Minute No. 600
Report - Standing Policy Committee on Property and Development - June 6, 2006

Item No. 7 **Lane Opening and Closing - Luxton Community Centre - 210 St. Cross Street File DAOC 2/2006 [c/r DASZ 10/2006]**

COUNCIL DECISION:

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

1. That the lane opening and closing outlined on Misc. Plan No. 11916/1 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 opening and closing in accordance with Misc. Plan No. 11916/1.

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 Lord Selkirk-West Kildonan 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 Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 23, 2006, the Lord Selkirk-West Kildonan Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File:	DAOC 2/2006 [c/r DASZ 10/2006, DAV 129014/2006D]
Before:	Lord Selkirk-West Kildonan Community Committee Councillor O'Shaughnessy, Chairperson Councillor Lazarenko Councillor Pagtakhan
Public Hearing:	May 23, 2006 Council Building, 510 Main Street
Applicant:	The City of Winnipeg (Ken McKim)
Premises Affected:	210 St. Cross Street
Exhibits Filed:	1. Report from the Real Property Officer dated May 9, 2006 2. Inspection Report

REPRESENTATIONS:

In Support:

Judy Burns
Carolyn Derochielotz
Fred Heapley
Ken McKim
Aurelia Mogan

In Opposition:

Nil

For Information:

Jenny Somers
Johnny Pchajek
Teresa Stanger

For the City:

Mr. M. Robinson, Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAOC 2/2006 [c/r DASZ 10/2006, DAV 129014/2006D]

RE: DAOC 2/2006 – PROPOSED LANE OPENING AND CLOSING – LUXTON COMMUNITY CENTRE – 210 ST CROSS STREET

FOR SUBMISSION TO: The Lord Selkirk-West Kildonan Community Committee

REPORT DATE: May 9, 2006

RECOMMENDATION:

1. That the proposed lane opening and closing as shown on Misc. Plan No. 11916/1 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 opening and closing in accordance with Misc. Plan No. 11916/1.

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:

As part of a joint City/Provincial community revitalization project known as the Building Communities Initiative, a hockey rink is proposed to be built on the City property on the south side of Inkster Boulevard west of St. Cross Street. The lane closure will address safety concerns by eliminating vehicular traffic in the area. Pedestrians will use the closed lane as a means of accessing the Community Centre and Luxton School.

The lane widening will provide an improved turning radius for vehicles accessing the Community Centre and for vehicle ingress and egress from the lane to the west.

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 openings and closings require the consideration of the Community Committee.

HISTORY:

The Program Management Coordinator of the Parks, Riverbanks and Community Initiatives Branch of the Planning, Property and Development Department has made an application to close the public lane on the north side of the Luxton Community Centre and to widen a portion of the public lane on the west side of the Community Centre, as shown on the attached Misc. Plan No. 11916/1. The Parks, Riverbanks and Community Initiatives Branch has also applied to subdivide and rezone the lands adjacent to the lane under Application No. DASZ 10/2006 in order to consolidate the closed lane into the adjoining City property to create a single holding.

As part of a joint City/Provincial community revitalization project known as the Building Communities Initiative, a hockey rink is proposed to be built on the City property on the south side of Inkster Boulevard west of St. Cross Street. The lane closure will address safety concerns by eliminating vehicular traffic in the area. Pedestrians will use the closed lane as a means of accessing the Community Centre and Luxton School.

The lane widening will provide an improved turning radius for vehicles accessing the Community Centre and for vehicle ingress and egress from the lane to the west.

DISCUSSION:

Administrative Approval

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

The Transportation Division of the Public Works Department has advised that the applicant is to be responsible for all costs associated with the construction of the lane pavement widening and the removal of the existing lane pavement in the portion of the public lane being closed, as well as the removal of the existing street turnout for the

public lane being closed and the restoration of the curb, boulevard and sidewalk all as determined by and to the satisfaction of the Director of Public Works.

The Water and Waste Department advises that there is an existing catch basin and catch basin lead located within the proposed closing. Once the public lane has been closed and the property absorbed into the Community Centre project it will be up to the Community Centre, as part of its redevelopment of the site, to determine if there is a need for the catch basin and lead. If these facilities are to be removed, the applicant will be responsible for the cost.

Easements, Utility Pole Removal or Relocation

Manitoba Hydro, MTS Allstream, and Shaw Cablesystems will require an easement over the entire portion of the lane proposed to be closed for their overhead distibution line. No permanent structures other than paving or fencing are allowed in easement areas. Manitoba Hydro will consider the removal or relocation of the overhead distribution line, at the applicant's expense.

Transfer of Jurisdiction Over Public Rights of Way

The lane must be legally closed before it 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 and Zoning & Permits Branches

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division

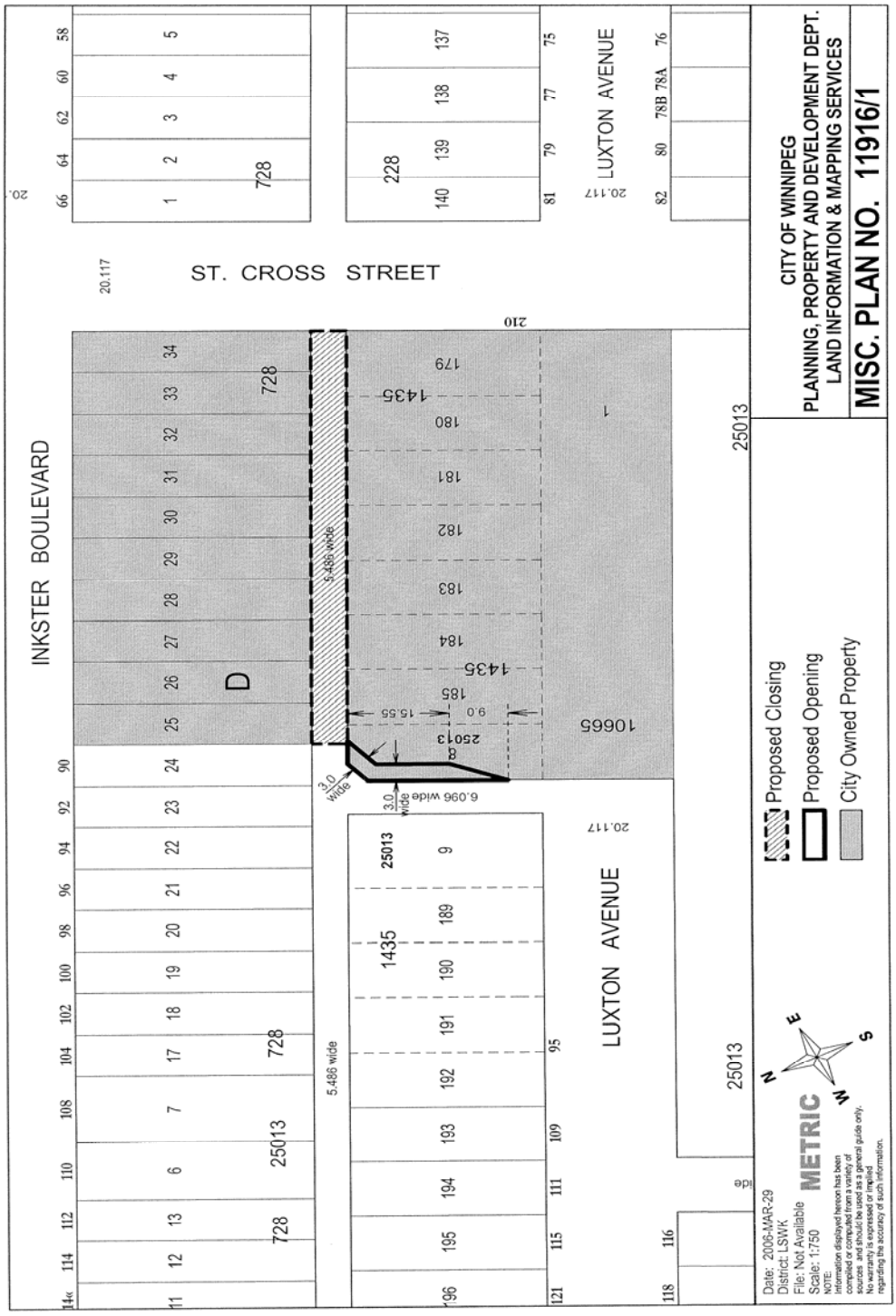
Water and Waste Department – Engineering Division

External Consultation With:

Centra Gas, Manitoba Hydro, MTS Allstream, Shaw Cable.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn Halldorson, Real Property Officer
File No. DAOC 2/06


CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 11916/1
Proposed Closing
Proposed Opening
City Owned Property
INKSTER BOULEVARD
ST. CROSS STREET
LUXTON AVENUE
LUXTON AVENUE
METRIC
Date: 2006-MAR-29
District: LSWK
File: Not Available
Scale: 1:750
NOTE:
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