Minutes – Council – April 25, 2024

Minute No. 257
Report – Standing Policy Committee on Property and Development – April 11, 2024

Item No. 10 **Closing of Public Rights-of-Way West of Oak Point Highway for the Winnipeg Transit North Garage Replacement Project (Old Kildonan Ward) File DAC 2/2023 [c/r DASSF 502/2024]**

COUNCIL DECISION:

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

1. That the closings proposed under File No. DAC 2/2023 identified on Miscellaneous Plan No. 14819/18 (Appendix B) and on Aerial (Appendix C), be approved.

2. That, upon instruction from the Director, the City Solicitor prepare and bring directly to Council for enactment, a by-law to facilitate the closings (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 11, 2024

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 16, 2024, 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 11, 2024, 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 April 4, 2024, 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 2/2023
Before:	Lord Selkirk-West Kildonan Community Committee Councillor Santos, Chairperson Councillor Sharma Councillor Eadie
Public Hearing:	April 4, 2024 Council Building, 510 Main Street
Applicant:	Clifford Bignall, on behalf of Winnipeg Transit The City of Winnipeg Director of Planning, Property and Development
Premises Affected:	Public Rights-of-Way West of Oak Point Highway for the Winnipeg Transit North Garage Replacement Project
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:	April 5, 2024

Community Committee Recommendation:

On April 4, 2024, 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 closings proposed under File No. DAC 2/2023 identified on Miscellaneous Plan No. 14819/18 (Appendix B) and on Aerial (Appendix C), be approved.

2. That, upon instruction from the Director, the City Solicitor prepare and bring directly to Council for enactment, a by-law to facilitate the closings (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 February 21, 2024
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
S. Jerez, Planner, Planning, Property and Development Department
C. Ho, Planner, Planning, Property and Development Department
J. Crowder, Manager of the Asset Management Office, Winnipeg Transit

Exhibit “1” referred to in File DAC 2/2023

ADMINISTRATIVE REPORT

Title: Proposed closing of public rights-of-way west of Oak Point Highway for the Winnipeg Transit North Garage Replacement Project - File No. DAC 2/2023.

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

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	H. Borys		

EXECUTIVE SUMMARY

The Public Service has applied to close portions of Selkirk Avenue and Hyde Avenue, west of Oak Point Highway. The closed roads are being incorporated into the development for the Winnipeg Transit North Garage Replacement Project.

The Public Service recommends approval of the proposed closings. Council approval is required for all closings of public rights-of-way.

RECOMMENDATIONS

1. That the closings proposed under File No. DAC 2/2023 identified on Miscellaneous Plan No. 14819/18 (Appendix B) and on Aerial (Appendix C), be approved.
2. That, upon instruction from the Director, the City Solicitor prepare and bring directly to Council for enactment, a by-law to facilitate the closings (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.

IMPLICATIONS OF THE RECOMMENDATIONS

All costs associated with the closings are the responsibility of Winnipeg Transit.

HISTORY/DISCUSSION

The Public Service has applied to close portions of Selkirk Avenue and Hyde Avenue, west of Oak Point Highway, shown as “PROPOSED ROAD CLOSING” on Miscellaneous Plan No. 14819/18 (Appendix B) and on the aerial diagram (Appendix C), attached to this report. The closed roads will be incorporated into the development for the Winnipeg Transit North Garage Replacement Project (“the Project”) under subdivision application No. DASSF 502/2024. The Public Service recommends approval of the proposed closings. Council approval is required for all closings of public rights-of-way.

At its meeting on April 29, 2021, Council approved the Winnipeg Transit Master Plan and Transit’s Investing in Canada’s Infrastructure Program Plan of which the Project is a vital component.

At its meeting on June 22, 2023, Council approved the expropriation of privately-owned land legally described as SP Lots 52, 56 and 57 Plan 24342 WLTO, for the Project. The City has obtained title to those lots. The Public Service has also negotiated the purchase of SP Lot 58 Plan 24342 WLTO (100 Oak Point Highway) for the Project and it is expected that the City will acquire title to the land in early 2024.

The Public Service recommends approval of the proposed closings.

The proposed closing areas are currently unimproved and serve no public transportation purpose.

Selkirk Avenue was a Government Road Allowance commonly known as Geysir Avenue. It was later named Selkirk Avenue by By-Law No. 19013 passed by City Council on June 22, 1964.

Hyde Avenue was originally opened as Highland Avenue by Plan No. 67 registered in the Winnipeg Land Titles Office on December 13, 1876. On January 14, 1965, Council passed By-law No. 776/1965 renaming it to Hyde Avenue.

Manitoba Hydro, Centra Gas, Bell Canada, and BellMTS, Shaw CableSystems Limited/Rogers Communications, Canadian National Railway, and Imperial Oil/Exxon Mobi have all indicated that they have no concerns to the proposal. Fibre.Ca Inc., Crown Pipeline Ltd., TC Energy, Company, Canadian Pacific Railway, Teraspan Networks Inc. and Telus Communications did not respond to the circulation of the proposal. The Public Service has no objections to the proposed closings.

FINANCIAL IMPACT

All costs associated with the closings are the responsibility of Winnipeg Transit.

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

N/A

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

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 21, 2024
File No: DAC 2/2023

Attachments:

APPENDIX A - Administrative Approval/Comments
APPENDIX B - Miscellaneous Plan 14819/18
APPENDIX C - Aerial diagram illustrating the proposed closing areas

APPENDIX A – ADMINISTRATIVE APPROVAL/COMMENTS

Water and Waste Department

The Department has facilities within the proposed closings areas for which unobstructed access is required and have provided the following comments.

- *Design and Construction Branch*

  - Sufficient space free of structures would be required for the infrastructure on both Selkirk and Hyde. As noted previously, the sewers are very deep (over 6 metres for both sewers) so there should be a space large enough to accommodate any repair that may be required. The space should be large enough to get equipment in for any repairs. Seeing what we were exploring from an easement perspective, we should probably have 10 metres each direction from the centerline of the sewer free of permanent structures to ensure we have the space to perform any repairs. There are also hydrants and manholes within the Selkirk property so access for cleaning/flushing/inspection so that will also need to be considered. There are also overhead hydro and/or telecom lines in the Selkirk property about 5 metres north of the sewer so that would have to be considered when deciding where everything goes.

- *Land Drainage and Flood Protection Branch*

  - No permanent works can be done on top of any of the LDS pipes that are located in the closed sections.

- *Water Planning and Project Delivery Branch*

  - Water Planning would object to the sale of that portion of Selkirk Avenue lying to the northeast of the railway tracks containing the 300 mm Watermain and other WWD infrastructure. The Department will require unimpeded and unobstructed access to operate, maintain and repair the water main and related infrastructure.

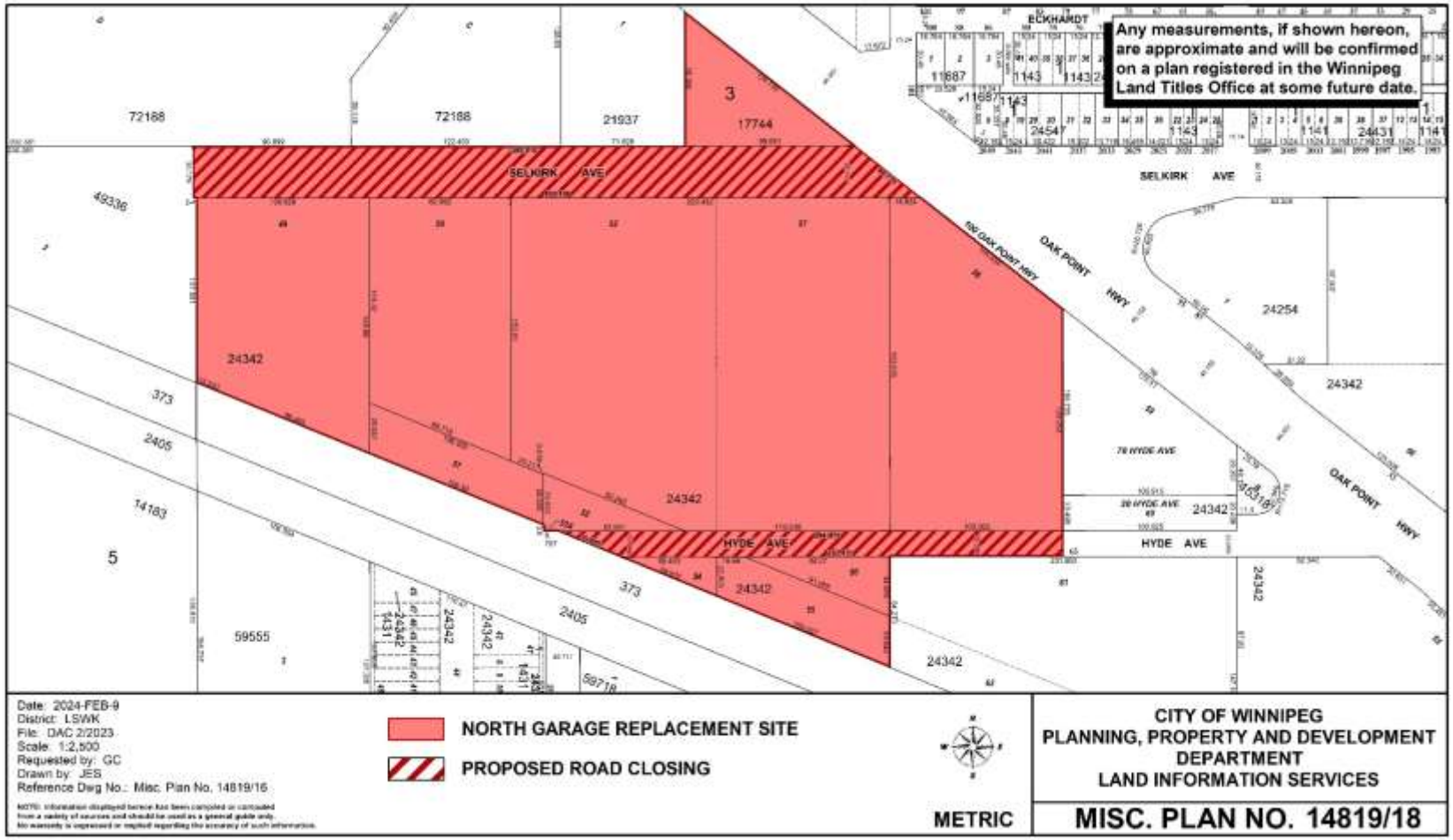
  - No structure, fence and/or permanent works that would impede or obstruct access to the Department's infrastructure is allowed.

EASEMENTS:

Manitoba Hydro, Centra Gas, and BellMTS have each identified services ("facilities") within the closing areas.

- The City will need to provide easements for the facilities.
- No permanent structures will be allowed within the easement area(s).
- Any removal or relocation of the facilities required as a result of the proposed closing will be at the expense of Winnipeg Transit.

APPENDIX B – MISCELLANEOUS PLAN 14819/18



APPENDIX C – AERIAL

