Agenda – Council – May 27, 2014

Report – Standing Policy Committee on Property and Development – May 13, 2014

Item No. 4 **Opening – East Side of Pembina Highway and the West Side of the Public Lane between Jessie and Warsaw Avenues, and the South Side of Warsaw Avenue East of Pembina Highway**
(Fort Rouge-East Fort Garry Ward)
File DAO 4/2014

STANDING COMMITTEE RECOMMENDATION:

On May 21, 2014, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the street and lane openings as shown on Misc. Plan No. 13556/9 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 and lane openings in accordance with Misc. Plan No.13556/9.

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 – May 13, 2014

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 21, 2014, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 13, 2014, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 15, 2014, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded to the Standing Policy Committee on Property and Development.

ADMINISTRATIVE REPORT

Title: **DAO 4/2014: TO SEEK COUNCIL APPROVAL FOR THE PROPOSED OPENING OF THE EAST SIDE OF PEMBINA HIGHWAY AND THE WEST SIDE OF THE PUBLIC LANE BETWEEN JESSIE AND WARSAW AVENUES, AND THE SOUTH SIDE OF WARSAW AVENUE EAST OF PEMBINA HIGHWAY**

Critical Path: **CITY CENTRE COMMUNITY COMMITTEE – STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT - EXECUTIVE POLICY COMMITTEE – COUNCIL**

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	B. Thorgrimson	N/A	N/A

RECOMMENDATIONS

1. That the proposed street and lane openings as shown on Misc. Plan No. 13556/9 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 and lane openings in accordance with Misc. Plan No.13556/9.

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 openings not previously approved by Council require the consideration of the Community Committee.

IMPLICATIONS OF THE RECOMMENDATIONS

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

Funding for the preparation and registration of the documents required to dedicate the land as public street and lane has been provided by the Transit Department. These costs are within the approved current budget and are considered to be immaterial in nature.

HISTORY

The Planning, Property and Development Department is proceeding with an application on behalf of the Transit Department to open portions of the streets and lane so identified on the attached copy of Misc. Plan No. 13556/9. The openings are required in order to accommodate transportation requirements as part of Stage 1 of the Bus Rapid Transit Project.

At its meeting held on November 19, 2008, Council approved the Report of the Standing Policy Committee on Property and Development dated October 28, 2008, recommending that the Director of Planning, Property and Development be delegated the authority to negotiate the acquisition of all land interests for Stage 1 of the Bus Rapid Transit Project. With the exception of a small triangle (Parcel "D", Plan 48518 WLTO) located at the lane intersection at Warsaw Avenue, none of the properties forming the subject opening application were identified as part of the land assembly requirements.

Subsequent to the commencement of property expropriations and negotiations, the City's project consultants advised that an additional point of access onto the transitway would greatly enhance the efficiency of bus flow traffic. It was determined that the most appropriate access point would be eastward from Pembina Highway onto the transitway via Warsaw Avenue. The subject openings have been initiated to facilitate the additional access requirements and roadway improvements.

The Warsaw Avenue improvement is currently in place. In February of 2010, Plan No. 49716 WLTO opened the northeast corner of Warsaw and Pembina and further widened the east side of Pembina to the first lane north of Warsaw by 1.0m. The subject opening of Pembina will provide for a uniform street width to Jessie Avenue by widening the right of way at this location by 1.0m as shown. The lane corner widening improvement at Warsaw Avenue (Parcel "D", Plan 48518 WLTO) is also currently in place. The balance of the lane improvements will be undertaken for future transportation requirements when needed.

Part of the land required for the public lane opening is owned by the City of Winnipeg, as shown. The balance of the land assembly requirement comprises property owned by Madidal Realty Corp. The Real Estate Division has successfully completed negotiations with Madidal for the acquisitions. A Purchase and Sales Agreement is currently registered by way of Caveat against titles to the Madidal properties. It is now in order to proceed with legally opening the properties as public rights of way.

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, MTS Allstream and Shaw Cablesystems

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Land Development, Geomatics and Land Information Services
Prepared by:	Bohdan Buyachok, Real Property Officer
Date:	March 18, 2014
File No.	8435 (2)

APPENDIX "A"

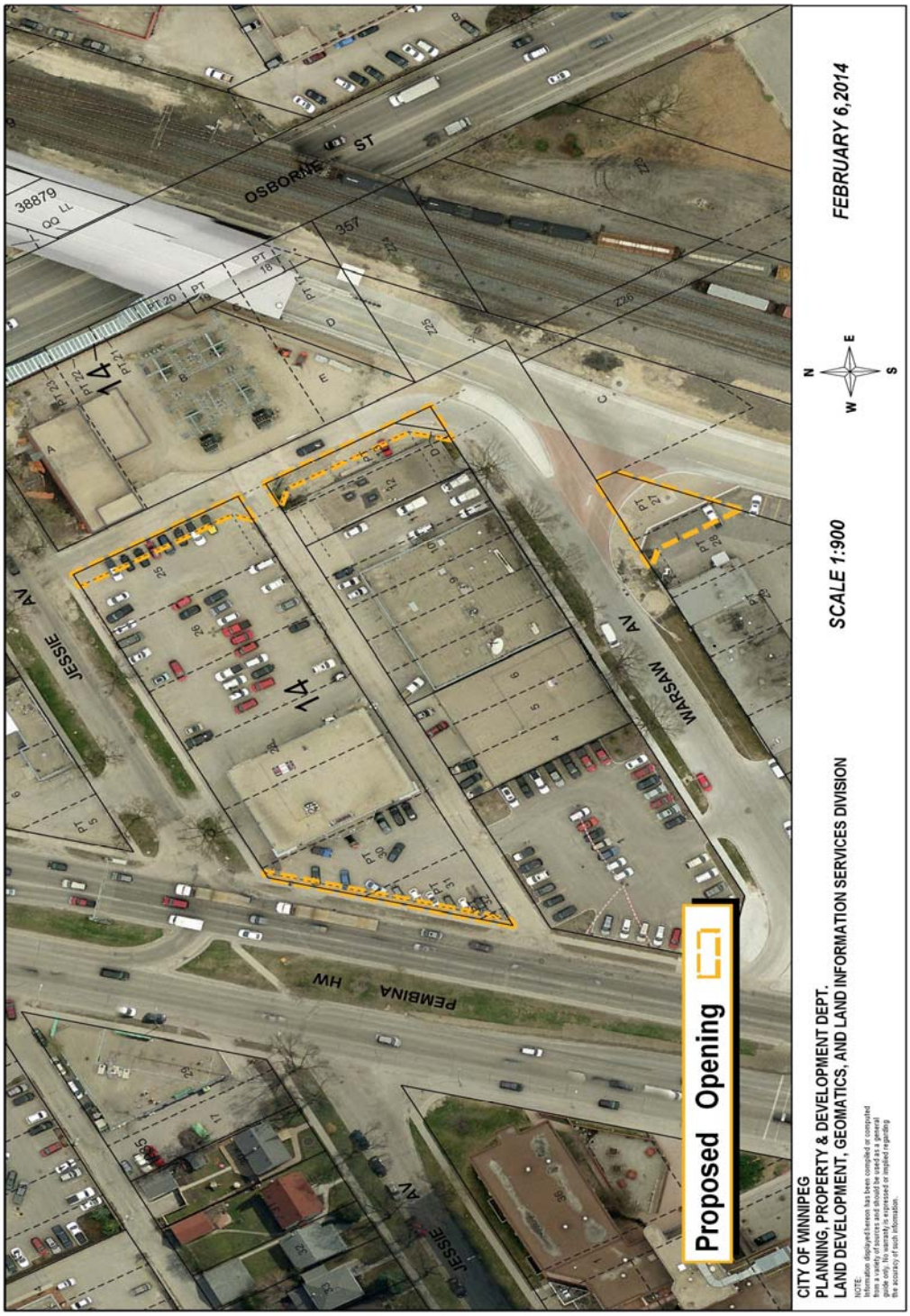
Administrative Approval

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

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Aerial View of Subject Opening



Miscellaneous Plan

