Minute No. 590
Report - Standing Policy Committee on Property and Development - July 13, 2007

Item No. 1 **Closings: public lane adjacent to the westerly terminus of Brandon Avenue and portion of Argue Street adjacent to the Lord Roberts Community Centre**
File DAC 12/2007

COUNCIL DECISION:

Council concurred in the recommendations of the Standing Policy Committee on Property and Development and adopted the following:

1. That the street and lane closings as shown on Misc. Plan Nos. 13142/1 and 13143/1 be approved and the land declared surplus to the City's needs.

2. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closings in accordance with Misc. Plan Nos. 13142/1 and 13143/1.

3. 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 - July 13, 2007

DECISION MAKING HISTORY:

Moved by Council Swandel,
That the recommendation of the Standing Policy Committee on Property and Development be adopted.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 18, 2007, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 13, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 26, 2007, the City Centre Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File:	DAC 12/2007
Before:	City Centre Community Committee Councillor Gerbasi, Chairperson Councillor Leipsic Councillor Smith
Public Hearing:	June 26, 2007 North Committee Room Council Building, 510 Main Street
Applicant:	City of Winnipeg, Planning, Property and Development Department
Premises Affected:	1) public lane adjacent to the westerly terminus of Brandon Avenue and 2) portion of Argue Street adjacent to the Lord Roberts Community Centre
Exhibits Filed:	1. Report from the Real Property Officer dated June 11, 2007 2. Inspection Report 3. Communication received June 26, 2007, from E. A. Boudreaux, in support of the application

REPRESENTATIONS:

In Support:

E. A. Boudreaux
Glenn. Halldorson, Real Property Officer, Planning, Property and Development Department
Kevin Nixon, Park Strategic Planner, Planning, Property and Development Department
Will Richard

In Opposition:

Nil

For Information:

Nil

For the City:

Nil

Exhibit "1" referred to in File DAC 12/2007

RE: DAC 12/2007 – PROPOSED CLOSING OF 1) THE PUBLIC LANE ADJACENT TO THE WESTERLY TERMINUS OF BRANDON AVENUE AND 2) THE PORTION OF ARGUE STREET ADJACENT TO THE LORD ROBERTS COMMUNITY CENTRE

FOR SUBMISSION TO: **The City Centre Community Committee**

REPORT DATE: **June 11, 2007**

RECOMMENDATION:

1. That the proposed street and lane closing as shown on Misc. Plan Nos. 13142/1 and 13143/1 be approved and that the land be declared surplus to the City's needs.

2. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closings in accordance with Misc. Plan No. 13142/1 and 13143/1.

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

Report Summary

Key Issues:

The proposed closings are a part of an initiative to provide a commuting pathway between the University of Manitoba and Downtown Winnipeg.

Most of the route between Jubilee and the Norwood Bridge would be used as a 'shared' (automobile and bicycle) right of way. The Planning and Land Use Division feels that the portions of the street and lane shown on Misc. Plan Nos. 13142/1 and 13143/1 should be open to bicycle traffic only.

The City of Winnipeg does not have the option of putting up barricades to automobile traffic and leaving the street and lane “open” in the legal sense of the word. A public right of way can only be barricaded to traffic for one year. After a year has passed, the Municipality must either remove the barricades or enact a by-law permanently closing the right of way.

Implications of the Recommendation(s):

General Implications

() None

( ) For the organization overall and/or for other departments

(x) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s): Automobiles will no longer be able to use these rights-of-way.

Policy Implications

(x) No

( ) Yes

Comment(s):

Regulatory Implications

(x) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s):

Environmental Implications

(x) No

( ) Yes

Comment(s):

Human Resources Implications

(x) No

( ) Yes

Comment(s):

Financial Implications

(x) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s):

Report

REASON FOR THE REPORT:

All street and lane closings require the consideration of the Community Committee.

HISTORY:

The Planning and Land Use Division of the Planning, Property and Development Department has applied to close the portions of the street and lane so identified on the attached Misc. Plan Nos. 13142/1 and 13143/1.

The proposed closings are a part of the Active Transportation Pathway Project, one of a variety of transportation demand management initiatives designed to promote an integrated approach to increasing energy efficiency and reducing green house gas emissions. The objective of the initiative is to provide better and more environmentally sensitive transportation choices along the Pembina Corridor by developing a commuting pathway between the University of Manitoba and Downtown Winnipeg. The proposed street and lane closings occur in Phase 1 of the Project, an area approximately 4 km in length connecting the Norwood Bridge to the intersection of Pembina Highway and Jubilee Avenue.

Argue Street and the back lanes along this alignment were identified as the preferred routing in Phase 1. This alignment received over 80% support in a recent public open house.

Most of the route between Jubilee and the Norwood Bridge would be used as a ‘shared’ (automobile and bicycle) right of way. The properties adjacent to the portions of the street and lane shown on Misc. Plan Nos. 13142/1 and 13143/1 do not require the rights-of-way for access. While the closing of the street and lane may involve a temporary inconvenience for area residents, alternate routes are available in the neighbourhood, and the Planning and Land Use Division feels that the portions of the street and lane shown on the drawings should be open to bicycle traffic only.

Currently this neighbourhood and specifically Argue St. experience significant "through traffic" or short cutting of vehicles traveling through the neighbourhood. The proposed street closings will make the use of Argue St. inconvenient for through traffic.

DISCUSSION:

Administrative Approval

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the closing.

The City of Winnipeg does not have the option of putting up barricades to automobile traffic and leaving the street and lane "open" in the legal sense of the word. The Highway Traffic Act states that a public right of way can only be barricaded to traffic for one year. After a year has passed, the Municipality must either remove the barricades or enact a by-law permanently closing the right of way.

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

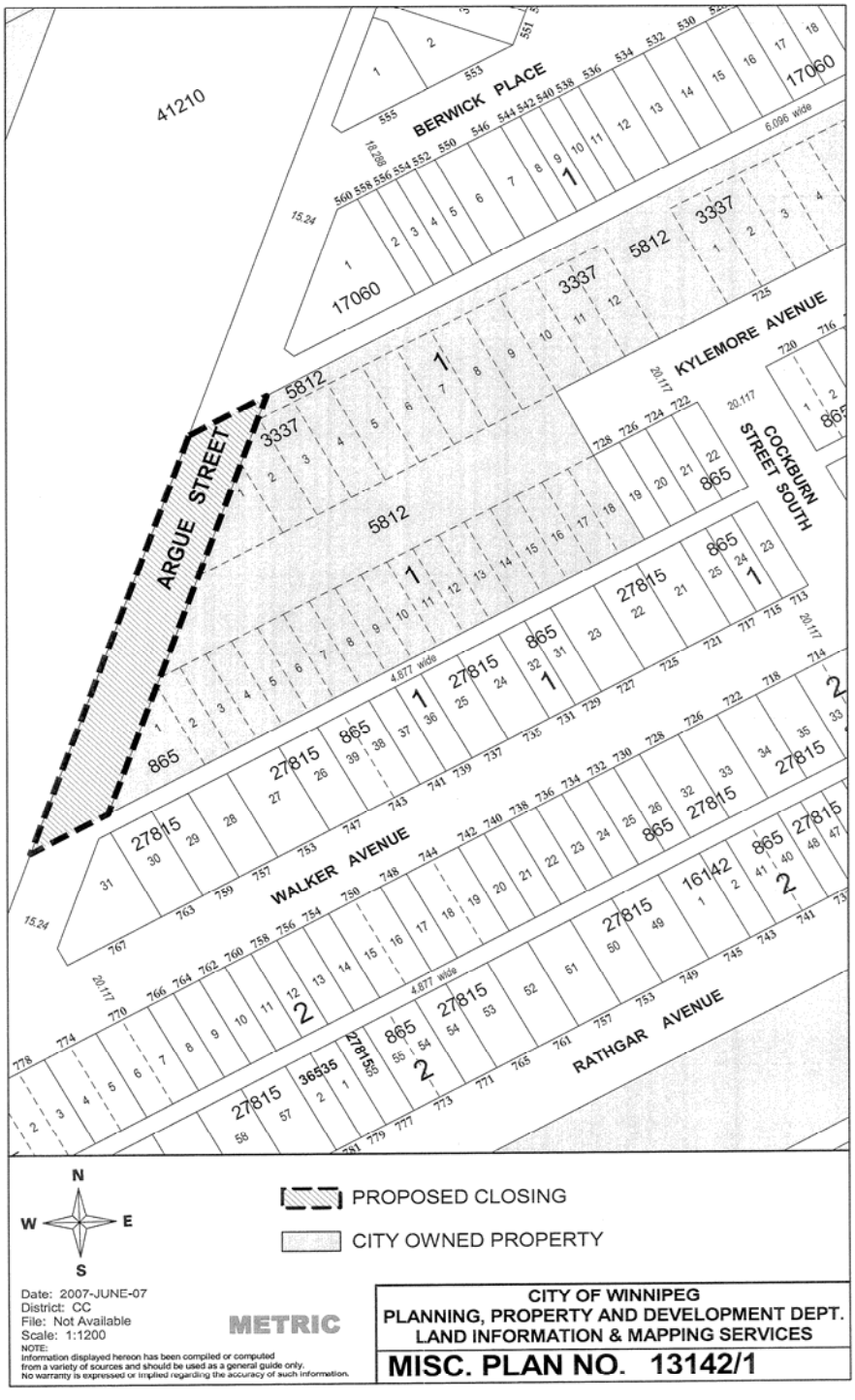
There was no internal consultation involved in the preparation of this report.

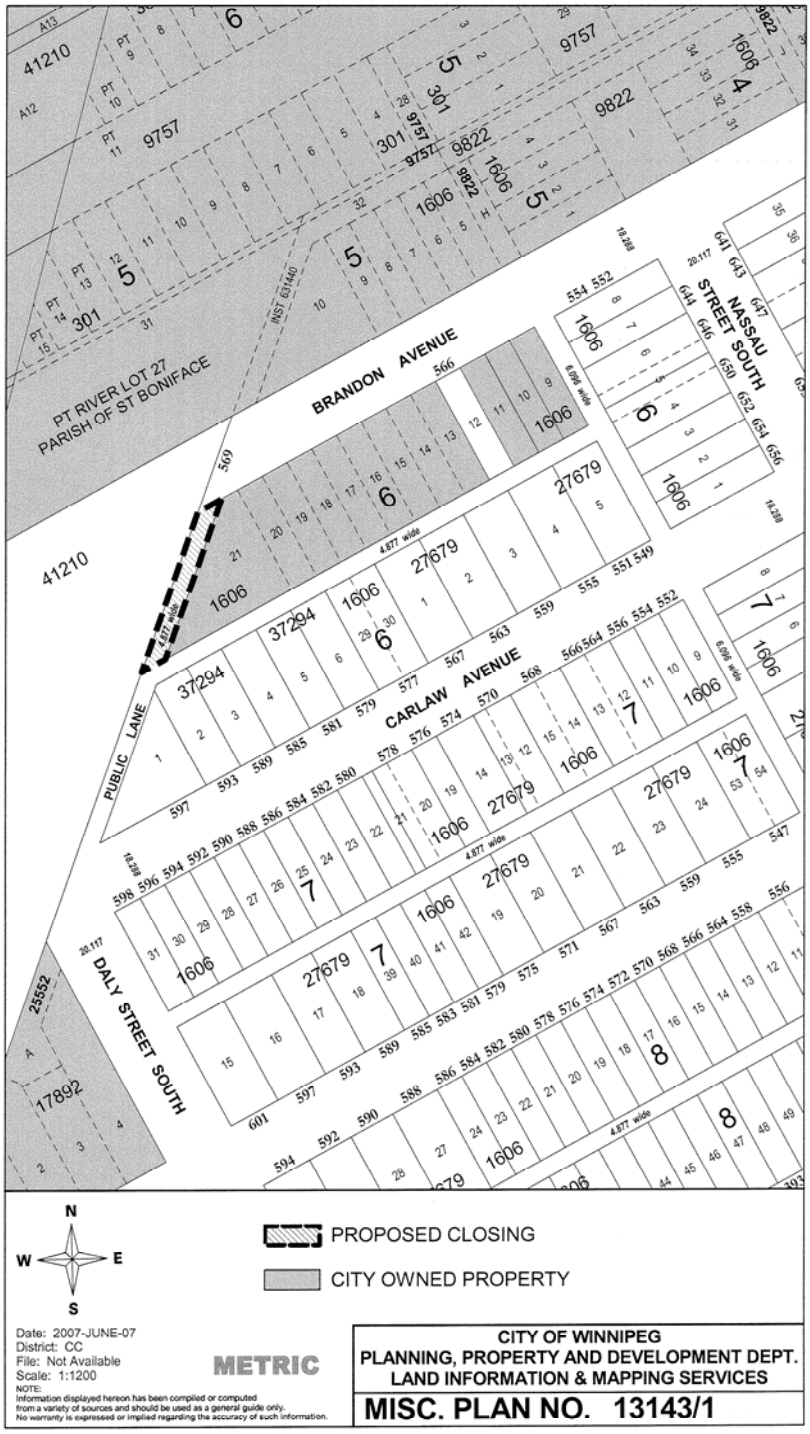
External Consultation With:

Centra Gas, Manitoba Hydro, MTS Communications, Shaw Cable

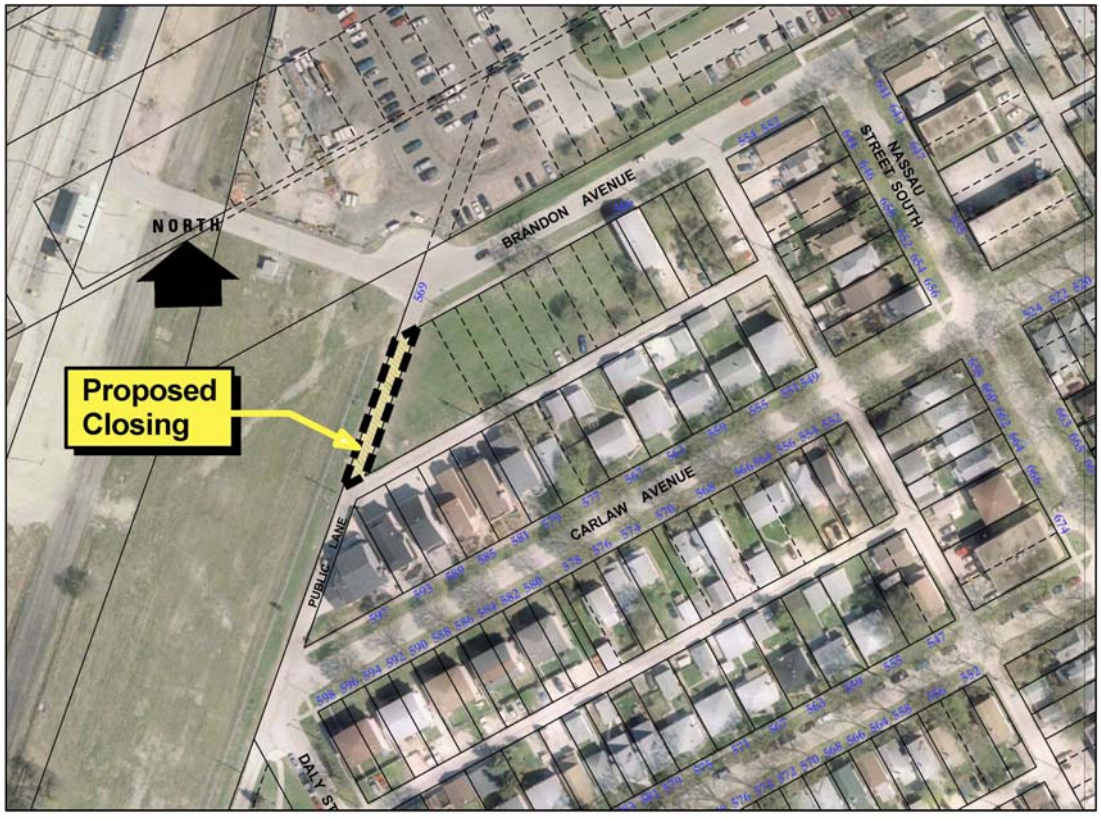
THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn Halldorson, Real Property Officer
File No. 8711


BERWICK PLACE
KYLEMORE AVENUE
COCKBURN STREET SOUTH
ARGUE STREET
WALKER AVENUE
RATHGAR AVENUE
41210
17060
5812
3337
865
27815
36535
16142
N
W
E
S
PROPOSED CLOSING
CITY OWNED PROPERTY
Date: 2007-JUNE-07
District: CC
File: Not Available
Scale: 1:1200
METRIC
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only. No warranty is expressed or implied regarding the accuracy of such information.
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13142/1


BRANDON AVENUE
CARLAW AVENUE
NASSAU STREET SOUTH
DALY STREET SOUTH
PUBLIC LANE
PT RIVER LOT 27
PARISH OF ST BONIFACE
N
W
E
S
PROPOSED CLOSING
CITY OWNED PROPERTY
Date: 2007-JUNE-07
District: CC
File: Not Available
Scale: 1:1200
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only. No warranty is expressed or implied regarding the accuracy of such information.
METRIC
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13143/1


NORTH
Proposed Closing
ARGUE STREET
KYLEMORE AVENUE
COCKBURN STREET SOUTH
WALKER AVENUE
15.24
20.117


NORTH
Proposed Closing
BRANDON AVENUE
NASSAU STREET SOUTH
CARLAW AVENUE
PUBLIC LANE
DALY ST