Minute No. 536
Report - Standing Policy Committee on Property and Development - May 2, 2006

Item No. 12 Closing - Part of Shore Street at Comdale Avenue
File DAC 5/2006

COUNCIL DECISION:

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

1. That the street closing shown on Misc. Plan No. 11946/3 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. 11946/3.

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 5/2006
Before:	Riel Community Committee Councillor Steeves, Chairperson Councillor Magnifico Councillor Swandel
Public Hearing:	April 25, 2006 Council Building, 510 Main Street
Applicant:	Planning, Property and Development Department
Premises Affected:	Part of Shore Street at Comdale Avenue
Exhibits Filed:	1. Report from the Real Property Officer dated April 12, 2006 2. Inspection Report

REPRESENTATIONS:

In Support:

Glenn Halldorson, Real Property Officer, Planning, Property and Development Department

In Opposition:

Nil

For the City:

Kevin Lalor, Senior Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 5/2006

RE: DAC 5/2006 – PROPOSED CLOSING OF PART OF SHORE STREET AT COMDALE AVENUE

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

REPORT DATE: **April 12, 2006**

RECOMMENDATION:

1. That the proposed street closing as shown on Misc. Plan No. 11946/3 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. 11946/3, 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:

- The Real Estate Division of the Planning, Property and Development Department intends to close the portion of Shore Street so identified on the attached Misc. Plan No. 11046/3 and offer the closed street for sale as a residential lot.
- The portion of Shore Street proposed to be closed is unpaved and serves no apparent public purpose.

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 Real Estate Division of the Planning, Property and Development Department has applied to close the portion of Shore Street so identified on the attached Misc. Plan No. 11046/3. The Division intends to offer the closed street for sale as a residential lot.

The portion of Shore Street proposed to be closed is unpaved and serves no apparent public purpose.

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 Zoning Branch has advised that the shape of the lot will create challenges in meeting zoning requirements for side yards and the front yard when a house is built.

Zoning

The closed street will assume the R1-4 zoning of the adjoining property.

Easements

Centra Gas has advised that it will require an easement for its plant in the portion of the street to be closed. No permanent structures will be allowed in this easement area.

Local Improvements
The Local Improvements Section of the Corporate Finance Department has advised that this proposed closing is situated in the Fairfield Park Local Improvement District (FFPLID).

Pursuant to Section 428 of *The City of Winnipeg Charter*, an advertisement was placed in the Winnipeg Free Press on September 2, 2003 to establish the Fairfield Park Local Improvement District and authorize the undertaking of a full range of services in the 2004, 2005, 2006 and 2007 Capital Works Programs. These services would be installed in stages and the local improvement taxes will be imposed on all the real property in the Fairfield Park Local Improvement District. These Stages are as follows:

Stage - Pond
Estimated Cash Cost per assessable frontage foot* $.50
Estimated Annual Rate per assessable square foot* $.05

Stage - I
Estimated Cash Cost per assessable frontage foot* $124.93
Estimated Annual Rate per assessable frontage foot* $11.86

Stage - II
Estimated Cash Cost per assessable frontage foot* $94.78
Estimated Annual Rate per assessable frontage foot* $8.99

Stage - III
Estimated Cash Cost per assessable frontage foot* $127.09
Estimated Annual Rate per assessable frontage foot* $12.06

Stage - IV
Estimated Cash Cost per assessable frontage foot* $91.91
Estimated Annual Rate per assessable frontage foot* $8.72

* To be imposed as local improvement taxes on all real property in the FFPLID.

This proposed closing is in "Stage III" of the FFPLID and the Stage I actual rates will be applicable, as well as the other stages in future years (ie. Pond, II & III Stages in 2007 & Stage 4 in 2008). Therefore, based on the measurements shown on Misc. Plan No. 11946/3, the assessable frontage feet would be 60.6 feet which will result in a $4,715.89 cash cost payable and an annual levy of $413.90 (25-year term).

Also, Lot Line Connections will be assessed for Stages III & IV in 2007 (ie. Estimated Cash Cost per assessable Lot Line Connection is $3,500.00 & the estimated Annual Rate per assessable Lot Line Connection is $332.09.

Transfer of Jurisdiction Over Public Rights-of-Way

The street 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 Communications and 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. 8334

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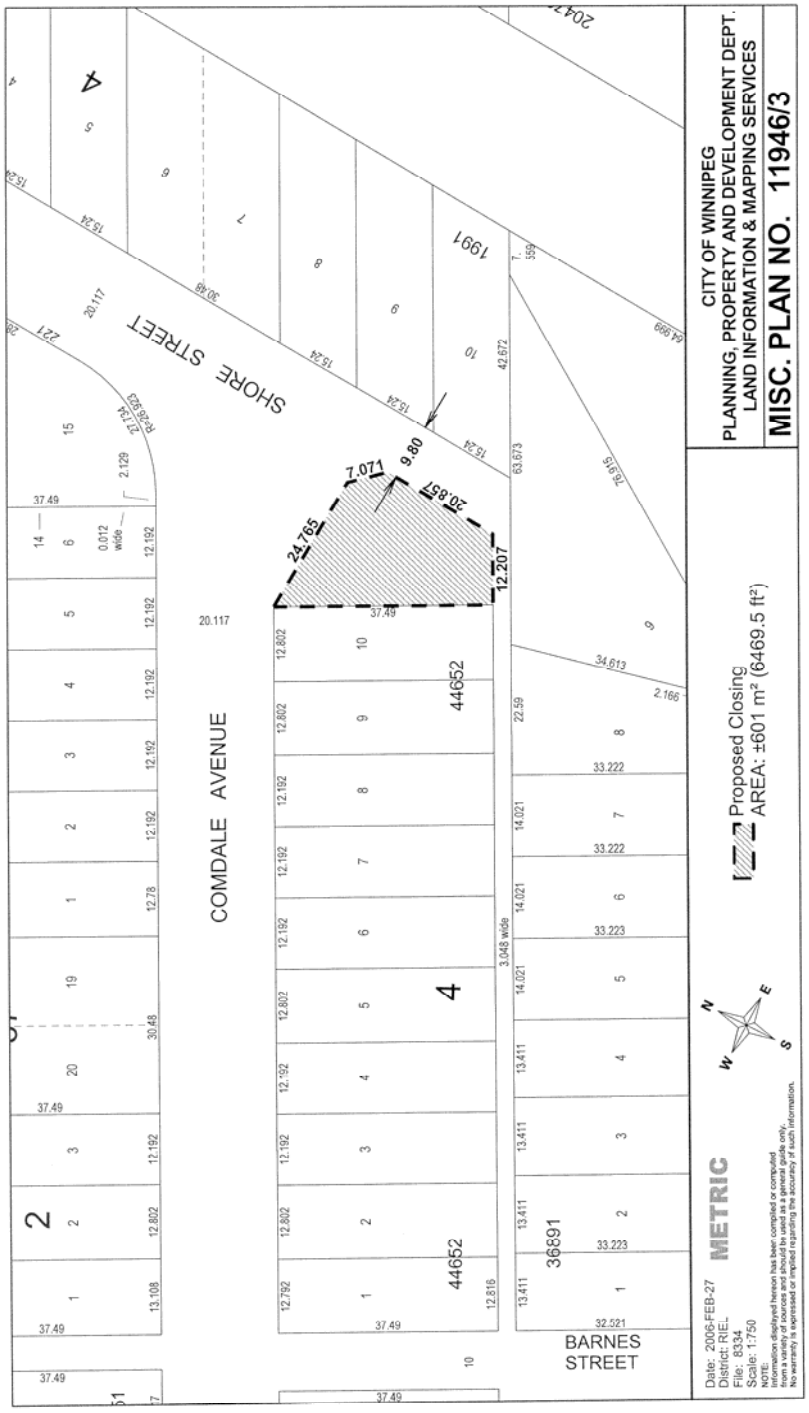
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 11946/3
Proposed Closing
AREA: ±601 m² (6469.5 ft²)
METRIC
Date: 2006-FEB-27
District: RIE:
File: 8334
Scale: 1:750
SHORE STREET
COMDALE AVENUE
BARNES STREET
1991
44652
36691
20.117
24.765
7.071
9.80
20.857
12.207
3.048 wide