Minute No. 278
Report - Standing Policy Committee on Property and Development - March 2, 2004

Item No. 4 **Closing – Part of McIvor Avenue between Strongberg Drive and De Vries Avenue - Walkway Opening**
File DAOC 1/2004

COUNCIL DECISION:

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

1. That the closing as shown on Misc. Plan No. 12145/1 be approved.

2. That an easement be granted to William Hrushovetz, the property owner of 1922 De Vries Avenue, to enable access to his property from the existing approach at McIvor Avenue, and that said easement be in effect for the period William Hrushovetz is the owner of the property.

3. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the opening and closing in accordance with Misc. Plan No. 12145/1.

4. 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 - March 2, 2004

DECISION MAKING HISTORY:

Moved by Councillor Eadie,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 17, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On March 2, 2004, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 3, 2004, the East Kildonan-Transcona Community Committee concurred in the administrative recommendation, as amended, namely:

- Add a new Recommendation No. 2 as follows:

  "2. "That an easement be granted to William Hrushovetz, the property owner of 1922 De Vries Avenue, to enable access to his property from the existing approach atMcIvor Avenue, and that said easement be in effect for the period William Hrushovetz is the owner of the property."

- Renumber the remaining recommendation accordingly,

and submitted its recommendation to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File:	DAOC 1/2004
Before:	East Kildonan-Transcona Community Committee Councillor Thomas, Chairperson Councillor Lubosch Councillor Wyatt
Public Hearing:	February 3, 2004 Community Committee Chamber 755 Henderson Highway
Applicant:	Land and Development Branch Planning, Property and Development Department
Premises Affected:	Part of McIvor Avenue between Strongberg Drive and De Vries Avenue
Exhibits Filed:	1. Report from the Real Property Officer dated January 19, 2004 2. Inspection Report 3. Plan and Photographs (3) depicting approach at McIvor Avenue to the property located at 1922 De Vries Avenue submitted by William Hrushovetz

REPRESENTATIONS:

In Support:

Glenn Halldorson, Real Property Officer, Planning, Property and Development Department
William Hrushovetz
Vern Toews

In Opposition:

Nil

For the City:

Glenn Halldorson, Real Property Officer, Planning, Property and Development Department
Carl Sitarz, Traffic Analyst, Public Works Department

Exhibit "1" referred to in File DAOC 1/2004

January 19, 2004

TO THE CHAIRPERSON AND MEMBERS
OF THE EAST KILDONAN-TRANSCONA COMMUNITY COMMITTEE

RE: FILE NO. DAOC 1/2004 - PROPOSED CLOSING OF PART OF MCIVOR AVENUE BETWEEN STRONGBERG DRIVE AND DE VRIES BOULEVARD; PROPOSED OPENING OF A PUBLIC WALK
NORTH KILDONAN WARD

RECOMMENDATION:

That the Community Committee approve the proposed closing and recommend:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the opening and closing in accordance with the attached **Schedule "A"** , Misc. Plan No. 12145/1.

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

REASON:

All street and lane closings require the consideration of the Community Committee.

HISTORY:

On January 31, 2001, Council approved DASZ 13/2000, an application to subdivide and rezone certain lands north of McIvor Avenue. One of the conditions of the approval of the subdivision was the subject closure of McIvor Avenue. The direction regarding the closing, as amended by Council on November 21, 2001, states:

"The Developer shall be responsible for the closure of McIvor Avenue at De Vries Avenue including any reasonable land drainage works required when Strongberg Drive is physically continuous from McIvor Avenue to the existing Strongberg Drive, and that property on the north side of McIvor Avenue right-of-way be retained for a walkway at a width to be determined by Council."

"The Developer shall be given the option to acquire the residual closed McIvor Avenue right-of-way as a buildable lot at no cost provided that in the event the Developer exercises this option,

the Developer shall be required to extend the sewer and watermains to service the lot as well as install asphalt paving in front of the lot and the walkway as an extension of the pavement in the approach to Strongberg Drive, and asphalt the walkway."

On April 16, 2002, the East Kildonan–Transcona Community Committee passed the following motion:

"That it be recommended that McIvor Avenue at DeVries Road be temporarily closed with removable concrete barricades at such time as Strongberg Drive is open to traffic between McIvor Avenue and Green Meadows Avenue [and] that the Administration monitor area traffic volumes, following the temporary closure, prior to the permanent closure."

On July 2, 2002, following completion of the Strongberg Drive connection, McIvor Avenue was closed with temporary barricades as per the East Kildonan–Transcona Community Committee recommendation. The purpose of closing the street with temporary barricades was to allow an opportunity to conduct traffic studies to determine the impact of the closure on area streets prior to a permanent closure. The traffic study concluded that the closure of this portion of McIvor Avenue resulted in an increase in traffic on Ragsdill Drive. Ragsdill Drive is a collector street, however, and the increase is well within the traffic volume that the street is expected to bear.

On March 11, 2003, The Standing Policy Committee on Public Works considered the report of the Director of Public Works dated December 12, 2002 and concurred in the recommendation, as amended by of the East Kildonan-Transcona Community Committee on February 18, 2003, that McIvor Avenue be re-routed to Strongberg Drive and closed permanently at De Vries Avenue, as per Development Agreement AG 13/2000, and as recommended by the "1984 North Kildonan Traffic Study" and "Revised North Kildonan Traffic Study" dated December 17, 2002.

DISCUSSION:

Current Status of McIvor Avenue

This portion of McIvor Avenue is now barricaded, allowing pedestrian but not vehicular access to and from De Vries Boulevard.

Administrative Approval

This proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the opening and closing.

Utilities Within the Proposed Closing

The Water and Waste Department advises that there are two ditches within the proposed closure; one running parallel to the north property line of McIvor Avenue and one parallel to the south

property line. These ditches are integral to the overall drainage of McIvor Avenue and must remain. However, it would be possible to consolidate this drainage into one ditch, preferably along the north property line; or to install a land drainage sewer in lieu of the ditches.

There is also an existing 250mm water main located along the south property line of McIvor Avenue. It is anticipated that this water main will be extended sometime in the future through the subject closing to service lands east of Lagimodiere Boulevard.

The City of Winnipeg will retain title to the closed portion of McIvor Avenue. If this property is sold, easements will be required for the maintenance of these services.

Manitoba Hydro, Centra Gas, and Shaw Cable will require easements for the maintenance of their plants in the street. The Hydro and Cable easement areas will be located in the southerly five metres and the westerly three metres of the street. The Gas easement area will be located in the northerly three metres of the walkway.

This report submitted by:
Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn Halldorson, Real Property Officer
File No. DAOC 1/2004

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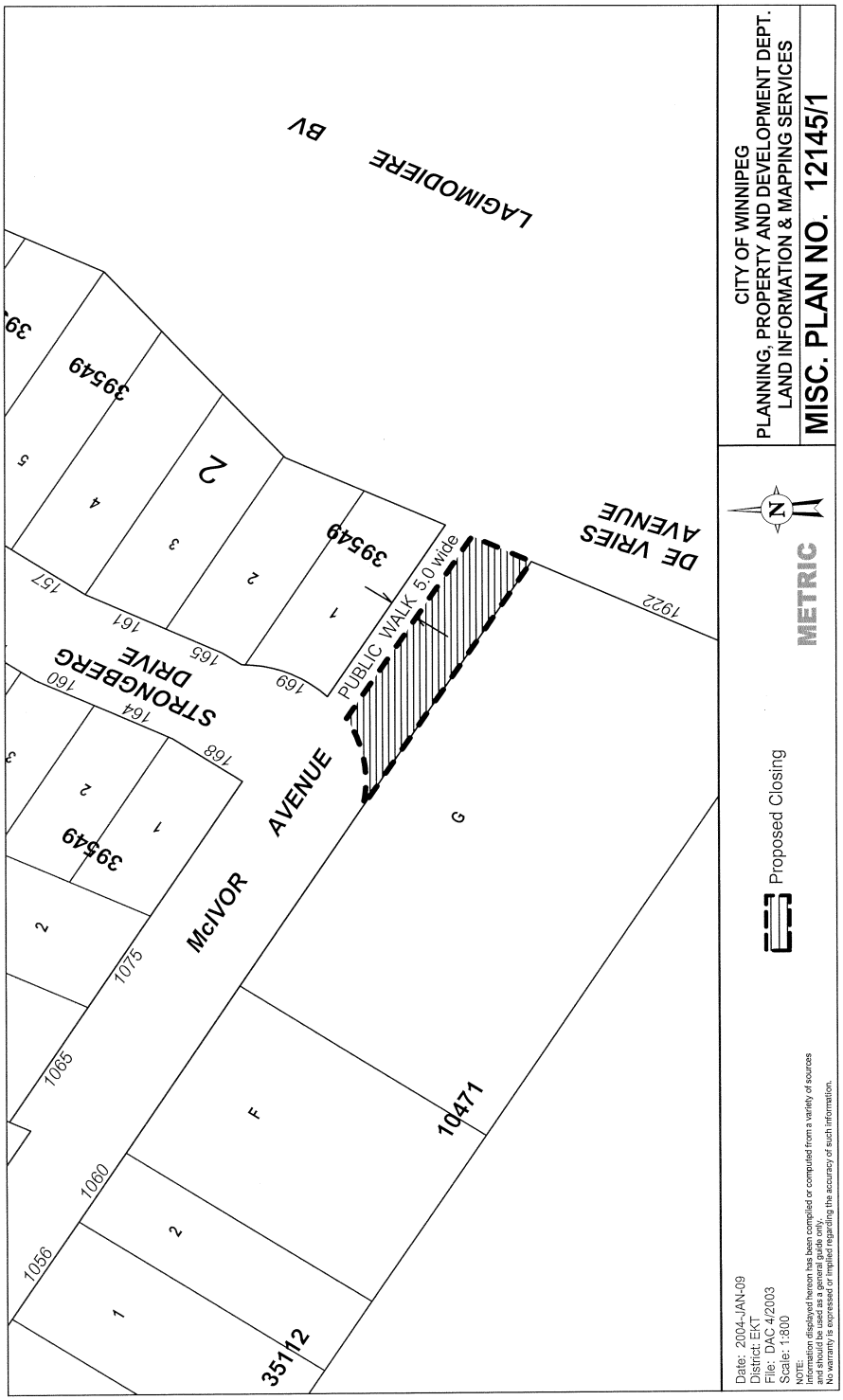
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CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12145/1
METRIC
Proposed Closing
Date: 2004-JAN-09
District: EKT
File: DAC 4/2003
Scale: 1:800
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