests in land required for the relocation of Road 54NE, such land to be dedicated for street opening purposes.

2. That the Director of Planning, Property and Development be authorized to negotiate with the Rural Municipality of MacDonald to secure the approval of the street opening and closing of part of Road 54NE and take all necessary steps to close the railway crossings at Mile 8.70 and Mile 8.87 (not physically opened) CPR La Riviere Subdivision.

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

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DECISION MAKING HISTORY:

Moved by His Worship Mayor Katz,
That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 11, 2005, the Executive Policy Committee concurred in the administrative recommendation and submitted the matter to Council.

Fred Corey, Streets Project Engineer, Public Works Department, submitted Misc. Plan No. 12542, outlining the subject location, which has been placed on file in the City Clerk's Department.

ADMINISTRATIVE REPORT

RE: PROPERTY ACQUISITION – RAILWAY CROSSING CLOSURE – KENASTON UNDERPASS PROJECT – R.M. OF MacDONALD

FOR SUBMISSION TO: Executive Policy Committee

ORIGINAL REPORT SIGNED BY: L. S. W. Larkin, P. Eng., Director of Public Works

REPORT DATE: May 6th 2005

RECOMMENDATION(S):

1. That Council authorize the Director of Planning, Property and Development to negotiate the acquisition of any and all land and interests in land required for the relocation of Road 54NE, such land to be dedicated for street opening purposes; and

2. That Council authorize the Director of Planning, Property and Development to negotiate with the Rural Municipality of MacDonald to secure the approval of the street opening and closing of part of Road 54NE and take all necessary steps to close the railway crossings at Mile 8.70 and Mile 8.87 (not physically opened) CPR La Riviere Subdivision; and

3. That the proper officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

REPORT SUMMARY:

Key Issues:

- The subject properties are required for the Kenaston Underpass Project to address a CPR operations issue related to holding long trains without blocking a public street crossing.
- The City must ask the R.M. of MacDonald to approve the street opening and street closing and railway crossing closures subject to the City of Winnipeg's acquiring the land and relocating the road.

Implications of the Recommendation(s):

General Implications:

	None
	For the organization overall and/or other departments
X	For the community and/or organizations external to the City
	Involves a multi-year contract

Comments: Involves an intergovernmental affairs issue that requires negotiations with the R.M. of MacDonald.

Policy Implications:

X	No
	Yes

Comments:

Environmental Implications:

X	No
	Yes

Comments:

Human Resource Implications:

X	No
	Yes

Comments:

Financial Implications:

X	Within approved current and/or capital budget
	Current and/or capital budget adjustment needed

Comments:

REASON FOR THE REPORT:

Council approval is required to authorize negotiations with the R.M. of MacDonald to obtain agreement to the proposed road opening and closing and railway crossing closures subject to the City of Winnipeg paying all costs. Council must approve the negotiations for property for a public street that is outside the Kenaston Underpass Project limits and outside the City of Winnipeg.

HISTORY:

On April 28th, 2005, CPR advised that since discussions in 1994 (and more recent discussions) for the Sterling Lyon crossing of the CPR they now operate 112 grain car trains. If Sterling Lyon Park is opened at the CPR La Riviere Subdivision, the CPR will no longer be able to store trains that must stop before crossing the CN main line without blocking a public street crossing. CPR therefore opposes the new Sterling Lyon crossing of the CPR La Riviere Subdivision.

On May 2nd, 2005, CPR advised that if the City can obtain a permanent 7000' storage length with no public crossing, they would remove their objection to the Sterling Lyon crossing of the CPR La Riviere Subdivision.

DISCUSSION:

The CPR objection to the Sterling Lyon Parkway crossing of the CPR La Riviere Subdivision was not anticipated and must be addressed immediately. There is no other location in the City of Winnipeg that is 7000' long without a railway crossing. Due to the one mile road allowance grid, there is no location to store trains south of the city in the R.M. of MacDonald. It is beneficial to both the City and the R.M. of MacDonald to have a location where the CPR can stop 112 car trains when necessary without blocking a public crossing.

It is feasible to provide 7000' between railway crossings by closing the first railway crossing in the R.M. of MacDonald south of the city and connecting Road 54NE to Brady Road at the Brady Road crossing of the CPR. Authorization is required for the Director of Planning, Property & Development to negotiate with the property owners to purchase the new public street as shown on the attached drawing PR 05/06. Authority is required for the Director of Planning, Property and Development to negotiate with the R.M. of MacDonald for their cooperation in undertaking a road opening and closing, and two railway crossing closures (one not physically opened) for the City of Winnipeg subject to the City of Winnipeg paying all costs to acquire the land and move the road. Lands acquired will be dedicated to the R.M. of MacDonald for opening as street right-of-way.

Transport Canada's Canadian Rail Operations Rule #103 prohibits a stopped train blocking a public road crossing for more than five minutes. There is less than one 112 car train per day. Southbound trains depart from the CPR yard west of McPhillips with a window to cross the CN mainline.

Costs are expected to include land acquisition, a new gravel road, railway crossing, railway crossing protection at Brady Road and the CPR La Riviere Subdivision. A preliminary estimate is $350,000.00. There are sufficient funds in the contingencies of the Kenaston Underpass Project to cover this cost.

Financial Impact Statement

Date: May 4th, 2005

Project Name:

First Year of Program 2005

PROPERTY ACQUISITION – RAILWAY CROSSING CLOSURE – KENASTON UNDERPASS PROJECT – R.M. OF MacDONALD

	2005	2006	2007	2008	2009
Capital					
Capital Expenditures Required	$ 350,000				
Less: Existing Budgeted Costs	$ 350,000				
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal					
Debt - External					
Grants (Enter Description Here)					
Reserves, Equity, Surplus					
Other - To Be Determined					
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ 33,250	$ 33,250	$ 33,250	$ 33,250
Less: Incremental Revenue/Recovery	19,811	-	-	-	-
Net Cost/(Benefit)	$ (19,811)	$ 33,250	$ 33,250	$ 33,250	$ 33,250
Less: Existing Budget Amounts	(19,811)	33,250	33,250	33,250	33,250
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

Funding is available in Project # 1805000703. It is important to note that the capital cost shown above is a preliminary estimate and may be significantly different once more details become known.

"Original Signed by Darcy Stewart, CA"
Manager of Finance & Administration

Approved by Divisional Accounting Technician: ☑

IN PREPARING THIS REPORT THERE WAS CONSULTATION WITH, AND CONCURRENCY BY:

Planning, Property & Development Department, Legal Services and Chief Administrative Officer Secretariat.

THIS REPORT SUBMITTED BY:

Department	Public Works Department
Division:	Engineering Division
Prepared by:	F. W. Corey, P. Eng. 986-5057
Processed by:	K. Ross 986-4141
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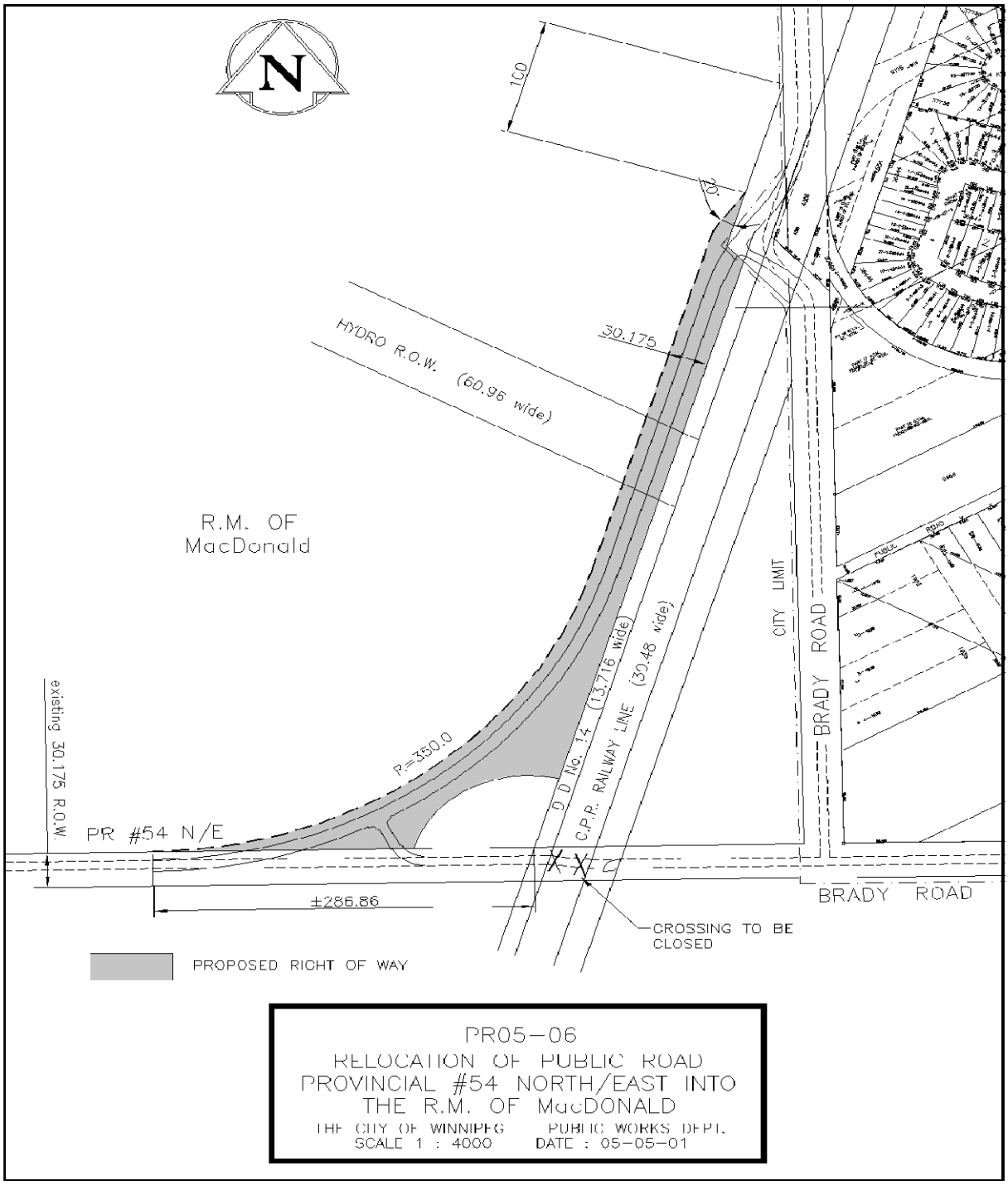
N
160
30.175
HYDRO R.O.W. (60.96 wide)
R.M. OF
MacDonald
CITY LIMIT
BRADY ROAD
D.D. No. 14 (13.716 wide)
C.P.R. RAILWAY LINE (30.48 wide)
R=350.0
existing 30.175 R.O.W.
PR #54 N/E
±286.86
BRADY ROAD
CROSSING TO BE CLOSED
PROPOSED RIGHT OF WAY
PR05–06
RELOCATION OF PUBLIC ROAD
PROVINCIAL #54 NORTH/EAST INTO
THE R.M. OF MacDONALD
THE CITY OF WINNIPEG PUBLIC WORKS DEPT.
SCALE 1 : 4000 DATE : 05–05–01