Agenda – Executive Policy Committee – November 9, 2005

REPORTS

Item No. 2 **Street Closing – Fourth Street**
File DAC 10/2004

ADMINISTRATIVE RECOMMENDATION:

1. That the proposed street closing as shown on Misc. Plan No. 9120/5 be approved.

2. 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. 9120/5.

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

DECISION MAKING HISTORY:

COMMUNITY COMMITTEE RECOMMENDATION:

On June 29, 2004, the East Kildonan-Transcona Community Committee concurred in the recommendation contained in administrative report dated June 18, 2004, and recommended to the Planning, Property and Development Department:

1. That the proposed street closing as shown on Misc. Plan No. 9120/5 be approved.

2. 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. 9120/5.

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

RE: DAC 10/2004 – PROPOSED CLOSING OF FOURTH STREET

For submission to: **Executive Policy Committee**

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

Report date: October 24, 2005

Recommendations:

1. That the proposed street closing as shown on Misc. Plan No. 9120/5 be approved.
2. 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. 9120/5.
3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REPORT SUMMARY

Key Issues:

- The street is proposed to be closed for incorporation into the Transcona Recreation Park, a proposed sports complex that will accommodate baseball fields and associated facilities.

Implications of the Recommendation(s):

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(s):

-

Policy implications:

X	**No**
	Yes

Comment(s):

-

Environmental implications:

X	**No**
	Yes

Comment(s):

-

Human resources implications:

X	**No**
	Yes

Comment(s):

-

Financial implications:

X	**Within approved current and/or capital budget**
	Current and/or capital budget adjustment required

Comment(s):

-

REASON FOR THE REPORT:

All street and lane closings require a by-law pursuant to Section 139 of the City of Winnipeg Charter, which by-law must be approved by City Council.

HISTORY:

Fourth Street was created in 1908 as part of a planned subdivision of the area into residential lots. The majority of subdivision was never occupied and Municipal Board Orders returned the land adjacent to Fourth Street to its original status after 1935. Fourth Street does not physically exist, but remains open as a right-of-way.

In December of 2002, the East Kildonan-Transcona Community Committee directed the City administration to investigate the feasibility of creating the Transcona Recreation Park, a recreational complex within the City property shown shaded on the attached Misc. Plan No. 9120/4.

The project has been proceeding and Council has, to date, approved the allocation of $50,000 from the East Kildonan-Transcona Land Dedication Reserve Fund to obtain matched funding from the Province for the development of the ball parks contained within the recreational complex (Council approval June 25, 2003) and the transfer of jurisdiction from the Water and Waste Department to the Public Works Department for a portion of the land required for the park (Council approval February 25, 2004).

July 27, 2005, Council adopted Administration recommendations with respect to the Master Plan, Business Plan, and the Project Development Agreement for the Transcona Recreation Park Facility.

Fourth Street, once closed, will be incorporated into the City property allocated for the park.

DISCUSSION:

This report is submitted in accordance with the provisions of By-Law 7325/98, a by-law to amend current procedures to allow certain street 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.

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 Director of Public Works must have approved the proposed closing and sale.
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 and sale must have been addressed.
6. The affected property owner(s) must have approved the proposed closing.

7. The terms and conditions of any agreements concerning the proposed closing and sale must have been approved by the Director of the Department that requested the closing and either the Standing Policy Committee on Fiscal Issues, the Standing Policy 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.

Financial Impact Statement Date: September 29, 2005

COMMENTS:

Funding for the $3,125.00 required for the registration of the documents effecting this road closing has been allocated from the Land Dedication Reserve Fund for the East Winnipeg Sports Association for the Development of Ballparks.

"Original signed by"
Mike McGinn, CA
Manager of Finance

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

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division

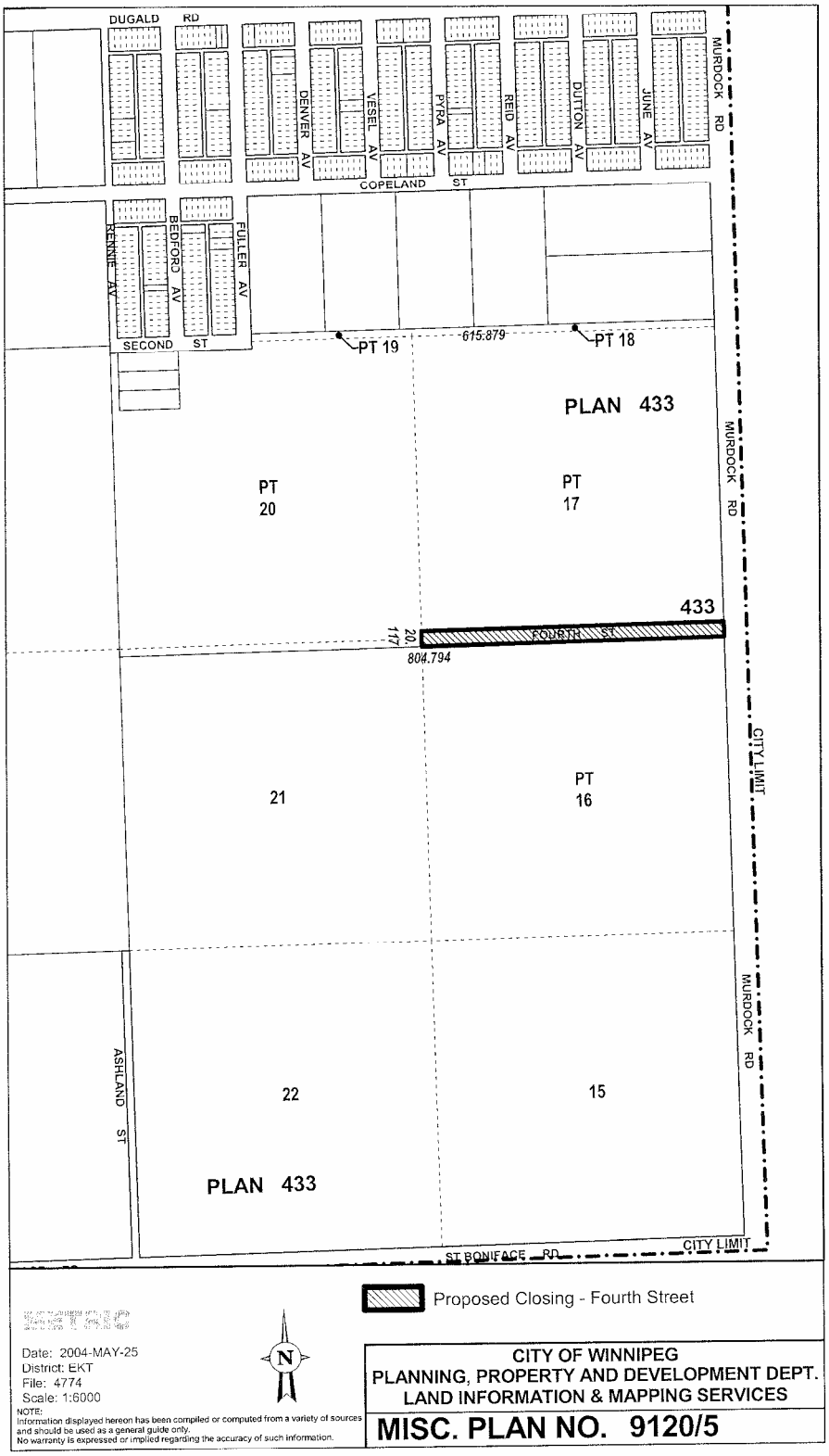
Water and Waste Department – Engineering Division

Centra Gas, Manitoba Hydro, MTS Communications, and Shaw Cable did not respond to requests for comments on this proposal.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD File #:8506

Document name: o:\reports directive\development and inspections\geomatics\dac10_04.doc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DENVER AV
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PYRA AV
REID AV
DUTTON AV
JUNE AV
MURDOCK RD
COPELAND ST
KENNE AV
BEDFORD AV
FULLER AV
SECOND ST
PT 19
615.879
PT 18
PLAN 433
PT 20
PT 17
433
FOURTH ST
20.117
804.794
CITY LIMIT
21
PT 16
ASHLAND ST
22
15
PLAN 433
ST BONIFACE RD
Proposed Closing - Fourth Street
Date: 2004-MAY-25
District: EKT
File: 4774
Scale: 1:6000
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only.
No warranty is expressed or implied regarding the accuracy of such information.
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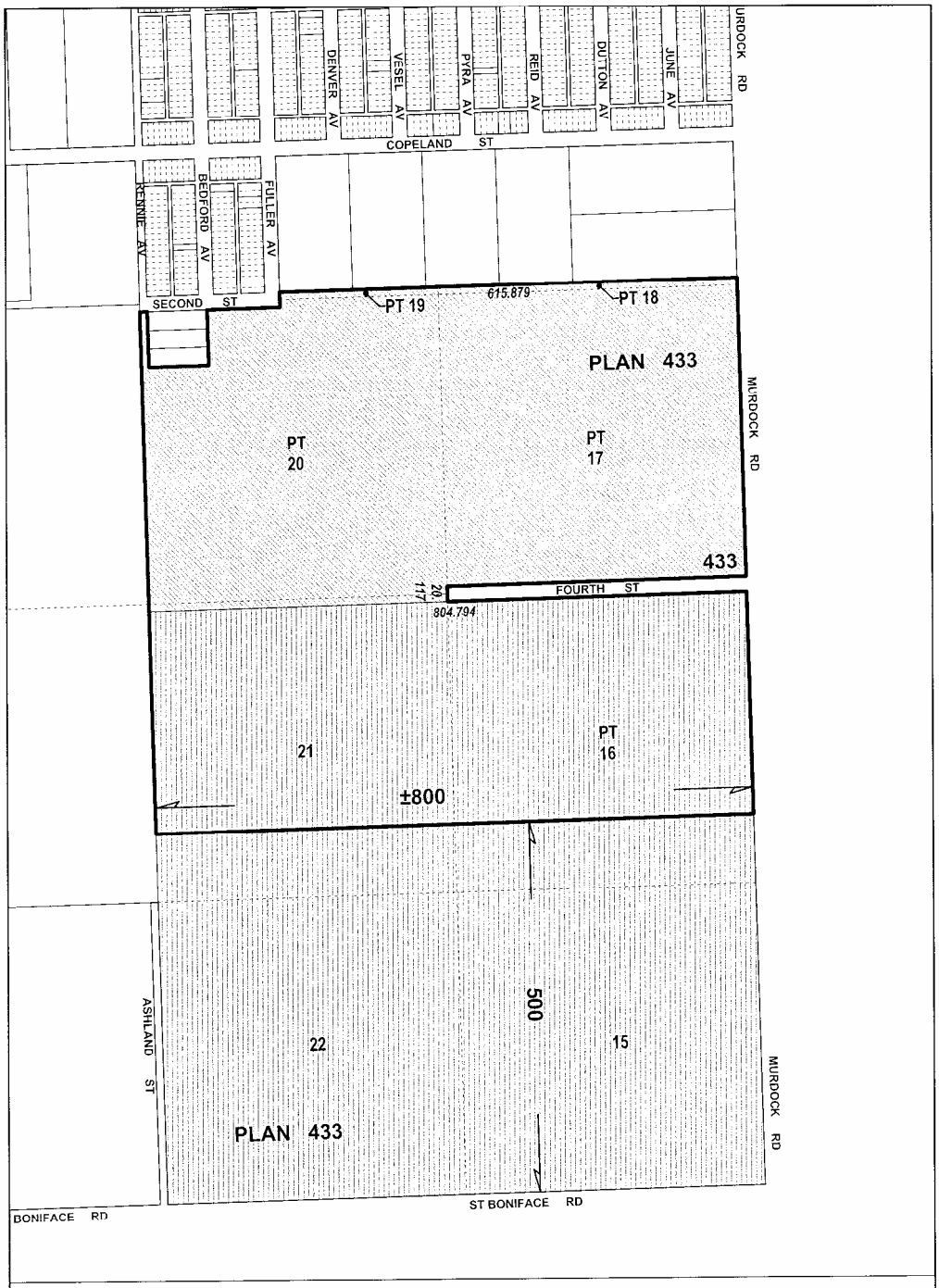
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 9120/5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SECOND ST
PT 19
615.879
PT 18
PLAN 433
PT 20
PT 17
MURDOCK RD
433
117.20
FOURTH ST
804.794
21
PT 16
±800
500
ASHLAND ST
22
15
PLAN 433
MURDOCK RD
BONIFACE RD
ST BONIFACE RD
City Lands under Planning, Property and Development Departmental Jurisdiction
City Lands under Water and Waste Departmental Jurisdiction
Subject City Property under consideration for transfer to Parks Departmental Jurisdiction
Area: ±56.4 Hectares (±139.5 Acres)
DATE: 2003-NOV-17
ORIGINAL PLOT SCALE: 1:5000
FILE: 4774
DISTRICT: EKT
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CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN No. 9120/4