Minute No. 426
Report - Standing Policy Committee on Property and Development – June 7, 2011

Item No. 5 **Closing – Part of Douglas Avenue between Pentland and Raleigh Streets (North Kildonan Ward) File DAC 10/2011**

COUNCIL DECISION:

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

1. That the street closing as shown on Misc. Plan No. 13979 be approved.

2. That the Director of Legal Services and City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street closing in accordance with Misc. Plan No. 13979.

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 – June 7, 2011

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 15, 2011, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 7, 2011, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 17, 2011, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File:	DAC 10/2011
Before:	East Kildonan-Transcona Community Committee Councillor Wyatt, Chairperson Councillor Browaty Councillor Steen
Public Hearing:	May 17, 2011 Bronx Park Community Centre 720 Henderson Highway
Applicant:	Director of Public Works
Premises Affected:	Part of Douglas Avenue between Pentland and Raleigh Streets
Exhibits Filed:	1. Report from the Real Property Officer dated April 29, 2011 2. Inspection Report

REPRESENTATIONS:

In Support:
Lester Deane, Manager of Engineering, Public Works Department
Bohdan Buyachok, Real Property Officer, Planning, Property and Development Department

In Opposition:
Nil

For Information:
Janice Hetherington

Exhibit "1" referred to in File DAC 10/2011

ADMINISTRATIVE REPORT

Title: **DAC 10/2011: TO SEEK COUNCIL APPROVAL FOR THE PROPOSED CLOSING OF PART OF DOUGLAS AVENUE BETWEEN PENTLAND AND RALEIGH STREETS**

Critical Path: **EAST KILDONAN - TRANSCONA COMMUNITY COMMITTEE – STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT - EXECUTIVE POLICY COMMITTEE – COUNCIL**

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Buyachok	N/A	N/A	N/A

RECOMMENDATIONS

1. That the proposed street closing as shown on Misc. Plan No. 13979 be approved.

2. That the Director of Legal Services and City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street closing in accordance with Misc. Plan No. 13979.

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

REASON FOR THE REPORT

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

IMPLICATIONS OF THE RECOMMENDATIONS

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

The Public Works Department has identified the loss of a small number of private approaches as a consequence of the recommendation for the street closing. Their comments appear in the History section of this report.

Costs associated with the street closing are the responsibility of the Public Works Department and are within the approved current and/or capital budget and considered immaterial in nature.

HISTORY

On May 27, 2009, Council concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works, as amended by the Executive Policy Committee, and approved the Chief Peguis Trail Extension Project Conceptual Design. One of the recommendations pertained to intersection improvements, roadway realignments and closures as identified in Discussion Section B of the Report of the Winnipeg Public Service dated April 23, 2009. The subject street closing forms part of this recommendation.

At the request of the Public Works Department, the Geomatics Branch is proceeding with the closing of the public street so identified on the attached copy of Misc. Plan No. 13979. The closing is required in order to facilitate the alignment of the Chief Peguis Trail extension. The subject closing will be re-dedicated as Chief Peguis Trail as shown bordered on the sketch.

The portion of Douglas Avenue proposed to be closed is necessary in order to accommodate the new Chief Peguis Trail pavement and the multi-use pathway on the north side of the facility. There are a small number of properties located between Rothesay and Raleigh Streets which have access from a street to the front of the property and a private approach backing onto Douglas Avenue. The private approaches backing onto the section of Douglas Avenue being closed, will be removed in accordance with Private Access By-law No. 49/2008 (Section 25(1)) since the Douglas Avenue pavement will be removed and the continued existence of those private approaches would be detrimental to the safe and efficient movement of vehicular and pedestrian traffic. Douglas Avenue west of the cul-de-sac west of Rothesay Street will remain open as public right of way. A 7.25m wide portion of Douglas Avenue east of this cul-de-sac will also remain open providing access to Nos. 365 and 375 Douglas Avenue and No. 3 Natalie Bay.

The subject closing is being processed concurrently with additional closing applications DAC 7/2011, DAC 8/2011 and DAC 9/2011 all comprising part of the Chief Peguis Trail Extension Project.

CONSULTATION

In preparing this Report there was consultation with:

Internal Consultation:

There was consultation with the affected Civic departments.

External Consultation:

Manitoba Hydro and Centra Gas.
MTS Allstream and Shaw Cablesystems did not respond to the request for comments on this proposal.

SUBMITTED BY

Department: Planning, Property and Development
Division: Development and Inspections
Prepared by: Bohdan Buyachok, Real Property Officer
Date: April 29, 2011
File No.

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APPENDIX "A"

Administrative Approval

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

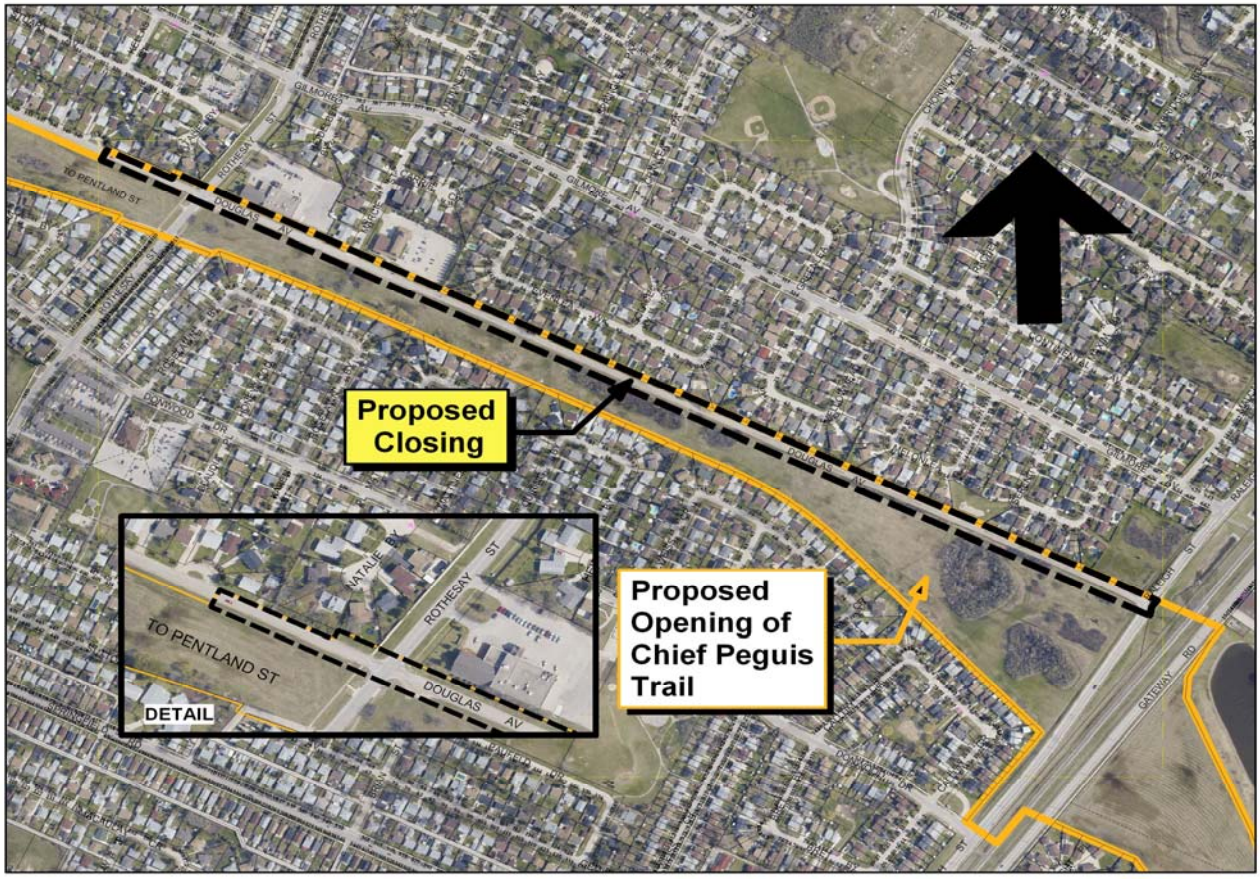
Easements

Manitoba Hydro has identified services within the closing area and will require an easement for these existing facilities.

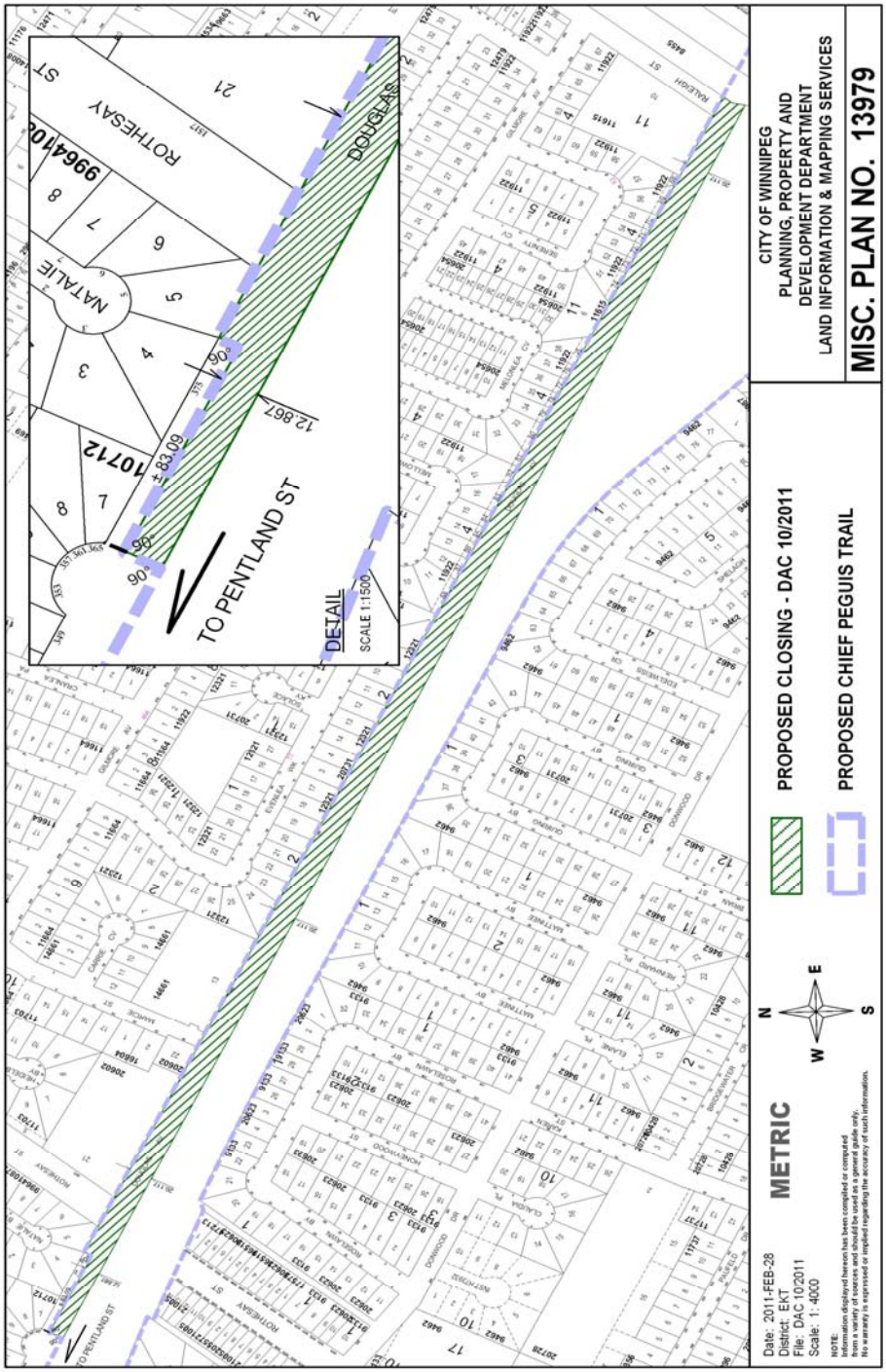
No permanent structures will be allowed within the easement area.

Any removal or relocation of existing facilities as a result of the proposed street closing will be at the expense of the applicant.

Aerial View of Subject Closing



Miscellaneous Plan



Chief Peguis Trail Extension

