Minute No. 119
Report - Standing Policy Committee on Property and Development - November 29, 2005

Item No. 15 **Closing - part of the northwest corner of Shore Street and Comdale Avenue**
File DAC 24/2005

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the closing shown on Misc. Plan No. 12681 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. 12681, 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:

Moved by Councillor De Smedt,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

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 Riel 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 Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 22, 2005, the Riel 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 24/2005
Before:	Riel Community Committee Councillor Swandel, Chairperson Councillor Magnifico Councillor Steeves
Public Hearing:	November 22, 2005 Council Building, 510 Main Street
Applicant:	Mr. Roger Scott
Premises Affected:	part of the northwest corner of Shore Street and Comdale Avenue
Exhibits Filed:	1. Report from the Real Property Officer dated November 4, 2004 2. Inspection Report

REPRESENTATIONS:

In Support:

Roger Scott

In Opposition:

Nil

For the City:

Mr. G. Halldorson, Real Property Officer, Planning, Property and Development Department
Mr. K. Lalor, Senior Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 24/2005

RE: DAC 24/2005 – PROPOSED CLOSING OF PART OF THE NORTHWEST CORNER OF SHORE STREET AND COMDALE AVENUE

For submission to: **The Riel Community Committee**

Report date: **November 4, 2005**

Recommendations:

1. That the proposed closing as shown on Misc. Plan No. 12681 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. 12681, 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:

- The Applicant intends to subdivide his property at 221 Shore Street and wishes to purchase and incorporate a portion of the boulevard into the subdivision. This portion of the street is not required by the City of Winnipeg.

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:

The Planning, Property and Development Department has received a request from the owner of No. 221 Shore Street to purchase the portion of the street identified as "Proposed Closing" on the attached drawing. The property owner intends to subdivide his lot and wishes to acquire the street for incorporation into the subdivision.

DISCUSSION:

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

Easements
Manitoba Hydro will require an easement for the maintenance of its services 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 comments. It is assumed that they have no interest in this matter.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD File #: DAC 24/05

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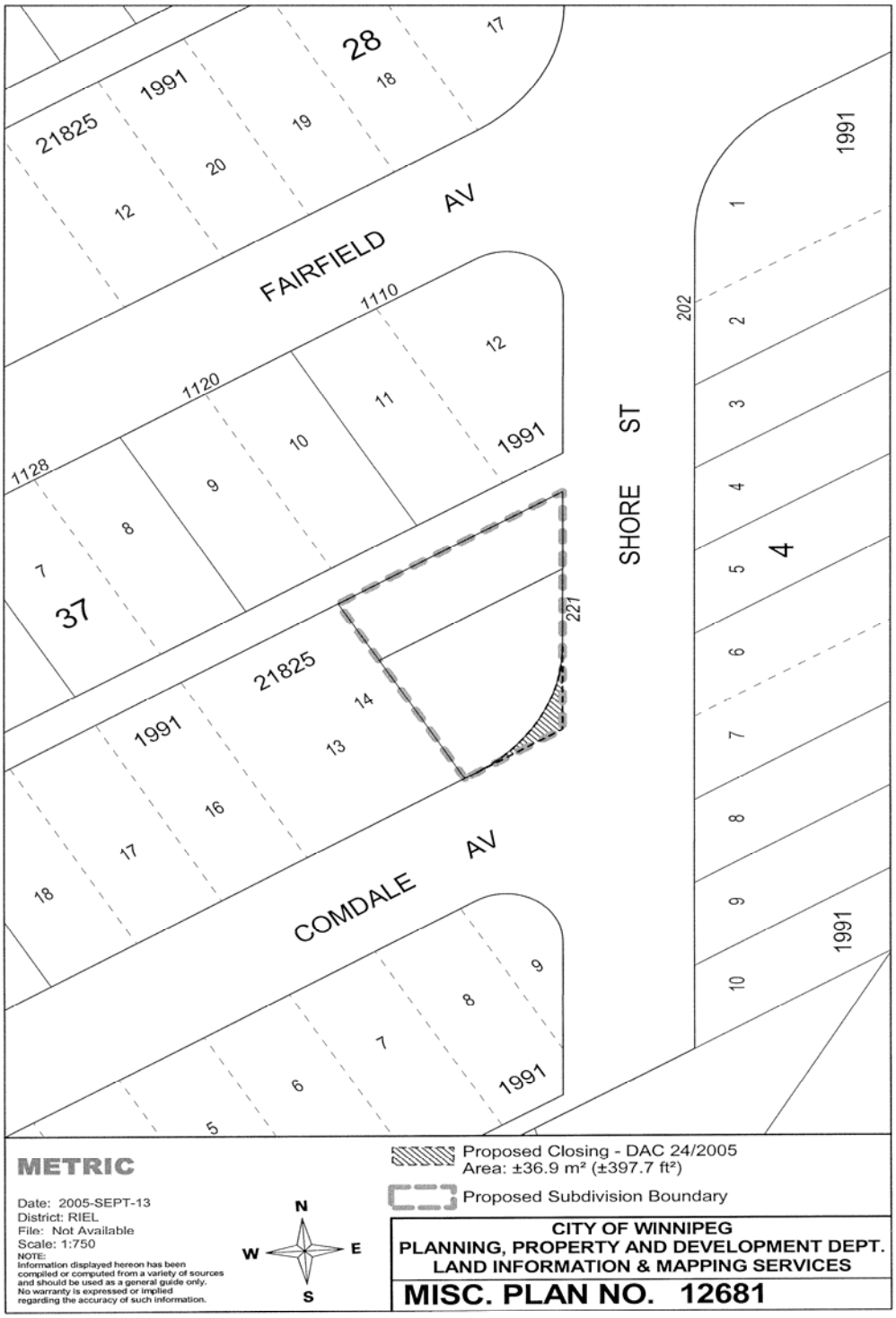
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COMDALE AV
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METRIC
Date: 2005-SEPT-13
District: RIEL
File: Not Available
Scale: 1:750
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only. No warranty is expressed or implied regarding the accuracy of such information.
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Proposed Closing - DAC 24/2005
Area: ±36.9 m² (±397.7 ft²)
Proposed Subdivision Boundary
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12681