Agenda – Council – February 22, 2006

Report - Standing Policy Committee on Property and Development - January 31, 2006

Item No. 7 Closing - part of Columbia Drive
File DAC 30/2005 [c/r DASZ 50/2005]

STANDING COMMITTEE RECOMMENDATION:

On February 15, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee and submits the following to Council:

1. That the street closing shown on Misc. Plan No. 12764 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. 12764.

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 - January 31, 2006

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 15, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 31, 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 January 17, 2006, 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 30/2005 [DASZ 50/2005]
Before:	Assiniboia Community Committee Councillor Clement, Chairperson Councillor De Smedt
Public Hearing:	January 17, 2006 Council Building, 510 Main Street
Applicant:	Qualico Developments (Winnipeg) Ltd., (Lyne Jones)
Premises Affected:	part of Columbia Drive
Exhibits Filed:	1. Report from the Real Property Officer dated December 20, 2005 2. Inspection Report

REPRESENTATIONS:

In Support:

Eric Vogan, Qualico Developments (Winnipeg) Ltd.
Richard McMillan, WRRA

In Opposition:

Nil

For the City:

Mr. J. Veitch, Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 30/2005

RE: DAC 30/2005 – PROPOSED CLOSING OF PART OF COLUMBIA DRIVE FOR INCLUSION INTO DASZ 50/2005

For submission to:	**The Assiniboia Community Committee**
Report date:	**December 20, 2005**
Recommendations:	**1. That the proposed street closing as shown on Misc. Plan No. 12764 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. 12764, 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:

- Qualico Developments (Wpg.) Ltd. has applied to close the subject portion of Columbia Drive and incorporate the closed street into DASZ 50/2005, an application to subdivide and rezone the lands adjoining to the west.
- An existing fence at the rear of the proposed subdivision presently encroaches into Columbia Drive. The street closing will eliminate this encroachment.

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 Qualico Developments (Wpg.) Ltd. to purchase the portion of Columbia Drive identified as "Proposed Closing" on the attached drawing. Qualico intends to incorporate the closed street into DASZ 50/2005, an application to subdivide and rezone the lands adjacent to the west.
An existing fence at the rear of the proposed subdivision presently encroaches into Columbia Drive. The street closing will eliminate this encroachment.

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

There are no easements required.
Transfer of Jurisdiction Over Public Rights-of-Way

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

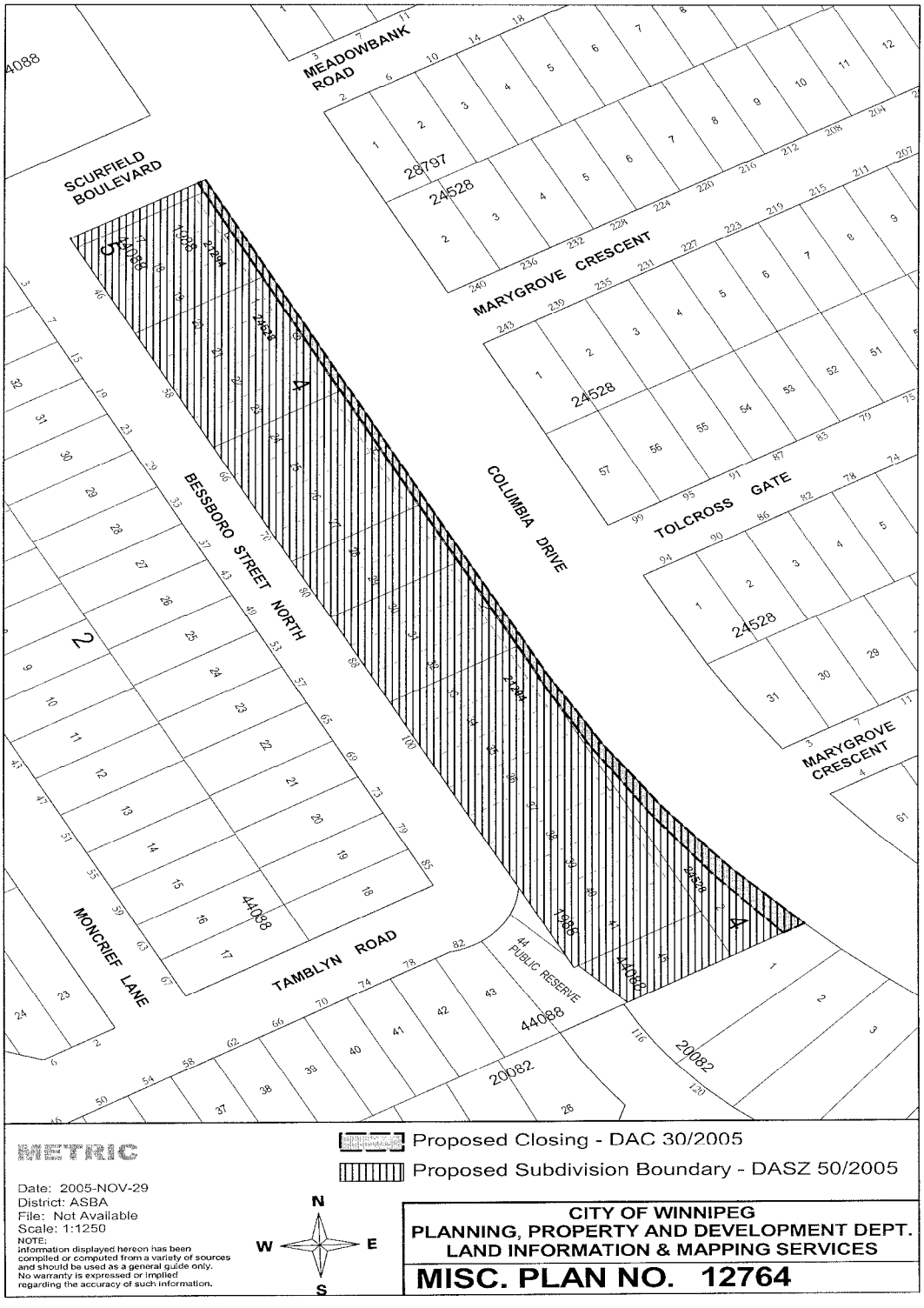
Water and Waste Department – Engineering Division

Centra Gas, Manitoba Hydro, MTS Communications, Shaw Cable

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD File #: DAC 30/05

Document name:v:\word\daoc\dac30_05rpt.doc


MEADOWBANK ROAD
SCURFIELD BOULEVARD
MARYGROVE CRESCENT
TOLCROSS GATE
COLUMBIA DRIVE
BESSBORO STREET NORTH
MONCRIEF LANE
TAMBLYN ROAD
MARYGROVE CRESCENT
PUBLIC RESERVE
METRIC
Proposed Closing - DAC 30/2005
Proposed Subdivision Boundary - DASZ 50/2005
Date: 2005-NOV-29
District: ASBA
File: Not Available
Scale: 1:1250
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. 12764