Minute No. 597
Report - Standing Policy Committee on Property and Development - June 6, 2006

Item No. 4 **Street Closing - Kirkfield Street between Assiniboine Avenue and the Assiniboine River**
File DAC 8/2006 [c/r DASZ 13/2006]

COUNCIL DECISION:

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

1. That the street closing shown on Misc. Plan No. 12777/1 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. 12777/1.

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 8/2006
Before:	Assiniboia Community Committee Councillor Eadie, Chairperson Councillor Clement Councillor De Smedt
Applicant:	The City of Winnipeg
Premises Affected:	Kirkfield Street between Assiniboine Avenue and the Assiniboine River
Exhibits Filed:	1. Report from the Real Property Officer dated May 3, 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 8/2006

RE: DAC 8/2006 – PROPOSED CLOSING OF KIRKFIELD STREET BETWEEN ASSINIBOINE AVENUE AND THE ASSINIBOINE RIVER

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

REPORT DATE: **May 3, 2006**

RECOMMENDATION:

1. That the proposed street closing as shown on Misc. Plan No. 12777/1 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. 12777/1.

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:

Kirkfield Street and the adjoining City property have been used by the area residents as a park for a number of years. After the street has been closed, the two properties will be consolidated and the land rezoned and formally dedicated as a park.

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:

Kirkfield Street was dedicated in 1938, presumably to provide public access to the Assiniboine River. The street and the adjoining City property have been used by the area residents as a park for a number of years.

At its meeting of January 10, 2006, the Standing Policy Committee on Property and Development directed the Planning, Property and Development Department to initiate the closing of the portion of Kirkfield Street as shown on the attached Misc. Plan No. 12777/1.

The two properties will be consolidated and the land rezoned (under Application No. DASZ 13/2006) and formally dedicated as a park.

DISCUSSION:

Administrative Approval

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

Transfer of Jurisdiction Over Public Rights-of-Way

The street must be legally closed before it may be incorporated into the park. 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.

Easements

Manitoba Hydro and Centra Gas will require an easement for the maintenance of their plants in the street. No permanent structures will be allowed in the easement area.

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Planning, Property and Development Department – Community Planner, Park Strategic Planner, Geomatics and Zoning & Permits 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 and Shaw Cable did not respond to the request for their easement requirements.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn Halldorson, Real Property Officer
File No. DAC 8/06

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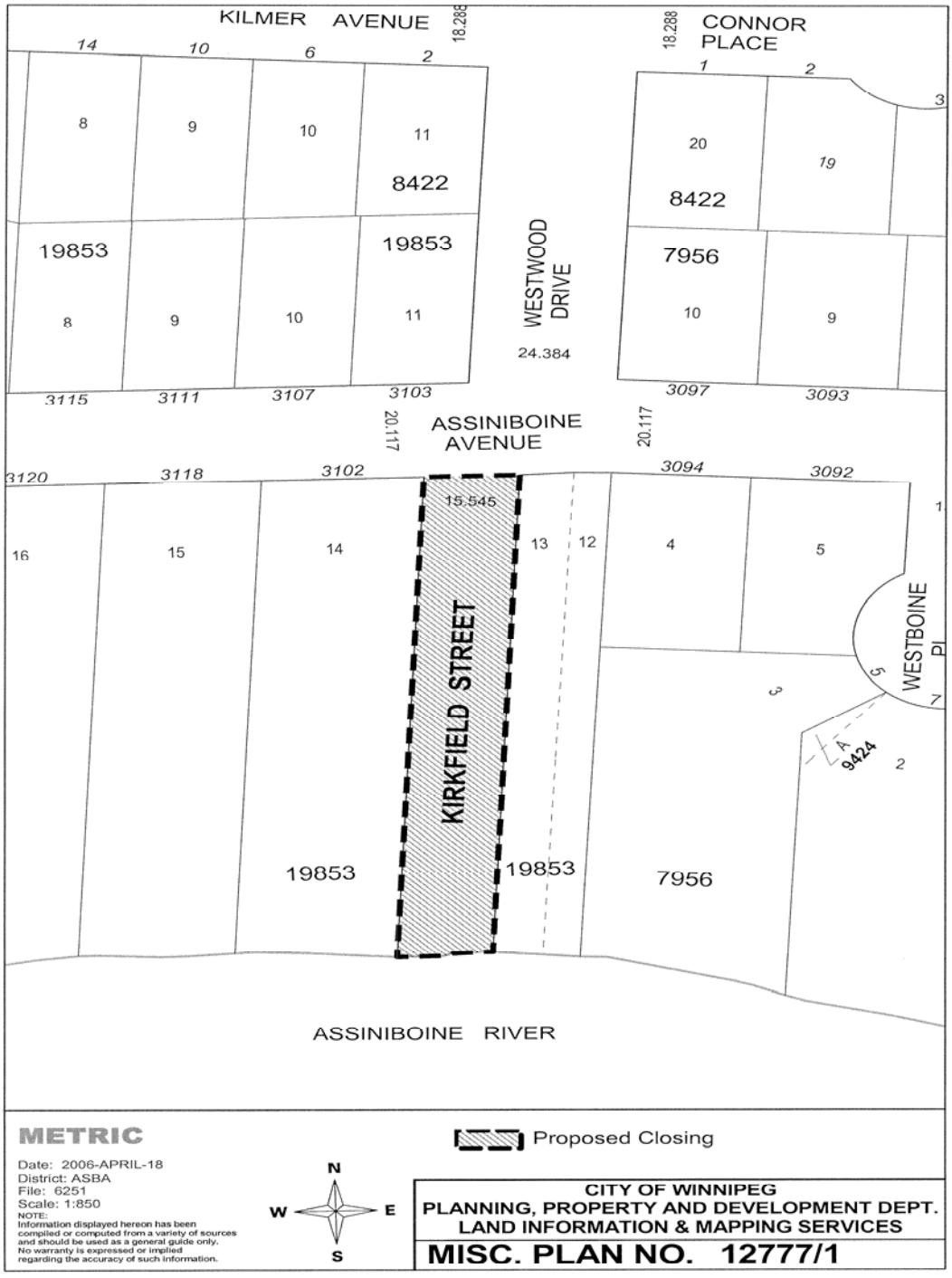
KILMER AVENUE
18.288
CONNOR PLACE
18.288
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8422
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19853
19853
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WESTWOOD DRIVE
24.384
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3115
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ASSINIBOINE AVENUE
20.117
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3102
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3092
15.545
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KIRKFIELD STREET
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9424
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19853
19853
7956
ASSINIBOINE RIVER
METRIC
Proposed Closing
Date: 2006-APRIL-18
District: ASBA
File: 6251
Scale: 1:850
NOTE:
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CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12777/1