REPORT OF THE

COMMITTEE ON WORKS AND OPERATIONS

DATED OCTOBER 4, 1994

On motion of Councillor Duguid, the Report of the Committee on Works and Operations, dated October 4, 1994, was considered clause by clause.

Moved by Councillor Duguid,
That the Consent Agenda, Clauses 1,2,3,4 and 5 be adopted.

Carried.

Her Worship the Mayor and Councillors:

Amendment To The City of Winnipeg Streets By-Law No. 1481/77
File ST-5.3 (Vol. 5)

1139 - 1. The City of Winnipeg Streets By-law No. 1481/77 references the specifications for covered passageways as contained in both the City of Winnipeg Building By-law, which in turn refers to the specifications outlined in the Manitoba Building Code and the Employment Safety Act. The specifications contained in the Employment Safety Act are different from the specifications contained in the Manitoba Building Code which can cause contractors uncertainty as to their obligations in this regard.

The Employment Safety Act has been replaced by the Workplace Safety and Health Act. The Manitoba Workplace and Safety Health Branch has advised of their intention to amend the Act to be consistent with the Manitoba Building Code. As a result, it will be sufficient for a contractor to meet the requirements of the City of Winnipeg Building By-law (which currently reflect the specifications of the Manitoba Building Code). Consequently, it is no longer necessary for the Streets By-law to reference the Employment Safety Act and it is proposed that for clarification purposes, the Streets By-law also be amended to reference the relevant section of the Manitoba Building Code.

Representatives of the Workplace Safety and Health Branch of the Manitoba Department of Labour, of the New Construction and the Existing Buildings Sections of the Planning Department of The City of Winnipeg, and The City of Winnipeg Law Department, are in agreement with the intent of this amendment.

Your Committee on Works and Operations therefore recommends:-

I. That Sections 4.08 and 4.09(b) of the City of Winnipeg Streets By-law No. 1481/77 be amended by deleting the following portions that are italicized and adding the portion that is bolded:

> "4.08 No person shall erect, install or construct a hoarding, covered way, fence, piles or shoring in a street for any purpose without first having obtained a permit from the Commissioner. The work shall be carried out to the satisfaction of the Commissioner *and shall conform to the requirements of the regulations under the Employment Safety Act of the Province of Manitoba*."
>
> "4.09 Conditional upon the issuance of a permit for any of the purposes described in Section 4.07 and 4.08, the holder agrees to the following:
>
> (a) To obtain approval of all utilities that might be affected by the proposed work at least 48 hours prior to commencement of work.
>
> (b) To erect or construct such hoarding or other protective structures as are required by the regulations of The City of Winnipeg Building By-law **No. 4555/87 and as specified in Part 8, Safety Measures at Construction and Demolition Sites, of the Manitoba Building Code**, and upon request to submit to the Commissioner plans of such hoarding or other protective structures *which have been approved by officials responsible for the administration of the Employment Safety Act*."

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II. That the Law Department be requested to prepare the necessary amending by-law for submission to Council.

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

Adopted by consent.

Amendment to The City of Winnipeg Traffic By-Law No. 1573/77 respecting Emergency Vehicles
File ST-5.2 (Vol. 21)

1140 - 2. Your Committee on Works and Operations has been advised that the Winnipeg Fire Department has acquired a new aerial ladder truck through the Equipment Services Branch of the Operations Department. This vehicle exceeds the length and axle-load limitations specified under The City of Winnipeg Traffic By-Law No. 1573/77 as outlined below:

Item	Allowable Under Traffic By-law	Actual
Vehicle Length	12.5 m	14.5 m
Front Axle Loading	5,500 kg.	8,600 kg.
Rear Axle Assembly	16,000 kg.	20,800 kg.

In addition to exceeding the provisions of the Traffic By-law respecting length and axle loadings, vehicles of this size are also restricted in using city streets in several other aspects:

(1) Section 17 restricts the load that may be carried on certain streets during spring restrictions.

(2) Section 39 prescribes routes of travel, mandating the use of truck routes to the closest point to the destination.

(3) Sections 47 and 48 restrict the gross loads that may be carried on specific structures identified in Schedules 6, 7 and 8.

Provisions contained in The Traffic By-law enable the Streets and Transportation Department to issue annual or single trip Special Permits, subject to the nature of the load and certain restrictions respecting time of day, authorizing the moving of overweight/overdimensional loads throughout the City of Winnipeg. However, in practice, overweight loads have not been permitted under any circumstance on those structures listed in Schedule 7 outlined below:

Location	Maximum Allowable Gross Load
Arlington Bridge	9,100 kgs.
Molson Street Crossing of Cordite Drain	10,000 kgs.
Two Mile Road Crossing of Seine River	13,500 kgs.

In theory, the new unit will be restricted to the Downtown area; however, in practice, and for reasons of public safety, there will be a city-wide requirement for its use.

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Provisions are necessary to allow for overweight/overdimensional emergency vehicles such as this aerial ladder truck on streets to operate without restriction, particularly when responding to an emergency. Given the limited number of trips on any one street, it is suggested that it will not serve any useful purpose to regulate emergency vehicles when not responding to emergencies, except to preclude the use of structures identified in Schedule 7.

The Administration has advised that the Fire Department must ensure that:

a) during spring restrictions, heavy emergency vehicles do not travel unnecessarily on streets that do not have concrete pavements.

b) heavy emergency vehicles do not travel on structures/routes where restricted vertical clearances are identified. That is, some emergency equipment may be physically unable to use certain streets or portions thereof, because of vertical clearance limitations associated with bridges, overpasses, traffic signals, etc.

The following alternatives are available to accommodate overweight/overdimensional emergency vehicles on the street system. In considering these alternatives it should be noted that there are several other Fire Department vehicles which also exceed the weight/length limitations specified in The City of Winnipeg Traffic By-Law.

1. Issue Annual Fleet Permits

An annual permit with appropriate conditions could be issued to the Fire Department covering each or all their vehicles. However, this alternative would require the annual renewal of the permits, as the usage requirement is ongoing. The control of these vehicles through the issuance of an annual fleet permit would not, therefore, serve any useful purpose.

2. Amendments to the City of Winnipeg Traffic By-Law No. 1573/77

Inasmuch as the need to accommodate overweight/overdimensional emergency vehicles is ongoing, merit exists to allow such usage through an appropriate amendment to The City of Winnipeg Traffic By-Law No. 1573/77. This alternative for regulating emergency vehicles is utilized in Calgary and Hamilton.

In view of the foregoing, the Administration suggests that all emergency vehicles, defined in The Highway Traffic Act as including Fire, Police and Ambulance equipment, be exempted from the provisions of The City of Winnipeg Traffic By-Law No. 1573/77 with the exception of those structures identified in Schedule 7 of the Traffic By-law. This proposed amendment has been discussed with representatives of The City of Winnipeg Fire Department who concur with its intent. Plans showing the location of the three structures currently identified in Schedule 7 are outlined in Appendix A.

Your Committee on Works and Operations therefore recommends:-

I. That The City of Winnipeg Traffic By-Law No. 1573/77 be amended to exempt Emergency Vehicles from the provisions stipulated therein, excepting those structures listed under Schedule 7 of the Traffic By-Law.

II. That the City Solicitor be requested to prepare the necessary amending by-law for submission to Council.

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

Copy of Appendix "A" referred to in the above clause is on file in the office of the City Clerk.

Adopted by consent.

Report of the Committee on Works and Operations dated October 4, 1994

Proposed Legal Opening of Stafford Street between the First Lane North of Kingsway Avenue and Academy Road - City Centre Community File DAO 2/94

1141 - 3. Your Committee on Works and Operations has been advised that although the subject portion of Stafford Street, as outlined on Misc. Plan No. CC 8105/2, designated as Appendix A, has been in use for over sixty years, it has recently been discovered that the street has never been legally opened. The Administration has advised that it is necessary to regularize this matter.

This proposal has been circulated to all interested City departments and public utilities with no objections having been received. The City Centre Community Committee and the Committee on Planning and Community Services have approved the proposal as to planning considerations.

The Committee on Works and Operations has approved the proposal and recommends:-

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street opening in accordance with Plan No. CC 8105/2, the cost of the by-law, estimated at $200.00, to be borne by the City-at-large.

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

Copy of Misc. Plan No. CC 8105/2 to this proposal is on file in the office of the City Clerk.

Adopted by consent.

Proposed Temporary Partial Closing of the First North/South Public Lane East of Drake Boulevard between Wickham Road and Elizabeth Road - Riel Community File DAC 19/94

1142 - 4. Your Committee on Works and Operations has been advised that Ms Janice McKay and a group of petitioners, representing the majority of residents on Elizabeth and Wickham Roads, Wiltshire and Hampshire Bays, have requested stop signs and the closure of the first north/south public lane east of Drake Boulevard between Wickham and Elizabeth Roads, shown on Appendix A.

On September 12, 1994, the Riel Community Committee concurred in the recommendation of the Streets and Transportation Department, that the subject east/west public lane south of Wickham Road be temporarily closed for a trial period of six months in order to assess the impact.

The first north/south public lane east of Drake Boulevard between Wickham Road and Elizabeth Road, a "T" shaped public lane, contains a 4.8 metre (16 foot) pavement with a 6.1 metre (20 foot) right-of-way in the block bounded by Wickham Road, Elizabeth Road and Drake Boulevard. The north/south portion of public lane carries approximately 1,021 vehicles north of Elizabeth Road and 1,139 vehicles south of Wickham Road during a typical 24 hour weekday period. The east/west portion of public lane carries approximately 681 vehicles during the same time period. There is a multiple family housing complex north of where the east terminus of Wickham Road and the north/south public lane intersect and a playground the east side of the north/south public lane south of Wickham Road.

The Streets and Transportation Department does not object to the proposed closure from a traffic circulation standpoint. Division 15 Police, Ambulance and Fire Departments and South East District Operations all have no objection to the trial closure.

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The closure of the portion of the north/south public lane between Wickham Road and the east/west public lane south of Wickham Road would prevent traffic destined to Wickham Road from using the north/south public lane between Wickham and Elizabeth Roads; however, such a diversion may result in additional traffic circulation on Drake Boulevard and on Wickham Road.

The Committee on Works and Operations has approved the proposal and recommends:-

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the temporary closing for a six-month trial period, of the north/south public lane east of Drake Boulevard between Wickham Road and the east/west public lane south of Wickham Road.

II. That upon first reading of the by-law being subsequently given, the City Clerk be authorized to post the necessary notices in accordance with The City of Winnipeg Act.

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

Adopted by consent.

Proposed Closing of Part of Daly Street North between Lorette Avenue and the C.N.R. Fort Rouge Yards - City Centre Community File DAC 24/90

1143 - 5. Your Committee on Works and Operations has been advised that the proposed closing of part of Daly Street North between Lorette Avenue and the C.N.R. Fort Rouge Yards, shown on Misc. Plan No. CCFR 7964/1 and designated as Appendix A, was initiated by Mr. J. Semchuk of J. Max Auto Body, the owner of the adjoining lands, who wished to acquire the street for parking purposes.

In reply to the usual circulation of all interested City departments and public utilities, no objections or any requirements for easements were received.

At its meeting held on January 22, 1991, the City Centre-Fort Rouge Community Committee had no objections to the closing. On March 11, 1991, the Committee on Planning and Community Services approved the proposal as to planning considerations, and on August 29, 1994, the Committee on Finance and Administration approved the terms and conditions of the proposed closing and sale of the said lands.

The Committee on Works and Operations has approved the proposed closure and recommends:-

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the proposed closing of part of Daly Street North between Lorette Avenue and the C.N.R. Fort Rouge Yards in the manner shown on Misc. Plan No. CCFR 7964/1, the cost of the by-law to be borne by the City-at-large.

II. That upon first reading of the by-law being subsequently given, the City Clerk be authorized to post the necessary notices in accordance with The City of Winnipeg Act.

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

Misc. Plan No. CCFR 7964/1 to this proposal is on file in the office of the City Clerk.

Adopted by consent.

REPORT "A" OF THE

COMMITTEE ON WORKS AND OPERATIONS

DATED OCTOBER 4, 1994

On motion of Councillor Duguid, Report "A" of the Committee on Works and Operations, dated October 4, 1994, was considered.

Moved by Councillor Duguid,
That the Consent Agenda, Clause 1, be adopted.

Carried.

Her Worship the Mayor and Councillors:

Proposal for Consulting Services for the Nova Scotia Department of Transportation and Communications - Highway 104 Western Alignment - Public/Private Venture File GL-9 (Vol. 7)

1144 - 1. Your Committee on Works and Operations has been advised that the Nova Scotia Department of Transportation and Communications is examining alternate funding arrangements to expedite construction of the above-referenced project which is scheduled to begin construction during the 1995 construction season. The Department of Transportation and Communications is considering the feasibility of entering a joint venture with the private sector for the design, financing, construction, maintenance, and operation of the Western Alignment and has received seven replies from the private sector in response to their advertisement for Expression of Interest.

On September 30, 1994, the Nova Scotia Department of Transportation and Communications advertised a Call for Proposals for consulting services of a multi-disciplinary consultant to assist and provide professional, commercial, technical, financial, and project management advice for the entire Western Alignment highway project and specifically, to provide the Department project team advice in the evaluation of the seven Expressions of Interest, the preparation of the call for proposals, the evaluation of the proposals, and the selection of the successful private sector partner. In addition, the consultants will also be required to provide the project team with support for the negotiation process leading to a contract with the partner, and subsequent project management. The Call for Proposals closes on Wednesday, November 9, 1994.

Given the experience with the public-private partnership relative to the Charleswood Bridge, the Committee on Works and Operations is of the opinion that the City of Winnipeg should respond and therefore recommends:-

I. That the City of Winnipeg submit a Proposal in response to the Call for Proposals issued by the Nova Scotia Department of Transportation and Communication to evaluate the seven Expressions of Interest for Highway 104 Western Alignment, prepare the Call for Proposals, evaluate the Proposals and assist in the selection of the successful private sector partners.

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

Adopted by consent.

COMMITTEE ON WORKS AND OPERATIONS

MOTIONS

Moved by Councillor Lazarenko,
Seconded by Councillor Boychuk,

1145 - WHEREAS City Council has approved a change in the refuse collection by-law to provide for a fee to be paid prior to the collection of bulky wastes;

AND WHEREAS this policy became operational on September 1, 1994;

AND WHEREAS only one-third of enquiries to the Operations Department are resulting in arrangements for collection;

AND WHEREAS the projected revenue is some $50,000.00 annually, about one-third of that which was anticipated;

AND WHEREAS numerous pieces of bulky waste are accumulating in the alleys of the City, particularly in areas of lower economic resources;

NOW THEREFORE BE IT RESOLVED THAT the City policy with respect to the imposition of a service charge for the collection of bulky wastes be rescinded forthwith.

Automatic Referral to Committee on Works and Operations in accordance with Rule 16.1 of the Procedure By-law

COMMITTEE ON WORKS AND OPERATIONS

CONSIDERATION OF BY-LAWS

1146 - On motion of Councillor Duguid, the following By-laws were each read a second time and third time, and were passed and ordered to be signed and sealed, namely:-

By-law No. 6459/94, a By-law of the City of Winnipeg to close the Cornish Avenue street end to the Assiniboine River. File DAC 12/93

By-law No. 6460/94, a By-law of the City of Winnipeg to close the Spence Street end to the Assiniboine River. File DAC 12/93

By-law No. 6469/94, a By-law of the City of Winnipeg to close the north/south leg of the public lane north of Grant Avenue, east of Laxdal Road. File DAC 2/92

By-law No. 6470/94, a By-law of the City of Winnipeg to close the east/west lane connection south of Portage Avenue, west of Raglan Road. File DAOC 3/91

(See Minute No. 1106 for disposition of By-law No. 6480/94)

On motion of Councillor Duguid, By-law No. 6491/94, a By-law of the City of Winnipeg to authorize the undertaking of certain local improvements during the year 1994, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed.
File SL(1994) (Vo1. 1)

COMMITTEE ON WORKS AND OPERATIONS

QUESTION PERIOD

1147 - Councillor Clement noted Clause 10 adopted by Council at its meeting of September 21, 1994 regarding a "Three Person Panel to conduct Public Forums and an Environmental Impact Review of the Main Street and Norwood Bridges Project" and requested clarification as to whether the Committee on Works and Operations would be reviewing the findings of the Panel and reporting back to Council for approval.

Councillor Duguid noted that Ted Clarke is reviewing the matter, including defining the terms of reference, identifying costs, etc. and that he would report back to Council on the matter, including the timeframe for such.

Councillor Murray questioned how seriously the Members of Council should consider the Budget, given the numerous cuts proposed in the Works and Operations division and requested identification of the Executive Policy Committee guidelines which resulted in these cuts and Executive Policy Committee's position on the cuts.

Councillor Duguid noted that Councillors must accept the fiscal realities facing the City but further noted that there were cuts to services that were not acceptable, that an informal Works and Operations Committee meeting was scheduled for October 28 to discuss the budget and that the Works and Operations Committee would be exploring changes that would be acceptable to the public.

Councillor Murray requested an identification of the budget recommendations which warranted serious consideration by the Public and Members of Council.

Councillor Duguid noted that the current budget documents comprised a starting point in the budget deliberations and that further decisions would be made through continued examination as in previous years.

Councillor O'Shaughnessy noted the Transit budget which recommended a reduction of Sunday Services yet included expenditures for advertising and questioned whether Members of Council and the Public could take this form of incongruency as a serious recommendation.

Councillor Duguid again noted that the budget recommendations would require further decisions which would be made through continued examination, but also noted that Transit advertising was essential to encourage ridership and revenues.

Councillor Boychuk noted that in recent summers, he has received complaints from his constituents that their water supply carried unwanted odour and questioned what the problem was and what could be done to remedy this.

Councillor Duguid noted that a problem had been identified relating to algae bloom at various times in the summer and that this did not constitute a health hazard.

Councillor Boychuk questioned whether preventative measures could be instated to avoid the problem.

The Speaker returned to the Chamber and resumed the Chair.

Councillor Duguid stated that chemical treatment could be utilized, but that chemical treatment was kept to a minimum, and that the preferred solution lay in the term "water treatment", and that water treatment would occur within 5-6 years and eradicate the problem.

Councillor Reese questioned whether Executive Policy Committee's budget direction could ensure that unreasonable Departmental cuts are not suggested in the future.

Committee on Works and Operations - Question Period (continued)

Councillor Duguid again stated that the budget documents merely represented a starting point in the budget deliberations and that further decisions would be made through continued examination as in previous years.

Councillor Reese questioned whether Executive Policy Committee gave the direction found in the Works and Operations Departmental estimates.

Councillor Duguid noted that Executive Policy Committee provided the administration budget guidelines and that Departments submitted budgets suggesting various alternatives.