Proposed Closing of part of Hargrave Street between Portage and Graham Avenues

File DAC 4/2002

3. The Standing Policy Committee on Property and Development has been advised that the Planning, Property and Development Department has received an application from ND Lea Engineers and Planners Inc., on behalf of the True North Group, to close the subject portion of Hargrave Street as outlined on Misc. Plan No. 11499/1. The street closing is required to permit the construction of an entertainment complex on the site of the former Eaton's store. The closed portion of the street will be transferred to the True North Group and utilized for part of the building structure.

The proposed closing will result in the loss of two of the four lanes of traffic on Hargrave Street. Sidewalks will continue to be maintained on both sides of the street.

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the closing. The following comments have been received.

The Fire Paramedic Service advised that, assuming that Hargrave Street will remain a one-way street after the closing, the loss of the two easterly lanes in the street will not significantly affect access or travel for emergency vehicles.

The Planning and Land Use Division, Planning, Property and Development Department, advised that the principal impacts of the closing, aside from any traffic flow implications, will be on the character of Hargrave Street and, to a lesser extent, Portage and Graham Avenues. In particular, these impacts may be:

- Comfort, safety and convenience of the Hargrave Street pedestrian environment;
- Ensuring a good pedestrian connection between Portage and Graham Avenues; and
- Wind impact.

Although the right-of-way will be reduced by about one third of its width and although this will be uncommonly narrow for Winnipeg, this is not an impractical downtown street width. The issues this raises (pedestrian environment, light, relationship to the adjacent building, wind impact, etc.) can all be resolved through the design of any building to be constructed on this site. The City, through the Downtown Design Board, can direct building design to ensure that these potential negative effects are mitigated.

From a land use perspective, this proposed closing can be accommodated without unreasonable impact on the surrounding environment.

The Transportation Division, Public Works Department, has no objections to the street closing subject to all costs associated with the closure and the physical modifications necessary to Hargrave Street to accommodate the proposed closure, as determined by the Director of Public Works, being paid by the developer or being funded from the funds committed by Council for the True North Project.

Approval by the Traffic Signals Branch, Public Works Department, of the closing is subject to the condition that appropriate funding be approved for the required traffic signal related works as and when required.

The Water and Waste Department has no plant in the area of Hargrave Street proposed to be closed.

Winnipeg Hydro advises that all services under its jurisdiction will be removed at the applicant's expense.

The Winnipeg Police Service will ensure that the True North entertainment complex addresses public security concerns through the building design approval process.

Winnipeg Transit anticipates that it will continue to operate the single route (30 minute frequency) that operates on Hargrave Street (7:00 a.m. to 7:00 p.m. Monday through Saturday) on Hargrave Street after the True North entertainment complex is constructed. This service observes a bus stop on Hargrave Street near Portage Avenue. Handi-Transit service will not be affected by the partial closure as there is currently no Handi-Transit loading area located on Hargrave Street.

The Zoning and Permits Branch of the Planning, Property and Development Department has no objections to the closing. The street, once closed, would assume the zoning of the adjoining property.

In summary, the Administration believes that any issues arising out of the partial street closing are manageable. As noted in the comments from the Planning and Land Use Division, the approval of the design of the entertainment complex will allow the Administration to further address many of the issues related to this application (the pedestrian environment, lighting, public security issues).

The street must be legally closed before it may be transferred. Title to all public rights of way in Manitoba is vested in the name of 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. The City is not entitled to dispose of the land until this has been done.

On May 13, 2002, the City Centre Community Committee held a public hearing to consider the proposed street closing. Nineteen people registered in support of the application, 57 people registered in opposition to the application and 9 people registered for information. Due to a tie vote, the City Centre Community Committee submitted the matter without a recommendation.

The Standing Policy Committee on Property and Development recommends:

I. That the proposed closing of the portion of Hargrave Street between Graham and Portage Avenues, as outlined on Misc. Plan 11499/1, be approved.

II. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with Misc. Plan No. 11499/1.

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

Attachment "A" referred to in Clause 3 of the Report of the Standing Policy Committee on Property and Development dated May 27, 2002

