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 April 21st, 1992, has concurred in the recommendations contained therein, except as noted below, and submits same to Council for approval and adoption.

On motion of Councillor Duguid, the Report of the Committee on Works and Operations, dated April 21st, 1992, was considered clause by clause.

North Committee Room,
Council Building, Winnipeg.
April 21st, 1992.

His Worship the Mayor and Councillors:

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

Widening of rue Archibald North and South of Elizabeth Road - St. Boniface-St. Vital Community. File DAO 12/92

909 - 1. The land required for the widening of rue Archibald north and south of Elizabeth Road was acquired by the City in connection with the Archibald widening Capital Works Program. The proposed widening has been circularized to all interested parties through the Capital Works process with no objections having been received. The construction of the widening has been completed, and it now remains to legally open the land as public street.

Your Committee on Works and Operations therefore recommends:-

1. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the widening of rue Archibald north and south of Elizabeth Road in accordance with Plan No. SBSV 8519; 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 8519 regarding this proposal is on file in the office of the City Clerk.

Moved by Councillor Duguid,
Adoption of the clause.

Carried.

Corner Rounding - North-west Corner Ellice Avenue and Maryland Street - City Centre - Fort Rouge Community. File DAO 13/92

910 - 2. At its meeting held on December 17th, 1987, the Board of Commissioners considered a report from the Director of Streets and Transportation, dated December 8th, 1987, and instructed the Director of Land Surveys and Real Estate to undertake negotiations for the acquisition of the subject property required in connection with the resurfacing project proposed along Maryland Street from Ellice to Wolseley Avenues; being in the 1988 Council approved Capital Program of the Streets and Transportation Department.

At its meeting on March 31st, 1992, the Committee on Finance and Administration approved the terms and conditions of the proposed acquisition. Imperial Oil Limited has agreed to transfer title to the subject property.

Report of the Committee on Works and Operations, dated April 21st, 1992.

In conjunction therewith, the Committee on Works and Operations has approved the proposed corner rounding and recommends:-

1. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street opening/corner rounding at the north-west corner of Ellice Avenue and Maryland Street in accordance with Misc. Plan No. CCFR 7007/1; the by-law costs, estimated at $200.00, to be charged to Account No. 03-118117-5188040704.

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

Copy of Misc. Plan No. CCFR 7007/1 regarding this proposal is on file in the office of the City Clerk.

Moved by Councillor Duguid,
Adoption of the clause.

Carried.

Regulations Concerning In-Line Skating.
Files ST-5.2 and ST-5.3

911 - 3. On July 30th, 1991, Council referred to the Committee on Works and Operations the following motion of Councillors Young and Lorenc that would allow in-line skating where it may be considered safe to do so, namely:-

"WHEREAS Section 2.12 of the City of Winnipeg Streets By-law No. 1481/77 states:

'2.12 COASTING
No person shall slide, coast, toboggan, or use or ride any skateboard or similar device upon, onto or over a street. Nothing in this section shall be construed as prohibiting the pulling of a toboggan or sleigh on a sidewalk or along a boulevard in areas where there is no sidewalk.';

AND WHEREAS Section 6 of the City of Winnipeg Traffic By-law No. 1573/77 states:

'6. COASTERS, SKATEBOARDS, ETC., PROHIBITED ON ROADWAYS
No person shall ride upon or use any coaster, skateboard, sleigh, skis, skates, toy vehicles, or similar device on a roadway.';

AND WHEREAS 'in-line' rollerskating or 'rollerblading' should be viewed as a legitimate recreational activity and alternative mode of transportation that is quickly growing in popularity;

THEREFORE BE IT RESOLVED that this matter be referred to the City Administration for drafting an appropriate amendment to the aforementioned Streets and Traffic By-laws that would exempt 'in-line' rollerskating or 'rollerblading', where it can be considered safe to do so."

On November 12th, 1991, the Committee on Works and Operations referred back to the Streets and Transportation Department its administrative report in the above connection, with instructions to have the Parks and Recreation Department assist in the preparation of proposal to accommodate in-line skating.

In its report, the Streets and Transportation Department advises that in-line skates are not unlike standard roller skates in terms of their impact on the safety of others (pedestrians, cyclists) in their environment; that is speed and manoeuvrability are approximately the same. However, for reasons of personal safety, users are encouraged to use protective equipment such as helmets. Thus, permitting the use of in-line skates on separate bicycle paths, closed roadways which are designated as bicycle paths, and other designated Parks and Recreation Department properties and on sidewalks does not represent an unacceptable safety risk to the cyclists, pedestrians or other skaters using these facilities.

Report of the Committee on Works and Operations, dated April 21st, 1992.

Allowing in-line skaters on park roadways is cause for concern. Certain park roadways carry very heavy traffic volumes, particularly during peak periods. During these time periods, the safety of skaters would be severely compromised. In theory, activities such as in-line skating could be partially permitted on park roadways by the posting of appropriate signs and ensuring suitable levels of enforcement. However, in practice, it is doubtful that the necessary enforcement could be provided to achieve the desired effect. The number of traffic control devices that would be required to provide suitable notice to both the motorist and in-line skater would have a negative impact on the park environment.

Similarly, allowing in-line skaters on residential or regional streets is cause for concern. Traffic volumes on certain residential streets may be relatively high, especially during peak hours. To differentiate between high volume and low volume streets, either in total or by time period, would result in a proliferation of on-street regulatory signing, which may receive little if any enforcement. The consequences of a collision between an in-line skater and a vehicle would be severe. It is, therefore, preferable that the in-line skater not be permitted to utilize a roadway.

REVIEW OF TRAFFIC BY-LAW AND STREETS BY-LAW

Section 6 of the Traffic By-law prohibits devices similar to in-line skates on roadways. "Roadway" does not have a definition in the by-law, therefore, the definition in The Highway Traffic Act applies i.e. "roadway" means that portion of a highway that is improved and ordinarily used for vehicular traffic (it does not include sidewalks but includes medians). It is reasonable to include in-line skates in the list of devices prohibited from roadways. Therefore, at the present time, in-line skaters are permitted only on sidewalks.

Under The Highway Traffic Act, a "highway" includes the "vehicle passageways" in a park. Therefore, in-line skates, et al, are currently prohibited on park roadways.

Under Section 2.12 of the Streets By-law, no person is allowed to use or ride a skateboard or similar device on a street. By definition, a "street" includes the sidewalk. However, it may be argued that the term "skateboard" does not include in-line skates or other similar devices. As a consequence, in-line skates may also be allowed on sidewalks under the Streets By-law. In any event, the intent of both the Streets and Traffic By-laws should be clarified.

The Streets and Transportation Department proposes that in- line skating could reasonably be permitted:

1) on roadways which have been closed and designated as bicycle routes, e.g. a section of Wellington Crescent during the summer months,

2) on bicycle paths, and

3) on sidewalks,

4) in designated locations on Parks and Recreation Department properties.

For the information of Council, a comprehensive report dated February 19th, 1992, on this issue was received from the General Manager, Parks and Recreation Department, a copy of which is on file in the office of the City Clerk. In summary, the report recommends that in-line skaters be permitted on designated park roadways and residential streets, as well as sidewalks and closed streets.

Your Committee on Works and Operations has approved the proposals within the report of the Streets and Transportation Department and recommends that Section 2.12 of the City of Winnipeg Streets By-law and Section 6 of the City of Winnipeg Traffic By-law be amended as required, to permit the use of in-line skates:

Report of the Committee on Works and Operations, dated April 21st, 1992.

i) on roadways which have been closed and designated as Bicycle Routes,

ii) on bicycle paths (separate from roadways) both within and outside City-owned parks,

iii) in designated locations on Parks and Recreation Department properties, and

iv) on sidewalks.

Your Committee on Works and Operations also supports all but one of the proposals within the report of the Parks and Recreation Department dated February 19th, 1992, and recommends:-

1. That Section 2.12 of the City of Winnipeg Streets By-law No. 1481/77 and the City of Winnipeg Traffic By-law No. 1573/77 be amended to include provision for the use of in-line skates for pleasure skating in the following conditions:

   a) on streets which have been designated as bicycle routes and where appropriate traffic control devices have been installed;

   b) within those Parks and Recreation Department properties including roadways, designated by the Parks and Recreation Department;

   c) on sidewalks.

2. That, within the by-law amendments, it be noted that in-line skaters utilizing streets be governed by all restrictions of The Highway Traffic Act regarding traffic control devices, rules of the road, etc; these restrictions set as guidelines to be structured to parallel the rules governing bicycle use on streets.

3. That the Parks and Recreation Department undertake a program of public education regarding the safe use of in-line skates. Your Committee on Works and Operations further recommends that the City Solicitor be instructed to prepare the necessary by-law amendments for submission to Council, and the Proper Officers of the City do all things necessary to implement the foregoing.

Moved by Councillor Duguid,
Adoption of the clause.

The Speaker advised that each of the sub-sections of Recommendation No. 1 would be considered separately.

Recommendation No. 1(a) was put and declared carried.

Recommendation No. 1(b) was put and declared carried.

Recommendation No. 1(c) was put.

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

Yea: Councillors Brown, Clement, Demare, Diamant, Duguid, Fleisher, Fraser, Gilroy, Hyman, Kaufmann, Lazarenko, Lorenc, Mendelson, Mitchelson, Young and Eadie. 16

Nay: Councillors Boychuk, Golden, Murray, Prystanski, Timmers, Yuen and Mayor Norrie. 7

and Recommendation No. 1(c) was declared carried.

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

Report of the Committee on Works and Operations, dated April 21st, 1992.

Addition to the 1992 Watermain Renewal Program. File WW-2.4(21)

912 - 4. The 100 millimetre cast iron watermain under Robindale Road from Betsworth Avenue to 155 metres south of Betsworth Avenue was installed in the 1950's. There have not been any leaks on this section of main.

Robindale Road runs from Pepperloaf Crescent to Pepperloaf Crescent and the section of 100 millimetre cast iron watermain from Betsworth Avenue north and east to Pepperloaf Crescent was renewed in 1991 and upgraded to the standard 150 millimetre size watermain.

The portion from 155 metres south of Betsworth Avenue to Pepperloaf Crescent and including the south leg, is scheduled for renewal and upgrading in 1992, leaving a portion of 100 millimetre cast iron watermain from Betsworth Avenue to 155 metres south for renewal at some future date.

Robindale Road is scheduled for complete ditch maintenance in 1992 and, in order to prevent future disruption to the public in that area, it is expedient that the remaining portion of watermain on Robindale Road from Betsworth Avenue to 155 metres south be renewed in 1992 and upgraded to 150 millimetres.

The funds available for this project is as follows:

Funding Available in Watermain Renewal Reserve Fund (as of December 31st, 1991)	$225,777.71
Less: Amount Reserved for Future Contingencies	170,777.71
Funds Available for Recommended 1992 Renewal of Robindale Road	$ 55,000.00

Your Committee on Works and Operations recommends:-

1. That the renewal of the 100 millimetre cast iron watermain located under Robindale Road from Betsworth Avenue to 155 metres south of Betsworth Avenue be undertaken at a cost of $55,000.00 from the available funding in the Watermain Renewal Reserve Fund.

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

Moved by Councillor Duguid,
Adoption of the clause.

Pursuant to The Municipal Council Conflict of Interest Act, Councillor Brown advised Council that he would refrain from entering the discussion and from voting on the clause, due to a possible business conflict, and left the Chamber.

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

Councillor Brown returned to the Chamber.

The hour of midnight having arrived, Council continued in session.

Thursday, May 7th, 1992

Report of the Committee on Works and Operations, dated April 21st, 1992.

Removal of Parking Meters on Provencher Boulevard and on Tache Avenue - St. Boniface-St. Vital Community. File ST-2

913 - 5. The Committee on Works and Operations has considered a recommendation from the St. Boniface-St. Vital Community Committee that the parking meters along Provencher Boulevard be removed and replaced with a two-hour parking limitation.

It was noted that in late 1989, concerns had been expressed by customers of the Provencher Boulevard retail establishments relative to the one-hour time limit at the metered parking spaces on the north and south sides of Provencher Boulevard. At that time, the Streets and Transportation Department had suggested that all of the parking meters in St. Boniface, with the exception of those meters on Tache Avenue between Goulet Street and rue Despins, were not warranted and proposed that they be removed. However, the Committee on Works and Operations instructed that the meters remain, and requested a report regarding the time limit at these meters.

In its report dated December 27th, 1989, the Streets and Transportation Department advised the Committee on Works and Operations that a survey of the 72 parking meters on Provencher Boulevard east of Tache Avenue and on Tache Avenue north of Provencher Boulevard indicated that a two-hour rather than a one-hour time limit was more compatible with the usage characteristics at these meters.

On January 9th, 1990, the Committee on Works and Operations resolved that the parking meters on Provencher Boulevard east of Tache Avenue and on Tache Avenue north of Provencher Boulevard be changed from a one-hour time limit to a two-hour limit, and on April 4th, 1990, Council passed the appropriate amendments to the Parking Meter By-law and the meters were changed to a two-hour limit shortly thereafter.

Councillor Selinger, accompanied by Mr. D. Labelle of Labelle's, The Complete Wedding Centre, 160 Provencher Boulevard, appeared in delegation in support of the most recent recommendation of the St. Boniface-St. Vital Community Committee for the removal of parking meters along Provencher Boulevard, to be replaced with a two-hour parking limitation.

Your Committee on Works and Operations has approved this proposal and recommends:-

1. That the parking meters along the north and south sides of Provencher Boulevard between Tache Avenue and Aulneau Street be removed.

2. That a two-hour parking regulation be implemented in place of the parking meters along Provencher Boulevard.

3. That the City Solicitor prepare the necessary amendment to the Parking Meter By-law.

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

Your Executive Policy Committee recommends that recommendation 1. above be amended by adding the following words after the words "Aulneau Street", namely:-

"and on the east and west sides of Tache Avenue, north of Provencher Boulevard to Dumoulin Street,". Your

Executive Policy Committee further recommends that recommendation 2. above be amended by adding the words "and Tache Avenue" at the end thereof.

Moved by Councillor Duguid,
Adoption of the clause.

Report of the Committee on Works and Operations, dated April 21st, 1992.

In amendment,

Moved by Mayor Norrie,

That the recommendation of Executive Policy Committee be adopted.

Carried.

The motion for the adoption of the clause, as amended, was put and declared carried.

COMMITTEE ON WORKS AND OPERATIONS

CONSIDERATION OF BY-LAWS

914 - On motion of Councillor Duguid, By-law No. 5938/92, a By-law of The City of Winnipeg to close part of Allen Dyne Road and open (corner cut) the southeast corner of Sargent Avenue and Ferry Road, was read a second and third time and was passed and ordered to be signed and sealed. File Nos. DAC 19/91 and DAO 21/91.

On motion of Councillor Duguid, the rule was suspended and By-law No. 5950/92, a By-law of The City of Winnipeg to widen the southeast corner of Waverley Street and Grant Avenue, was read a first, second and third time, the rule being suspended for third reading and was passed and ordered to be signed and sealed. File No. DAO 25/91.

COMMITTEE ON WORKS AND OPERATIONS

QUESTION PERIOD

915 - Councillor Clement asked the Chairman to ascertain who authorized the erection of a number of green signs which have just appeared in the vicinity of cul-de-sacs in the City. The Chairman indicated he was unaware of this and agreed to undertake to investigate and respond.

Councillor Golden rose on a point of personal privilege, and asked Councillor Douglas to rescind his remarks made earlier during the debate to the effect that Councillor Golden had been inconsistent in comments made this evening when compared to those made at the Committee on Planning and Community Services.

The Speaker ruled that the concern did not constitute a point of personal privilege. However, he permitted Councillor Douglas to respond thereto.

Councillor Golden asked the Chairman to place on the agenda of his Committee for consideration, the matter of lessening the charges for recycling operators suffering under the burden of increased tipping fees.

Councillor Duguid replied that this matter is under consideration, and is expected to be dealt with at a forthcoming meeting.

Councillor Golden asked whether the same consideration might be given on a future agenda, with respect to sewer discharge fees for recycling operators, and the Chairman undertook to do this.

Councillor Golden asked that the Technical Advisory Committee on Waste Minimization allow the operator of the recycling depot at 419 St. Mary's Road to provide input with regard to the operational experience of this depot.

The Chairman indicated he would have the appropriate officials contact the party concerned to obtain the information and bring it back to that Committee.

Councillor Kaufmann asked what the City is doing to stop illegal dumping in ditches to avoid the increased fees for dumping at landfill sites.

Councillor Duguid indicated he was not aware of a problem, but would have the Waterworks, Waste and Disposal Department investigate this matter. He indicated better enforcement may be required to ensure fairness to all.