Minute No. 535
Report - Standing Policy Committee on Property and Development - May 2, 2006

Item No. 11 Closing - Public Walk in Block 1, Plan 42016 - River Valley Drive
File DAC 2/2006

COUNCIL DECISION:

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

1. That the public walk closing shown on Misc. Plan No. 12814 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. 12814.

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 - May 2, 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 May 17, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 2, 2006, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 25, 2006, the Riel 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 2/2006
Before:	Riel Community Committee Councillor Steeves, Chairperson Councillor Magnifico Councillor Swandel
Public Hearing:	April 25, 2006 Council Building, 510 Main Street
Applicant:	Ladco Co. Ltd. (Dale Amodeo)
Premises Affected:	Public Walk in Block 1, Plan 42016 - River Valley Drive
Exhibits Filed:	1. Report from the Real Property Officer dated April 12, 2006 2. Inspection Report

REPRESENTATIONS:

In Support:
Nil

In Opposition:
Nil

For the City:
Glenn Halldorson, Real Property Officer, Planning, Property and Development Department
Kevin Lalor, Senior Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 2/2006

RE: DAC 2/2006 – PROPOSED CLOSING OF THE PUBLIC WALK IN BLOCK 1 PLAN 42016 – RIVER VALLEY DRIVE

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

REPORT DATE: **April 12, 2006**

RECOMMENDATION:

1. That the proposed public walk closing as shown on Misc. Plan No. 12814 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. 12814, 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:

- Ladco Company Ltd. has submitted an application to realign a public walk in the Royalwood subdivision. Ladco has requested that this public walk be relocated to align with the existing path through the adjacent Bois des Esprits wooded area.
- The Public Walk, River Valley Drive, and all other streets in the immediate area have not been constructed yet.
- The land required for the relocated walkway will be dedicated by Ladco when the adjacent property is subdivided. The land dedicated for the original walkway will be incorporated into one of the lots being created by the subdivision.

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

( ) 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.

Report

REASON FOR THE REPORT:

All walkway closings require the consideration of the Community Committee.

HISTORY:

Ladco Company Ltd. has submitted an application to resubdivide the blocks created by Plan 42016 (DASZ 19/2000). This application, Stage 4 of the Royalwood subdivision, is being processed under DASSF 513/2006. Ladco has requested that the public walk created by Plan 42016 be relocated to align with the existing beaten path through the adjacent Bois des Esprits wooded area. The original public walk is shown as "Proposed Closing" on the attached Misc. Plan No. 12814 and the proposed realignment is shown as "Proposed Opening".
The land required for the relocated walkway will be dedicated by Ladco through a future subdivision application. The land occupied by the original walkway will be incorporated into one of the lots being created by the subdivision.

The land being subdivided is completely undeveloped. The Public Walk, River Valley Drive, and all other streets in Plan 42016 have not been constructed yet.

DISCUSSION:

Administrative Approval

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

Zoning

The closed walkway will assume the zoning of the adjoining lands.

Easements

There are no easements required.

Transfer of Jurisdiction Over Public Rights-of-Way

The public walk must be legally closed before it may be sold. 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.

Shaw Cable did not respond to the circulation of the proposal.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn Halldorson, Real Property Officer
File No. 7496 Vol 9

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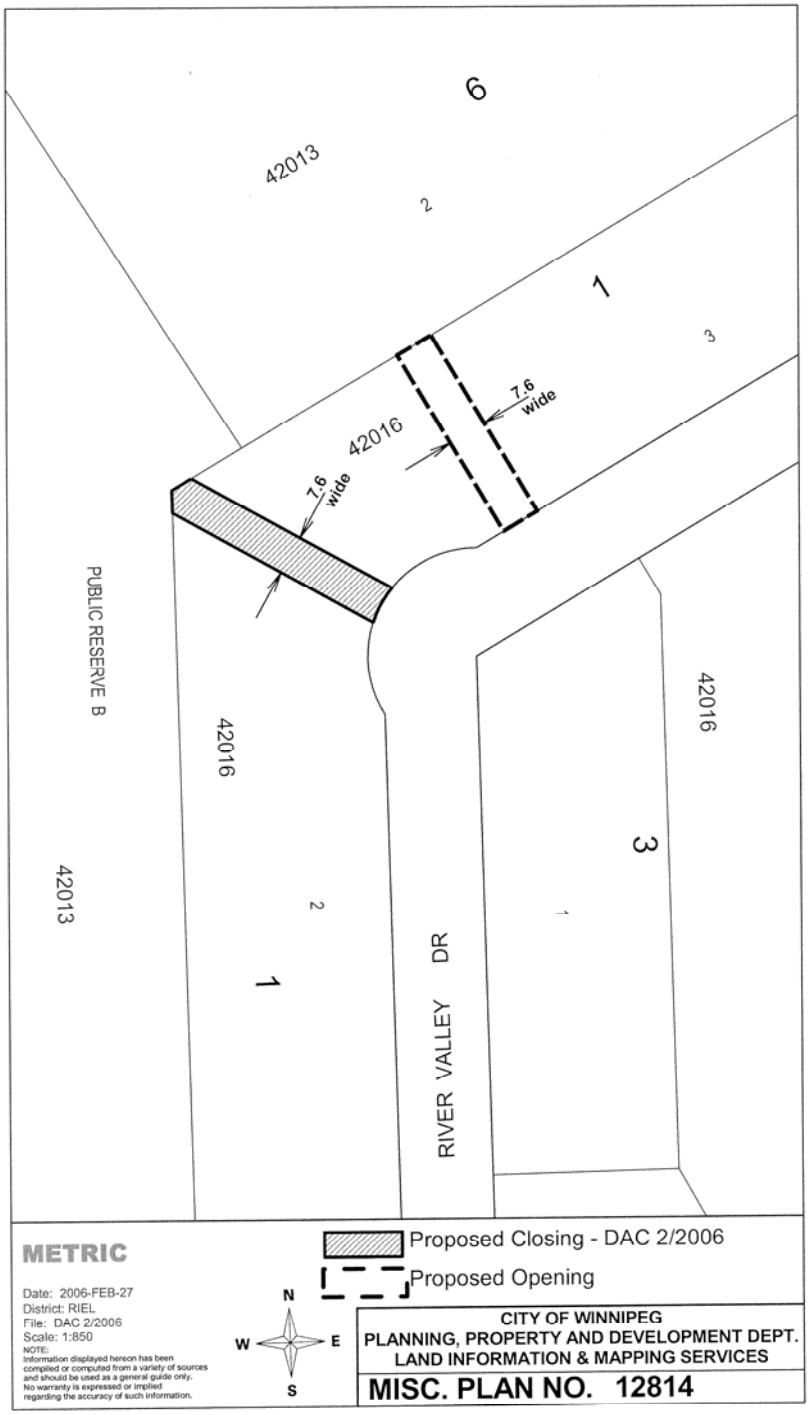
6
42013
2
1
3
7.6 wide
42016
7.6 wide
PUBLIC RESERVE B
42016
42016
3
42013
2
1
RIVER VALLEY DR
Proposed Closing - DAC 2/2006
Proposed Opening
METRIC
Date: 2006-FEB-27
District: RIEL
File: DAC 2/2006
Scale: 1:850
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources 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. 12814