

**Minutes – Standing Policy Committee on Infrastructure Renewal and Public Works –
April 2, 2019**

REPORTS

**Item No. 23 Access to a Proposed Parking Lot Located at 470 Logan Avenue
(Point Douglas Ward)**

STANDING COMMITTEE DECISION:

The Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the Winnipeg Public Service and approved the following:

1. That the Private Access By-law No. 49/2008 be varied to authorize the construction of 3.1 metre private approach widening on the east side of the Isabel Street service road, as shown on Drawing No. A-18176, subject to the following conditions:
 - A. That flashing warning lights, audible warning and parabolic mirrors be installed and maintained at the existing overhead door and at the proposed private approach serving the parking lot to alert pedestrians of the presence of an exiting vehicle.
 - B. That signage be posted and maintained to caution drivers to stop and yield to pedestrians before proceeding.
2. That the Proper Officers of the City of Winnipeg be authorized to do all things necessary to implement the intent of the foregoing.

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DECISION MAKING HISTORY:

Moved by Councillor Santos,

That the recommendation of the Winnipeg Public Service be concurred in.

Carried

ADMINISTRATIVE REPORT

Title: Access to a Proposed Parking Lot Located at 470 Logan Avenue

Critical Path: Standing Policy Committee on Infrastructure Renewal and Public Works

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Patman, P. Eng.	J. Berezowsky	N/A	D. McNeil

EXECUTIVE SUMMARY

The Public Works Department has received an application for the construction of a 3.1 metre non-conforming private approach widening to an existing private approach on the east side of the Isabel Street service road.

The Public Service recommends that the Standing Policy Committee on Infrastructure Renewal and Public Works approve this non-conforming private approach application subject to the conditions as listed in the Recommendations section of this report.

RECOMMENDATIONS

1. That the Private Access By-law No. 49/2008 be varied to authorize the construction of 3.1 metre private approach widening on the east side of the Isabel Street service road, as shown on Drawing No. A-18176, subject to the following conditions:
 - A. That flashing warning lights, audible warning and parabolic mirrors be installed and maintained at the existing overhead door and at the proposed private approach serving the parking lot to alert pedestrians of the presence of an exiting vehicle.
 - B. That signage be posted and maintained to caution drivers to stop and yield to pedestrians before proceeding.
2. That the Proper Officers of the City of Winnipeg be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

The proposed private approach on the east side of the Isabel Street service road is non-conforming under The City of Winnipeg Private Access By-Law No. 49/2008, Section 17 (1)(e) and Section 19(c) namely:

17(1)(e) the nearest point of intersection between a private approach and the property line must not be within 1.5 metres of a building or structure on the private real property.”

19(c) “an approach must not exist within 3 metres of the lot line of the adjacent property;

Section 14 of the Private Access By-law requires that, when an application for a private access cannot be approved because it does not conform with sections 17 to 21 of the By-law, the Director must forward the application along with a report containing the Director’s recommendations to the appropriate Council Committee for consideration. This Report represents the Director’s compliance with this provision. Please note that the Council Committee may only approve the application if:

- (a) conformity with the rules set out in sections 17 to 21 would be unreasonable in the circumstances, including the use to which the property is intended to be put;
- (b) the location and size of the proposed private access is reasonably required for the use to which the property is intended to be put; and
- (c) the location and size of the proposed private access would not be detrimental to the safe and efficient movement of vehicular and pedestrian traffic on the adjacent street.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no implications to the City as a result of the recommendations in this report.

HISTORY/DISCUSSION

The private approach widening is proposed to be constructed in a portion of Isabel Street which is a service road to the main thoroughfare of Isabel Street. The service road, which is located within the east portion of the Isabel Street right-of-way, is dead-ended to the north, and does not connect to Logan Avenue. The only access to the service road is from Alexander Avenue, which is at the south end of the service road.

There are two separate properties involved with this proposed project; however both properties have the same owner. There is an existing building located on the northern property, and the adjoining property to the south is undeveloped.

The existing building currently has an overhead door on the west wall, facing the Isabel Street service road. This overhead door is served by an existing non-conforming 7.8 metre wide private approach.

This existing private approach is non-conforming for two reasons. The first reason is that the private approach is a joint-use private approach with the adjoining property to the south. Approximately 3.1 metres of the private approach serves the property to the south, and 3.0 metres serves the overhead door. The Private Access By-law requires a minimum distance of 3.0 metres between a lot line and a private approach.

The second reason for this non-conformity is that there is no distance between the private approach and the south edge of the existing building. In addition, there is no distance between the edge of the overhead door and the existing private approach.

The By-law requires a minimum distance of 1.5 metres between a building edge and a private approach. This minimum distance is required so that exiting motorists can see oncoming pedestrians within the sidewalk.

The Public Works Department was not able to locate any formal approvals for the construction of this existing private approach.

The existing building within this subject property is proposed to be converted into an auto body supply retail business. In addition to the building conversion, the vacant land to the south of the existing building will be developed into a seven-vehicle parking lot. There are two designated loading spaces within the proposed parking lot, and it is anticipated that delivery trucks will either back into the property from the service road, or back out of the parking lot into the service road.

To serve the proposed parking lot, the Public Works Department has received an application to widen the existing non-conforming private approach by 3.1 metres.

The Public Works Department reviewed the safety aspects of the non-conformity issues with this proposed development, and this Department does not anticipate any safety concerns between exiting vehicles from either the parking lot or the overhead doors and pedestrians, if the conditions as listed in the Recommendations section of this report are met.

As a result of the above, the Public Service recommends that the proposed private approach widening be approved.

FINANCIAL IMPACT

COMMENTS:

There is no financial impact associated with the recommendations of this report.

"Original signed by J. Ruby, CPA, CA"

J. Ruby CPA, CA

Manager of Finance & Administration

CONSULTATION

This Report has been prepared in consultation with: N/A

OURWINNIPEG POLICY ALIGNMENT

The recommendation of this report is aligned with the Transportation Master Plan key strategic goal Number 3: To provide a safe, efficient and equitable transportation system for people, goods and services.

SUBMITTED BY

Department: Public Works
Division: Transportation
Prepared by: Doug Binda, Private Approach Technician
Date: February 21, 2019

Attachments: Drawing No. A-18176

