Minute No. 561
Report – Executive Policy Committee – October 8, 2019

Item No. 6 **Opening – Southeast Corner of Fermor Avenue and St. Anne's Road (St. Vital Ward)**
File DAO 3/2019

COUNCIL DECISION:

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

1. That the proposed street opening, as shown on Misc. Plan No. 15238/3, be approved.

2. That the Director of Legal Services and City Solicitor be instructed to prepare, and bring directly to Council for enactment, a by-law to facilitate the street opening in accordance with Misc. Plan No. 15238/3 (attached as Appendix B).

3. 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 8, 2019

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 8, 2019, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

ADMINISTRATIVE REPORT

Title: Proposed Opening of the Southeast Corner of Fermor Avenue and St. Anne's Road – File DAO 3/2019

Critical Path: Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	J. Kiernan	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

The Public Service is seeking approval for the opening of the southeast corner of Fermor Avenue and St. Anne's Road. The opening is required to accommodate roadway improvements at this location.

The Real Estate Branch has successfully completed the terms and conditions for the acquisition of the land with SDLP Land Holdings Limited, the owner of the subject property.

Council approval is required before the property can be legally opened as public right of way.

RECOMMENDATIONS

1. That the proposed street opening, as shown on Misc. Plan No. 15238/3, be approved.

2. That the Director of Legal Services and City Solicitor be instructed to prepare, and bring directly to Council for enactment, a by-law to facilitate the street opening in accordance with Misc. Plan No. 15238/3 (attached as Appendix B).

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

REASON FOR THE REPORT

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

IMPLICATIONS OF THE RECOMMENDATIONS

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

Costs associated with the street opening are the responsibility of the Public Works Department and are within the approved current and/or capital budget and considered immaterial in nature.

HISTORY/DISCUSSION

On December 12, 2017, Council concurred in the recommendation of the Executive Policy Committee and adopted the 2018 Operating and Capital Budget and 2018 Capital Project Detail Budget. The subject opening comprises part of the Regional Street Renewal Program approval for the Fermor Avenue – St. Anne's Road to Archibald Street reconstruction and rehabilitation works.

Discussion

The Planning, Property and Development Department has submitted an application on behalf of the Public Works Department to open the southeast corner of Fermor Avenue and St. Anne's Road as shown on the attached copy of Misc. Plan No. 15238/3.

The opening is required to accommodate roadway improvements at this location. Specifically, a pylon sign within the subject property requires relocation in order to bring the northbound right turn cutoff and pedestrian sidewalk in conformity with current Public Works standards.

SDLP Land Holdings Limited is the owner of the subject property. The Real Estate Branch has successfully negotiated the terms and conditions of a Purchase and Sales Agreement for the acquisition of the land.

Work on the improvements is anticipated to be completed in September of this year.

FINANCIAL IMPACT

Financial Impact Statement Date: August 28, 2019

Project Name:

Proposed Opening of the Southeast Corner of Fermor Avenue and St. Anne's Road - File DAO 3/2019

COMMENTS:

Funding for the preparation and registration of the documents required to dedicate the land as public street has been provided by the Public Works Department under Account No. 003-181000-180604-1804101118 - ISLANDSUR. These costs are considered to be immaterial in nature.

"Original Signed By"
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

Internal Consultation:

Legal Services (as to legal issues)
Corporate Finance
Public Works
Water and Waste
Transit

External Consultation:

Manitoba Hydro, Centra Gas, BellMTS and Shaw Cablesystems

OURWINNIPEG POLICY ALIGNMENT

Section 235 of *The City of Winnipeg Charter* states that *"…public works, undertakings and development in the city must be consistent with Plan Winnipeg or any secondary plan."*

The subject opening does not contravene *OurWinnipeg* or the *Complete Communities Direction Strategy* and generally aligns with their overall vision and key directions.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: Bohdan Buyachok, Real Property Officer
Date: August 6, 2019
File No: DAO 3/2019

Attachments:

Appendix "A" – Administrative Approval/Comments

Appendix "B" – Miscellaneous Plan and Aerial View

APPENDIX A

Administrative Approval

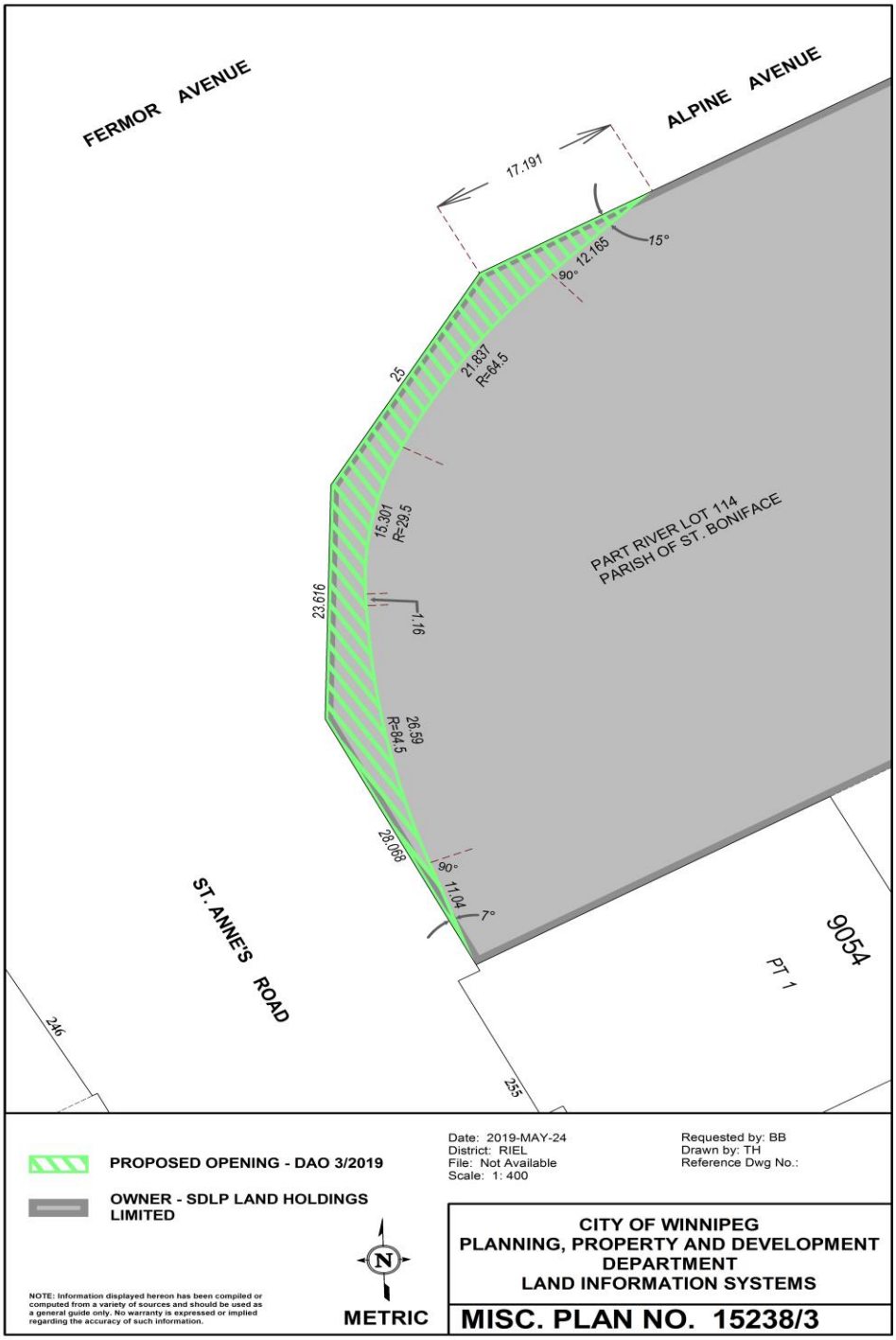
The proposal has been considered by all affected City departments and public utilities. There are no administrative objections or conditions to the street opening.

By-Law 7325/98

This report is submitted in accordance with the provisions of By-Law 7325/98, a by-law to amend 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 Committee.

APPENDIX B

Miscellaneous Plan No. 15238/3



Aerial View of Subject Opening

