Minute No. 355
Report – Executive Policy Committee – March 8, 2006

Item No. 3 **Widening of part of Lucas Avenue, east of Oak Point Highway**
File DAO 4/2005

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. 12490.

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

Minutes – Executive Policy Committee – March 8, 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 March 8, 2006, the Executive Policy Committee concurred in the administrative recommendation and submitted the matter to Council.

Re: DAO 4/2005 – PROPOSED WIDENING OF PART OF LUCAS AVENUE EAST OF OAK POINT HIGHWAY

For submission to: **Executive Policy Committee**

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

Report date: **February 17, 2006**

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. 12490.
2. That the proper officers of the City be authorized to do all things necessary to affect the intent of the foregoing.

REPORT SUMMARY

Key Issues:

- The proposed widening of Lucas Avenue is part of a Local Improvement project approved by Council in September of 2004.
- The owner of the property required for the widening has agreed to the terms of its sale and it is now appropriate to prepare the by-law required to dedicate the land as a public street.

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:

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

Comment(s):

-

REASON FOR THE REPORT:

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

HISTORY:

On September 29, 2004, Council adopted the recommendations in the report of the Standing Policy Committee on Public Works regarding certain local improvements in the Lord Selkirk-West Kildonan Community. The widening of Lucas Avenue as shown on the attached Misc. Plan No. 12490 will accommodate the pavement, sidewalk and street lighting that were scheduled to be installed in 2005 as part of these local improvements.

The Real Estate Division of the Planning, Property and Development Department was instructed to enter into negotiations for the purchase of the private property required for the street widening. The owner of the property has agreed to the terms of its sale to the City of Winnipeg. The legal documents required to affect the opening have now been prepared. The registration of these documents in the Winnipeg Land Titles Office will dedicate the land as part of the public street.

DISCUSSION:

This report is submitted in accordance with the provisions of By-Law 7325/98, a by-law to amend 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 Director of Public Works must have approved the proposed opening and acquisition.
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 Committee on Fiscal Issues, the Standing 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: February 14, 2006

COMMENTS:

Funding for the costs of registering the documents required to dedicate the land required for the street widening has been budgeted by the Public Works Department. These costs are considered to be immaterial.

"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

Centra Gas, Manitoba Hydro, MTS Communications

Shaw Cable did not respond to the request for comments on this proposal.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD File #:5345/18

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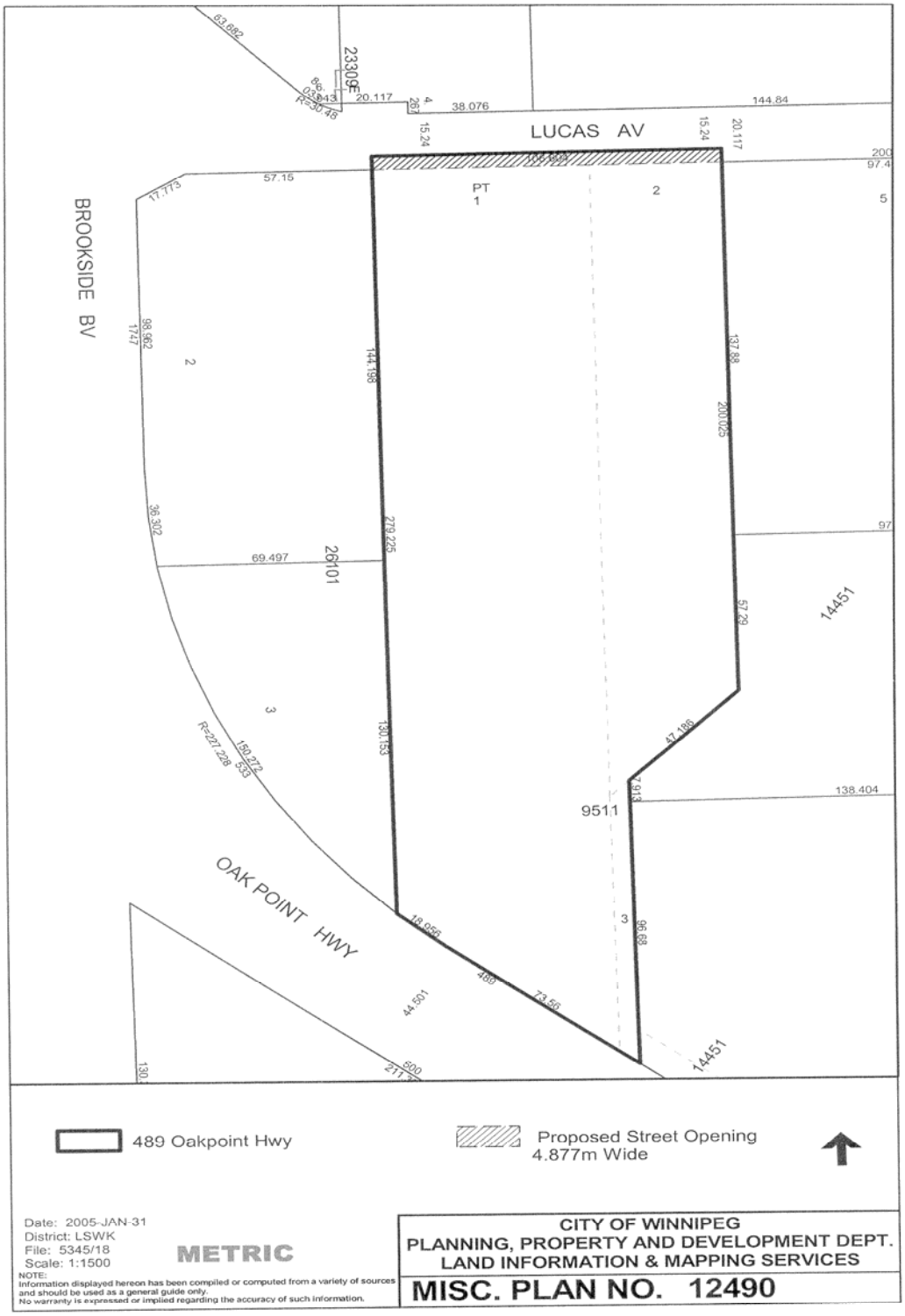
LUCAS AV
BROOKSIDE BV
OAK POINT HWY
23309E
26101
14451
9511
PT 1
2
3
5
489 Oakpoint Hwy
Proposed Street Opening
4.877m Wide
Date: 2005-JAN-31
District: LSWK
File: 5345/18
Scale: 1:1500
METRIC
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only.
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CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12490