Minute No. 16
Report - Executive Policy Committee - October 29, 2003

Item No. 2 **Street Widening - northeast corner of Notre Dame Avenue and King Edward Street**
File DAO 2/2003

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the street corner widening in accordance with Schedule “A”, Misc. Plan No. 11860/2.

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

Report - Executive Policy Committee - October 29, 2003

DECISION MAKING HISTORY:

Moved by Councillor Vandal,
That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 29, 2003, the Executive Policy Committee concurred in the administrative recommendation and submitted the matter to Council.

Re: DAO 2/2003 – PROPOSED WIDENING AT THE NORTH EAST CORNER OF NOTRE DAME AVENUE AND KING EDWARD STREET

For submission to: **Executive Policy Committee**

Original report signed by: **Director of Planning, Property and Development**

Report date: **October 8, 2003**

Recommendation(s):

1.That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street corner widening in accordance with the attached Schedule "A", Misc. Plan No. 11860/2.

2. That the proper officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

REPORT SUMMARY

Key Issues:

- The street widening is required to accommodate the turning radius of westbound vehicles negotiating a right turn at this intersection. The present configuration of the street causes larger vehicles to drive over either the sidewalk or the median in the area.

Implications of the Recommendation(s):

General implications:

X	**None**
	For the organization overall and/or for other departments
	For the community and/or organizations external to the City of Winnipeg
	Involves a multi-year contract

Comment(s):

-

Policy implications:

X	**No**
	Yes

Comment(s):

-

Environmental implications:

X	**No**
	Yes

Comment(s):

-

Human resources implications:

X	**No**
	Yes

Comment(s):

-

Financial implications:

X	**Within approved current and/or capital budget**
	Current and/or capital budget adjustment required

Comment(s):

-

REASON FOR THE REPORT:

The dedication of this property as public street requires a by-law pursuant to Section 139 of the City of Winnipeg Charter.

HISTORY:

The former Board of Commissioners, at its meeting held on January 5, 1989 considered a report from the Public Works Department recommending that a 15.24m x 30.48m irregular shaped corner cut be acquired at the north-east corner of Notre Dame Avenue and King Edward Street (Route 90) for the construction of a right turn cut-off to accommodate a high volume of turning vehicles. Since the required corner cut was so substantial, it was recommended that the entire property at 1995 Notre Dame Avenue be purchased. This proposed land acquisition was subsequently approved by Council as part of the 1989 Capital Works Program.

The Public Works Department also requires a portion of the property at 1991 Notre Dame Avenue in order to align the sidewalk with the cut-off. The acquisition of this land was approved by the Standing Policy Committee on Property and Development on April 10, 2003.

The Public Works Department advises that trucks currently turning the tight radius are regularly driving over the sidewalk by up to 3m and driving over the median on Route 90 by up to 1 m. The tree at 1995 Notre Dame Avenue has broken branches and there is evidence of vehicles hitting the fence. The wood hydro pole has also been scraped many times. The intersection will be improved with a right turn cut off for westbound traffic on Notre Dame Avenue turning north. The right turn cut off will accommodate turning trucks without substantially increasing the pedestrian crossing distance, but will allow the public to be a safe distance from the turning vehicles. In the interest of safety for pedestrians crossing at this location, it is imperative that this corner be improved as soon as possible.

In May of 2003, the owners of both properties agreed to sell the lands. The City of Winnipeg is now entitled to be the owner of these lands and it is appropriate to dedicate the property as public street at this time.

DISCUSSION:

This report is submitted in accordance with the provisions of By-Law 7325/98, a by-law to amend current procedures to allow certain street opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Commttee.

The following criteria must be met before the authority given in the by-law may be exercised:

1. The proposed opening and acquisition must have been approved by the Director of Public Works.
2. The proposed opening must have been submitted to all affected City Departments and public utilities with no objections having been received.
3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.
4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the proposed opening.
5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues, the Standing Committee on Property and Development, or the Director of the Planning, Property and Development Department, as is appropriate.

All of these criteria have been met.

Financial Impact Statement 10-Oct-03

COMMENTS:

Funding for the purchase of the property and the registration of the documents required to effect the street widening has been budgeted by the Public Works Department. These costs are considered to be immaterial.

Gord Courage, Manager
Support Services Division

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

Planning, Property and Development Department – Community Planner, Geomatics and Zoning & Permits Branches

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division, Traffic Signals

Water and Waste Department – Engineering Division

Centra Gas, Manitoba Hydro, MTS Communications, Shaw Cable

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD File #: 7404/1, 8378

Document name: o:\reports directive\development and inspections\geomatics\dao2_03.doc

SCHEDULE "A"
TO THE REPORT TO THE EXECUTIVE POLICY COMMITTEE
FOR APPLICATION NO. DAO 2/2003
DATED OCTOBER 8, 2003

