Minutes - Executive Policy Committee - July 16, 2003

Report - Standing Policy Committee on Public Works - July 8, 2003

Minute No. 304
Item No. 5 Proposed Permanent Closure of Parker Avenue at the CN Letellier Subdivision Crossing
File SC-3.13 (32)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Public Works and submits the following to Council:

1. That the Administration be directed to enter into negotiations with CN and Transport Canada for the relocation of the crossing protection system to the Edderton Avenue sidewalk crossing and installation of fencing.

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 Public Works - July 8, 2003

DECISION MAKING HISTORY:

Moved by Councillor Angus,

That the recommendation of the Standing Policy Committee on Public Works be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On July 8, 2003, the Standing Policy Committee on Public Works concurred in the recommendation of the City Centre Community Committee and submitted the matter to Executive Policy Committee and Council.

Further, the Standing Policy Committee on Public Works referred the matter to the Administration to include all costs related to the permanent closure of Parker Avenue at the CN Letellier Subdivision Crossing for inclusion in the 2004 Capital Budget deliberations.

On July 3, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee, and directed the Administration to:

1. Proceed with planning to make the temporary physical closure of Parker Avenue at the crossing of Mile 0.18 CN Letellier Subdivision permanent, and

2. Enter into negotiations with CN regarding a possible land transfer agreement for the Parker Avenue right-of-way between Mile 0.24 West Leg of Wye Off CN Rivers Subdivision (the spur line track) and Mile 0.18 CN Letellier Subdivision (the mainline track.)

COMMUNITY COMMITTEE RECOMMENDATION:

On June 10, 2003, the City Centre Community Committee concurred in the administrative recommendation and recommended to the Standing Policy Committee on Property and Development that the Administration be directed:

1. To proceed with planning to make the temporary physical closure of Parker Avenue at the crossing of Mile 0.18 CN Letellier Subdivision permanent.

Report - Standing Policy Committee on Public Works - July 8, 2003

DECISION MAKING HISTORY (continued):

2. To enter into negotiations with CN regarding a possible land transfer agreement for the Parker Avenue right-of-way between Mile 0.24 West Leg of Wye Off CN Rivers Subdivision (the spur line track) and Mile 0.18 CN Letellier Subdivision (the mainline track.).

The City Centre Community Committee concurred in the administrative recommendation and recommended to the Standing Policy Committee on Public Works that the Administration be directed:

1. To enter into negotiations with CN and Transport Canada for the relocation of the crossing protection system to the Edderton Avenue sidewalk crossing and installation of fencing.

TO:	Carol Freeman City Centre Community Committee Clerk	**FROM:**	Diana Emerson, P. Eng., MCIP Community Traffic Engineer
FILE NO.	**D-31**		
REF:	DOCUMENT2	**DATE:**	2003 05 30

RE: Proposed Permanent Closure of Parker Avenue at the CN Letellier Subdivision Crossing

Transport Canada has identified concerns regarding vehicular and pedestrian trespass onto the CN Lettelier Subdivision and spur line tracks in the vicinity of the Parker Avenue right-of-way. A concrete barricade was installed to close the mainline crossing to vehicular traffic approximately 5 years ago. However, there has been continued evidence of motorists driving around the barricade and along the railway right-of-way. As well, pedestrians are accessing the railway right-of-way at this location. Figure 1 shows the site.

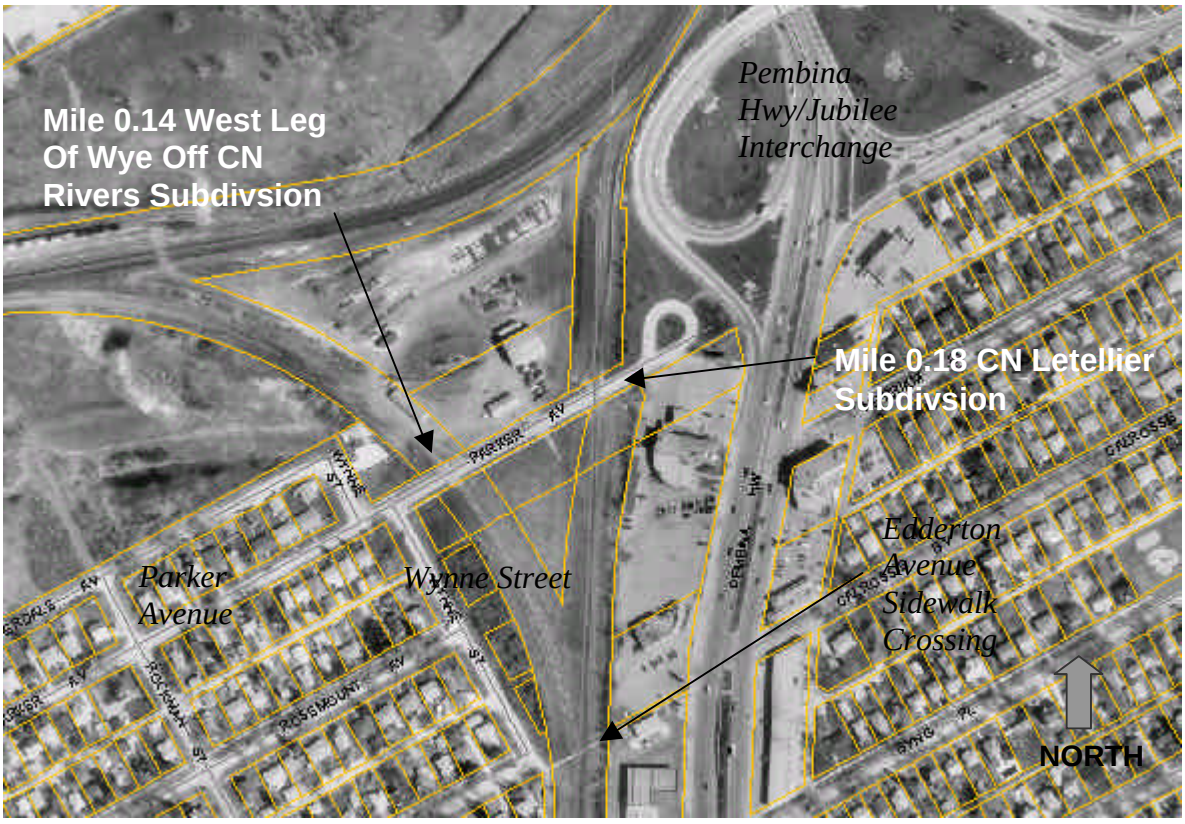


Figure 1: Site Plan

As indicated by Transport Canada, such trespass activity, both vehicular and pedestrian, presents serious public safety concerns. A permanent closure of these crossings, including fencing along the railway right-of-way to prevent pedestrian trespass, has been proposed by the railway and Transport Canada. This would provide for increased public safety in the vicinity of the crossings

as well as address aesthetic issues related to the present state of the crossing (see Figure 2 below).



Figure 2: View of Mainline Crossing Looking West Along Parker Avenue Right-of-Way

Pedestrian Traffic

It is noted that there is an existing sidewalk crossing at Edderton Avenue, the second street south of Parker Avenue (see Figure 3). As part of the proposal, the Edderton Avenue sidewalk crossing would be upgraded by relocation of railway warning signals from Parker Avenue and installation of guide fencing to direct pedestrians to use the Edderton Avenue crossing. Thus, a pedestrian link between the residential area west of the tracks and the commercial area fronting Pembina Highway east of the tracks would be maintained. A further benefit to the community is the opportunity to apply for "anti-whistling" on this track following closure of Parker Avenue and relocation of the railway warning signals to the Edderton Avenue sidewalk crossing.



Figure 3: Edderton Avenue Sidewalk Crossing (Looking West)

Land Issues

Separate from the railway issues in the vicinity of this crossing, the Planning, Property and Development Department was approached by Manitoba Hydro in March with respect to acquiring a City owned parcel of land immediately east of the mainline tracks (the piece comprising the vehicle turn-around at the east terminus of the Parker Avenue right-of-way). Planning, Property and Development is in the process of negotiating this possible land transfer with Manitoba Hydro. Since CN owns the land on both the north and south sides of the Parker Avenue right-of-way between the mainline track and Wye spur track, CN may be interested in obtaining the Parker Avenue right-of-way between Wynne Street and the mainline track.

Planning, Property and Development has authority to legally close the Parker Avenue right-of-way east of the CN Letellier Subdivision mainline track (the vehicle turnaround). This piece is referred to as Parcel A under Miscellaneous Plan No. 8923/2. The by-law for this closure has not been passed yet. In addition to the legal closure of Parcel A, the portion of the Parker Avenue right-of-way between Wynne Street and the CN Letellier Subdivision (referred to as Parcel B under the above noted plan) should be legally closed to facilitate the permanent closure of Parker Avenue east of Wynne Street and a possible land transfer with CN.

Costs

The following cost estimates have been prepared for works associated with the proposed permanent closure of Parker Avenue east of Wynne Street as described above:

Item	**Estimate**
Removal of Parker Avenue Pavement and Sidewalks (from mainline track to east limit including turnaround)	$64,000
Removal of Sidewalks Only	$10,500
Fencing	$42,000
Relocation of Automatic Warning System	To Be Determined by CN

Transport Canada has indicated that they would consider a funding application for the relocation of the automated warning system from Parker Avenue to the Edderton Avenue sidewalk crossing, the installation of guide fencing to direct pedestrians to Edderton Avenue and the installation of maze barrier fencing at Edderton Avenue.

As mentioned, it may be possible to negotiate a land transfer with CN for the Parker Avenue right-of-way between the mainline and spur line tracks. An agreement in which CN obtains ownership of this parcel in return for the City's portion of costs associated with some or all of the fencing should be pursued. In addition, if Hydro purchases the parcel with the turnaround, they would be responsible for the costs of removing any of the pavement on this parcel.

Recommendations

Based on the above, the following recommendations are made:

That the Administration be directed:

1. To proceed with planning to make the temporary physical closure of Parker Avenue at the crossing of Mile 0.18 CN Letellier Subdivision permanent;

2. To enter into negotiations with CN and Transport Canada for the relocation of the crossing protection system to the Edderton Avenue sidewalk crossing and installation of fencing; and

3. To enter into negotiations with CN regarding a possible land transfer agreement for the Parker Avenue right-of-way between Mile 0.14 West Leg Of Wye Off CN Rivers Subdivision (the spur line track) and Mile 0.18 CN Letellier Subdivision (the mainline track).

cc. Councillor G. Steek, River Heights – Fort Garry Ward
G. Anderson, Planning, Property & Development Department
G. Halldorson, Planning, Property & Development Department