Minute No. 524
Report - Standing Policy Committee on Property and Development – July 15, 2011

Item No. 1 **Closing – Part of the west side of Century Street, north of Portage Avenue**
(St. James - Brooklands Ward)
File DAC 14/2011

COUNCIL DECISION:

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

1. That the street closing as shown on Misc. Plan No. 14037/1 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. 14037/1.

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 – July 15, 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 July 15, 2011, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 15, 2011, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 12, 2011, the Assiniboia 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 14/2011
Before:	Assiniboia Community Committee Councillor Fielding, Chairperson Councillor Havixbeck Councillor Nordman
Public Hearing:	July 12, 2011 West Committee Room Council Building, 510 Main Street
Applicant:	Winnipeg Fire Paramedic Service
Premises Affected:	Part of the West side of Century Street, North of Portage Avenue
Exhibits Filed:	1. Report from the Real Property Officer dated June 29, 2011 2. Inspection Report 3. Communication dated July 12, 2011 from Fred Morris, in opposition to the application 4. Communication received July 12, 2011 from Don Morris, with respect to the application

REPRESENTATIONS:

In Support:
Tat-Liang Cheam
Brad Cook
Reid Douglas, Deputy Chief, Fire Paramedic Service
Robert Downs
Sylvia A. Moura
David Wagner
Susanne Wherrett

In Opposition:
Fred Morris

For Information:
Don Morris

For the City:
Noah Yauk, Senior Planner, Planning, Property and Development Department
Bohdan Buyachok, Real Property Officer, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 14/2011

ADMINISTRATIVE REPORT

Title: **DAC 14/2011: TO SEEK COUNCIL APPROVAL FOR THE PROPOSED CLOSING OF PART OF THE WEST SIDE OF CENTURY STREET, NORTH OF PORTAGE AVENUE**

Critical Path: **ASSINIBOIA 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. 14037/1 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. 14037/1.

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, regulatory, environmental, human resource or general implications associated with the recommendations.

Costs associated with the street closing are the responsibility of Winnipeg Fire Paramedic Service and are within the approved current and/or capital budget and considered immaterial in nature.

HISTORY

At the request of Winnipeg Fire Paramedic Service, the Planning, Property and Development Department is proceeding with an application to close the portion of Century Street so identified on the attached copy of Misc. Plan No. 14037/1. Once closed, the subject property will be utilized for the construction of a new Fire Paramedic facility. The new facility will be the replacement for Station No. 11 currently located at 200 Berry Street.

Under Phase 1 of the Fire Paramedic Station Replacement Plan, the existing facility located in River Heights at the corner of Grosvenor Avenue and Renfrew Street will be closed and relocated to an area south of Grant Avenue. Moving this station further south will increase response times into the North River Heights community.

Constructing the new Station 11 within the interchange at Portage Avenue and Century Street will allow Fire Paramedic Service to maintain optimum response capability into North River Heights as well as providing continued uninterrupted response into its current first alarm area covering the eastern portion of St. James, the West End of the city and up to and including the James Richardson International Airport.

The proposed closing is bounded by the concrete roadways of Century Street, Portage Avenue and the Northwest Southbound cloverleaf at the Portage and Century intersection as shown on the sketch. Fire Paramedic Service has minimized the building footprint on the site and will be situating the new station at the back of the property in order to maintain the location's park like quality. With the exception of the driveway area for emergency vehicle ingress/egress, it is the intention of Fire Paramedic Service to retain much of the site for continued public access and use.

The subject right of way was opened as "Public Street" by Plan No. 7918 and registered in the Winnipeg Land Titles Office in March of 1962. In 1971, By-law No. 1858 changed the designation of the right of way from "Public Street" to "Century Street". The area is currently used by the public as green space and includes numerous trees, benches and a walking path which surrounds a landscaped pond.

CONSULTATION

In preparing this Report there was consultation with:

Internal Consultation:

There was consultation with the affected Civic departments.

External Consultation:

Manitoba Hydro, Centra Gas and Shaw Cablesystems.
MTS Allstream 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: June 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 to the street closing.

Administrative Comments

The Public Works Department supports the approval of this application based on the recommendations contained in the April 29, 2011 Core Fire Hall Access Management Study and the May 20, 2011 Core Fire Hall Access Management Study Addendum documents prepared for the Winnipeg Fire Paramedic Department by Stantec Consulting Ltd. to mitigate safety and operational issues inherent with locating the proposed Fire Hall within the Portage Avenue/Route 90 interchange.

The Urban Forestry Branch of the Public Works Department advises that an inspection of the site has identified the following trees as potentially requiring removal in order to facilitate the construction of the new Fire Paramedic Service building:

Species	**Size**	**Condition**	**Appraised Value**
Spruce	32.0	Fair	$3,410.00
Spruce	30.0	Fair	$3,000.00
Spruce	18.0	Fair	$1,080.00
Spruce	21.0	Good	$2,060.00
Spine	22.0	Poor	$0.00
Bswd	25.0	Fair	$2,080.00
Bswd	21.0	Poor	$0.00
Bswd	40.0	Poor	$0.00
Bswd	34.0	Poor	$0.00
Spruce	18.0	Fair	$1,080.00
Selm	19.0	Good	$1,260.00
Bswd	30.0	Poor	$0.00
Gash	22.0	Good	$2,260.00
Bash	21.0	Good	$1,540.00
Selm	24.0	Fair	$1,440.00
Selm	14.0	Good	$690.00
Selm	45.0	Fair	$5,100.00
Selm	40.0	Fair	$4,000.00
Poplar	70.0	Poor	$0.00
Selm	27.0	Fair	$1,820.00
Selm	19.0	Fair	$900.00
Selm	11.0	Good	$420.00
Total			**$32,140.00**

The value of these trees has been determined using an internationally accepted method outlined by the Council of Trees and Landscape Appraisers. In addition to the 45 new trees already indicated on the preliminary landscape plan, nine additional trees will have to be planted in the landscape areas within the surrounding site (if possible) to compensate for the urban forest canopy lost due to the construction. Alternatively, the compensation value for the nine trees ($5400.00) can be forwarded to the Urban Forestry Branch for reinvestment back in the form of tree planting at suitable locations elsewhere within the St. James Ward. Furthermore, none of the above noted trees should be removed until:

- The Ward Councillor approval has been obtained.
- A revised planting plan with nine additional trees or payment has been forwarded to the Urban Forestry Branch.

The Parks and Open Space Division of the Public Works Department advises that all green space amenities affected by the construction of the Fire Hall should be accounted for and reconfigured in the new plans for the site. The green space remaining after the Fire Hall construction should continue to be a safe area for public use, and it is recommended that a landscape architect be retained in order to design a green space which compliments the new Fire Hall.

The Planning and Land Use Division of the Planning, Property and Development Department advises that the use of the subject property is to be limited solely to protection and emergency services. Since the closing will result in the property taking on a "C2" zoning district, and since there is no ability to attach a zoning agreement on City-owned property for the purpose of restricting its future use, the applicant will be required to initiate a PDO-1 rezoning as a planning tool in order to limit the land only to the proposed emergency services use. The PDO-1 application will require the approval of the Assiniboia Community Committee, Standing Policy Committee on Property and Development, Executive Policy Committee and Council.

The Engineering Division of the Water and Waste Department has identified existing facilities within the closing area and requests Fire Paramedic Services to submit construction plans to them for review.

Easements

Manitoba Hydro and Centra Gas Manitoba Inc. have identified services within the closing area and will require easements for these existing facilities. No permanent structures will be allowed within the easement areas.

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

Transfer of Jurisdiction Over Public Rights-of-Way

The street must be legally closed in order to transfer its jurisdiction. Title to all public rights of way in Manitoba is vested in the name of the Province. The registration in the Winnipeg Land Titles Office of a closing by-law removes the public right of way status from the land and vests the ownership of the property in the City's name.

Aerial View of Subject Closing



Miscellaneous Plan

