REPORTS

306. From the Director of Planning, Property and Development
Report 2002/08/01

Proposed Closing of Inglewood Street and the Public Lane West of Inglewood Street, North of Silver Avenue

File DAC 12/2000

Recommending that Council approve the proposed closing and recommend:

I. 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 Schedule "A" , Misc. Plan No. 11010.

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

Moved by Councillor Eadie
That the recommendation be concurred in and a Clause forwarded to Council.

Carried

Re: DAC 12/00 – PROPOSED CLOSING OF INGLEWOOD STREET AND THE PUBLIC LANE WEST OF INGLEWOOD STREET, NORTH OF SILVER AVENUE

For submission to: Executive Policy Committee

Original report signed by: Director of Planning, Property and Development

Report date: August 1, 2002

In camera item: No

Recommendation(s): That a by-law be enacted authorizing the subject street and lane closure

REPORT SUMMARY

KEY ISSUES:

- It is necessary to close the street and lane prior to their incorporation into the development of the East Field in Legion Memorial Park, as directed by Council in June of 2000.

IMPLICATIONS

General implications

X	None
	For the organization overall and/or for other departments
	For the community and/or organizations external to the City of Winnipeg
	Involves a multi-year contract

Comment: •

Policy implications

X	No (*There are no policy implications if the report is asking for a one-time decision.)*
	Yes *(There are policy implications if the recommendation(s) is/are asking for a decision that will be used to guide decisions over time.)*

Comment: •

Financial implications

X	Within approved current and/or capital budget
	Current and/or capital budget adjustment required
	No financial implications

Comment: • Funds for the costs of registering the required legal documents have been reserved in the Land Dedication Reserve Account.

REPORT

RECOMMENDATION(S):

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with the attached **Schedule "A"** , Misc. Plan No. 11010.

II. That the proper officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

REASON FOR THE REPORT:

The street and lane closure requires a by-law pursuant to Section 495 of the City of Winnipeg Act.

HISTORY:

Council, at its meeting of June 21, 2000, approved the expenditure of $50,000 for the development of the East Field in Legion Memorial Park. This development includes the closure of the subject portion Inglewood Street and of the public lane to the west as illustrated on Schedule "A".

On October 17, 2000, the Assiniboia Community Committee approved the closing application.

The documents required to effect the closing have now been prepared and it is appropriate to enact the closing by-law at this time.

DISCUSSION:

Administrative Approval

The proposal has been circulated to all affected City departments and public utilities. There are no objections to the project.

The Transportation Division of the Public Works Department has advised that a portion of the Inglewood Street and public lane right-of-way is required for the Silver Avenue Corridor Project and that the planning of the Legion Memorial Park expansion should allow for the future corridor. The Design and Project Implementation Branch has confirmed that the Silver Avenue Corridor Project will not affect the park expansion.

The Zoning and Permits Branch has advised that upon being closed, the street and lane will assume the "PR" zoning of the adjoining lands, as is appropriate for their intended use.

Easement Requirements

Centra Gas, Manitoba Hydro, and MTS will require easements for existing facilities in the street and lane.

Submission of Report under By-Law 7325/98

This report is submitted in accordance with the provisions of By-law 7325/98, a by-law to amend current procedures to allow certain opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Committee (in this case, the Standing Policy Committee on Property and Development).

The following criteria must be met before the authority given in the by-law may be exercised:

1. The proposed closing must have been addressed at a public meeting and received approval from the Committee before which the public meeting took place.
2. The proposed closing must have been approved by the Director of Public Works.
3. The proposed closing must have been submitted to all affected City Departments and public utilities with no objections having been received.
4. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.
5. The terms and conditions of any easement agreements created by the proposed closing must have been addressed.
6. The proposed closing must have been approved by the affected property owner(s).
7. The terms and conditions of any agreements concerning the proposed closing must have been approved by the Director of the department that requested the closing and either the Standing Committee on Fiscal Issues, the Standing Committee on Property and Development, or the Director of the Planning, Property and Development Department, as is appropriate.

All of these criteria have been met.

Transfer of Jurisdiction over Public Rights of Way

The street and lane must be legally closed before they may be incorporated into the park. 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.

Financial Impact Statement Date: 24-Jul-02

COMMENTS:

All costs related to the registration in the Winnipeg Land Titles Office of the documents required to effect the street and lane closing will be charged to the Land Dedication Reserve Account No. 10-118199-011250. These costs are considered to be immaterial.

Gord Courage, Manager
Support Services Division

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

Planning, Property and Development Department – Geomatics, Design & Implementation and Zoning & Permits Branches

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division

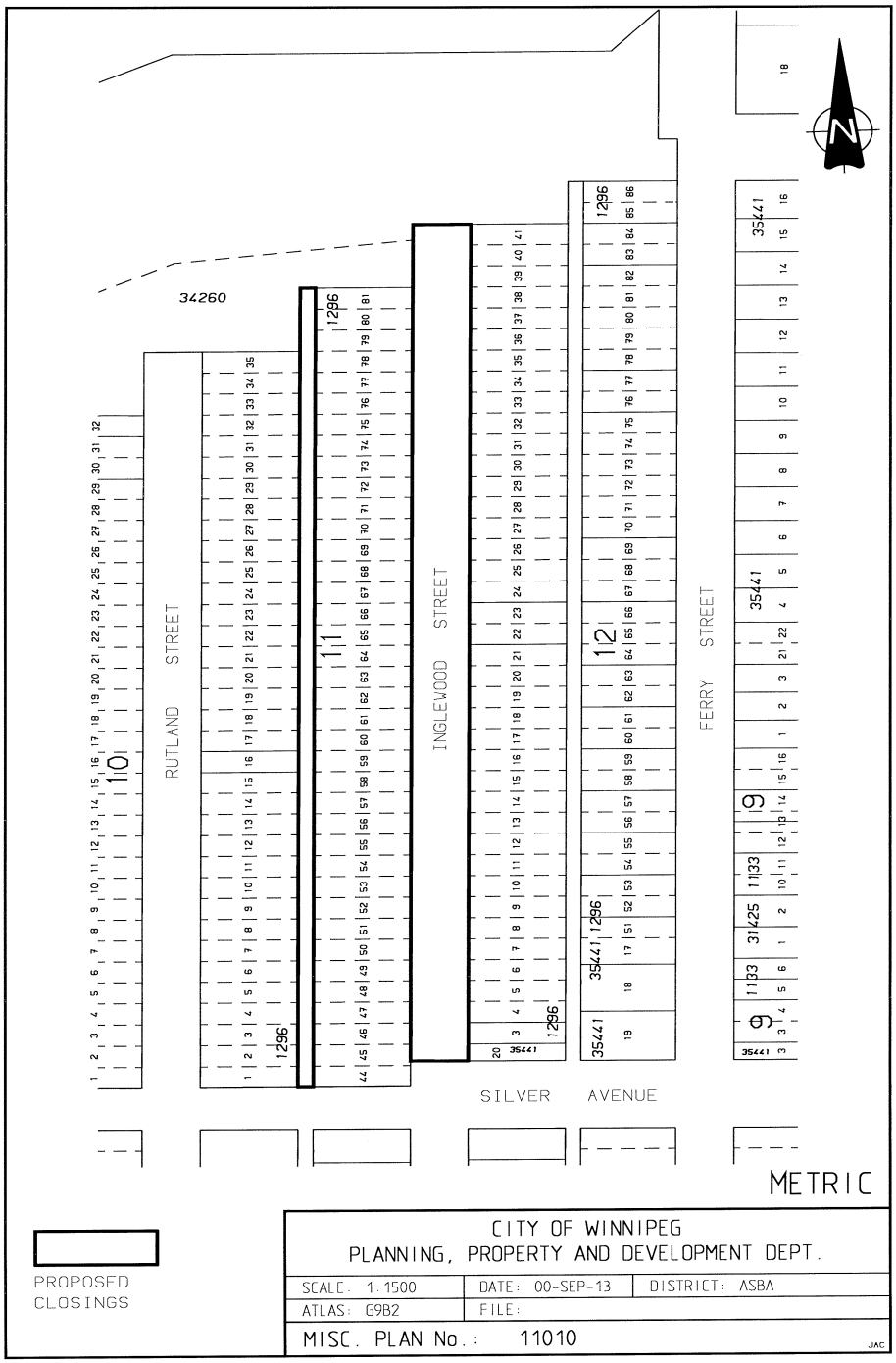
Water and Waste Department – Engineering Division

Centra Gas, Manitoba Hydro, MTS Communications, Shaw Cable

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn F. Halldorson, Real Property Officer
PPD File #: 8189

Document name: o:\reports directive\development and inspections\geomatics\dac12_00.doc



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TO THE REPORT TO THE EXECUTIVE POLICY COMMITTEE
FOR FILE NO. DAC 12/00
DATED AUGUST 1, 2002