CONSIDERATION OF REPORT OF THE
COMMITTEE ON WORKS AND OPERATIONS

The following clause contained in the Report of the Committee on Works and Operations, dated September 10th, 1991, was laid over by the Executive Policy Committee on September 18th, 1991. The Executive Policy Committee has further considered this clause and has taken the action noted below.

On motion of Councillor Lazarenko, Clause 6 of the Report of the Committee on Works and Operations, dated September 10th, 1991, was considered.

Temporary Street Closures for Entertainment Purposes - Residential Block Parties. File SC 3.13

1369 - 6. On July 27th, 1988, Council amended and adopted Clause 5 of the Report of the Committee on Works and Operations dated June 21st, 1988, which established a policy with respect to the temporary closure of streets for entertainment purposes.

On March 27th, 1991, Council adopted Clause 1 of the Report of the Committee on Works and Operations dated March 12th, 1991, in the above connection, which recommended:

1. That employees of the City of Winnipeg continue to be the only personnel authorized to install or remove barricades for the temporary closure of streets for entertainment purposes.

2. That all costs associated with all temporary street closures for entertainment purposes be paid by the applicants.

3. That Schedule "A" of the City of Winnipeg Streets By law No. 1481/77 be amended by the addition of the following clause:

   "(n) For each permit for the temporary closure of a street for entertainment purposes:

   $25.00"

4. That the City Solicitor be requested to draft the necessary amending by law in accordance with 3. above and submit same directly to Council for approval.

Council, on June 19th, 1991, referred to the Committee on Works and Operations the following motion which was moved by Councillor Hyman and seconded by Councillor Brown:

"WHEREAS the Committee on Works and Operations has deleted any funding in budgets for erecting barricades for street closures;

AND WHEREAS the focus of residential street closures is primarily to allow the community to get together in block parties;

AND WHEREAS Council supports the community getting together at these street parties;

AND WHEREAS Council supports the policy that each street or residential block party should fund the cost of street closures;

AND WHEREAS we believe that these costs should be minimal in nature;

THEREFORE BE IT RESOLVED that a procedure be developed whereby the residents themselves can avail themselves of barricades at community district offices upon request, and that the Police Department or members of the Streets and Transportation Department in their normal course of duties can inspect the barricades to their satisfactory condition which should minimize costs;

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BE IT FURTHER RESOLVED that the Commissioner of Finance and Administration be requested to ensure that this procedure will conform with requirements under the City's insurance policies;

BE IT ALSO RESOLVED that, as time is of the essence, this policy be in place as soon as possible or reported back to the next regular meeting of Council."

On June 25th, 1991, the Committee on Works and Operations referred this matter together with all current background information to the Assiniboine Park Fort Garry Community Committee for its input.

On July 16th, 1991, your Committee heard representatives of the Assiniboine Park Fort Garry Community Committee in delegation requesting the Administration to investigate the most feasible method of minimizing the cost to residents. To this end, your Committee instructed the Administration to check with other cities and towns as to how they handle residential block parties and also obtain a communication from the City's insurance consortium, et al, on the liability aspect. The table herewith summarizes the results of a telephone survey of other cities in Canada regarding their procedure for handling requests for street closures for block parties.

On March 27th, 1991, Council adopted Clause 1 of a report from the Committee on Works and Operations, dated March 12th, 1991, which in part, recommended that City of Winnipeg employees be the only personnel authorized to install or remove barricades for the temporary closure of streets for entertainment purposes, that all costs associated with temporary street closures for entertainment purposes be paid by the applicants and that the $10.00 block party permit fee be increased to $25.00 to cover the cost of the insurance premium and administrative costs

involved in processing and issuing these permits. In 1991, overtime labour costs associated with the installation and removal of traffic control signs and barricades for temporary street closures for entertainment purposes, including residential block parties, were eliminated from the 1991 Current Estimates of the Streets and Transportation Department.

Currently, all temporary street closures for entertainment purposes are carried out by Traffic Services employees. This ensures that the necessary signs and barricades are installed and removed where and when specified in the use of street permit by staff who have the training and experience to carry out the work in accordance with City standards and legal requirements.

Non city personnel are permitted to effect temporary closures of streets in accordance with the Manual of Temporary Traffic Control in Work Areas on City Streets. This manual is a schedule of both the City of Winnipeg Traffic By law No. 1573/77 and the City of Winnipeg Streets By law No. 1481/77 and must be legally adhered to at all times. Those engaged in this activity generally work for utilities (MTS, ICG, etc.) or licensed contractors and have been trained in safe work procedures.

By law enforcement officers from each District Engineering office inspect on street temporary signs and barricades to ensure compliance with by laws. However, they normally work 08:30 to 16:30, Monday to Friday, and most block parties are on weekends.

The Police Department has advised that it does not have the resources available to take on the added responsibility of monitoring the installation of signs and barricades for block parties without incurring additional costs that were not considered in the current budget. With most block parties occurring on a Friday or Saturday evening, these events would rate a very low priority with respect to normal Police duties. Without City personnel assigned to re open the street at the specified termination time in the use of street permit, many block parties will continue well beyond midnight, thus generating complaints from adjoining street residents and additional demands upon the Police to terminate the event.

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The Statutes of the Province of Manitoba City of Winnipeg Act provide that the City is responsible for the maintenance of the public street system for public use and, on default, "The City shall, besides being subject to any punishment provided by law, be civilly responsible for all damages sustained by a person by reason of the default." The Law Department has confirmed that the City cannot abdicate its responsibility in this regard. On the premise that there will be a cost saving for labour, it is unreasonable to expect that a resident/volunteer, who is unskilled or unknowledgeable insofar as traffic signing practices and/or the law, can assume liability for the safety of the public.

The City Solicitor has advised that the signing of a waiver of liability against the City would not protect the City from liability and the preferred course would be to require that the applicants for a street closure for a residential block party obtain insurance with the City as named insured. However, the Claims and Insurance Branch advises that although firms may buy public liability insurance for undertaking works in the public street, a private individual may not acquire such insurance. The Branch also advises that the City's general insurance policies would respond, subject to a deductible of $2,500.00 per event, to protect the City for liabilities arising out of residential street closures including closures where barricades are installed by citizens. However, the citizens/applicants would not be protected under the insurance policies and would themselves be open to legal action. Over time, the incident rate involving block parties may influence the premiums paid by the City and the insurance conditions.

Since licensed contractors may buy public liability insurance, they are a suitable alternative to City personnel for erecting, maintaining and removing traffic control signs and barricades for residential block parties. There are several firms in Winnipeg that rent signs and barricades to contractors and some also provide on street installation, maintenance and removal services. Due to the nature of competition within the private sector, these firms may be able to provide their services at less cost to the applicant than the City. These firms must follow the provisions of the Manual of Temporary Traffic Control in Work Areas on City Streets and are licensed and insured for this function. In addition, the City should not be in the rental business with respect to traffic control signs and barricades for personal use in competition with these firms. If the City is to provide such a service to members of the public, it should be reasonably priced and not heavily subsidized. Hence, the cost to the applicants should be comparable.

Generally, it is unnecessary to close public streets for entertainment purposes, as the merits of block parties can be achieved at less cost by staging the event on off street facilities such as parks, playgrounds, community clubs, school yards, church yards or other similar properties.

After considering all aspects, however, your Committee on Works and Operations recommends:

1. That residential block parties be permitted on the basis that the applicants be allowed to do their own barricading with same to be picked up at the local District Works Yard, with a $50.00 deposit fee being required.

2. That the City purchase the relevant Public Liability insurance coverage, and the use of street permit fee (currently $25.00) be adjusted if need be to cover the cost thereof.

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

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Your Executive Policy Committee does not concur in the recommendations contained in the above clause and recommends that the clause be amended by deleting recommendations 1., 2. and 3. as outlined and substituting therefor the following:

"1. That an amount of $45,000.00 be included in the 1992 Current Estimates to cover the equivalent cost of approximately 150 residential block parties at an average cost of $300.00 each.

2. That all applicants for permit for temporary closures of a residential street for entertainment purposes be charged a non refundable fee of $100.00 commencing in 1992, said fee to be increased by $5.00 per year, commencing in 1993 up to and including the year 1997, at which time a review is to take place.

3. That the Proper Officers of the City be instructed to do all things necessary to effect the intent of the above recommendations."

Moved by Councillor Lazarenko,
Adoption of the clause.

In amendment,

Moved by Councillor Clement,
That the recommendation of Executive Policy Committee be adopted.

In amendment,

Moved by Councillor Mitchelson,
Seconded by Councillor Young,
That Recommendation 2., proposed as an amendment by the Executive Policy Committee to Clause 6 of the Report of the Committee on Works and Operations, dated September 10th, 1991, be amended by changing the figure "$100.00" to read "$50.00" where the figure appears at the beginning of the second line therein;
And that all the remaining words after the year "1992" in the third sentence of said Recommendation 2. proposed by Executive Policy Committee be deleted.

Moved by Councillor Gilroy,
That the question be now put.

Carried.

The amendment to the amendment proposed by Executive Policy Committee for Recommendation No. 2. was put.

The Speaker called for the yeas and nays, which were as follows:

Yea: Councillors Demare, Duguid, Fleisher, Hyman, Mendelson, Mitchelson, Timmers, Young and Eadie. 9

Nay: Councillors Wade, Boychuk, Clement, Diamant, Fraser, Gilroy, Golden, Kaufmann, Lazarenko, Lorenc, Murray, Prystanski, Reese, Selinger, Thomas, Timm Rudolph, Yuen and Mayor Norrie. 18

and the amendment to the amendment was declared lost.

The amendment recommended by Executive Policy Committee was put.

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The Speaker called for the yeas and nays, which were as follows:

Yea: Councillors Clement, Gilroy, Lorenc and Mayor Norrie. 4

Nay: Councillors Wade, Boychuk, Demare, Diamant, Duguid, Fleisher, Fraser, Golden, Hyman, Kaufmann, Lazarenko, Mendelson, Mitchelson, Murray, Prystanski, Reese, Selinger, Thomas, Timmers, Timm Rudolph, Young, Yuen and Eadie. 23

and the amendment recommended by Executive Policy Committee was declared lost.

The motion for the adoption of the clause was put.

The Speaker called for the yeas and nays, which were as follows:

Yea: Councillors Wade, Boychuk, Demare, Diamant, Duguid, Fleisher, Fraser, Gilroy, Golden, Hyman, Kaufmann, Lazarenko, Mendelson, Mitchelson, Murray, Prystanski, Reese, Selinger, Thomas, Timmers, Timm Rudolph, Young, Yuen, Mayor Norrie and Councillor Eadie. 25

Nay: Councillors Clement and Lorenc. 2

and the motion for the adoption of the clause was declared carried.

CONSIDERATION OF REPORT OF THE
COMMITTEE ON WORKS AND OPERATIONS

The Executive Policy Committee has had before it the Report of the Committee on Works and Operations, dated October 1st, 1991, has concurred in the recommendations contained therein, except as noted below, and submits same to Council for approval and adoption.

On motion of Councillor Lazarenko, the Report of the Committee on Works and Operations, dated October 1st, 1991, was considered clause by clause.

North Committee Room,
Council Building, Winnipeg.
October 1st, 1991.

His Worship the Mayor and Councillors:

Your Committee on Works and Operations submits the following Report and recommends:

Closing of Public Lane located East of Stadacona Street between William Newton Avenue and Nairn Avenue - East Kildonan Transcona Community.
File DAC 34/86

1370 1. The proposed closing of the public lane located east of Stadacona Street between William Newton Avenue and Nairn Avenue, as shown on Misc. Plan No. EKT 6429/3, was requested by the adjoining owner, F.S.M. Food Systems Management Ltd., in 1986 for the purpose of consolidating its property located on either side of the subject lane, as part of its negotiations with the City for the latter to acquire a 5m x 5m corner cut at the south west corner of Lot 200, Plan 122, in addition to a corner cut required at the opposite corner at the north west corner of Parcel 1, Plan 5792.

Although negotiations for the City to acquire the two corner cuts from the Company have been completed and the corner cuts, opened, as illustrated on said Misc. Plan No. 6429/3, the proposed closing was not proceeded with at that time upon the request of the East Kildonan Transcona Community.

In November, 1990, solicitors for the Company informed the City of their client's wish to proceed with the subject closing and acquisition of the lane. The proposed closing was circularized to all interested City departments and public utilities with no objections being received. The ICG Utilities, however, informed of its requirement for easement to protect its 2" diameter gas main in the lane. Parks and Recreation Department also informed that boulevard restoration for the south side of William Newton Avenue would be necessary.

On December 11th, 1990, the East Kildonan Transcona Community Committee recommended approval of the closing subject to the condition that the Company be responsible for all relocation of utility plants (if required) and restoration costs.

On January 7th, 1991, the Committee on Planning and Community Services approved the referenced proposed closing as to planning considerations.

The Committee on Finance and Administration has been advised that the solicitors for the Company have indicated that the terms and conditions proposed by the City are acceptable; however, they had requested that the sale of the lane be in favour of Cater Air Ltd., a Company owned by the same principals as F.S.M. Food Systems Management Ltd., and which has agreed to the purchase of the lane subject to the following terms and conditions:

1. Enactment of the necessary lane closing by law.

2. The City to transfer or deed to Cater Air Ltd. (hereinafter referred to as the "Company") the lands comprising the lane proposed to be closed shown dotted on Misc. Plan No. EKT 6429/3, comprising approximately 213.2 square metres (2,295 square feet).

Report of the Committee on Works and Operations, dated October 1st, 1991

3. Company to pay to the City the sum of $6,900.00 being the value of the lands comprising the lane proposed to be closed, payable as follows:

a) $690.00 being 10% of the valuation deposited;

b) Balance payable prior to the closing by law being given first reading by Council.

4. Company to pay to the City upon request its share of the cost and expense which will be incurred by the City in connection with the closing and without limiting the generality of the foregoing, will pay upon request by law costs estimated at $200.00.

5. Company to pay adjustments as of the day of the enactment of the by law.

6. Company to pay as an adjustment an amount equal to the total of such taxes, rates and charges, including local improvement levies, which would have been levied or charged against the lands being purchased for the unexpired portion of the current taxation year as though the said lands had been entered on the assessment rolls of the City as privately owned and subject to taxation.

7. Company to pay boulevard restoration costs for the south side of William Newton Avenue (Note: Estimated in 1986 to cost $680.00).

8. Company to obtain possession of the lands at the Company's own expense.

9. Company to accept title subject to all or any exceptions, reservations or encumbrances expressed or implied in the City's title.

10. Company to pay any and all additional costs and charges which may arise by reason of the lane closing.

11. Upon enactment of the by law, the Company agrees to complete the purchase of the lands and to be bound by the terms and conditions herein outlined, failing which the Company shall forfeit all amounts thus far mentioned in clauses 3a) and 4 in favour of the City.

12. Company to indemnify the City against all claims arising out of the lane closing.

13. Company to apply to the necessary authorities for the use of the existing approaches located on William Newton and Nairn Avenues as private approaches. If the necessary permission is not obtained, necessitating the removal of the said approach(es), the Company agrees to pay the cost of removing same.

14. Company agrees that sale of the lands to the Company is subject to:

a) Any easement which may be required by a public utility, including, but not limited to Manitoba Hydro, Manitoba Telephone System, Greater Winnipeg Gas Company or the City of Winnipeg, for the maintenance of existing facilities in the lands, together with the right to enter upon the lands at any time, with or without equipment for said purpose and subject to the owner covenanting not to erect or cause to be erected upon the easement area, any building or structures, without the prior written consent of the public utility or the City of Winnipeg requiring such easements.

b) Without limiting the generality of the foregoing, the sale of the lands shall be subject to the following easement, namely:

i) in favour of the Greater Winnipeg Gas Company for the construction/repair and maintenance of its 2" diameter gas main in the lands;

Report of the Committee on Works and Operations, dated October 1st, 1991

ii) the Company to enter into an agreement satisfactory to the said utility;

iii) the Company acknowledges that the City may grant the easement before the Transfer of Land issues;

iv) in the event of abandonment or relocation of the facilities, all costs shall be borne by the Company and shall be a matter between the Company and the utility.

15. The Company to prepare or cause to be prepared a Plan of Survey and Easement Plan to assist the by law to effect the closing for registration with the Land Titles Office with all costs associated therewith, at the Company's expense.

16. Company to enter into a formal agreement with the City embodying the foregoing terms and conditions, in form satisfactory to the City Solicitor.

The Land Surveys and Real Estate Department recommended to the Committee on Finance and Administration that the lane be sold to F.S.M. Food Systems Management Ltd. instead of Cater Air Ltd. in order that the lands may be consolidated with either of F.S.M. Food Systems Management Ltd.'s adjoining holdings.

The Committee on Finance and Administration, at its meeting on September 10th, 1991, approved the terms and conditions of the proposed closing and sale of the lane as outlined above, subject to:

A. the lane being sold to the original Applicant, F.S.M. Food Systems Management Ltd.;

B. the lane lands being consolidated with either of F.S.M. Food Systems Management Ltd.'s adjoining holdings; and,

C. the inclusion of the City's standard Goods and Services Tax clause which is as follows:

"Company agrees to pay to the City all 'Goods and Services Tax' applicable on the sale of the lands or, if the Applicant is a registrant under the Goods and Services legislation, the Applicant shall advise in writing of its registration number. The Goods and Services Tax is to be paid, or the registration number provided, to the City within ten (10) days from date of notice of the enactment of the by law."

Your Committee on Works and Operations has approved the proposal and recommends:

1. That the City Solicitor be instructed to prepare the necessary closing by law for submission to Council to effect the closing of the public lane located east of Stadacona Street between William Newton Avenue and Nairn Avenue in the manner shown on Misc. Plan No. EKT 6429/3, the cost of the by law, estimated at $200.00, to be borne by F.S.M. Food Systems Management Ltd., Applicant herein.

2. 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.

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

Copy of Misc. Plan No. EKT 6429/3 regarding this proposal is on file in the office of the City Clerk.

Moved by Councillor Lazarenko,
Adoption of the clause.

Carried.

Report of the Committee on Works and Operations, dated October 1st, 1991

Closing of Part of the Four Mile Road, West of the Perimeter Highway in O.T.M. Lots 85 to 89 - St. James Assiniboia Community. File DAC 3/91

1371 2. In December, 1990, the Land Surveys and Real Estate Department received a request from the Base Commander, Canadian Forces Base Winnipeg, on behalf of the Department of National Defence, to close a portion of the Four Mile Road, as shown on Misc. Plan No. SJA 8100, and subsequent to the closing, to acquire the lands for inclusion in the National Defence Department's St. Charles Rifle Range.

The subject proposal was circulated to all interested City departments and public utilities for information and comments. There were no objections received from the respondents. The District Planner, however, expressed the opinion that the right of way, if closed, should not be sold, giving the following comments in support of his position:

> "The subject road closing comprises a small segment of Four Mile Road, the alignment and allowance of which extends the full length of the North City Boundary west of the Perimeter Highway. Although the closing of the road may not have transportation implications now or in the longer term, Four Mile Road does constitute a significant demarcation line which reinforces the political boundary, particularly in the context of Plan Winnipeg. It is the opinion of the District Planning Branch that the closing of any part of Four Mile Road should, therefore, take into account this larger impact.
>
> "It is considered, however, that if the road allowance is not required for transportation purposes and can be closed, the advantage of retaining the land in City ownership would serve as a satisfactory alternative."

The Subdivision Branch is of the view that the closing of the right of way makes sense from a public safety standpoint, considering the fact that the Department of National Defence owns the land on either side of Four Mile Road, and is utilizing the land as a firing range.

On April 16th, 1991, the St. James Assiniboia Community Committee recommended that the closing be proceeded with and the lands leased to the Department of National Defence.

On May 13th, 1991, the Committee on Planning and Community Services approved the closing as to planning considerations and directed that once closed, the subject right of way not be sold but, instead, leased to the Department of National Defence for a period of ten (10) years with an option to review and extend the lease after that time.

The Defence Department, it should be noted, has also requested a closing of a portion of Government Road Allowance located in the R.M. of Rosser, which portion is likewise shown hatched on the sketch. On December 11th, 1990, the Council of the R.M. of Rosser passed a resolution to close the road allowance in question located within the Municipality.

The Department of National Defence has advised that a lease of the right of way would be an acceptable alternative to a purchase. It is intended, therefore, that subsequent to the closing, a lease of the lands comprising the right of way will be negotiated with the National Defence upon terms and conditions as may be approved by the Committee on Finance and Administration.

Your Committee on Works and Operations has approved the proposal and recommends:

1. That the City Solicitor be instructed to prepare the necessary by law for submission to Council to effect the closing in the manner shown on Misc. Plan No. SJA 8100, the cost of the by law, estimated at $200.00, to be borne by the City at large.

Report of the Committee on Works and Operations, dated October 1st, 1991

2. 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.

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

Copy of Misc. Plan No. SJA 8100 regarding this proposal is on file in the office of the City Clerk.

Moved by Councillor Lazarenko,
Adoption of the clause.

Carried.

Closing of the Balance of the Public Lane West of Lexington Street between Mission Street and Paris Street - St. Boniface-St. Vital Community.

File DAC 13/91

1372 3. The proposed closing of the balance of the public lane west of Lexington Street between Mission Street and Paris Street, as shown on Misc. Plan No. SBSV 8211 was precipitated by an application from the owner of No. 1001/1005 Mission Street (Lots 41/44, Block 4, Plan 1028) to purchase City owned Lots 37/40, Block 4, Plan 1028, located directly behind the applicant's holdings for consolidation purposes. The City owned lots, however, are separated from the applicant's holdings by the subject unimproved lane and to achieve the intended consolidation of lands, the closing and sale of the lane is necessary.

The proposal was circularized in the usual manner to all interested City departments and public utilities with no objections being received. The Manitoba Hydro, however, informed of the need for easements for the maintenance of overhead distribution line in the lane proposed to be closed.

On July 9th, 1991, the St. Boniface St. Vital Community Committee concurred in the recommendation of the Subdivision Branch that the closing be approved.

At its meeting held on July 15th, 1991, the Committee on Planning and Community Services approved the proposed closing as to planning considerations.

The Land Surveys and Real Estate Department intends to process the offer to purchase the City's Lots 37/40, Block 4, Plan 1028, together with a portion of the lane, after the by law closing the lane is enacted. Sale of other portions of the referenced lane to the other adjoining owners will also be negotiated under such terms and conditions as may be approved by the Committee on Finance and Administration.

Your Committee on Works and Operations has approved the proposal and recommends:

1. That the City Solicitor be instructed to prepare the necessary by law for submission to Council to effect the closing of the balance of the public lane west of Lexington Street between Mission Street and Paris Street in accordance with Misc. Plan No. SBSV 8211, the cost of the by law, estimated at $200.00, and all other related costs, to be borne by the City at large, recoverable through the sale of the lane once closed.

2. 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.

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

Copy of Misc. Plan No. SBSV 8211 regarding this proposal is on file in the office of the City Clerk.

Report of the Committee on Works and Operations, dated October 1st, 1991

Moved by Councillor Lazarenko,
Adoption of the clause.

Carried.

Partial Closing of Fermor Avenue East of St. Anne's Road and Proposed Widening of St. Anne's Road between Fermor and Regal Avenues - St. Boniface-St. Vital Community File DAOC 3/88

1373 4. The proposal for the partial closing of Fermor Avenue east of St. Anne's Road and proposed widening of St. Anne's Road between Fermor and Regal Avenues has been initiated by the Streets and Transportation Department. The opening and closing is part of an exchange of lands between the City and Westfair Properties Ltd., the terms of which have been approved by the Committee on Finance and Administration. The proposal has been circularized to all interested City departments and public utilities with no objections having been received. Easements will be required by the District and Manitoba Hydro for the maintenance of their plants in the area.

Both the St. Boniface St. Vital Community Committee and the Committee on Planning and Community Services have approved this project as to planning considerations. The construction of the street opening has now been completed.

Your Committee on Works and Operations has approved the proposal and recommends:

1. That the City Solicitor he instructed to prepare the necessary by law for submission to Council to effect the partial closing of Fermor Avenue east of St. Anne's Road and proposed widening of St. Anne's Road between Fermor and Regal Avenues in accordance with Misc. Plan No. SBSV 7046/3, the cost of the by law, estimated at $200.00, to be borne by the City at large.

2. 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.

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

Copy of Misc. Plan No. SBSV 7046/3 regarding this proposal is on file in the office of the City Clerk.

Moved by Councillor Lazarenko,
Adoption of the clause.

Carried.

Lane Corner Widening at the North-west Corner of the Intersection of the Public Lanes South of Lyndale Drive and West of St. Mary's Road - St. Boniface-St. Vital Community. File DAO 18/90

1374 5. In 1989, the Board of Commissioners considered the report of the Director of Operations recommending the acquisition of the property required for the proposed lane corner widening at the north west corner of the intersection of the public lanes south of Lyndale Drive and west of St. Mary's Road, and instructed the Land Surveys and Real Estate Department to negotiate for the purchase of the property identified as "Proposed Lane Opening" on Misc. Plan No. SBSV 7345/2a. The property has since been acquired by the City by way of agreement.

Report of the Committee on Works and Operations, dated October 1st, 1991

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

Your Committee on Works and Operations has approved the proposal and recommends:

1. That the City Solicitor be instructed to prepare the necessary by law for submission to Council to effect the lane corner widening in accordance with Misc. Plan No. SBSV 7345/2a; the cost of the by law, estimated at $200.00, to be borne by the City at large.

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

Copy of Misc. Plan No. SBSV 7345/2a regarding this proposal is on file in the office of the City Clerk.

Moved by Councillor Lazarenko,
Adoption of the clause.

Carried.

Widening of the First Lane East of Pembina Highway between Killarney Avenue and Dalhousie Drive - Assiniboine Park-Fort Garry Community
File DAO 15/91

1375 6. The Streets and Transportation Department has identified the need to widen the first public lane east of Pembina Highway between Dalhousie Drive and Killarney Avenue, as shown on Misc. Plan No. APFG 8228/1, to accommodate the requirements adjoining commercial development. The lands required for this widening have been acquired by the City over a number of years through dedication and placed under the jurisdiction of the Streets and Transportation Department.

Construction of the pavement in the lane widening is not required in this area. The District Engineer has advised that the lane pavement was originally constructed to a width of 6.0 metres, the standard width for commercial lane pavements. The proposed lane widening is required to regularize and standardize the lane width right of way as shown on Misc. Plan No. APFG 8228/1. The Planning Department has provided all necessary approvals as to planning considerations for this proposal.

Your Committee on Works and Operations has approved the proposal and recommends:

1. That the City Solicitor be instructed to prepare the necessary by law for submission to Council to effect the widening of the first lane east of Pembina Highway between Killarney Avenue and Dalhousie Drive in accordance with Misc. Plan No. APFG 8228/1, the cost of the by law, estimated at $200.00, to be borne by the City at large.

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

Copy of Misc. Plan No. APFG 8228/1 regarding this proposal is on file in the office of the City Clerk.

Moved by Councillor Lazarenko,
Adoption of the clause.

Carried.

Report of the Committee on Works and Operations, dated October 1st, 1991

Widening - 2058 Logan Avenue - St. James-Assiniboia Community.
File DAO 16/91

1376 7. The Board of Commissioners on February 28th, 1991, instructed the Land Surveys and Real Estate Department to negotiate for the acquisition of the property required for the widening of 2058 Logan Avenue to improve vehicular visibility, and directed that the required funds be made available from the Route 90 Resurfacing Project, Wellington Avenue to Pacific Avenue, as contained in the 1989 Capital Estimates.

The owner has agreed to sell that portion of his land required for the widening in accordance with the following terms and conditions:

1. An all inclusive purchase price of SIX THOUSAND, SIX HUNDRED ($6,600.00) DOLLARS for the subject property as shown on Misc. Plan No. SJA 8159.

2. The subject property to be conveyed to the City free and clear of any liens or encumbrances.

3. The date for vacant possession free of leasehold interest and adjustment of taxes, etc., to be the date that a Caveat is filed by the City in the Winnipeg Land Titles Office respecting a duly executed Sales Agreement to be prepared by the City's Law Department regarding this transaction or sooner by mutual agreement.

4. The City to attend to the survey work required by the Winnipeg Land Titles Office in order to dedicate the subject property as street right of way at no cost to the owner.

5. The City to absorb reasonable legal costs, subject to prior approval by the City's Law Department, which the owner may incur in providing the City with free and clear title to the subject property.

6. The City will be responsible for any costs relating to the removal or relocation of the existing improvements which exist within the proposed right of way:

    a) Said costs to be the lowest of at least three quotations to be obtained by the owner for this work and to be submitted to the City for approval prior to commencement of the work.

7. The owner agrees to enter into an appropriate Sales Agreement with the City embodying the within terms and conditions and in a form satisfactory to the City Solicitor; it is acknowledged that the Sales Agreement will be filed as a Caveat against the owner's Title pending registrations of the necessary street opening plan by the City.

8. The owner agrees to consent on a Real Owner Application Form, to add the City of Winnipeg as Real Owner of the subject property on the assessment rolls of the City.

9. This proposal is subject to approval by the City of Winnipeg Council or its delegated authority.

10. The City will self assess on its registrant number, any G.S.T. payable on this transaction.

11. The owner to provide their G.S.T. number.

The Streets and Transportation Department has orally advised that they have no objections to relocating the existing improvements.

This is the second and last of the two properties required for this project. All costs associated with this transaction to be charged to Work Order Number 03 118117 5189040703.

The Committee on Finance and Administration, on September 10th, 1991, approved the proposed acquisition for the subject widening at a price of $6,600.00 and in accordance with the terms and conditions described herein.

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Your Committee on Works and Operations has approved the proposal and recommends:

1. That the City Solicitor be instructed to prepare the necessary street opening by law in accordance with Misc. Plan No. SJA 8159 for submission to Council to effect the widening 2058 Logan Avenue, and the cost of the by law, estimated at $200.00, be charged to the 1989 Capital Program of the Streets and Transportation Department.

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

Copy of Misc. Plan No. SJA 8159 regarding this proposal is on file in the office of the City Clerk.

Moved by Councillor Lazarenko,
Adoption of the clause.

Carried.

Construction of a Granular Surface Roadway on Ferrier Street from the Bergen North Easterly Right-of-Way to Murray Avenue and the Designation of Portions of Ferrier Street and Murray Avenue as Truck Routes.
Files SL, SC 3.11 and FC(1992)

1377 8. For the past number of years, truck traffic from industrial and commercial enterprises located along Ferrier Street has been utilizing both Templeton Avenue/Salter Street to Leila Avenue and the Bergen North Easterly Right of Way private road to McPhillips Street as conveyances to these adjacent Truck Routes. The passage of the truck traffic has been a long standing concern both to the residents of Templeton Avenue and Salter Street as well as to the owners of property on Nikki Lane, Blundell, Nurgitz, Blackthorne and Birchbark Bays, which back onto the Bergen private road, due to dust and/or vibrations being created by larger and heavier vehicles.

Except for truck traffic that utilized the Bergen Cut off private road, Templeton Avenue/Salter Street had been designated as the means of access/egress between Ferrier Street and Leila Avenue, the nearest Truck Route, by the Police and the Streets and Transportation Departments even though the Templeton Avenue/Diplomat Drive route to Leila Avenue was slightly shorter. The difference in length between the routes was deemed to be insignificant in terms of the enforcement of the Traffic By law and also in view of the fact that Salter Street has a pavement width of 48 feet as opposed to the 25 foot wide Diplomat Drive pavement.

On March 15th, 1989, the City purchased the Bergen Right of Way from the Canadian Pacific Railway, which property was still subject to a lease in favour of Con Force Structures Limited for the purpose of utilizing the private road as a means of access/egress to/from their plant located at the corner of Ferrier Street and the Bergen Cut off.

On June 30th, 1991, Con Force Structures Limited terminated their lease on the Bergen property and on August 2nd, 1991, District No. 3 of the Operations Department was requested to barricade the private road existing on the Bergen Right of Way as a result of the road being utilized by a large number of trucks which were dumping excavated material onto private lands located south of the Bergen Cut off.

On September 19th, 1991, a meeting with concerned Templeton Avenue residents was convened by the Councillor for the Kildonan Park Ward with representatives from the Operations, Police, and Streets and Transportation Departments in attendance in order to consider alternatives to having all of the truck traffic from the Ferrier Street area travelling along Templeton Avenue and Salter Street to Leila Avenue.

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There are no residents living on the portion of Ferrier Street to be constructed as it is an undeveloped right of way nor on the portion of Murray Avenue between Ferrier and McPhillips Streets that would be affected by the truck traffic. With no residents affected, the maintenance of these roadways would be at a minimal level, consisting mainly of grading supplemented by occasional gravellings. The additional cost of maintaining the Ferrier Street and Murray Avenue roadways that would be subjected to increased truck movements will therefore be nominal in nature.

A concern is that the installation of a granular surface roadway, which consists of embankment and ditch construction followed by gravelling, is normally carried out by way of a local improvement. In this case, the work would be performed at the cost of the City at large, with cost recoveries occurring when the adjacent properties subdivide or develop.

The implementation of a Ferrier/Murray truck route would also provide flexibility as to the timing of the construction of the future McGregor Street Extension. Some portion of the recommended construction work on Ferrier Street may also be capable of being incorporated into the future McGregor Street Extension when it is built along the existing Ferrier Street right of way north of the Bergen Cut off.

If the road work on Ferrier Street is to be in place this year, the short remaining portion of the construction season will require that the project be engineered and tendered prior to Council approval. The tender for such work would be clearly identified that it will only be proceeded with in the event that Council approval is obtained.

A number of alternatives were raised and discussed at the meeting in addition to the alternative being recommended, namely:

1. Re open the Bergen private road to traffic and thereby return to the status quo which existed prior to August 2nd, 1991, in that both the Templeton/Salter and Bergen routes would be available for truck conveyance from the Ferrier Street area. This alternative was rejected as it did not provide any long term relief from truck traffic to either groups of affected residents.

2. Accelerate the construction of the proposed McGregor Street Extension from 1995 to 1992 thereby providing a direct alignment for trucks to travel between the vicinity of the Templeton/Ferrier intersection to/from Leila Avenue. This alternative was the preferred long term solution to the problem; however, the estimated cost, $1,600,000.00 in 1991 dollars, would appear to be a drawback in light of the City's proposed thirty million dollar borrowing limit for Capital expenditures in 1992.

3. Upgrade the Bergen roadway with gravel and oil at an estimated cost of $120,000.00 and open it as a public right of way. This approach was expected to relieve the dust and vibration problems formerly experienced by the residents backing onto the Bergen Cut off for only short duration.

4. Service the Bergen Cut off with a land drainage sewer and a concrete pavement at a total estimated cost of $2,400,000.00 and then open the thoroughfare as a public street. The cost of this alternative was deemed to be prohibitive and as well it may not completely remove the nuisance to adjacent properties that is created by the passage of truck traffic.

The construction of the subject portion of Ferrier Street and the designation of portions of Ferrier Street and Murray Avenue as truck routes would force all trucks to use this route to McPhillips Street for access/egress to/from the companies located in the neighbourhood of Ferrier Street and the Bergen Cut off. These trucks would then be required to travel much longer distances in order to proceed to their destinations in the eastern, southern and western sections of the City.

Your Committee on Works and Operations recommends:

1. That a granular surface roadway be constructed on Ferrier Street from the Bergen North Easterly Right of Way to Murray Avenue as soon as it is possible to do so.

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2. That the funding for this project, in the estimated amount of $150,000.00, be taken from surplus 1991 Capital funds existing in the Operations Department.

3. That Ferrier Street from Swailes Avenue to Murray Avenue and Murray Avenue from Ferrier Street to McPhillips Street be designated as full time truck routes.

4. That the Proper Officers of the City do all things necessary to implement the foregoing.

Moved by Councillor Lazarenko,
Adoption of the clause.

Carried.

Overnight Parking Restrictions for Snow Clearing. File ST 5.2 (c/r SC 3.6)

1378 9. On January 29th, 1991, the Committee on Works and Operations requested that the Administration report on the matter of snow clearing and the pros and cons relating to the implementation of the Overnight Parking Prohibition and the Major Snowfall Parking Ban and the apparent confusion caused by the present methods of implementing same.

Overnight parking regulations in varying forms were in effect in all areas of Winnipeg prior to 1972. In 1975, a uniform Overnight Parking Prohibition was adopted prohibiting parking on any street for more than one hour between 3:00 a.m. and 6:00 a.m. on any day throughout the year. In 1976, this overnight parking control measure was reduced to apply only in the period between November 1st and May 15th. In 1980, the By law was amended to allow the Mayor to declare the dates during which the By law would be in effect, and in 1981, an amendment was adopted to have the Overnight Parking Prohibition in effect between November 15th of any year to May 15th of the following year, inclusive. A further amendment was made in 1985, such that after the Overnight Parking Prohibition was declared, it remained in effect until May 15th on all streets, or portions of streets bearing "Snow Route" signs, but could be cancelled and reapplied to Priority III (Residential) streets.

In October, 1990, a Major Snowfall Parking Ban was adopted prohibiting parking between the hours of 11:00 p.m. and 6:00 a.m. of the following day on all streets bearing Snow Route signs whenever the Mayor has so declared.

Section 29 (Traffic By law)

The Operations Department Snow Clearing Policy states specific completion time periods for snow clearing of the various categories of the street system. Accomplishment of the snow clearing work, in accordance with the expected time standards, requires that the Operations Department snow clearing response be immediate and continuous but flexible enough to allow for safe public use of the street system during snow clearing operations. This requires the ability to work for extended hours on the street system without the obstacles presented by parked vehicles.

Prior to last winter, on street parking, following a typical winter snowfall (0 20 cm), was controlled by the Overnight Parking Prohibition. Under this By law, vehicles can legally park on the street for not more than one hour from 3:00 a.m. to 6:00 a.m. The Overnight Parking Prohibition is in effect between November 15th and May 15th but the Mayor has the authority to extend the implementation date dependent upon the weather. However, once declared, the parking restriction remains in effect on Priority I and Priority II streets until May 15th, but can be cancelled and reapplied to Priority III (Residential) streets.

The City's experiences in past winters, and particularly during the 1988/89 winter, dramatically showed that the Overnight Parking Prohibition was not effective in controlling on street parking during a major City wide snow clearing operation. Snow clearing around the parked vehicles reduced the efficiency of the snow clearing crews and increased the snow clearing costs. The By law was ineffective in removing the parked vehicles because:

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(a) Vehicles could legally park on the street until 4:00 a.m. since the parking prohibition allowed parking for not more than one hour from 3:00 a.m. to 6:00 a.m.

(b) As a result of (a), a significant number of parked vehicles remain on the street. In order to complete the work, the City has found it necessary to tow a number of these vehicles "around the corner" at the City's expense. In addition, snow clearing crews often had to return at a later time to remove snow piles left during the initial clearing operation.

(c) The flexibility in timing allowed in the By law and used by the Mayor in implementing the Overnight Parking Prohibition on an intermittent basis has resulted in a public that is unsure as to the current status of the By law itself.

As a result of the problems experienced, a new By law was considered, and in 1990, the City adopted the Major Snowfall Parking Ban. Once declared, this new By law No. 5545/90 prohibits on street vehicular stopping from 11:00 p.m. to 6:00 a.m. on all streets signed as "Snow Routes", namely all Priority I and II streets. The Mayor currently has the authority to initiate the Major Snowfall Parking Ban for one or more nights following a snowfall to allow City wide street clean up of "Snow Route" streets. Initial declaration is restricted to a one night period but may be extended as needed. Vehicles parked in violation of this By law are ticketed and towed to a private compound at the vehicle owner's expense.

The Major Snowfall Parking Ban does not affect Priority III (Residential) streets.

With the adoption of this new By law, it was recognized that during or after a typical snowstorm, there could be some public confusion with regards to the parking restrictions that may be put into force. In an attempt to keep this confusion to a minimum, a public relations campaign was undertaken prior to and during the 1990/91 winter season to inform the public of the intent and purpose of the relevant legislation.

The 1990/91 winter saw the Major Snowfall Parking Ban declared on one occasion. The implementation of this parking restriction, and accompanying enforcement by the Police, contributed significantly to the efficiency of the Department's snow clearing operations. However, it was evident that, in spite of the previously mentioned public relations effort, there was still considerable confusion as to the parking restrictions that were in effect.

The day prior to the snowfall in question, the Deputy Mayor, acting as the Mayor's designate, issued a press release announcing an extension to the implementation date of the Overnight Parking Prohibition. The significant snowfall the following day made it necessary to implement the Major Snowfall Parking Ban and the Deputy Mayor issued the appropriate declaration. The result was that one day the public were informed that a parking restriction (Overnight Parking Prohibition) would not be in effect for a further two weeks, and the very next day, another press release from the Deputy Mayor indicated that a different parking restriction (Major Snowfall Parking Ban) was in effect later that same night, undoubtedly creating a very confusing situation.

Considering the confusion that resulted from having two parking bans that may possibly be in effect at the same time to restrict overnight on street parking, it is proposed that Section 29 of the Traffic By law No. 1573/77, as amended by By law No. 4126/85, (Overnight Parking Prohibition), be amended as follows:

(a) To provide for the mandatory implementation of the Overnight Parking Prohibition for the period of December 1st to March 1st on all streets bearing "Snow Route" signs.

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(b) To provide for the discretionary implementation and suspension of the One Hour Overnight Parking By law for the period of December 1st to March 1st on all streets not classified as "Snow Routes". The Mayor or his designate would impose or remove the parking prohibition on those streets as conditions warrant.

(c) To provide for the discretionary implementation and suspension of the Overnight Parking Prohibition on all City streets as conditions warrant during times other than from December 1st to March 1st.

Impact of Section 29 Changes

During a typical winter, a gradual build up of snow and/or ice along our "Snow Route" system (Regional and Bus Route/Collector Streets) often makes it necessary to undertake scheduled maintenance work on these streets in order to conform to the City's snow clearing policy.

The proposed mandatory implementation and accompanying enforcement of the By law during the time (December 1st to March 1st) of traditionally high snow clearing activities will greatly assist the Operations Department in facilitating the planned routine snow clearing maintenance operations on the "Snow Route" streets. In addition, by ensuring that the Overnight Parking Prohibition is implemented on the Snow Routes by December 1st and remains in effect until at least March 1st, it is anticipated that there will be a sharp reduction in any public confusion when heavy snows make it necessary to implement the Major Snowfall Parking Ban in order to undertake a major plowing of the Snow Route streets.

Under the proposed changes, the Mayor or his designate will continue to have the discretionary authority to implement and suspend the Overnight Parking Prohibition as conditions warrant on all streets that are not classified as Snow Routes (primarily Residential). Routine planned snow clearing maintenance is considerably less frequent on these streets making it impractical to have the parking prohibition in effect for the majority of the winter season. Declaration of the parking prohibition would typically follow a major snowfall and the By law would be implemented to facilitate any necessary snow clearing operations. It should be remembered that the Major Snowfall Parking Ban is applicable to Snow Routes only, and therefore, is not available to restrict parking on the majority of the residential streets.

Section 29A (Traffic By law)

The Major Snowfall Parking Ban was declared on one occasion during the 1990/91 winter and contributed significantly to the efficiency of the Department's snow clearing operations. However, on the night in question, it was evident that there were some commercial areas of high activity that may be impacted by the implementation of this parking ban.

It is critical that the Operations Department, through the use of this By law, have the ability to clear snow without the problem of parked cars. However, following a review of the plowing procedures normally undertaken during a major plow, it is proposed that the Major Snowfall Parking Ban be amended to prohibit the stopping of any vehicle on the Snow Routes when officially declared between the hours of 00:00 (midnight) and 06:00 rather than the current hours of 23:00 to 06:00. This will not significantly effect any plowing efforts and will reduce the adverse impact on those commercial businesses.

It is further proposed that any declaration regarding the Major Snowfall Parking Ban be the responsibility of the Commissioner of Works and Operations or his designate. Implementation of this By law in order to facilitate the Department's snow clearing efforts is typically an operational decision that must be expediently made to provide for not only sufficient notice of a plowing operation to the City's various work forces, but more importantly, to allow the Operations Department to initiate the planned public information efforts that will notify the general public of the forthcoming parking restriction. The time available for any decision is very limited and will not always be required during normal working hours.

Your Committee on Works and Operations therefore recommends:

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That Sections 29 and 29A of the City Traffic By law No. 1573/77 be repealed and the following substituted therefor:

(A) Section 29

29(1) No person shall park a vehicle on a street for a period of time longer than one hour between the hours of 3:00 a.m. and 6:00 a.m. of any day from December 1st of any year to March 1st of the following year, both days inclusive, excepting those occasions where the parking prohibition has been removed by Declaration of the Mayor on all streets not bearing "Snow Route" signs.

(2) Subject to Subsections 3 and 4 hereof, the dates referred to in Subsection 1 hereof may be amended by Declaration of the Mayor, or his designate, should unusual weather conditions occur and the Mayor or his designate shall inform the general public by:

(i) forthwith filing at the Office of the City Clerk, Main Floor, Council Building, 510 Main Street, Winnipeg, a signed and dated Declaration that the overnight parking prohibition is in effect during days other than the period referred to in Subsection 1 hereof; and

(ii) issuing for immediate release, a communique to the media specifying the Declaration of Implementation or suspension of the overnight parking prohibition.

(3) The overnight parking prohibition on all streets or portions of streets bearing "Snow Route" signs of the type specified and approved by Order No. 21/78 of The Highway Traffic Board shall be imposed as follows:

(i) Where the parking prohibition referred to in Subsection 1 hereof is imposed after October 31st, but prior to December 1st, it shall remain in effect until March 1st of the following year.

(ii) Where the parking prohibition referred to in Subsection 1 has not been imposed during the period November 1st to November 30th, it shall be implemented effective December 1st and remain in effect until March 1st of the following year.

(iii) When the parking prohibition referred to in Subsection 1 is imposed after March 1st and prior to April 1st, it shall remain in effect until suspended by Declaration of the Mayor or his designate.

(4) The overnight parking prohibition on all streets or portions of street that do not bear "Snow Route" signs shall be imposed as follows:

(i) The parking prohibition referred to in Subsection 1 hereof shall be imposed and removed as conditions warrant by a Declaration of the Mayor or his designate.

(ii) Notwithstanding Subsection 2, where the parking prohibition on non "Snow Route" streets is imposed or suspended during the period referred to in Subsection 1, the Mayor or his designate shall inform the general public by:

(a) forthwith filing at the Office of the City Clerk, Main Floor, Council Building, 510 Main Street, Winnipeg, a signed and dated Declaration that the overnight parking prohibition is in effect.

(b) issuing for immediate release a communique to the media specifying the Declaration of Implementation or suspension of the overnight parking prohibition.

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(B) Section 29A

29A(1) No person shall stop, stand or park a vehicle on a street between the hours of 00:00 and 06:00 on streets or portions of streets bearing "Snow Route" signs of the type specified and approved by Order No. 21/78 of the Highway Traffic Board, whenever the Commissioner of Works and Operations or his designate has so declared.

(2) The Commissioner of Works and Operations or his designate shall make, or cause to be made, a record of each time and date when any such declaration is made.

(3) The Commissioner of Works and Operations or his designate shall forthwith file at the Office of the City Clerk, Main Floor, Council Building, 510 Main Street, Winnipeg, a signed and dated Declaration that the Major Snowfall Parking Ban is in effect upon the day or days referred to in Subsection (1) hereof.

(4) The Commissioner of Works and Operations or his designate shall inform the general public by issuing for immediate release, a communique to the media specifying the Declaration of Implementation of the Major Snowfall Parking Ban.

(C) That the City Solicitor prepare the necessary amendment to the Traffic By law and the Proper Officers of the City do all things necessary to implement the foregoing.

Moved by Councillor Lazarenko,
Adoption of the clause.

Carried.

**Cyclists on City Streets/Bicycle Routes/
Helmet Use/Hiring of Consultant.
File ST 7.2**

1379 10. REFERRED TO BOARD OF COMMISSIONERS BY EXECUTIVE POLICY COMMITTEE

(Note: See Page 1995 to 1996 for Official Set of Minutes attachment)

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COMMITTEE ON WORKS AND OPERATIONS
MOTIONS

Moved by Councillor Fleisher,
Seconded by Councillor Mendelson,
1380 WHEREAS the policy for Handi Transit prohibits blind people who are not physically handicapped from ridership;

AND WHEREAS the policy requires a medical certificate and/or assessment from C.N.I.B.;

AND WHEREAS safety issues are not considered as a prerequisite guideline;

AND WHEREAS work and medical appointments are given priority for ridership;

THEREFORE BE IT RESOLVED that legally declared blind persons, who are employed and who are not able to use the public transit system because of safety related issues and who require transportation to and from work should be allowed to use handi transit;

AND BE IT FURTHER RESOLVED that the policy be changed to reflect this motion.

Referred to the Committee on Works and Operations.

Moved by Councillor Kaufmann,
Seconded by Councillor Lorenc,
1381 WHEREAS a former City Councillor, Mr. Ken Galanchuk, has recently been appointed to the Court of Queen's Bench and will serve in Dauphin;

BE IT HEREBY RESOLVED that this Council send Mr. Galanchuk our congratulations and best wishes. We wish him and his wife, Marie, well and hope to see them return to our City in the future.

Carried.

COMMITTEE ON WORKS AND OPERATIONS
CONSIDERATION OF BY LAWS

1382 On motion of Councillor Lazarenko, By law No. 5766/91, a By law of The City of Winnipeg to close part of the east/west public lane west of Osborne Street between Rosedale and Jubilee Avenues, was read a second and third time, and was passed and ordered to be signed and sealed. File No. DAC 10/89.

On motion of Councillor Lazarenko, the following By laws were each read a first, second and third time, the rule being suspended for the third reading of each by law, and were passed and ordered to be signed and sealed, namely:

By law No. 5775/91, a By law of the City of Winnipeg to widen the west side of St. Mary's Road between Highfield and Coniston Streets. File No. DAO 10/91.

By law No. 5776/91, a By law of the City of Winnipeg to open the north west corner of Sherbrook Street and Notre Dame Avenue. File No. DAO 10/89.

By law No. 5777/91, a By law of the City of Winnipeg to open the south east and south west corners of Ferry Road and Ness Avenue. File No. DAO 29/89.

By law No. 5778/91, a By law of the City of Winnipeg to open the south west corner of King Street and Henry Avenue. File No. DAO 6/86.