Minute No. 595
Report - Standing Policy Committee on Property and Development - June 6, 2006

Item No. 2 **Street and Lane Closings - Parts of Amherst, Linwood, Lyle, Rutland, Truro and Winchester Streets and the Adjacent Public Lanes north of Silver Avenue**
File DAC 7/2006

COUNCIL DECISION:

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

1. That the street and lane closings shown on Misc. Plan No. 12842 be approved.

2. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closings in accordance with Misc. Plan No. 12842.

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 - June 6, 2006

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 June 21, 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 June 6, 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 May 16, 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 7/2006
Before:	Assiniboia Community Committee Councillor Eadie, Chairperson Councillor Clement Councillor De Smedt
Applicant:	The City of Winnipeg
Premises Affected:	Parts of Amherst, Linwood, Lyle, Rutland, Truro and Winchester Streets, and the Adjacent Public Lanes North of Silver Avenue
Exhibits Filed:	1. Report from the Real Property Officer dated May 5, 2006 2. Inspection Report

REPRESENTATIONS:

In Support:

Nil

In Opposition:

Nil

For The City:

Mr. G. Halldorson, Real Property Officer, Planning, Property and Development Department
Mr. J. Veitch, Planner Planning, Property and Development Department

Exhibit "1" referred to in File DAC 7/2006

RE: DAC 7/2006 – PROPOSED CLOSING OF PARTS OF AMHERST, LINWOOD, LYLE, RUTLAND, TRURO AND WINCHESTER STREETS AND THE ADJACENT PUBLIC LANES NORTH OF SILVER AVENUE

FOR SUBMISSION TO: **The Assiniboia Community Committee**

REPORT DATE: **May 5, 2006**

RECOMMENDATION:

1. That the proposed street and lane closings as shown on Misc. Plan No. 12842 be approved.

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. 12842.

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:

In 2004, Council approved funding from the Community Incentive Grant Program in the amount of $90,000 for the continued development of Legion Memorial Park. In order to proceed with this project it will be necessary to close the streets and lanes shown on the attached Misc. Plan No. 12842.

Albany Street and the lane to the east, which provide access to the resident at 479 Albany, and Sackville Street, which provides access to the adjacent recreational fields in Legion Memorial Park, will remain open as a public rights-of-way.

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
( ) Involves a multi-year contract

Comment(s):

Policy Implications

(x) No
( ) Yes
Comment(s):

Regulatory Implications

(x) None
( ) Eliminates or reduces regulatory impact
( ) Proposes regulatory impact

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):

Report

REASON FOR THE REPORT:

All street and lane closings require the consideration of the Community Committee.

HISTORY:

The streets and lanes north of Silver Avenue and west of Ferry Road were created by the subdivision of the adjoining lands between 1906 and 1912. With the exception of Albany Street and the lane to the east, which provide access to the resident at 479 Albany, and Sackville Street, which provides access to the adjacent recreational fields in Legion Memorial Park, these streets and lanes are unimproved and serve no apparent public purpose.

In June of 2000, Council approved funding for the expansion of Legion Memorial Park. This expansion included the closing of Inglewood Street and the lane to the west. By-Law 8104/2002, effecting the closure of the street and lane, was passed in September of 2002.

In 2004 City Council approved funding from the Community Incentive Grant Program in the amount of $90,000 for the continued development of Legion Memorial Park. In order to proceed with this project it will be necessary to close the streets and lanes shown on the attached Misc. Plan No. 12842.

DISCUSSION:

Administrative Approval

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

The Public Works Department has advised that portions of several of the public streets and lanes proposed to be closed as well as the adjoining City owned lands are required for the future Silver Avenue Corridor as illustrated on the attached Public Works Dept. Drawing No. PR06-05, dated April 20, 2006.

The Public Works Department further advised that a widening to Silver Avenue along the south limit of the City owned lands as illustrated on the drawing will be required in

the future and that the closing of Sackville Street north of this Silver Avenue widening would be considered at that time. The widening of Silver and the opening of the Silver Avenue Corridor will be the subject of future Capital Works Projects when the roadways are required.

Saint James Rods Clubhouse at 470 Rutland Street

The Saint James Rods Football Club is planning to renovate the clubhouse at 470 Rutland. This clubhouse was built on the street right of way. The closing of Rutland will allow the club to obtain the required building permits, which could not be issued if the clubhouse was situated on a public street.

Zoning

The closed streets and lanes will assume the “PR” zoning of the adjacent properties.

Easements

Manitoba Hydro and Centra Gas will require easements for the maintenance of their plants in the streets and/or lanes proposed to be closed. No permanent structures will be permitted in these easement areas.

Transfer of Jurisdiction Over Public Rights-of-Way

The streets and lanes must be legally closed before they may be incorporated into the project. 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:

Internal Consultation With and Concurrence By:

Planning, Property and Development Department – Community Planner, Geomatics, Zoning & Permits and Parks, Riverbanks and Community Initiatives Branches

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division

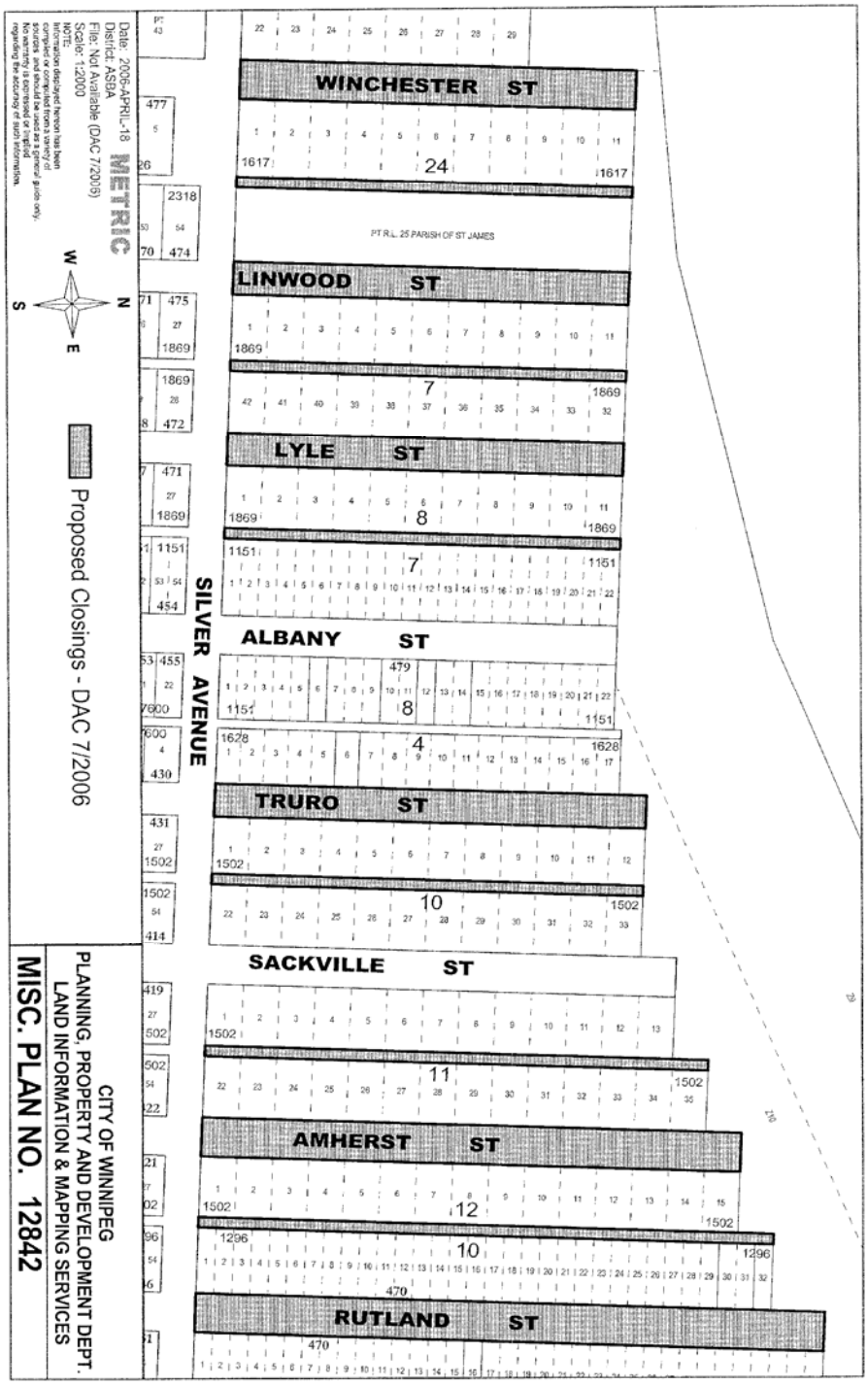
Water and Waste Department – Engineering Division

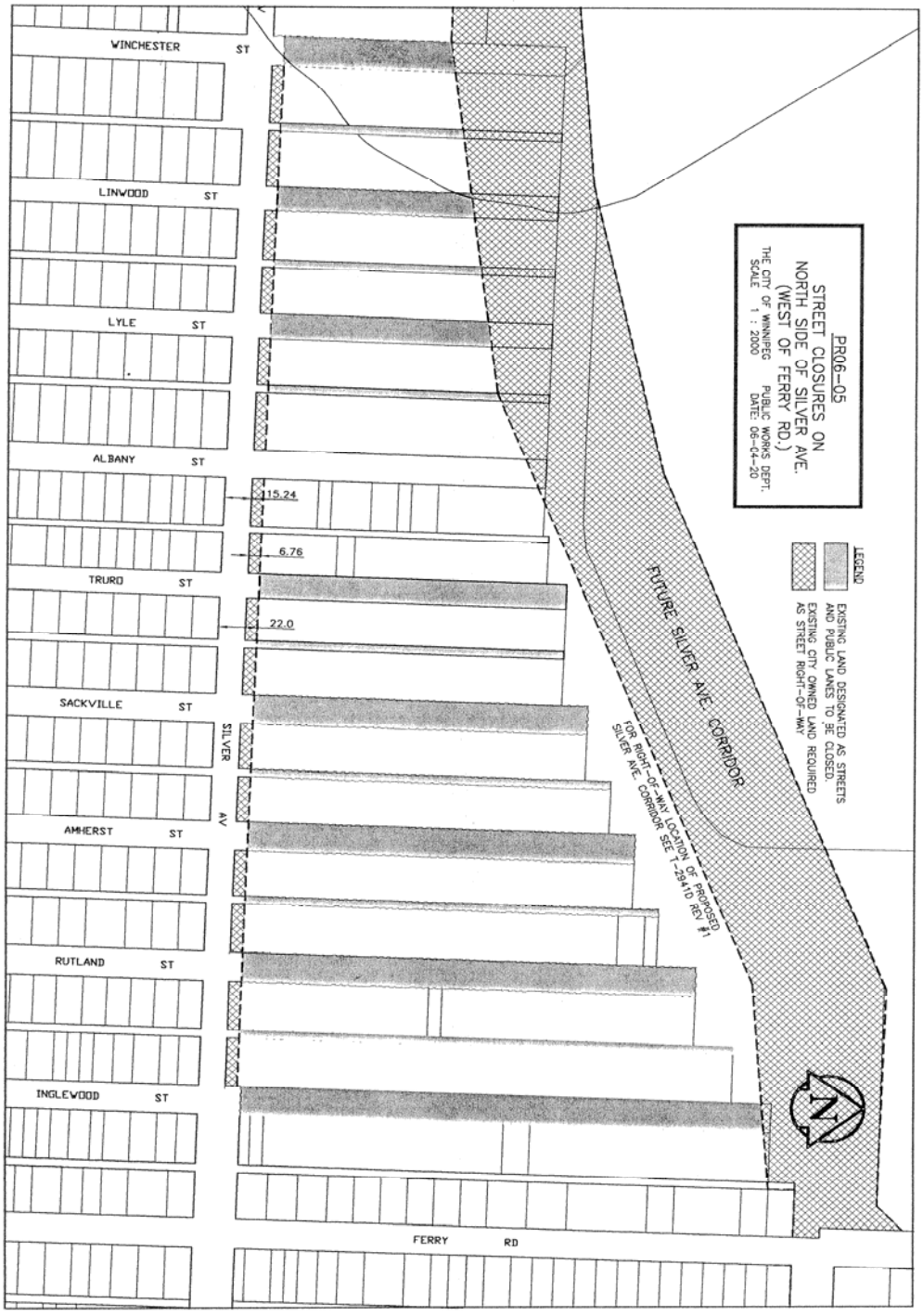
External Consultation With:

Centra Gas, Manitoba Hydro, MTS Communications, Shaw Cable

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn Halldorson, Real Property Officer
File No. DAC7/06


Date: 2006-APRIL-18
District: ASSA
File: Not Available (DAC 7/2006)
Scale: 1:2000
METRIC
Proposed Closings - DAC 7/2006
SILVER AVENUE
WINCHESTER ST
LINWOOD ST
LYLE ST
ALBANY ST
TRURO ST
SACKVILLE ST
AMHERST ST
RUTLAND ST
PT R.L. 25 PARISH OF ST JAMES
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12842


WINCHESTER ST
LINWOOD ST
LYLE ST
ALBANY ST
TRURO ST
SACKVILLE ST
AMHERST ST
RUTLAND ST
INGLEWOOD ST
SILVER AV
FERRY RD
115.24
6.76
22.0
FUTURE SILVER AVE. CORRIDOR
FOR RIGHT-OF-WAY LOCATION OF PROPOSED SILVER AVE. CORRIDOR SEE 1-29410 REV #1
PR06-05
STREET CLOSURES ON NORTH SIDE OF SILVER AVE. (WEST OF FERRY RD.)
THE CITY OF WINNIPEG
SCALE 1 : 2000
PUBLIC WORKS DEPT.
DATE: 06-04-20
LEGEND
EXISTING LAND DESIGNATED AS STREETS AND PUBLIC LANES TO BE CLOSED.
EXISTING CITY OWNED LAND REQUIRED AS STREET RIGHT-OF-WAY
N