Agenda – Council - July 26, 2006

Report - Standing Policy Committee on Property and Development – July 4, 2006

Item No. 5 Street Closing - Part of Belfast Street between Victoria Grove and Victoria Crescent
File DAC 9/2006

STANDING COMMITTEE RECOMMENDATION:

On July 19, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee and submits the following to Council:

1. That the street closing shown on Misc. Plan No. 12860 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. 12860.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Agenda – Council - July 26, 2006

Report - Standing Policy Committee on Property and Development – July 4, 2006

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 19, 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 July 4, 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 June 26, 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 9/2006
Before:	Riel Community Committee Councillor Magnifico, Chairperson Councillor Steeves Councillor Swandel
Public Hearing:	June 26, 2006 Council Building, 510 Main Street
Applicant:	Robert Johnson and Angela Wilson William and Silvania Chornous Micah Cohen and Kimberley Pinel
Premises Affected:	Part of Belfast Street between Victoria Grove and Victoria Crescent
Exhibits Filed:	1. Report from the Real Property Officer dated June 13, 2006 2. Inspection Report

REPRESENTATIONS:

In Support:

Bill Chornous
Angela Wilson and Matt Johnson

In Opposition:

Carlene Hill
Jo and Larry Verstraete

For the City:

Mr. G. Halldorson, Real Property Officer, Planning, Property and Development Department
Mr. K Lalor, Senior Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 9/2006

RE: DAC 9/2006 – PROPOSED CLOSING OF PART OF BELFAST STREET BETWEEN VICTORIA GROVE AND VICTORIA CRESCENT

FOR SUBMISSION TO: The Riel Community Committee

REPORT DATE: June 13, 2006

RECOMMENDATION:

1. That the proposed street closing as shown on Misc. Plan No. 12860 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. 12860, 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 Planning, Property and Development Department has received a request from the property owners at 145 and 155 Victoria Crescent and 545 Victoria Grove to purchase the portion of Belfast Street identified as "Proposed Closing"on the attached Misc. Plan No. 12860. The applicants wish to incorporate the closed street into their properties.

This portion of Belfast Street has never been constructed. The street area is unimproved 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

( ) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s): All costs associated with the closing will be borne by the applicants. There are no financial implications for the City of Winnipeg.

Report

REASON FOR THE REPORT:

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

HISTORY:

Belfast Street was dedicated in 1913 by the subdivision of the adjoining lands. The street has never been constructed. The street area is unimproved and serves no apparent public purpose.

The Planning, Property and Development Department has received a request from the property owners at 145 and 155 Victoria Crescent and 545 Victoria Grove to purchase the portion of Belfast Street identified as “Proposed Closing”on the attached Misc. Plan No. 12860.

The applicants have stated that the property has been used as a dumping ground for trash, is prone to flooding in the Spring, and as such is also a breeding ground for mosquitos. They wish to incorporate the closed street into their properties, clean it up, and enhance the overall appearance of the neighbourhood.

DISCUSSION:

Administrative Approval

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

Easements

The Water and Waste Department maintains a catch basin and catch basin lead located within the proposed closing. The Department has no objections to the proposed closing provided an easement is established for these facilities. No permanent structures of any kind will be allowed in the easement area.

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:

Manitoba Hydro

Centra Gas, MTS Communications, and Shaw Cable did not respond to the request for easement requirements.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn Halldorson, Real Property Officer
File No. 7634

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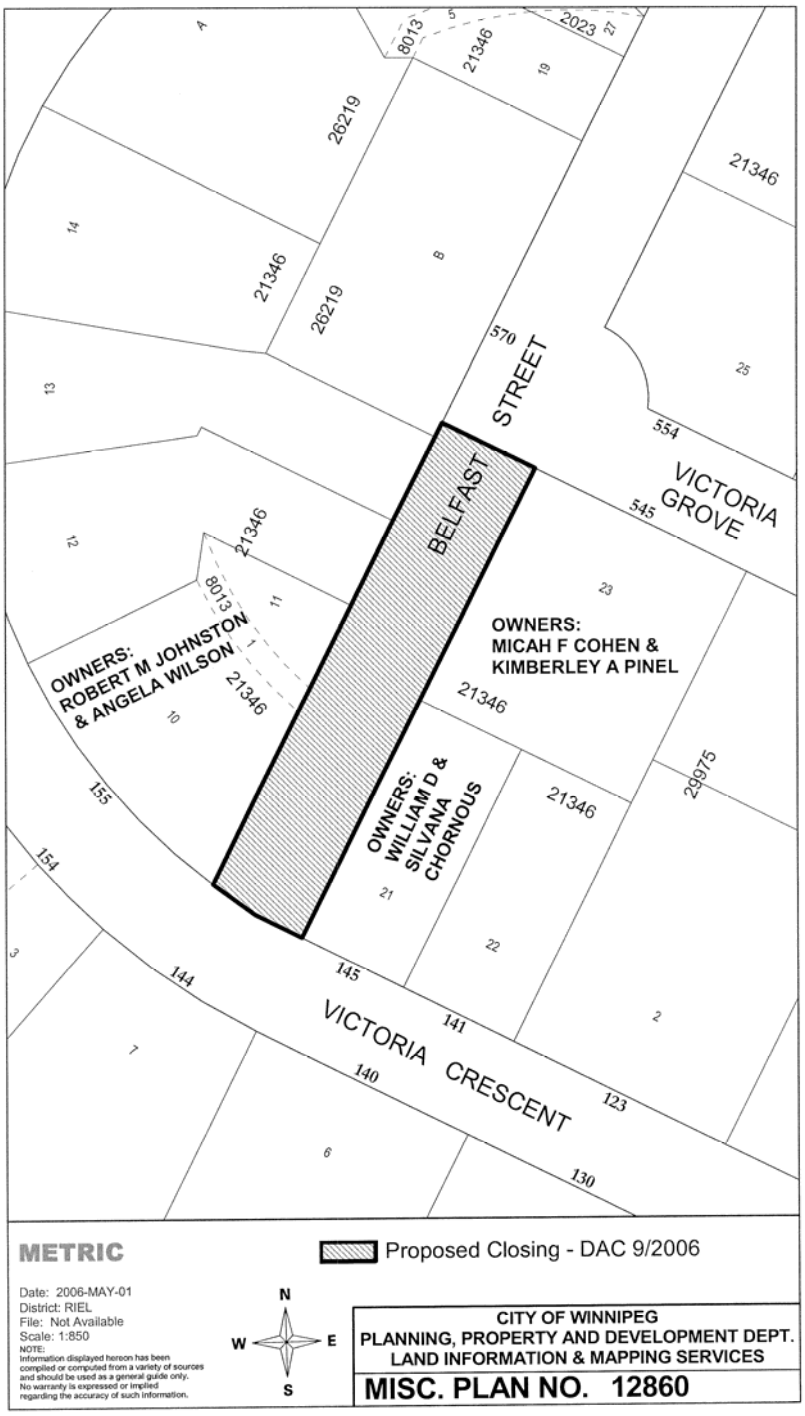
BELFAST STREET
VICTORIA GROVE
VICTORIA CRESCENT
OWNERS:
ROBERT M JOHNSTON
& ANGELA WILSON
OWNERS:
MICAH F COHEN &
KIMBERLEY A PINEL
OWNERS:
WILLIAM D &
SILVANA
CHORNOUS
26219
21346
8013
2023
29975
570
554
545
155
154
145
144
141
140
123
130
Proposed Closing - DAC 9/2006
METRIC
Date: 2006-MAY-01
District: RIEL
File: Not Available
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. 12860