Minute No. 173
Report – Executive Policy Committee – January 11, 2006

Item No. 6 **Widening of part of the south side of Regent Avenue West**
File DAO 5/99

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the street widening in accordance with Misc. Plan No. 10715.

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

Report – Executive Policy Committee – January 11, 2006

DECISION MAKING HISTORY:

Moved by His Worship Mayor Katz,
That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 11, 2006, the Executive Policy Committee concurred in the administrative recommendation and submitted the matter to Council.

Re: DAO 5/1999 – PROPOSED WIDENING OF PART OF THE SOUTH SIDE OF REGENT AVENUE WEST

For submission to: Executive Policy Committee

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

Report date: November 22, 2005

Recommendation(s): 1.That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street widening in accordance with the attached Misc. Plan No. 10715.

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

REPORT SUMMARY

Key Issues:

- The dedication of the street widening was a condition of the subdivision and rezoning of the adjacent property, approved by Council in September of 1999. The street widening was constructed some years ago.

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 widening are the responsibility of the Developer under DASZ 11/1999. There are no financial implications for the City of Winnipeg.

REASON FOR THE REPORT:

The dedication of this property as public street requires a by-law pursuant to Section 139 of the City of Winnipeg Charter.

HISTORY:

In September of 1999, Council approved DASZ 11/1999, an application to subdivide and rezone the property at the southeast corner of Regent Avenue West and Lagimodière Boulevard. One of the conditions of the approval of the application was the widening of Regent as shown on the attached Misc. Plan No. 10715. The street was widened some years ago.

The legal documents required to dedicate the property as Regent Avenue West were prepared shortly after Council approval of DASZ 11/1999. Among the documents required for the registration of the street widening by-law were consents from all parties with a registered interest in the land (i.e. liens, leases, mortgages, etc.). One of the parties with an interest in this land would not provide this consent. This party's interest in the land has recently lapsed, and it is now possible to dedicate the land as public street.

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 opening and acquisition must have been approved by the Director of Public Works.
2. The proposed opening must have been submitted to all affected City Departments and public utilities with no objections having been received.
3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.
4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the proposed opening.
5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening 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:** November 17, 2005

COMMENTS:

Under the terms of DASZ 11/1999, the Developer is responsible for the preparation and registration of the documents required to effect the street widening. There are no financial implications for the City of Winnipeg.

"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

MTS Communications

Centra Gas, Manitoba Hydro and Shaw Cable did not respond to the request for comments on this proposal. It is assumed that any removal or relocation of their services in the area was addressed when the street was constructed.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division:Development and Inspections
Prepared by:Glenn Halldorson, Real Property Officer
PPD File #:32/6829

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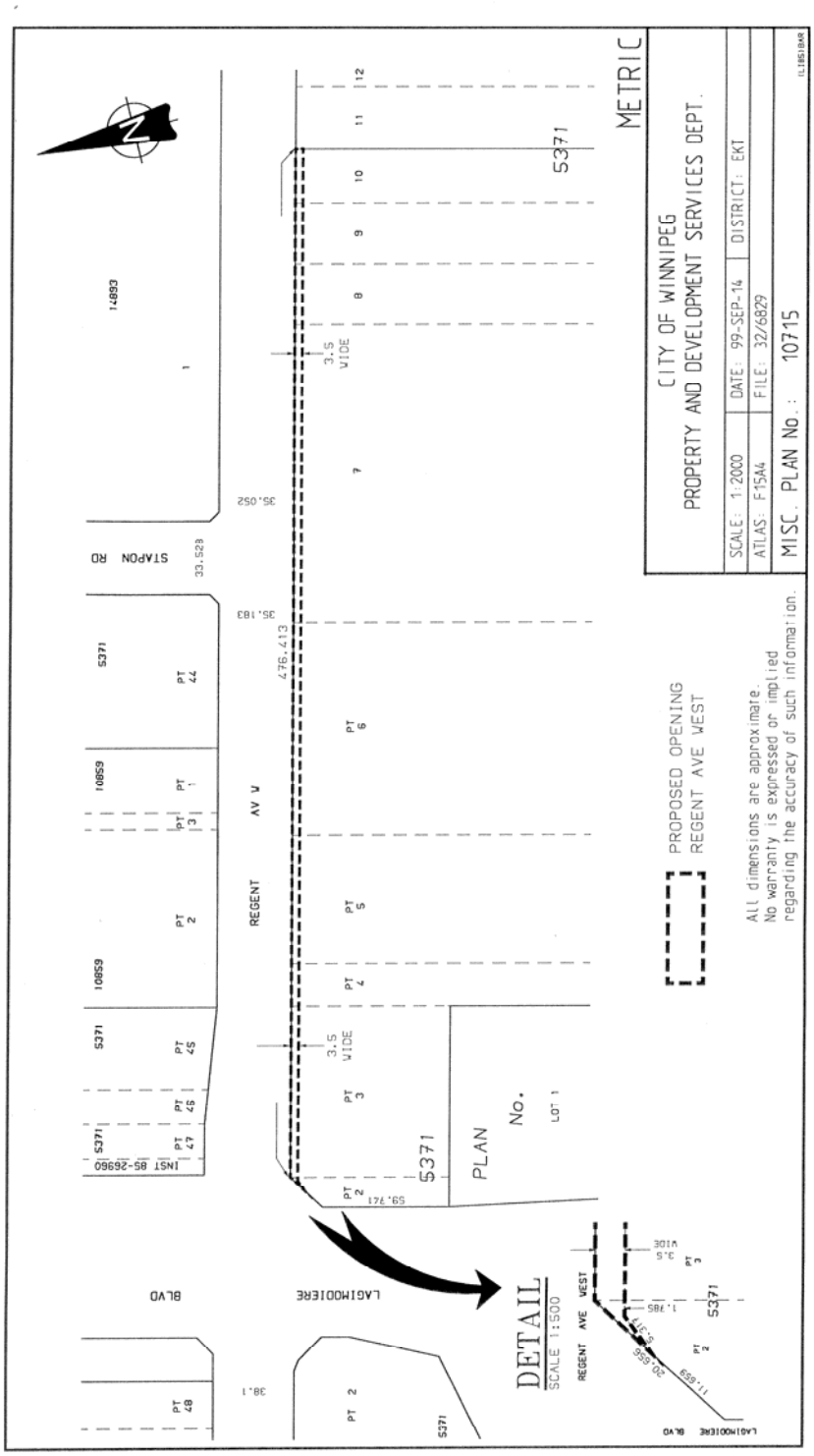
METRIC
CITY OF WINNIPEG
PROPERTY AND DEVELOPMENT SERVICES DEPT.
SCALE: 1:2000
DATE: 99-SEP-14
DISTRICT: EKT
ATLAS: F15A4
FILE: 32/6829
MISC. PLAN No.: 10715
PROPOSED OPENING
REGENT AVE WEST
All dimensions are approximate.
No warranty is expressed or implied
regarding the accuracy of such information.
DETAIL
SCALE 1:500
REGENT AVE WEST
LAGIMODIERE BLVD
STAPON RD
REGENT AV W
PLAN No.
LOT 1
3.5 WIDE
476.413
35.052
35.183
59.721
38.1
INST 85-26960
5371
10859
14893