Agenda – Council – December 14, 2005

Report - Standing Policy Committee on Property and Development - November 29, 2005

Item No. 4 Street Closing - Part of Ravelston Avenue West at Lagimodiere Boulevard
File DAC 21/2005

STANDING COMMITTEE RECOMMENDATION:

On December 7, 2005, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submits the following to Council:

1. That the street closing shown on Misc. Plan No. 12363/8 be approved and the land declared surplus to the City's needs.

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. 12363/8, subject to approval by the Standing Policy Committee on Property and Development of the terms and conditions of the conveyance of the land.

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

Report - Standing Policy Committee on Property and Development - November 29, 2005

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 7, 2005, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 29, 2005, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 1, 2005, the East Kildonan-Transcona Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File:	DAC 21/2005
Before:	East Kildonan-Transcona Community Committee Councillor Lubosch, Chairperson Councillor Thomas Councillor Wyatt
Public Hearing:	November 1, 2005 Community Committee Chamber 755 Henderson Highway
Applicant:	3801233 Manitoba Ltd. (Ross Mitchell, ND Lea)
Premises Affected:	Part of Ravelston Avenue West at Lagimodiere Boulevard
Exhibits Filed:	1. Report from the Real Property Officer dated October 5, 2005 2. Inspection Report 3. Communication dated November 1, 2005, from Mike Malyk in opposition to the application

REPRESENTATIONS:

In Support:

Bob Downs
Ross Mitchell, ND Lea

In Opposition:

Mike Malyk

For Information:

Nil

For the City:

Glenn Halldorson, Real Property Officer, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 21/2005

RE: DAC 21/2005 – PROPOSED CLOSING OF PART OF RAVELSTON AVENUE WEST AT LAGIMODIÈRE BOULEVARD

For submission to:	**The East Kildonan-Transcona Community Committee**
Report date:	**October 5, 2005**
Recommendations:	**1. That the proposed street closing as shown on Misc. Plan No. 12363/8 be approved and that the land be declared surplus to the City's needs.** **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. 12363/8, subject to the approval of the Standing Policy Committee on Property and Development of the terms and conditions of the conveyance of the land.** **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:

- A request has been received from 3801233 Manitoba Ltd. to purchase the portion of Ravelston Avenue West identified as Parcel "B" on the attached Misc. Plan No. 12363/8. The applicant intends to incorporate Parcel "B" into its properties adjoining to the north for future commercial development. The south half of the closed street - Parcel "A" on the drawing – will be offered to the property owner adjacent to the south.

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:

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

Comment(s):

- All costs associated with this proposal will be borne by the Applicant. There are no financial implications for the City of Winnipeg.

REASON FOR THE REPORT:

All street and lane closings require the consideration of the Community Committee.

HISTORY:

In 2004, the Planning, Property and Development Department processed DAC 20/2004, an application to close and purchase parts of Lagimodière Boulevard and Ravelston Ave West adjacent to the property at 268/280 Almey Avenue. The applicant withdrew the request to acquire part of Ravelston in April of 2005 and the application to close Lagimodière only was approved by the EKT Community Committee in May of 2005 and by Council in June of 2005.

A request has been received from 3801233 Manitoba Ltd. to purchase the portion of Ravelston Avenue West identified as Parcel "B" on the attached Misc. Plan No. 12363/8. Parcel "A" will be offered to the property owner adjacent to the south. The applicant intends to incorporate Parcel "B" into its properties adjoining to the north for future commercial development.

DISCUSSION:

Administrative Approval

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the closing.

The Public Works Department no objections to the proposed closing subject to the applicant entering into a Servicing Agreement for the construction of a cul-de-sac turnaround at the southerly terminus of the portion of Ravelston Avenue West remaining open to standards consistent with the existing Ravelston Avenue roadway and all related works, all as determined by and to the satisfaction of the Director of Public Works.

The applicant will also be required to transfer to the City and legally open at no expense to the City two small pieces of property required for the cul-de-sac turnaround and for the corner-cut in the southeast corner of the intersection of Almey Avenue and Lagimodiere Boulevard. These street openings will be dedicated through the plan of subdivision. A formal street opening by-law will not be required.

The Local Improvement Section of the Corporate Finance Department advises that these two parcels will be affected by a watermain local improvement project (Work Order No. 99-05-060-1-02) that is currently underway. It is anticipated that these properties could be assessed (based on frontage off of Lagimodiere Boulevard) sometime in February 2007 for this local improvement. It is estimated that the cost will be $36.00 per frontage foot.

Easements

Manitoba Hydro will require an easement for the maintenance of an overhead service in the portion of the street proposed to be closed. No permanent structures will be allowed in the easement area.

Transfer of Jurisdiction Over Public Rights-of-Way

The street must be legally closed before it may be sold. 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.

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

Planning, Property and Development Department – Community Planner, Geomatics and Zoning & Permits Branches

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division

Water and Waste Department – Engineering Division

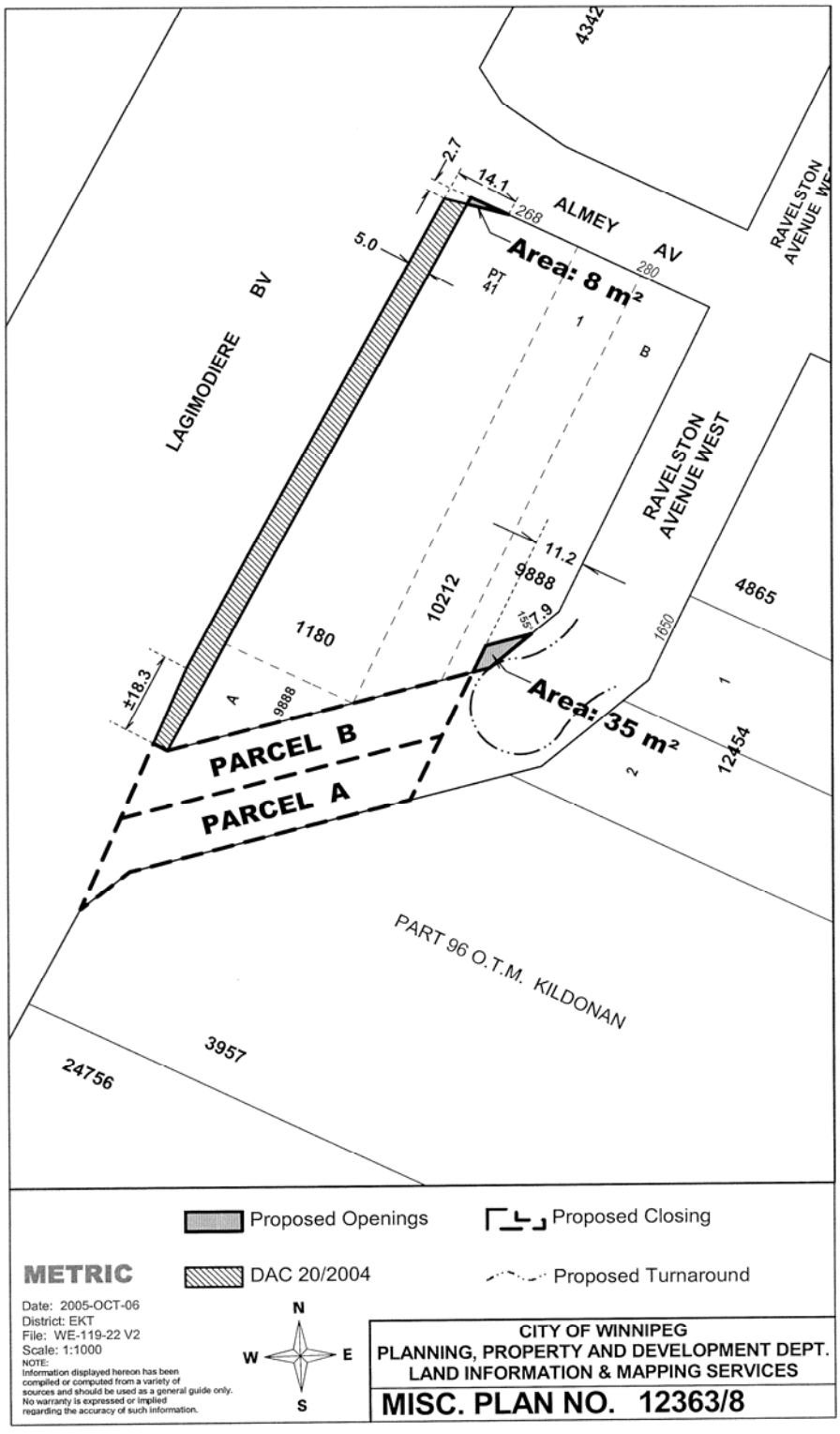
Centra Gas, Manitoba Hydro, MTS Communications

Shaw Cable did not respond to the request for easement requirements.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD File #: DAC 21/05

Document name: v:\word\daoc\dac21_05rpt.doc



4342
2.7
14.1
268
ALMEY AV
280
RAVELSTON AVENUE WE
5.0
Area: 8 m²
PT 41
1
B
LAGIMODIERE BV
RAVELSTON AVENUE WEST
11.2
9888
10212
1180
7.9
1650
4865
±18.3
A
9888
Area: 35 m²
1
12454
2
PARCEL B
PARCEL A
PART 96 O.T.M. KILDONAN
3957
24756
Proposed Openings
Proposed Closing
DAC 20/2004
Proposed Turnaround
METRIC
Date: 2005-OCT-06
District: EKT
File: WE-119-22 V2
Scale: 1:1000
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. 12363/8