Minutes – Council – March 21, 2024

Minute No. 202
Report – Executive Policy Committee – March 12, 2024

Item No. 8 **Opening – Part of 1389 Pembina Highway (River Heights-Fort Garry Ward) File DAO 6/2023**

COUNCIL DECISION:

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

1. That, subject to Recommendation 2, the proposed street opening as shown on Misc. Plan No. 15648/1 (Appendix A), 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. 15648/1.

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 – March 12, 2024

DECISION MAKING HISTORY:

Moved by His Worship Mayor Gillingham,
That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 12, 2024, 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 part of 1389 Pembina Highway - File DAO 6/2023

Critical Path: Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	H. Borys	C. Kloepfer	M. Jack

EXECUTIVE SUMMARY

The Planning, Property and Development Department is proceeding with an application to open a portion of 1389 Pembina Highway.

The Real Estate Branch has successfully negotiated the purchase of the parcel to be opened and construction is expected to occur in 2024. The opening is part of the Accelerated Regional Street Renewal Program, and will improve safety for drivers and pedestrians by decreasing the curve of the roadway between Radisson Avenue and Kelsey Avenue.

The Public Service recommends approval of the proposed street opening. Council approval is required before land can be legally opened as public right-of-way.

RECOMMENDATIONS

1. That, subject to Recommendation 2, the proposed street opening as shown on Misc. Plan No. 15648/1 (Appendix A), 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. 15648/1.

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 the land as a public right-of-way requires a by-law pursuant to Section 139 of the City of Winnipeg Charter.

Council approval is required before land can be legally opened as public right-of-way.

IMPLICATIONS OF THE RECOMMENDATIONS

All costs associated with the opening are the responsibility of the Public Works Department, are within the approved 2021 capital budget, and are considered to be immaterial in nature.

HISTORY/DISCUSSION

The Planning, Property and Development Department is proceeding, on behalf of the Public Works Department, with an application to open that portion of 1389 Pembina Highway shown illustrated and identified as "PROPOSED ACQUISITION AND OPENING FOR RIGHT-OF-WAY Area: 19.3+ m^2 (208+ ft^2)" on attached Appendix A and Appendix B, part of the Accelerated Regional Street Renewal Program. The opening will improve safety for drivers and pedestrians by decreasing the curve of the roadway between Radisson Avenue and Kelsey Avenue.

The Real Estate Branch has successfully negotiated the purchase of the parcel to be opened and construction is expected to occur in 2024.

On March 20, 2020, Council adopted the 2020 Capital Budget including allocation of $900,000.00 to the Pembina Highway – McGillivray Boulevard to Chevrier Boulevard project as part of the Accelerated Regional Street Renewal Project.

On October 29, 2020, Council approved, subject to the approval of the 2021 Capital Budget, the delegation of authority to the Chief Administrative Officer to award, and approve, and that the City enter into, execute and deliver, seven construction contracts and such other agreements as determined necessary, for projects including the Pembina Highway Accelerated Regional Street Renewal Project. On December 16, 2020, Council adopted the 2021 Capital Budget.

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

The Public Service has no concerns and recommends the approval of the proposed street opening. Council approval is required before land can be legally opened as public right-of-way.

History
Pembina Highway, originally established as the "Pembina Trail" in about 1801, was used by early settlers to travel between the Selkirk Settlement, Manitoba and Fort Pembina, North Dakota. The Trail was legally opened as "The Great Highway" by Plan No. 549 registered in the Winnipeg Land Titles Office on May 12, 1899, and later became known as Pembina Highway. While plans registered subsequent to Plan 549 show the street as "Pembina Highway", a by-law naming it as such could not be found, despite thorough search of archived records.

FINANCIAL IMPACT

Financial Impact Statement

Date: January 31, 2024

Project Name:

Proposed Opening of part of 1389 Pembina Highway - File DAO 6/2023

COMMENTS:

As the costs related to this proposed opening are immaterial, for the purposes of this analysis, there are no financial implications associated with this report.

Mike McGinn Jan. 31, 2024
Mike McGinn, CPA, CA
Manager of Finance

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

The proposed opening does not contravene OurWinnipeg Policy.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

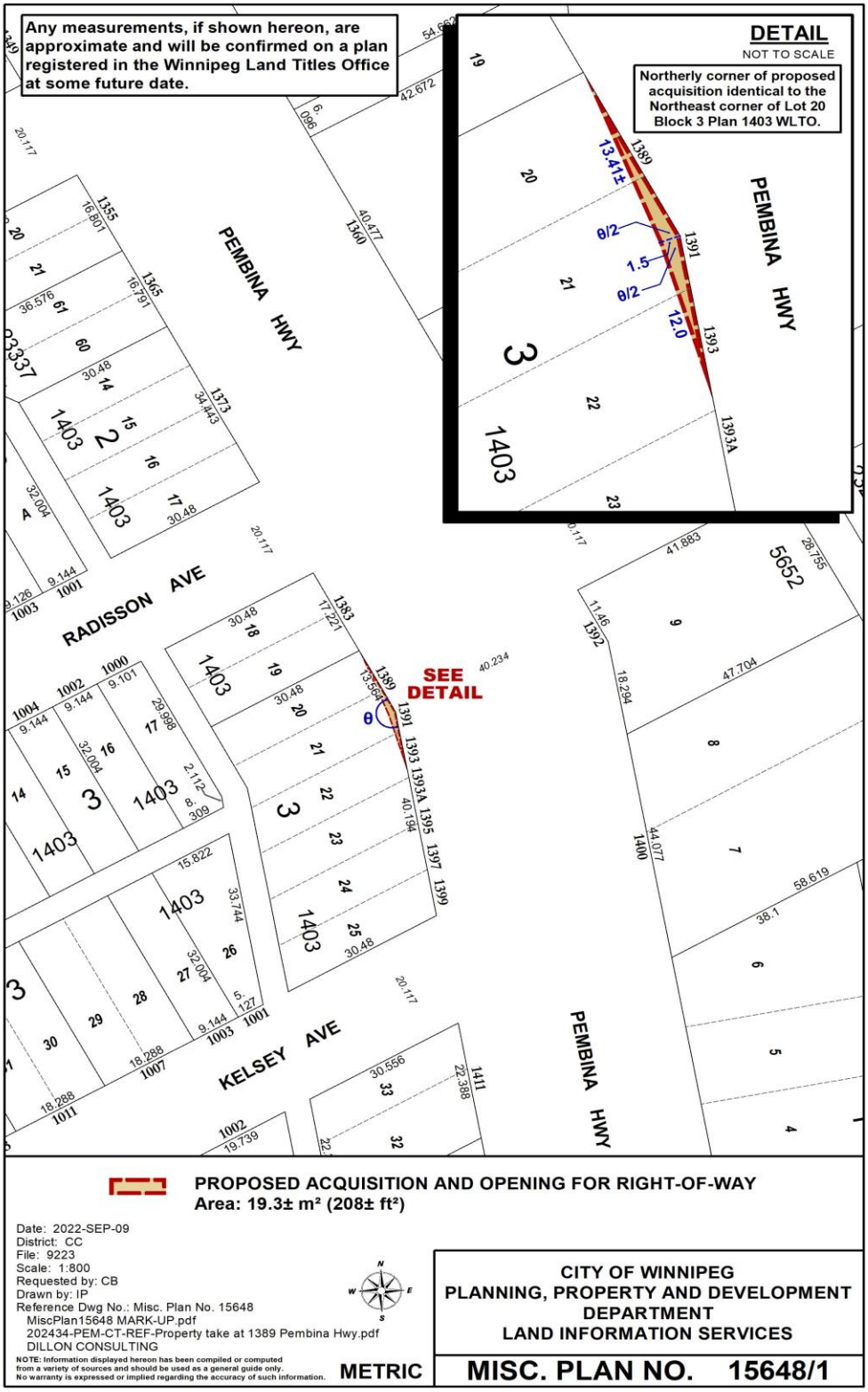
N/A

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Real Estate and Land Development
Prepared by: Catherine P. Gagnon
Date: February 8, 2024
File No.: DAO 6/2023

Attachments:
Appendix A: Misc. Plan 15648/1
Appendix B: Misc. Plan 15648/2 - Aerial View of Proposed Opening

APPENDIX A – MISC. PLAN 15648/1



APPENDIX B – MISC. PLAN 15468/2 - AERIAL VIEW OF PROPOSED OPENING

