Agenda - Council - March 21, 2007

Report - Standing Policy Committee on Property and Development - February 27, 2007

Item No. 4 Closing of the public lane adjacent to 519 St. Catherine Street File DAC 1/2007

STANDING COMMITTEE RECOMMENDATION:

On March 14, 2007, 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 lane closing shown on Misc. Plan No. 8902/6 be approved and the triangular portion of the lane adjacent to No. 519 St. Catherine Street 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. 8902/6.

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 - February 27, 2007

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 14, 2007, 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 February 27, 2007, 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 February 13, 2007, 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 1/2007
Before:	Riel Community Committee Councillor Vandal, Chairperson Councillor Swandel
Public Hearing:	February 13, 2007 Council Chamber, Council Building, 510 Main Street
Applicant:	City of Winnipeg (Public Works Department)
Premises Affected:	519 St. Catherine Street
Exhibits Filed:	1. Report from the Real Property Officer dated January 24, 2007 2. Inspection Report 3. Communication dated February 13, 2007, from Victoria Gladish in opposition to the application.

REPRESENTATIONS:

In Support:

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

In Opposition:

Victoria Gladish

Exhibit "1" referred to in File DAC 1/2007

RE: DAC 1/2007 – PROPOSED CLOSING OF THE PUBLIC LANE ADJACENT TO NO. 519 ST CATHERINE STREET

FOR SUBMISSION TO: The Riel Community Committee

REPORT DATE: January 24, 2007

RECOMMENDATION:

1. That the proposed lane closing as shown on Misc. Plan No. 8902/6 be approved and that the triangular portion of the lane adjacent to No. 519 St. Catherine Street 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. 8092/6.

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:

A portion of the lane encroaches into the property at 519 St Catherine. The relocation of the lane be very costly and the Public Works Department has requested that the lane be abandoned.

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 subject lane was opened in 1996 to accommodate the area being used by the local residents as a connection between St. Catherine Street and the lanes to the north. The City land between the lane and 519 St. Catherine was sold to the property owner. Sometime after 1996, a portion of the lane was gravelled. The property owner wishes to build a fence and has discovered that the gravelled area of the lane encroaches approximately 1 metre into the south west corner of his property.



DISCUSSION:

Request to close the lane

Rather than relocate the lane, the Public Works Department has requested that it be closed for the following reasons.

- The lane is currently more of a trail than a proper lane.
- The residents on St. Catherine and Prosper would still have access from the portion of the lane off Prosper and Evans Streets.
- The associated costs of shifting the lane over including construction, riverbank engineering assessment and potential riverbank stabilization costs would outweigh any benefit of keeping the lane open.

Administrative Approval

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

The Riverbank Management Engineer supports the closing for the following reasons.

- The adjacent riverbank has a history of instability. Although a hypothetical question, any proposed uplands development must be cognizant of riverbank stability conditions. An Engineering Consultant would assess bank stability conditions and determine riverbank stabilization works as a prerequisite to any uplands development. In view of the sensitive bank stability conditions and being that the City presently has ownership over said lands, it would be prudent that serious consideration be given to maintaining this under public ownership.

- There is an outfall immediately downstream of the apex of this concave bend. It would be preferable to incorporate the closed lane into the adjacent park lands in event that maintenance works may be required.

Zoning

The closed lane will assume the R2 zoning of the adjacent property. Rezoning the closed lane to a PR designation – except for the triangular portion of the lane adjacent to 519 St. Catherine, which will be offered to the property owner – would be preferable but is not necessary at this time.

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

There was no internal consultation involved in the preparation of this report.

External Consultation With:

Centra Gas, Manitoba Hydro, MTS Communications, Shaw Cable

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn Halldorson, Real Property Officer
File No. 7684

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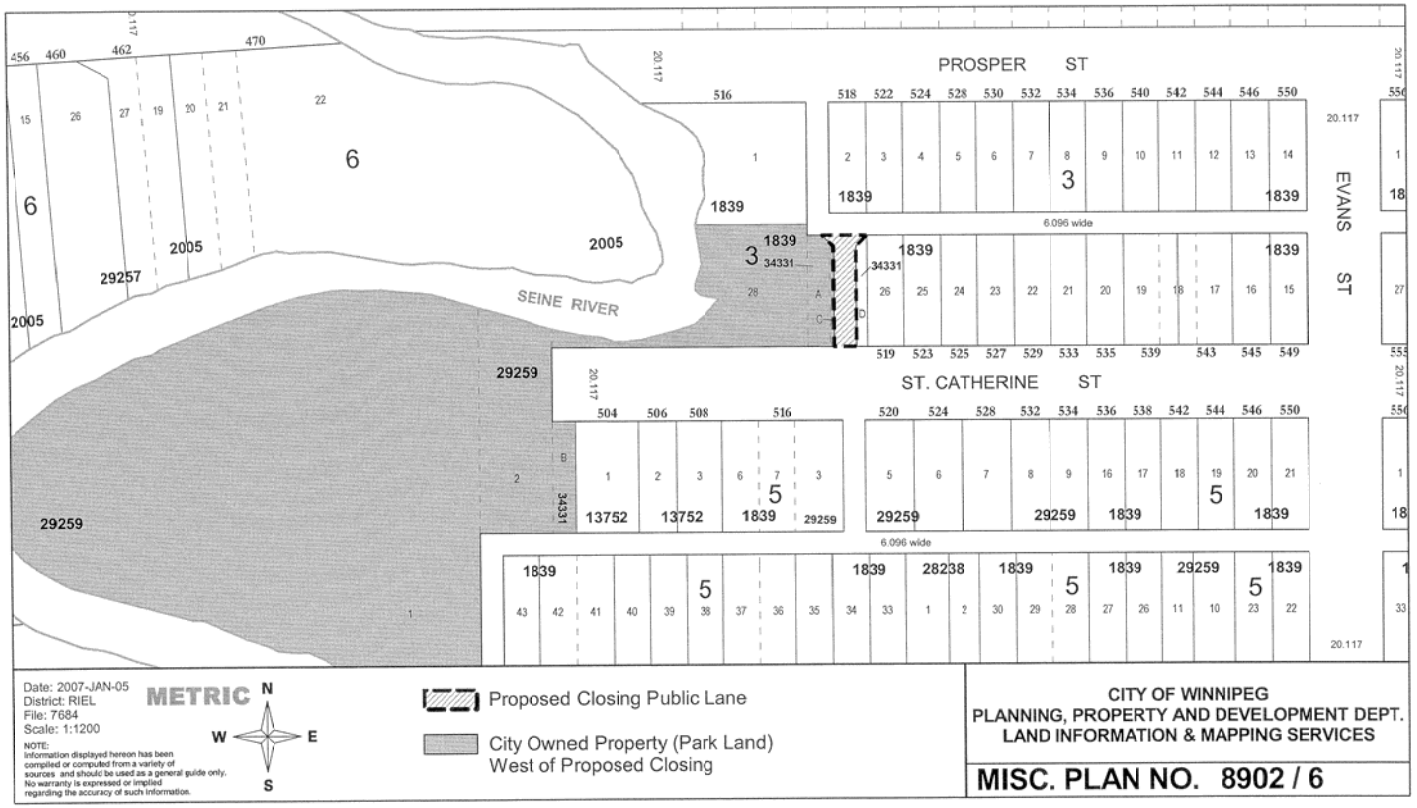
PROSPER ST
EVANS ST
ST. CATHERINE ST
SEINE RIVER
6.096 wide
6.096 wide
Date: 2007-JAN-05
District: RIEL
File: 7684
Scale: 1:1200
METRIC
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only. No warranty is expressed or implied regarding the accuracy of such information.
Proposed Closing Public Lane
City Owned Property (Park Land) West of Proposed Closing
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 8902 / 6