Agenda – Council – June 26, 2013

Report - Standing Policy Committee on Infrastructure Renewal and Public Works – May 28, 2013

Item No. 2 Amendment to the Streets By-Law No. 1481/77 - Door Swing

STANDING COMMITTEE RECOMMENDATION:

On June 19, 2013, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and submitted the following to Council:

1. That the Streets By-law No. 1481/77, Section 2.13, be amended as per the draft By-law shown as Appendix A.

2. 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 Infrastructure Renewal and Public Works – May 28, 2013

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 19, 2013, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 28, 2013, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: **AMENDMENT TO THE CITY OF WINNIPEG STREETS BY-LAW 1481/77 REGARDING DOOR SWING**

Critical Path: **Standing Policy Committee on Infrastructure Renewal and Public Works - Executive Policy Committee - Council**

AUTHORIZATION

Author	Department Head	CFO	CAO
L. Escobar, P. Eng., P.T.O.E.	B.W. Sacher, P.Eng.	n/a	D. Joshi COO

RECOMMENDATIONS

That the City of Winnipeg Streets By-law 1481/77 Section 2.13 be amended as per Appendix 'A' of the report.

REASON FOR THE REPORT

The current Streets By-law 1481/77 Section 2.13 prohibits a door or gate of any premises or property owned or occupied by an individual to swing over a street. This report proposes to amend this requirement to allow applicants to request approval of door swings into the right-of-way through the City's encroachment process.

IMPLICATIONS OF THE RECOMMENDATIONS

There is no cost associated with this recommendation.

With the proposed changes to the Streets By-law 1481/77 Section 2.13, an applicant may request permission for a door or gate of any premises or property to swing over a street subject to an approval under the Encroachment By-law 692/74.

HISTORY

Currently the Streets By-law 1481/77 Section 2.13 prohibits a person from allowing the door or gate of any premises or property he owns or occupies to swing over a street; with the proposed changes to the Streets By-law 1481/77 Section 2.13, an approval under the Encroachment By-law 1481/77 will clearly outline the means by which the door or gate of a person's premises or property may be approved to swing over a street.

In some circumstances, a door must swing outward away from the building to meet building and fire code standards, and this outswing door encroaches into the public right-of-way. If there isn't a means to recess or modify a doorway to eliminate the encroachment (example: redevelopment of a heritage building) the City may desire to approve the door swing encroachment provided that the open door does not obstruct pedestrian traffic or interfere with the City's traffic control devices.

FINANCIAL IMPACT

Financial Impact Statement Date: April 28, 2013

Project Name:

AMENDMENT TO THE CITY OF WINNIPEG STREETS BY-LAW 1481/77 REGARDING DOOR SWING

COMMENTS:

There is no financial impact associated with the recommendation of this report.

"Original Signed by D. Stewart, CA"
D. Stewart, CA
Manager of Finance & Administration

CONSULTATION

In preparing this report there was consultation with:
City of Winnipeg Legal Services Department
City of Winnipeg Planning, Property and Development

SUBMITTED BY

Department:	Public Works
Division:	Transportation
Prepared by:	Michelle Chester, C.E.T., Traffic Analyst
	Stephen Chapman, P. Eng., Traffic Management Engineer
Date:	May 1, 2013
File No.	OB-02

Attachment:
Appendix 'A' – Draft amendment to the City of Winnipeg By-law No. 1481/77

APPENDIX 'A'

THE CITY OF WINNIPEG

BY-LAW NO.

A By-law of THE CITY OF WINNIPEG to amend the Streets By-law

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Section 2.13 amended

1 Section 2.13 of the Streets By-law No. 1481/77 is amended by:

(a) Striking out *"Subject to this section"*; and

(b) Striking out *"No person"* at the beginning of subsection 2.13.01 and replacing it with the following:

"Subject to the remainder of this section, unless he or she obtains permission to do so under the Encroachment By-law, no person"

DONE AND PASSED, this day of , 2013.

_____
Mayor

_____
City Clerk

Approved as to content:

_____
Director of Public Works

Approved as to form:

_____
For Director of Legal Services/
City Solicitor