

May 28, 2018

To: His Worship the Mayor  
And Members of City Council

Re: Eastgate Drive Realignment – Use of Municipal Reserve Space as Public Highway  
(Street) – Portions of Parcel R4, 76R19492 and Public Reserve PR2, 84R59480

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### RECOMMENDATION

1. That construction and use of a public highway (street) on portions of the dedicated lands identified as Parcel R4 Plan No. 76R19492 and Public Reserve PR2 Plan No. 84R59480, as shown on Appendix A and registration of an interest based on an easement for such purposes, be approved pursuant to *The Planning and Development Act, 2007, section 202*.
2. That the Administration be directed to dedicate as Municipal Reserve within Fines Drive Park, an area equal to or greater than the area of Municipal Reserve being used to accommodate the Eastgate Drive realignment.

### CONCLUSION

Approval by City Council to authorize the construction and use of a public highway (street) and related easement on the lands dedicated as Municipal Reserve, by way of formal resolution, will allow construction and realignment of Eastgate Drive to proceed and have all works completed in 2018.

A future bylaw will be brought forward at a later date to formally close the subject portions of Municipal Reserve space being used for the new roadway and allow for the registration of the formal right-of-way.

### BACKGROUND

In 2015, the Victoria Avenue bridges over Pilot Butte Creek were replaced and Victoria Avenue, between Coleman Crescent and Prince of Wales Drive, was widened to three lanes. The intersection of Coleman Crescent and Eastgate Drive was reconfigured to improve traffic safety. This reconfiguration included the removal of the Eastgate Drive Bridge and physical closure of a portion of Eastgate Drive.

During construction, business owners along Eastgate Drive raised several concerns regarding the effect of the closure on area traffic routing and business access. In response, the City of Regina (City) constructed a temporary bridge to maintain the existing alignment, until a

long-term permanent solution could be determined to the address their concerns. Extensive public consultations were conducted to provide options for solutions that would best meet the needs of all stakeholders. These options were presented to City Council, report *PW116-8*, with the recommended option approved to proceed, subject to funding.

Total funding of three million for this project was provided in the 2017/2018 capital budgets. In April 2018, the City issued a tender to construct the new Eastgate Drive Pilot Butte creek crossing and realign the roadway, as per the approved recommended option.

## DISCUSSION

During the subdivision process to realign Eastgate Drive, it was determined that approximately 1160 m<sup>2</sup> of the proposed right-of-way was on lands dedicated as Municipal Reserve. Municipal Reserve is land that is dedicated to the municipality, primarily for provision of public open space and other limited purposes as prescribed by *The Planning and Development Act, 2007, Section 202*, and allows for construction of a public highway (street) on any dedicated land, subject to City Council's approval. As the City has included this project within the 2018 budget and has issued a tender for construction, approval by City Council of the proposed use of a portion of the Municipal Reserve spaces as a 'street', will allow construction to proceed immediately and as originally scheduled.

The new road will not functionally compromise the Municipal Reserve spaces, as they are largely passive in function and will not interfere with the existing walking path. Most of the proposed realignment for Eastgate Drive will be situated on Parcel G, a generic (undedicated) parcel, as shown in Appendix B. Only small portions of Parcel R4 and PR2 will be affected by the new roadway.

Parcel G can accommodate the new road right-of-way through the subdivision approval process, pursuant to *The Subdivision Bylaw No. 7877*. Although Parcel G has much of the same physical open space characteristics as the dedicated adjoining Municipal Reserve space to the north, City Council's approval is not required to subdivide or use portions of this land for road construction. A new park pathway connecting the existing pathway in Fines Drive Park to the new roadway and to Coleman Crescent and Eastgate Drive will be also be located in Parcel G.

## Future City Council Decisions

After Eastgate Drive is constructed and operational, City Council's approval of several consequential bylaw amendments will or may be required:

- Street Closure – will be required to close the temporary bridge and the existing Eastgate Drive alignment and its intersection with Coleman Crescent.
- Zoning Bylaw Amendments – may be required to confirm the final extent of the FW-Floodway Boundary and the recommended zoning of the remnant portions of land after the closure of the existing Eastgate Drive right-of-way.
- Exchange of Municipal Reserve - A future bylaw will be brought forward to formally close the subject portions of Municipal Reserve space being used for the Eastgate Drive

realignment. This will allow for the formal registration of subject lands as right-of-way. Pursuant to recommendation 2, the Administration proposes to balance the total loss of 1160 m<sup>2</sup> (total of Area #1 and Area #2) of Municipal Reserve space with rededication of 1550 m<sup>2</sup> in the northwest portion (Area #3) of Parcel G No. FT2014, as shown in Appendix C.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

The current estimated construction cost of the project is approximately 2.43 million with an additional 130 thousand in utility costs/relocates (approximately total cost 2.56 million). Available funding for the project approved in the 2018 Capital Budget, is 2.7 million.

### Environmental Implications

The Eastgate Drive realignment project will comply with all environmental standards including, Water Security Agency permitting (WSA) and Heritage Resource Impact Assessment requirements to cross Pilot Butte Creek.

The new Eastgate Drive alignment will cross Pilot Butte Creek using box culverts, identical to those installed under Victoria Avenue in 2015. As this watercourse is a part of stormwater infrastructure, surrounding lands are protected with the FW-Floodway Zone, which restricts development within the 1:500 year flood plain. The project will involve changes to local grades and slopes of the floodway and will temporarily displace a portion of the stormwater catchment area. The immediate impacts of the floodway have been evaluated and determined that box culverts pose no overall change to hydraulic behaviour of the creek or stormwater runoff. The FW-Floodway Zone will be amended, if required, once final grades and slopes of the floodway are completed.

### Policy and/or Strategic Implications

None to this report.

### Accessibility Implications

The construction of a new creek crossing enhances pedestrian accessibility, as an additional multi-use pathway over Pilot Butte Creek will be created.

## COMMUNICATIONS

The realignment of Eastgate Drive is a result of extensive public consultation with local businesses, residents and property owners in the vicinity.

DELEGATED AUTHORITY

The recommendations contained within this report require City Council approval.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'N. Kyle', written in a cursive style.

Norman Kyle, Director  
Roadways and Transportation

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Karen Gasmo', written in a cursive style.

Karen Gasmo, Executive Director  
Transportation and Utilities

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