Minute No. 387
Report – Standing Policy Committee on Property and Development – April 6, 2023

Item No. 7 **Proposed Closing of a Portion of Public Road (Chief Peguis Trail) East of Ferrier Street**
(Old Kildonan Ward)
File DAC 5/2022

COUNCIL DECISION:

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

1. That the proposed closing as shown on Misc. Plan No. 15878 attached to this report as Appendix A be approved.

2. That the City Solicitor prepare and bring directly to Council for enactment a by-law to facilitate the Closing (the "By-law").

3. 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 – April 6, 2023

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

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

Carried

Councillors Rollins, Santos and Schreyer were absent from the vote on the above motion.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 18, 2023, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 6, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 20, 2023, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

HEARING SUMMARY

File:	DAC 5/2022
Before:	Lord Selkirk-West Kildonan Community Committee Councillor Eadie, Chairperson Councillor Santos Councillor Sharma
Public Hearing:	March 20, 2023 Council Building, 510 Main Street
Applicant:	The City of Winnipeg (AECOM CANADA LTD., on behalf of the Water and Waste Department)
Premises Affected:	Proposed Closing of portion of Public Road (Chief Peguis Trail) east of Ferrier Street
For submission to:	The Standing Policy Committee on Property and Development
Prepared by:	P. Prinsloo, Senior Committee Clerk Lord Selkirk-West Kildonan Community Committee
Report date:	March 21, 2023

Community Committee Recommendation:

On March 20, 2023, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development:

1. That the proposed closing as shown on Misc. Plan No. 15878 attached to this report as Appendix A be approved.

2. That the City Solicitor prepare and bring directly to Council for enactment a by-law to facilitate the Closing (the "By-law").

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 January 30, 2023
2. Inspection Report
3. Presentation in support of the application submitted by the Applicant

REPRESENTATIONS:

In Support:

Lana Obach
Keith Fitchett

In Opposition:

Nil

For Information:

Nil

For the City:

C. Gagnon, Real Property Officer, Planning, Property and Development Department
R. Hayer, Planner, Planning, Property and Development Department
S. Costello, Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 5/2022

ADMINISTRATIVE REPORT

Title: Proposed Closing of a portion of Public Road [Chief Peguis Trail] east of Ferrier Street– DAC 5/2022

Critical Path: Lord Selkirk-West Kildonan Community Committee - Standing Policy Committee on Property and Development - Executive Policy Committee - Council

AUTHORIZATION

Author	A/Department Head	CFO	CAO
G. Chappell			

EXECUTIVE SUMMARY

AECOM CANADA LTD., on behalf of the Water and Waste Department, has applied to the City to close a portion of the legally opened public road (Chief Peguis Trail) shown coloured green and identified as "Proposed Closing DAC 5/2022 Area: 19,894.9 $m^2 \pm$ (214.147 $ft^2 \pm$)" on Misc. Plan No. 15878 attached to this report as Appendix A. The proposed closing is necessary for the City's North End Sewage Treatment Plant (NEWPCC) Biosolids Facilities Project (the "Project"). The proposed closing area is not required for the Chief Peguis Trail Extension West – Main Street to Brookside Boulevard. The Public Service recommends approval of the proposed closing.

RECOMMENDATIONS

1. That the proposed closing as shown on Misc. Plan No. 15878 attached to this report as Appendix A be approved.

2. That the City Solicitor prepare and bring directly to Council for enactment a by-law to facilitate the Closing (the "By-law").

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 and lane closings must be considered by the Community Committee.

Council approval is required for all closings of public right-of-way.

IMPLICATIONS OF THE RECOMMENDATIONS

All costs associated with the street closing are the responsibility of the Water and Waste Department. Council has provided its approvals for the funding of the project as outlined in the History/Discussion Section of this report.

HISTORY/DISCUSSION

AECOM CANADA LTD., on behalf of the Water and Waste Department, has applied to the City to close a portion of the legally opened public road (Chief Peguis Trail) shown coloured green and identified as "Proposed Closing DAC 5/2022 Area: 19,894.9 $m^2 \pm$ (214.147 $ft^2 \pm$)" on Misc. Plan No. 15878 attached to this report as Appendix A. The proposed closing is necessary for the City's North End Sewage Treatment Plant (NEWPCC) Biosolids Facilities Project (the "Project").

Plan 13147 registered in the Winnipeg Land Titles Office on February 14, 1977, opened Public Road, commonly known and referred to as Chief Peguis Trail. At its meeting of June 20, 2019, Council adopted the recommendations of the Standing Policy Committee on Infrastructure and Public Works respecting the Preliminary Design Study of the Chief Peguis Trail Extension West – Main Street to Brookside Boulevard. The report proposes realignment to the north of the legally opened and unimproved roadway. The result is that the portion proposed to be closed as shown on Misc. Plan 15878 (attached as Appendix A) is not required for public transportation purposes. The Public Service recommends approval of the proposed closing.

At its meeting of September 30, 2020, Council adopted the recommendations of the Executive Policy Committee to transfer the federal funding allocation under the Investing in Canada Infrastructure Program from the Transit Stream to the Green Stream to fund NEWPCC Projects.

At its meeting of July 21, 2022, Council adopted the recommendations of the Executive Policy Committee respecting the Procurement Model Recommendation and Revised Cost Estimate for North End Sewage Treatment Plant (NEWPCC) Upgrade – Biosolids Facilities Project.

In addition to the proposed closing area, the land shown coloured red and identified as "Proposed Parcel Area: 2,370.4 $m^2 \pm$ (25,515 $ft^2 \pm$) on said Misc. Plan 15878 (attached as Appendix A) is also required for the Project (and will be created along with the closing parcel) by a plan registered in the Winnipeg Land Titles Office. The land is not required for the Chief Peguis Trail Extension. It is unimproved, and is under the administrative jurisdiction of the Public Works Department. It will become part of the NEWPCC Biosolids Facilities for which the Water and Waste Department has or will have responsibility.

Manitoba Hydro, Centra Gas, BellMTS, Bell Canada, Shaw Cablesystems, Rogers Communications, Canadian Pacific Railway Company, Canadian National Railway Company, TC Energy, Imperial Oil, Fibre.Ca Inc., and Crown Pipeline Ltd., have all indicated that they have no concerns or objections. Telus Communications, Shaw Cablesystems, Rogers Communications, Canadian National Railway Company, Canadian Pacific Railway Company and Teraspan Networks did not respond to the request for comment on this application.

CONSULTATION

This Report has been prepared in consultation with:
Fire Paramedic Services
Legal Services Department (as to legal issues)
Police Services
Public Works Department
Transit Department
Water and Waste Department
Ward Councillor

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 closing does not contravene OurWinnipeg or the Complete Communities Direction Strategy.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The proposed closing does not contravene the Winnipeg Climate Action Plan.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

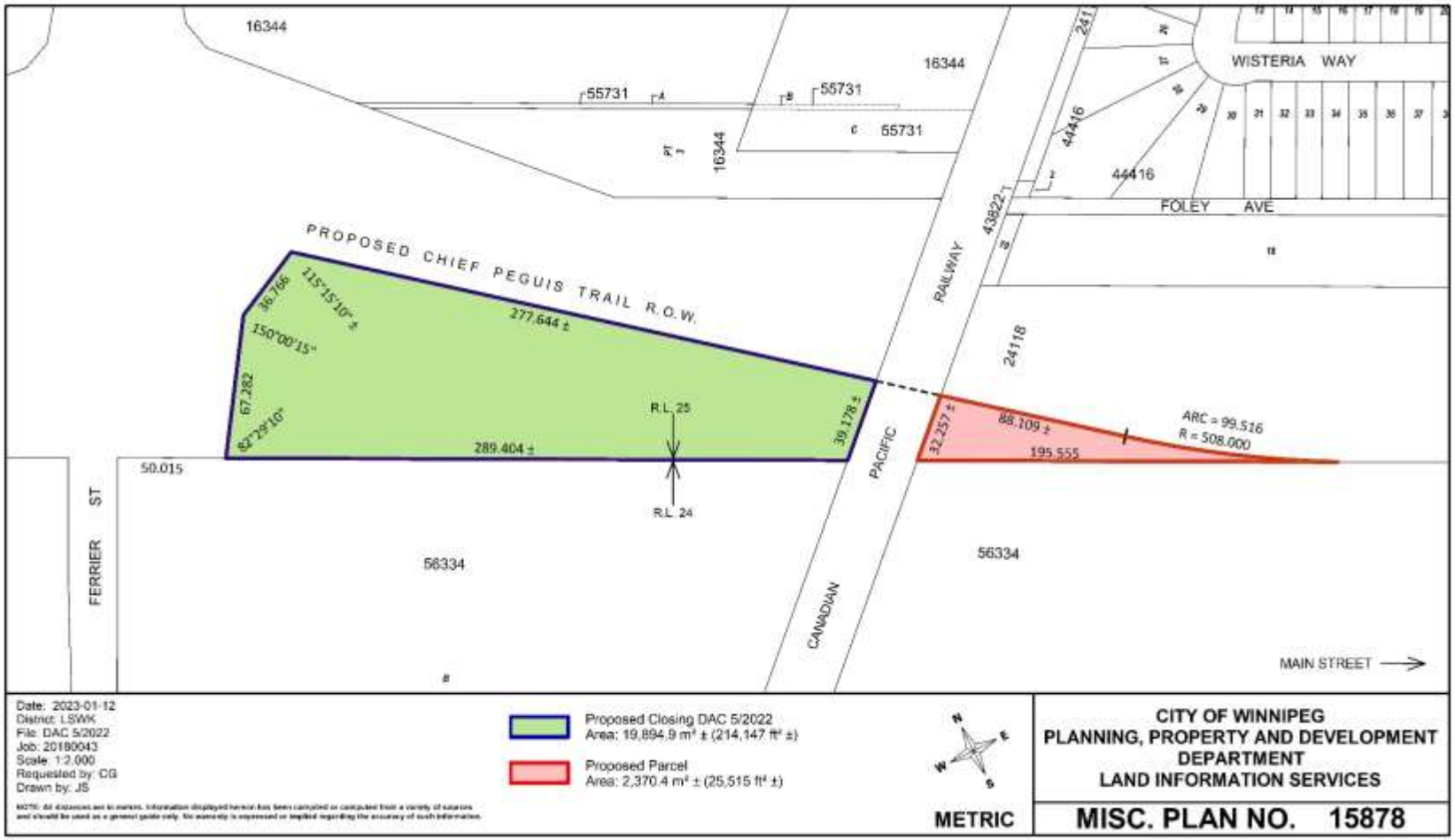
N/A

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Real Estate and Land Development
Prepared by: Catherine P. Gagnon
Date: January 30, 2023
File No: DAC 5/2022

Attachments:
APPENDIX A - Miscellaneous Plan 15878
APPENDIX B - Aerial Diagram showing the proposed closing

APPENDIX A – MISC. PLAN NO. 15878



APPENDIX B – AERIAL VIEW OF SUBJECT CLOSING

