

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

**REPORTS**

**Item No. 24                    Access to a Proposed Commercial Property Located at on the South  
Side of Fermor Avenue, East of Lagimodiere Boulevard  
(Transcona 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 a right in/right out private approach on the south side of Fermor Avenue, as shown on the attached drawing.
  
2.        That the Proper Officers of the City of Winnipeg be directed to do all things necessary to implement the intent of the foregoing.

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DECISION MAKING HISTORY:

Moved by Councillor Sharma,

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

Carried

# ADMINISTRATIVE REPORT

**Title:** Access to a Proposed Commercial Property Located at on the South Side of Fermor Avenue, East of Lagimodiere Boulevard

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

## AUTHORIZATION

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

## EXECUTIVE SUMMARY

The Public Works Department received an application for the construction of a non-conforming right in/right out private approach on the south side of Fermor Avenue, east of Lagimodiere Boulevard.

The Public Service recommends that this non-conforming private approach be approved, as illustrated on the attached drawing.

## RECOMMENDATIONS

1. That that the Private Access By-law No. 49/2008 be varied to authorize the construction of a right in/right out private approach on the south side of Fermor Avenue, as shown on the attached drawing.
2. That the Proper Officers of the City of Winnipeg be directed to do all things necessary to implement the intent of the foregoing.

## REASON FOR THE REPORT

The proposed private approach on the south side of Fermor Avenue is non-conforming under The City of Winnipeg Private Access By-law No. 49/2008, Section 19 (c) and Section 21 (1) namely:

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

21(1) Subject to this section, a private access is not in conformity with this By-law where it is located on a roadway or a portion of a roadway identified in Schedules "A" or "B".

This section of Fermor Avenue is contained within Schedule "B".

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**

This section of Fermor Avenue currently contains a four lane undivided roadway. However, future plans for this section of Fermor Avenue include a four lane divided roadway, 10m wide median, eastbound and westbound activity lanes, Royal Mint Drive extension to Fermor Avenue (right-in/right-out), and a new major Collector directly opposite Niakwa Road. Construction for this project is expected to commence during the 2019 construction season as a City of Winnipeg capital project.

As part of the Fermor Avenue reconstruction project, there are plans to construct a right-in/right-out intersection appropriately 400m east of Lagimodiere Boulevard, where Royal Mint Drive will be extended and a new major Collector appropriately 800m east of Lagimodiere Boulevard, directly opposite Niakwa Road. The new major Collector opposite Niakwa Road will form a four legged intersection with Fermor Avenue and is expected to be signalized in the future. The subject non-conforming private approach is proposed to be located approximately 1100m east of Lagimodiere Boulevard. All other existing accesses and intersections on the south side of Fermor Avenue are planned to be closed as part of the Fermor Avenue reconstruction project.

There is a future commercial and multifamily development bounded by the area south of Fermor Avenue, west of Plessis Road, north of Dawson Road South and approximately 700m east of Lagimodiere Boulevard. The subdivision and rezoning was approved under DASZ 52/2013, however plans of development are not finalized at this time.

This future development will also be served by other access points along the new major Collector and Dawson Road South. A median opening on Fermor Avenue will not be permitted to the proposed right-in/right-out private approach. Left turns can be accommodated via the future new Major Collector.

An activity lane will be constructed between the new Major Collector and the proposed private approach. This will provide an opportunity for motorists who are exiting the new Major Collector and wanting to travel eastbound on Fermor Avenue to accelerate and merge with eastbound Fermor Avenue traffic. This also provides eastbound motorists on Fermor Avenue an opportunity to decelerate prior to entering the proposed private approach.

An acceleration lane will also be constructed east of the proposed right in/right out private approach for motorists to accelerate and merge with eastbound traffic on Fermor Avenue.

This Department does not expect any traffic operating or safety problems on Fermor Avenue if the proposed non-conforming right in/right out approach is approved and constructed as per above.

**FINANCIAL IMPACT**

**Access to a Proposed Commercial Property Located at on the South Side of Fermor Avenue, East of Lagimodiere Boulevard**

**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-19006

