Minutes – Executive Policy Committee – December 9, 2020

REPORTS

Item No. 26 **Proposed Street Closings, Openings, and Rededications for the Provencher Paired Bridges Project – East of Westbrook Street, between the CNR tracks and the Red River (Point Douglas Ward) File DAOC 3A/2017**

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and recommended to Council:

1. That subject to Recommendation 2., the proposed street closings, openings, and rededications as shown on Misc. Plan No. 15187/3 (attached as Appendix B), 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(s) to facilitate the street closings, openings, and rededications, all in accordance with Misc. Plan No. 15187/3.

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

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than four business days preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Gilroy,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be concurred in and forwarded to Council.

Yea:	Bowman, Allard, Browaty, Gillingham, Gilroy, Mayes, Rollins	7
Nay:		0

Carried

STANDING COMMITTEE RECOMMENDATION:

On December 7, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee.

HEARING SUMMARY

File:	DAOC 3A/2017
Before:	Standing Policy Committee on Property and Development, Heritage and Downtown Development Councillor Gilroy, Chairperson Councillor Lukes Councillor Klein Councillor Santos
Public Hearing:	December 7, 2020 Council Building, 510 Main Street
Applicant:	The City of Winnipeg (Director of Planning, Property and Development)
Premises Affected:	East of Westbrook Street, between the CNR tracks and the Red River
For submission to:	Executive Policy Committee
Prepared by:	K. McMillan, Senior Committee Clerk Standing Policy Committee on Property and Development, Heritage and Downtown Development
Report date:	December 7, 2020

Standing Committee Recommendation:

On December 7, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service and recommended to the Executive Policy Committee:

1. That subject to Recommendation 2., the proposed street closings, openings, and rededications as shown on Misc. Plan No. 15187/3 (attached as Appendix B), 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(s) to facilitate the street closings, openings, and rededications, all in accordance with Misc. Plan No. 15187/3.

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

Exhibits Filed:

1. Report from the Real Property Officer dated October 28, 2020
2. Inspection Report

REPRESENTATIONS:

In Support:

Nil

In Opposition:

Nil

For Information:

Nil

For the City:

C. Gagnon, Real Property Officer, Planning, Property and Development Department

Exhibit "1" referred to in File DAOC 3A/2017

ADMINISTRATIVE REPORT

Title: Proposed Street Closings, Openings, and Rededications for the Provencher Paired Bridges Project - East of Westbrook Street, between the CNR tracks and the Red River – File DAOC 3A/2017

Critical Path: Standing Policy Committee on Property and Development, Heritage and Downtown Development - 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 has applied to close, open, and rededicate streets for the Provencher Paired Bridges Project (the "Project") which spans both the St Boniface and Fort-Rouge-East Fort Garry Wards.

In accordance with the Development Procedures By-law No. 160/2011, the Standing Policy Committee on Property and Development, Heritage and Downtown Development considers the portion of the application that falls within its boundaries, specifically, the area bounded by the west bank of the Red River and the CNR track located east of Westbrook Street. The Riel Community Committee will consider the portion of the application bounded by the east bank of the Red River and Taché Avenue under File No. DAOC 3B/2017.

If Council approves these applications, registration in the Winnipeg Land Titles Office of the opening/closing plan and associated By-laws will legally align property limits and clarify designations of streets adjoining, and affected by the Project.

The City will retain the portions of Pioneer Avenue proposed to be closed.

The Public Service recommends approval of the subject street closings, openings and rededications.

RECOMMENDATIONS

1. That subject to Recommendation 2., the proposed street closings, openings, and rededications as shown on Misc. Plan No. 15187/3 (attached as Appendix B), 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(s) to facilitate the street closings, openings, and rededications, all in accordance with Misc. Plan No. 15187/3.

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

All street closings and openings within the boundaries of the Downtown Winnipeg area, as defined by Downtown Winnipeg Zoning By-law No. 100/2004, must be considered by the Standing Policy Committee on Property and Development, Heritage and Downtown Development in accordance with the Development Procedures By-law No 160/2011.

Council approval is required for all street closings and openings.

IMPLICATIONS OF THE RECOMMENDATIONS

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

All costs associated with the street closings, openings and rededications are the responsibility of the Public Works Department, are within the approved current and/or capital budget, and are considered to be immaterial in nature.

HISTORY/DISCUSSION

Plan No. 86 which opened Notre Dame Avenue (East) was registered in the Winnipeg Land Titles Office on February 21, 1880. On March 9, 1959, Council passed By-law No. 18195 changing the name of Notre Dame Avenue (East) to Pioneer Avenue.

On June 21, 2000, Council passed By-law No. 7654/2000 for the opening and closing of portions of Pioneer Boulevard. Plan No. 38724 was registered in the Winnipeg Land Titles Office on August 28, 2000.

On October 18, 2000, Council concurred in the recommendation of the Executive Policy Committee and approved funding in the 2001 – 2005 Five Year Capital Forecast for the Provencher Paired Bridges Project (the “Project”). Bridge construction commenced in June 2001. The physical roadway was completed and opened to vehicular traffic in September 2003. The Active Transportation Bridge was completed and opened to pedestrian and cycling traffic in December 2003.

On December 11, 2002, Council passed By-law No. 8144/2002 changing the name of that portion of Pioneer Boulevard [north of the portion of Pioneer Avenue to be opened, as shown on Misc. Plan No. 15187/3] to Waterfront Drive. On January 26, 2005, Council passed By-law No. 12/2005 for the opening of Waterfront Drive. Plan No. 43854 opening Waterfront Drive was registered in the Winnipeg Land Titles Office on June 6, 2013.

On October 28, 2009, Council passed By-law No. 126/2009 changing the name of Water Avenue (west of that portion of William Stephenson Way to be opened, as shown on Misc. Plan No. 15187/3) to William Stephenson Way. On, November 20, 2013, Council passed By-law No. 122/2013

(amended by By-Law No. 107-2014) changing the name of Waterfront Drive (south of that portion of Pioneer Avenue to be opened, as shown on Misc. Plan No. 15187/3) to Israel Asper Way.

Negotiations with third parties to acquire land necessary for the Project were protracted for a variety of reasons. The Public Service is confident that those negotiations are nearing a satisfactory conclusion and that it is now appropriate to complete the regularization of the street closings, openings, and rededications as described in this report and in the report under File No. DAOC 3B/2017.

Discussion

The Planning, Property and Development Department, on behalf of the Public Works Department, has applied to close, open, and rededicate streets for the Provencher Paired Bridges Project (the "Project") which spans both the St Boniface and Fort-Rouge-East Fort Garry Wards. The specific changes are shown on Misc. Plan No. 15187/3, attached as Appendix B, with an aerial view attached as Appendix C.

The Project extends east of Westbrook Street between the CNR tracks and the west bank of the Red River, and from the east bank of the Red River to Avenue Taché, crossing two City of Winnipeg Ward boundaries. In accordance with the Development Procedures By-law No. 160/2011, each portion must be considered by the appropriate Standing or Community Committee within which the limits fall. In conjunction with this report, the report for File No. DAOC 3B/2017 regarding proposed openings of Avenue Taché and Boulevard Provencher, will be considered by the Riel Community Committee.

Subsequent to Council's approval of this report and the report for File No. DAOC 3B/2017, registration in the Winnipeg Land Titles Office of the opening/closing plan and associated by-law(s) will legally align property limits and clarify designations of streets adjoining and affected by the Project.

The portions of Pioneer Avenue proposed to be closed will be retained by the City.

The proposal has been considered by all affected City departments and public utilities, and no objections have been raised. Administrative approvals are attached to this report as Appendix A.

FINANCIAL IMPACT

Financial Impact Statement

Date: October 23, 2020

Project Name:

Provencher Paired Bridge Project - Proposed Street Closings, Openings, and Rededications - east of Westbrook Street between the CNR tracks and the Red River - File DAOC 3A/2017

COMMENTS:

Funding for the preparation and registration of the documents required to open, rededicate and close the subject land has been provided by the Public Works Department under Account No. 003-181000-180604-1805000119-TESTING. These costs are considered to be immaterial in nature. As such, there are no financial implications associated with the recommendations in this report.

Mike McGinn October 23, 2020
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

Internal Consultation:

Winnipeg Fire Paramedic Services
Legal Services Department (as to legal issues)
Winnipeg Police Service
Public Works Department
Transit Department
Water and Waste Department

External Consultation:

Telus Communications, Manitoba Hydro, Centra Gas, BellMTS, Bell Canada, Shaw Cablesystems, Rogers Communications, TC Energy, Fibre.Ca Inc., and Crown Pipeline Ltd.

OURWINNIPEG POLICY ALIGNMENT

Sustainable Transportation is one of four strategies forming the basis of *OurWinnipeg*. Its emphasis is on moving people, goods and services in a way that is socially, environmentally and economically sustainable.

This strategy forms the policy framework for the *Transportation Master Plan,* the objective of which is to guide the planning, development and maintenance of a multimodal transportation system that will contribute to the sustainable development of the city and region. It also provides the direction to refine and prioritize specific major street system improvements and supporting policies. Relevant key strategic goals of *Sustainable Transportation* include a transportation system that is dynamically integrated with land use, providing a safe, efficient and equitable transportation system for people, goods, and services, including infrastructure that is well maintained.

The subject closings, openings, and rededications align with the overall vision and direction of the *Transportation Master Plan.*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Real Estate and Land Development
Prepared by: Catherine P. Gagnon
Date: October 28, 2020
File No: N/A

Attachments:
Appendix A: Administrative Approvals
Appendix B: Miscellaneous Plan No. 15187/3
Appendix C: Aerial View of closings, openings and rededications

APPENDIX A - ADMINISTRATIVE APPROVAL

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the proposed street closings, openings and rededications.

Administrative Comments
Easements

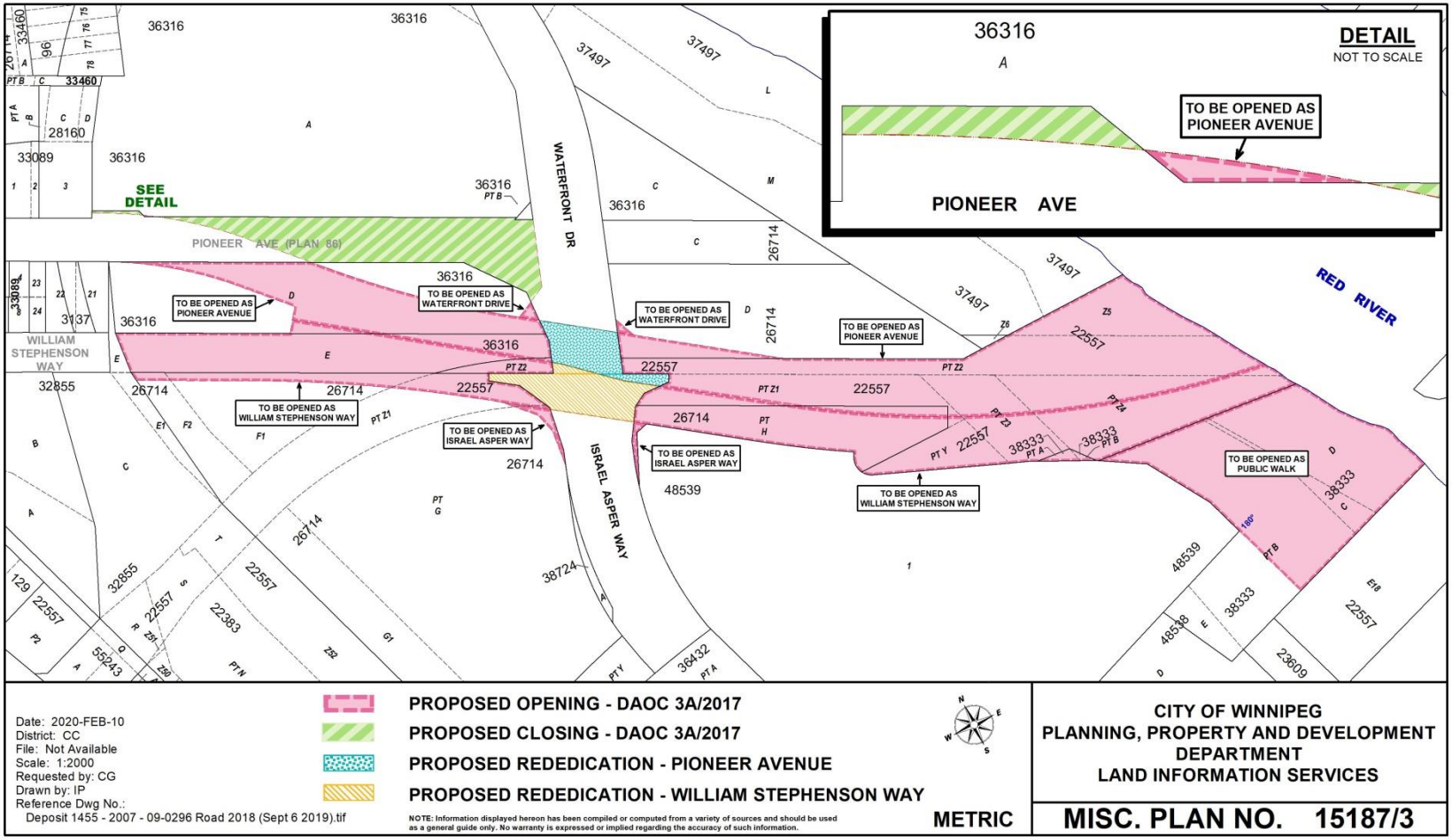
- Telus Communications, and BellMTS have identified existing services within the proposed closings identified on Misc. Plan No. 15187/3. Easements will be required.

- Any removal or relocation of existing facilities as a result of the proposed closings will be at the expense of the Public Works Department.

Transfer of Jurisdiction Over Public Rights-of-Way

Title to all public rights-of-way in Manitoba is vested with the Province. The registration in the Winnipeg Land Titles Office of a closing by-law removes the public right-of-way status from the land and vests the ownership of the property in the City's name.

APPENDIX B - MISCELLANEOUS PLAN 15187/3



APPENDIX C - AERIAL VIEW OF PROPOSED CLOSINGS, OPENINGS, AND REDEDICATIONS

