Report of the Standing Policy Committee on Public Works dated October 30, 2001

Access to the Proposed Commercial Development Located on the East Side of Waverley Street north of Hurst Way
File SC-1(31) (Vol. 4)

2. The Standing Policy Committee on Public Works has been advised that on September 12, 2000, an application was submitted by Pre Con Builders for the construction of a 7.7 metre non-conforming private approach on the east side of Waverley Street, north of Hurst Way.

On October 3, 2000, the Standing Policy Committee on Public Works concurred in the recommendation of the Public Works Department by rejecting the application to construct the non-conforming private approach.

On September 13, 2001, an application for an approach similar to that applied for in 2000 was submitted by Pre Con Builders.

This application is non-conforming under The City of Winnipeg Private Approaches By-Law No. 6546/95, Section 3, Subsection (5) namely:

> "(5) No approach shall be constructed, erected or installed in any of the streets or portion of streets set forth in Schedule 3 hereto, except where there is no other means of access, and in such instances that approval of any application will be on a temporary basis effective only until other streets, lanes or service roads are provided, from which access may be provided."

This section of Waverley Street is contained within Schedule 3.

This section of Waverley Street contains an undivided roadway, and carries approximately 16,300 northbound vehicles and 10,600 southbound vehicles in a typical twelve hour weekday period between 07:00 and 19:00. The speed limit on Waverley Street in this area transitions from 70km/h to 50 km/h.

Currently a Tim Hortons and a Chamois Car Wash are on this site, with existing access on the east side of Waverley Street, and on the north side of Hurst Way.

The applicant is indicating that the proposed site will contain a 2,000 square foot McDonald's restaurant, a 14,800 square foot office building, a 900 square foot office building, and four additional buildings which total almost 5,100 square feet which will be used as rental storage space. This site plan is only conceptual, and may be changed after the decision of the Standing Policy Committee.

The applicant desires to make it more convenient for motorists on Waverley Street to enter and exit the site by applying for a non-conforming private approach on the east side of Waverley Street, approximately 158.0 metres north of Hurst Way.

The Public Works Department is not aware of any traffic operating problems for the existing businesses with the existing access on the east side of Waverley Street and on the north side of Hurst Way.

The Public Works Department recommends that this non-conforming private approach on the east side of Waverley Street not be approved for the following reasons:

- This section of Waverley Street is contained within Schedule 3 of the Private Approaches By-Law for reasons of traffic operations, capacity, and safety. Vehicle collisions and capacity of a street are directly related to the number of approaches to private property from a street; as the number of approaches increase the number of potential vehicle conflicts also increase thereby reducing the capacity of the street and increasing the potential for vehicle collisions. Major arterial streets such as Waverley Street are intended for the transportation of large volumes of through traffic at relatively high speeds; private approaches diminish the capacity of and level of motorist safety on those streets.

- The location of the proposed approach is on the undivided section of Waverley Street between Hurst Way and the CNR mainline. The proposed location will accommodate both southbound left turns into the site, and also left turns out of the site. As there is no median to store southbound left turning vehicles, vehicles waiting to make the southbound left turn will cause delays to southbound traffic on Waverley Street.

- Furthermore, Transport Canada has an interest in traffic operations which are in close proximity to any railways. If the Standing Policy Committee approves the construction of this non-conforming private approach, and if there are subsequent traffic operating problems that affect railway crossing safety, it is possible that Transport Canada will direct the City to take action that may restrict movement into and out of this proposed private approach.

- A previous traffic impact study for the subject property was carried out on behalf of the developer by a consulting transportation engineer which indicated that the site can adequately be served by the existing private approaches on the north side of Hurst Way and on the east side of Waverley Street.

- The City of Winnipeg Private Approaches By-Law clearly states that no approaches may be constructed on this section of Waverley Street unless there is no other means of access, and in such cases where access is permitted, it would be only on a temporary basis, until other access is provided. In this case, the proposed development is currently accommodated with access from the north side of Hurst Way, and on the east side of Waverley Street, approximately 35 metres north of Hurst Way.

- Long term future plans provide for the grade separation of Waverley Street at the CNR mainline. The proposed private approach on the east side of Waverley Street to this proposed development would not be compatible with the future grade separation.

For the above reasons, the Public Works Department strongly recommends against permitting any further access to the proposed development from Waverley Street, and recommends that all access to the proposed development be from the existing private approach on Hurst Way, and the existing private approach on the east side of Waverley Street, approximately 35 metres north of Hurst Way.

There is no financial impact or cost to the City if this non-conforming private approach is approved.

The Standing Policy Committee on Public Works did not concur in the administrative recommendations, and recommends:

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I. That the construction of one non-conforming angular right in / right out private approach on the east side of Waverley Street, north of Hurst Way be approved as shown on Drawing No. A-9560, identified as Appendix "A" hereto, and constructed in such a way to prevent south bound traffic traveling on Waverley Street from making a left hand turn into the existing commercial development and that if a future overpass / underpass is constructed, that the private approach be removed.

II. That the City Solicitor/Manager of Legal Services be instructed to prepare for submission to Council, an amendment to Schedule 3 of the Private Approaches By-law No. 6546/96.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing including the execution of any documents related thereto.

Appendix "A" referred to in Clause 2 of the Report of the Standing Policy Committee on Public Works dated October 30, 2001

