**Agenda – Executive Policy Committee – January 18, 2006**

**Report - Standing Policy Committee on Property and Development - January 10, 2006**

**Item No. 1 Street Closing - Assiniboine and Gauthier Avenues, east of Camp Manitou Road**
**File DAC 14/2005 [c/r DASZ 44/2005]**

STANDING COMMITTEE RECOMMENDATION:

On January 10, 2006, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and submits the following to Council:

1. That the street closings shown on Misc. Plan No. 12758 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. 12758.

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

**Agenda – Executive Policy Committee – January 18, 2006**

**Report - Standing Policy Committee on Property and Development - January 10, 2006**

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On January 10, 2006, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On December 13, 2005, the Assiniboia 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 14/2005 |
| Before: | Assiniboia Community Committee<br>Councillor Eadie, Chairperson<br>Councillor Clement<br>Councillor De Smedt |
| Public Hearings: | December 13, 2006<br>Community Committee Chamber<br>5006 Roblin Boulevard |
| Applicant: | Stevenson Real Estate Group (Patrick Hamilton) |
| Premises Affected: | Assiniboine and Gauthier Avenues east of Camp Manitou Road |
| Exhibits Filed: | 1. Report from the Real Property Officer dated November 30, 2005<br>2. Inspection Report |

REPRESENTATIONS:

In Support:

Jeoff Chipman and Scott Stephanson, 4922507 Manitoba Ltd.
Doug Scott
Mike Scatliff

In Opposition:

Valinda Morris on behalf of The Provincial Council of Women
Barb Chisholm
Robert L. Tyler, Aikins Macaulay and Thorvaldson LLP
Jake and Ed Enns

For Information:

Eric Christiansen, Director of Highway Planning and Design, Province of Manitoba
Leo Cholakis
Bob Matias

For the City:

Mr. J. Veitch, Planner, Planning, Property and Development Department
Mr. E. Carrière, Land Development Engineer, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 14/2005

**RE: DAC 14/2005 – PROPOSED CLOSING OF ASSINIBOINE AND GAUTHIER AVENUES EAST OF CAMP MANITOU ROAD FOR INCORPORATION INTO DASZ 44/2005**

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

**Report date:** **November 30, 2005**

**Recommendations:**

**1. That the proposed street closings as shown on Misc. Plan No. 12758 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. 12758.**

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

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## REPORT SUMMARY

**Key Issues:**

- The proposed street closings are required for inclusion into DASZ 44/2005, an application to subdivide and rezone the adjoining lands.

**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:**

☒ **No**

☐ **Yes**

**Comment(s):**

- 

**Human resources implications:**

☒ **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 Mr. Patrick Hamilton of the Stevenson Real estate Group, acting on behalf of 4922507 Manitoba Ltd., to incorporate the subject streets into DASZ 44/05, an application to subdivide and rezone the adjoining property as shown on the attached Misc. Plan No. 12758.

Gauthier Avenue is a gravelled road that serves no apparent public purpose. There is no roadway in Assiniboine Avenue.

**DISCUSSION:**

Administrative Approval

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

Conveyance of Streets for $1.00

The area of the streets being created by the subdivision exceeds the area of the streets being closed. In accordance with City policy, the closed streets will be conveyed to the Developer for the nominal sum of $1.00.

Easements

Manitoba Hydro will require an easement for the maintenance of its plant(s) in the closed streets. No permanent structures will be allowed in the easement area(s).

Transfer of Jurisdiction Over Public Rights-of-Way

The streets must be legally closed before they may be incorporated into the subdivision. 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

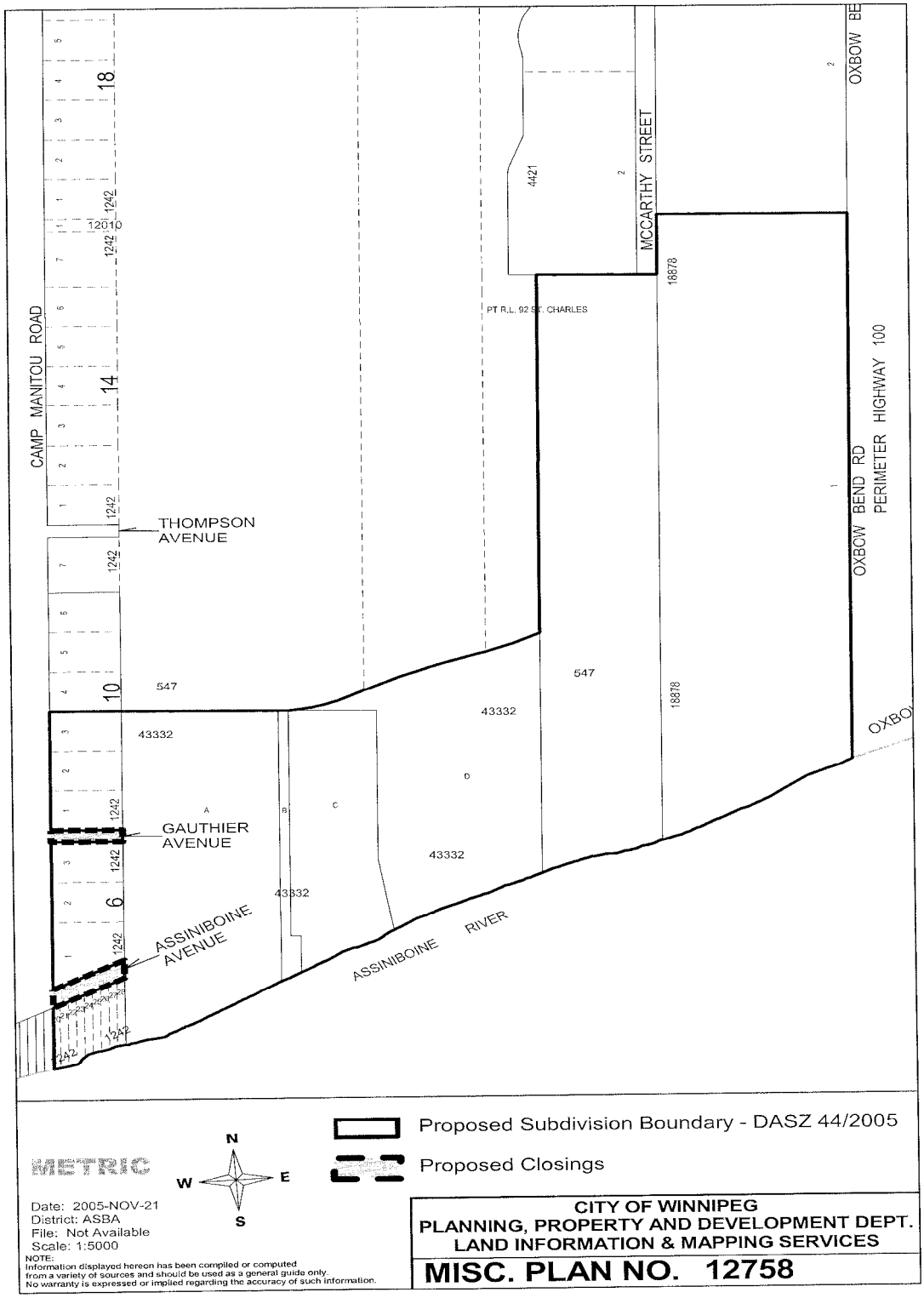
Centra Gas, Manitoba Hydro, MTS Communications,

Shaw Cable did not respond to the request for its easement requirements. It is assumed that there are none.

**THIS REPORT SUBMITTED BY:**

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD File #: DAC 14/05

Document name: v:\word\daoc\dac14_05rpt.doc


CAMP MANITOU ROAD
THOMPSON AVENUE
GAUTHIER AVENUE
ASSINIBOINE AVENUE
MCCARTHY STREET
OXBOW BEND RD
PERIMETER HIGHWAY 100
PT R.L. 92 ST. CHARLES
ASSINIBOINE RIVER
547
43332
18878
4421
12010
Proposed Subdivision Boundary - DASZ 44/2005
Proposed Closings
METRIC
N
W
E
S
Date: 2005-NOV-21
District: ASBA
File: Not Available
Scale: 1:5000
NOTE:
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CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12758