Agenda – Council – September 9, 2009

Report – Executive Policy Committee – September 9, 2009

Item No. 4 Widening of the north side of Dugald Road, west of Ravenhurst Street (Transcona Ward)
File DAO 9/2009

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 9, 2009, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submits the following to Council:

1. That the Acting City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the street widening in accordance with Misc. Plan No. 13474/1.

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

Report – Executive Policy Committee – September 9, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 9, 2009, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

ADMINISTRATIVE REPORT

ISSUE: DAO 9/2009 – PROPOSED WIDENING OF THE NORTH SIDE OF DUGALD ROAD, WEST OF RAVENHURST STREET

CRITCAL PATH: FOR SUBMISSION TO THE EXECUTIVE POLICY COMMITTEE

AUTHORIZATION

Author	Department Head	CFO	CAO
Julian Saj	Deepak Joshi	N/A	P. Sheegl Deputy CAO

RECOMMENDATIONS

1. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street widening in accordance with the attached Misc. Plan No. 13474/1.

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

IMPLICATIONS OF THE RECOMMENDATIONS

There are no policy, regulatory, environmental, human resource or general implications associated with the recommendations.

Costs associated with the street widening are the responsibility of the Public Works Department and are within the approved current and/or capital budget. There are no financial implications for the City of Winnipeg.

HISTORY

The Public Works Department has made an application to widen the north side of Dugald Road, west of Ravenhurst Street so identified on the attached copy of Misc. Plan No. 13474/1.

On July 16, 2008, Council concurred in the Report of the Standing Policy Committee on Infrastructure Renewal and Public Works recommending intersection improvements and signalization at this location. The proposed improvements will require the partial acquisition of property currently owned by Canadian National Railway as shown on the sketch. The Real Estate Division of the Planning, Property and Development Department has successfully concluded its negotiations with CNR, and on June 30, 2009, the Standing Policy Committee on Property and Development concurred in the Report of the Public Service recommending the acquisition of a portion of this property for intersection improvements in accordance with the terms and conditions of the negotiated settlement. It is now in order to proceed with the dedication of the subject property as public street.

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.

Administrative Approval

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

Administrative Comments

The Planning and Land Use Division of the Planning, Property and Development Department notes a 25 foot landscape strip is required along the widened section and un-widened section (measured from the future right-of-way demarcation) of Dugald Road.

Substandard yards created by the widening can be reduced through application to The City of Winnipeg. Planning and Land Use has previously supported these applications to reduce front yard setbacks, and would support a reduction in the setback along the widened Dugald Road frontage to at least 10 feet. This support for the 10 foot limit would be based on a reasonable level of landscaping and/or fencing for a non-obtrusive land use (i.e. a use that does not emit obnoxious noises, odour and/or emissions). These municipal requirements for the front yard only apply to non-rail developments of the CN land, which cannot occur at this time since Plan Winnipeg requires a full range of municipal services for rezoning and subdivisions. There are presently only limited municipal services along Dugald Road.

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, the Standing 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

Financial Impact Statement Date: August 21, 2009

Project Name:

DAO 9/2009 - Proposed Widening of the North Side of Dugald Road, West of Ravenhurst Street

COMMENTS:

Funding for the preparation and registration of the documents required to dedicate the lands as public street has been provided by the Public Works Department under Account No. 003-181000-180603-1807000109 PROPERTY. These costs are considered to be immaterial in nature.

"Original signed by Karen Ayotte" on behalf of

Manager of Finance & Administration

CONSULTATION

In preparing this Report there was consultation with:

Internal Consultation With and Concurrence By:

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

External Consultation With:

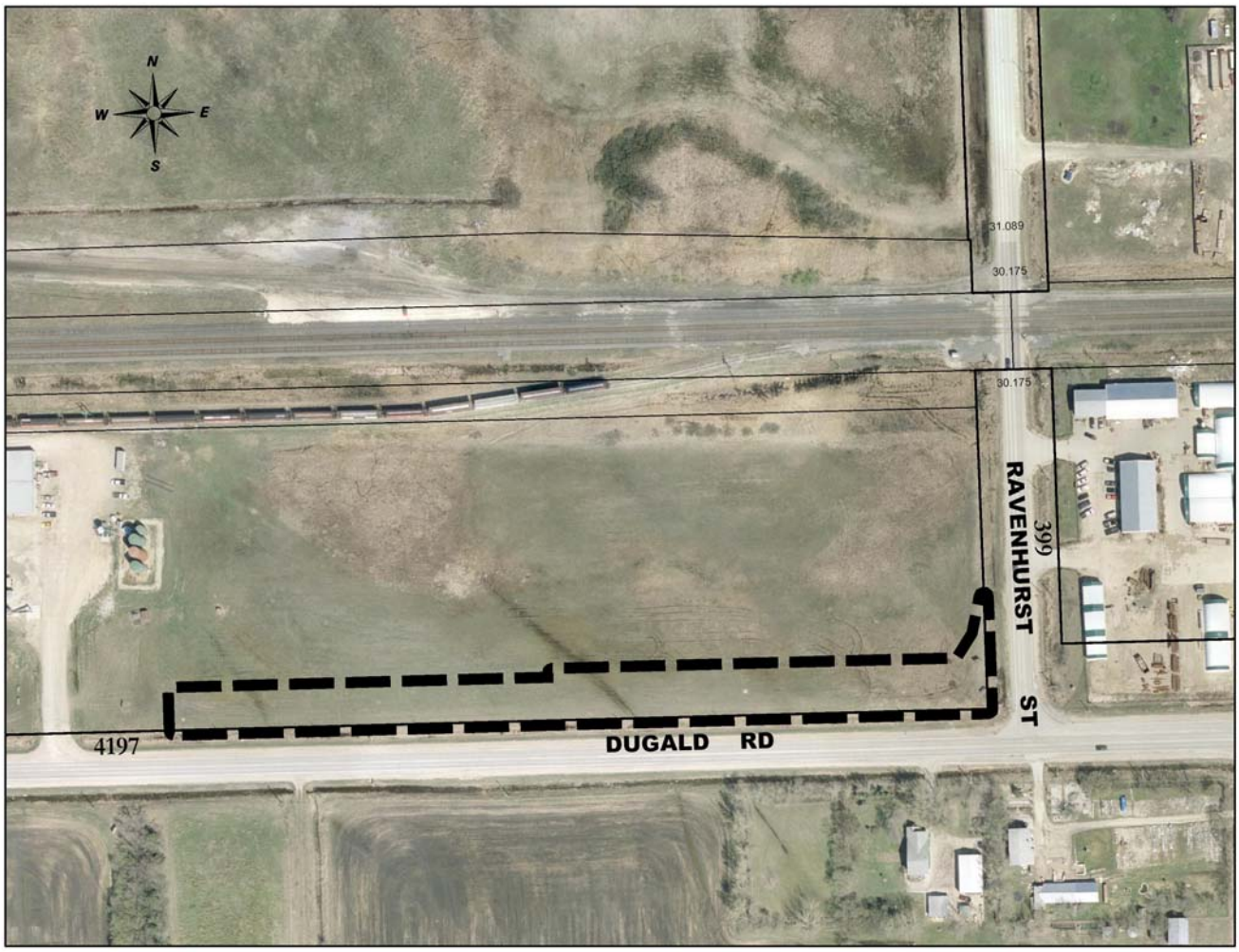
Manitoba Hydro, Centra Gas, MTS Allstream and Shaw Cablesystems

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Development and Inspections
Prepared by:	Bohdan Buyachok, Real Property Officer
Date:	August 24, 2009
File No.	8758

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Aerial View of Opening



Miscellaneous Plan

