Minutes – Executive Policy Committee – October 17, 2007

REPORTS

Minute No. 576 Widening of Stradbrook Avenue at Harkness Street (Fort Rouge - East Fort Garry Ward) File DAO 4/2007

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommends to Council:

1. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the widening in accordance with Misc. Plan No. 11948/2.

2. That all fees related to the encroachment of any existing facilities be waived.

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

DECISION MAKING HISTORY:

Moved by Councillor Swandel,

That the recommendation of the Winnipeg Public Service be concurred in and forwarded to Council.

Carried

RE: DAO 4/2007 - PROPOSED WIDENING OF STRADBROOK AVENUE AT HARKNESS AVENUE

FOR SUBMISSION TO: The Executive Policy Committee

ORIGINAL REPORT SIGNED BY: Director of Planning, Property and Development

REPORT DATE: October 10, 2007

RECOMMENDATION(S):

1. **That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the widening in accordance with the attached Misc. Plan No. 11948/2.**
2. **That all fees related to the encroachment of any existing facilities be waived.**
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 City of Winnipeg acquired the land for the subject widening in October of 2005 as part of the Southwest Corridor of the Bus Rapid Transit Project. Although that Project has since been placed in abeyance, the land was purchased and the documents to effect the street widening have been prepared.

Under the terms of the Purchase Agreement, the Winnipeg Winter Club is to relocate its fence on Stradbrook when the street widening is constructed. This construction won't take place in the immediate future and the dedication of the property as street will create an encroachment of the fence. An encroachment agreement will be required. It would be inappropriate to charge the Winter Club any fees for this agreement.

Implications of the Recommendation(s):

General Implications

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

Comment(s):

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

Report

REASON FOR THE REPORT:

The dedication of this property as a public street requires a by-law pursuant to Section 139 of The City of Winnipeg Charter.

HISTORY:

Council approved the acquisition of the lands shown as “Proposed Opening” on the attached Misc. Plan No. 11948/2 in September of 2005. The land was acquired for the Southwest Corridor of the Bus Rapid Transit Project. Although that Project has since been placed in abeyance, the land was purchased and the documents to effect the street widening have been prepared.

DISCUSSION:

Administrative Approval

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

Encroachment Agreement

Under the terms of the Purchase Agreement, the Winnipeg Winter Club is to relocate its fence on Stradbrook when the street widening is constructed. This construction won’t take place in the immediate future and the dedication of the property as street will create an encroachment of the fence. An encroachment agreement will be required. All fees related to the encroachment agreement that would normally be paid by the Winter Club should be waived.

Submission of Report in accordance with By-Law 7325/98

This report is submitted in accordance with the provisions of By-Law 7325/98, a by-law to amend procedures to allow certain street opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Committee.

The following criteria must be met before the authority given in the by-law may be exercised:

1. The proposed opening and acquisition must have been approved by the Director of Public Works.
2. The proposed opening must have been submitted to all affected City Departments and public utilities with no objections having been received.
3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed upon.
4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the proposed opening.
5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues (now the Standing Policy Committee on Finance), the Standing Policy Committee on Property and Development, or the Director of the Planning, Property and Development Department, as is appropriate.

All of these criteria have been met.

Financial Impact Statement Date: August 10, 2007

Project Name:

DAO 4/2007 - PROPOSED WIDENING OF STRADBROOK AVENUE AT HARKNESS AVENUE

COMMENTS:

The costs of preparing and registering the documents required to effect this widening will be charged to Winnipeg Transit Account No. 442-181000-420754-4220000394-PROPERTY CNOTH. These costs are immaterial.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

There was no internal consultation 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
PPD File No. 2714 Vol 2

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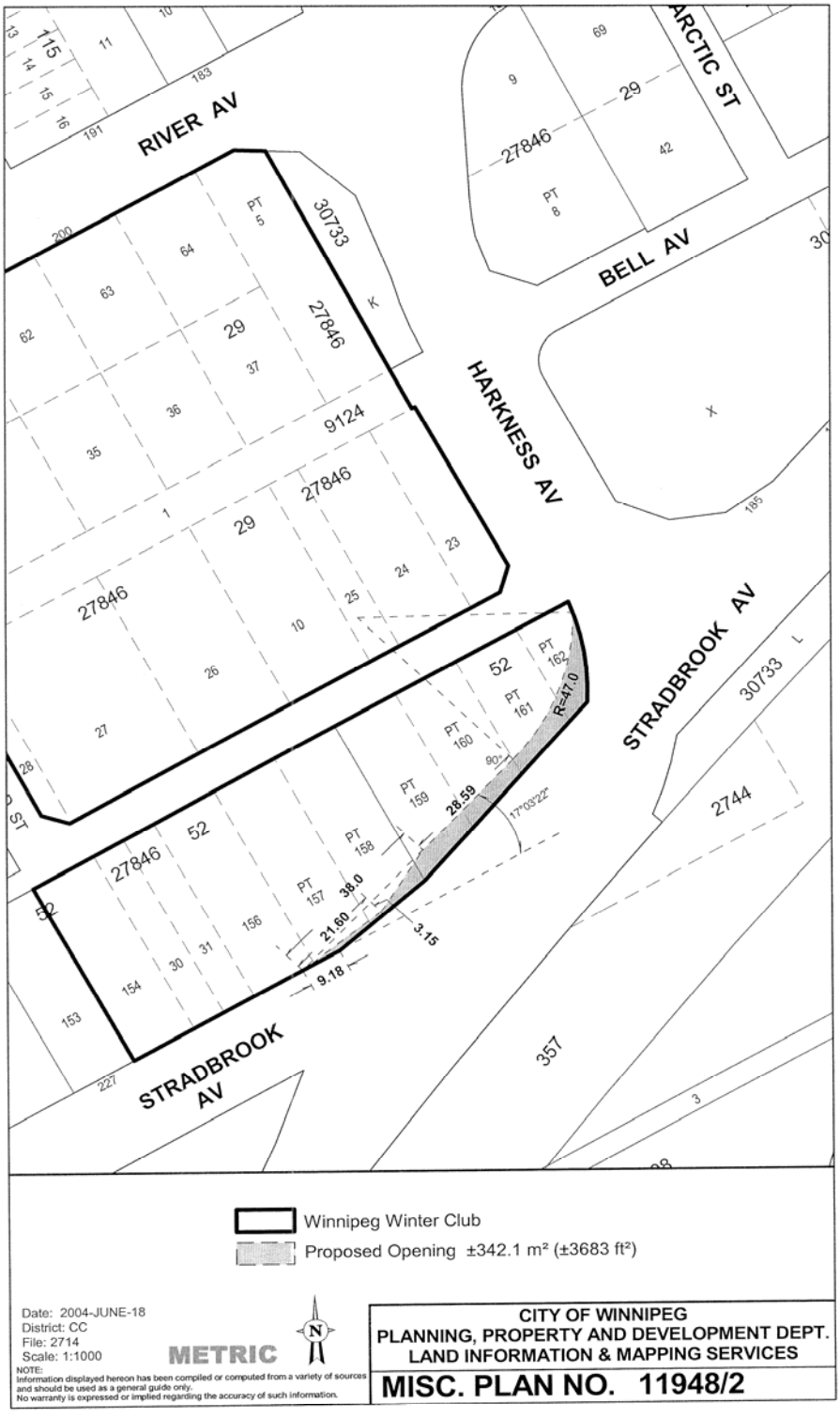
RIVER AV
ARCTIC ST
BELL AV
HARKNESS AV
STRADBROOK AV
STRADBROOK AV
30733
27846
9124
2744
357
R=47.0
28.59
38.0
21.60
3.15
9.18
17°03'22"
Winnipeg Winter Club
Proposed Opening ±342.1 m² (±3683 ft²)
Date: 2004-JUNE-18
District: CC
File: 2714
Scale: 1:1000
METRIC
NOTE:
Information displayed hereon has been 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. 11948/2