Minute No. 812
Report - Standing Policy Committee on Property and Development – September 5, 2006

Item No. 10 **Closing - Winnipeg Avenue and the adjacent Public Lanes for incorporation into DASZ 25/2006**
File DAC 12/2006 [c/r DASZ 25/2006]

COUNCIL DECISION:

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

1. That the street and lane closings shown on Misc. Plan No. 12923 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 closings in accordance with Misc. Plan No. 12923, 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 - Standing Policy Committee on Property and Development – September 5, 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 September 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 September 5, 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 July 25, 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:	DAC 12/2006 [c/r DASZ 25/2006, DCU 136848/2006D, DAV 136858/2006D]
Before:	Lord Selkirk-West Kildonan Community Committee Councillor Lazarenko, Chairperson Councillor O'Shaughnessy Councillor Pagtakhan
Public Hearing:	July 25, 2006 West Committee Room, Council Building, 510 Main Street
Applicant:	Health Sciences Centre (Val Buschau)
Premises Affected:	Winnipeg Avenue and the adjoining Public Lanes for incorporation into DASZ 25/2006
Exhibits Filed:	1. Report from the Real Property Officer dated July 10, 2006 2. Inspection Report

REPRESENTATIONS:

In Support:

Barry Law
Elizabeth Beaupré
Charlene Birston
Barb Bunko
Val Buschau (Health Sciences Centre)
Richard Derksen
John Kirby
R. La Rosa
Ted LeBlond
Leon N. Ledohowski
Ana Malbasa
James Ripley
Morton Rosenberg
Bethany Schillerman
H. Shulz
Taras Sokolyk
Lisa Stiver

In Opposition:

Ted Alfonso
John Callahan
Rowena Callahan
Fred Curry
C. Collins
Beth Fernandes
Maria Ferreira
Antonio Ferreira
Richard Gagnon
Eric Gashaetz
Sandra Guiboche
Martha Holubrowich
Louis Holubowich
Sherrie Houle
Avelina Leyda
Jose Vi Leyda
Ron Martin
Cynthia Martinos
Harold Martinos
Valerie Martinos
Ttonca McLeod
Susan Natynczyk
Shane Oleschak
Lisa Quan

For Information:

John and Joyce Blanchette
I.S. Pfeffer
Bryan Pragides
John Reilly
Mr. and Mrs. Armando Reyes
George and Amanda Rousson
Edward Schmidt

For the City:

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

Exhibit "1" referred to in File DAC 12/2006

RE: DAC 12/2006 – PROPOSED CLOSING OF WINNIPEG AVENUE AND THE ADJACENT PUBLIC LANES FOR INCORPORATION INTO DASZ 25/2006

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

REPORT DATE: **July 10, 2006**

RECOMMENDATION:

1. That the proposed street and lane closings shown on Misc. Plan No. 12923 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 closings in accordance with Misc. Plan No. 12923, 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 Health Sciences Centre wishes to purchase the street and lanes identified as "Proposed Closing" on the attached Misc. Plan No. 12923. The HSC intends to build a parkade immediately west of the existing parkade at 10 Emily Street to alleviate the shortage of parking in the area and has applied to subdivide and rezone the lands for that purpose under Application No. DASZ 25/2006.

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 paid by the applicant. 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:

The Divisional Director of Hospital Business Operations for the Health Sciences Centre (HSC) has applied to purchase the street and lanes identified as "Proposed Closing" on the attached Misc. Plan No. 12923. The HSC intends to build a parkade immediately west of the existing parkade at 10 Emily Street to alleviate the shortage of parking in the area and has applied to subdivide and rezone the lands for that purpose under Application No. DASZ 25/2006.

The HSC owns all of the property adjoining the street and lanes, except for the Manitoba Bhuddist Association property at 825 Winnipeg Avenue. The Association has no objections to the closing of the portion of Winnipeg adjacent to their property and its sale to the HSC.

The lane that runs parallel to Notre Dame is not required for the parkade project. The HSC has applied to close this lane and maintain it as a private means of access to its properties on Notre Dame rather than create dead ends at the two north/south lanes.

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 Water and Waste Deparment maintains a 200mm water main and 300mm combined sewer located within the areas proposed to be closed and has the following conditions to its approval of the proposal:

- The combined sewer shown within the proposed closing can be abandoned, at the HSC's expense, providing the existing sewer service for the Manitoba Buddhist Association is reconnected to the combined sewer on Tecumseh Street, also at the expense of HSC.
- The existing water main within the proposed closing can also be abandoned, at the HSC's expense, providing the existing service connections connected to this water main are no longer needed. HSC, or their consultant, would have to make this determination. If this water main is abandoned there would then be a requirement a new water main to be built on Tecumseh Street, from Notre Dame

Avenue to McDermot Avenue. HSC would be responsible to cover the cost of the water main construction.

- There will be land drainage requirements for this development which will have to comply with City standards for commercial developments and parking lots and will have to be reviewed with the land drainage planning staff of the Department.

Easements

Manitoba Hydro and Centra Gas have advised that they will require easements for their facilities in the area. No permanent structures will be allowed in these easement areas. If relocation of the plants is required, it will be at the applicant's expense.

Transfer of Jurisdiction Over Public Rights-of-Way

The street and lanes must be legally closed before they may be incorporated into the proposed development. 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

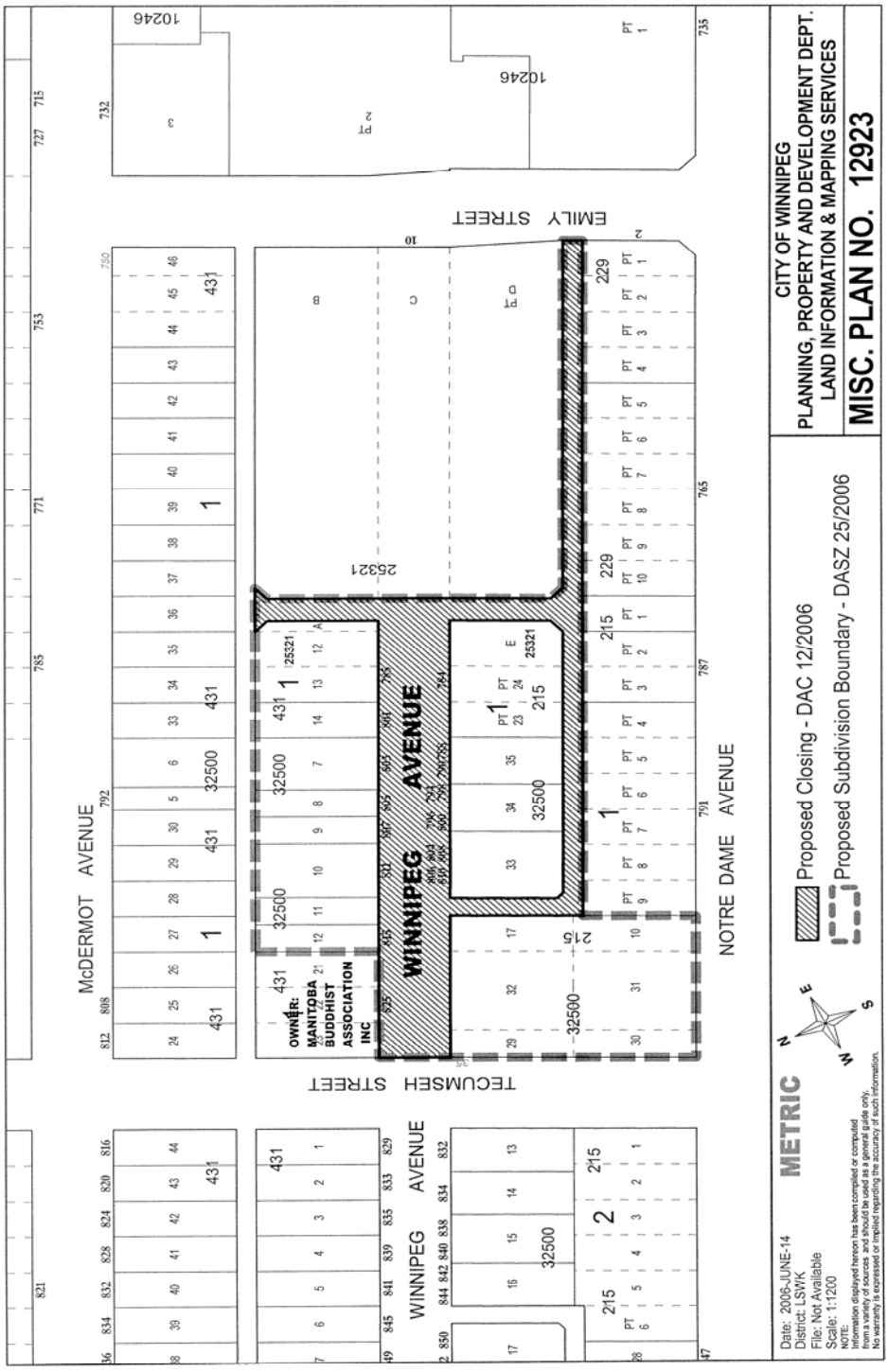
External Consultation With:

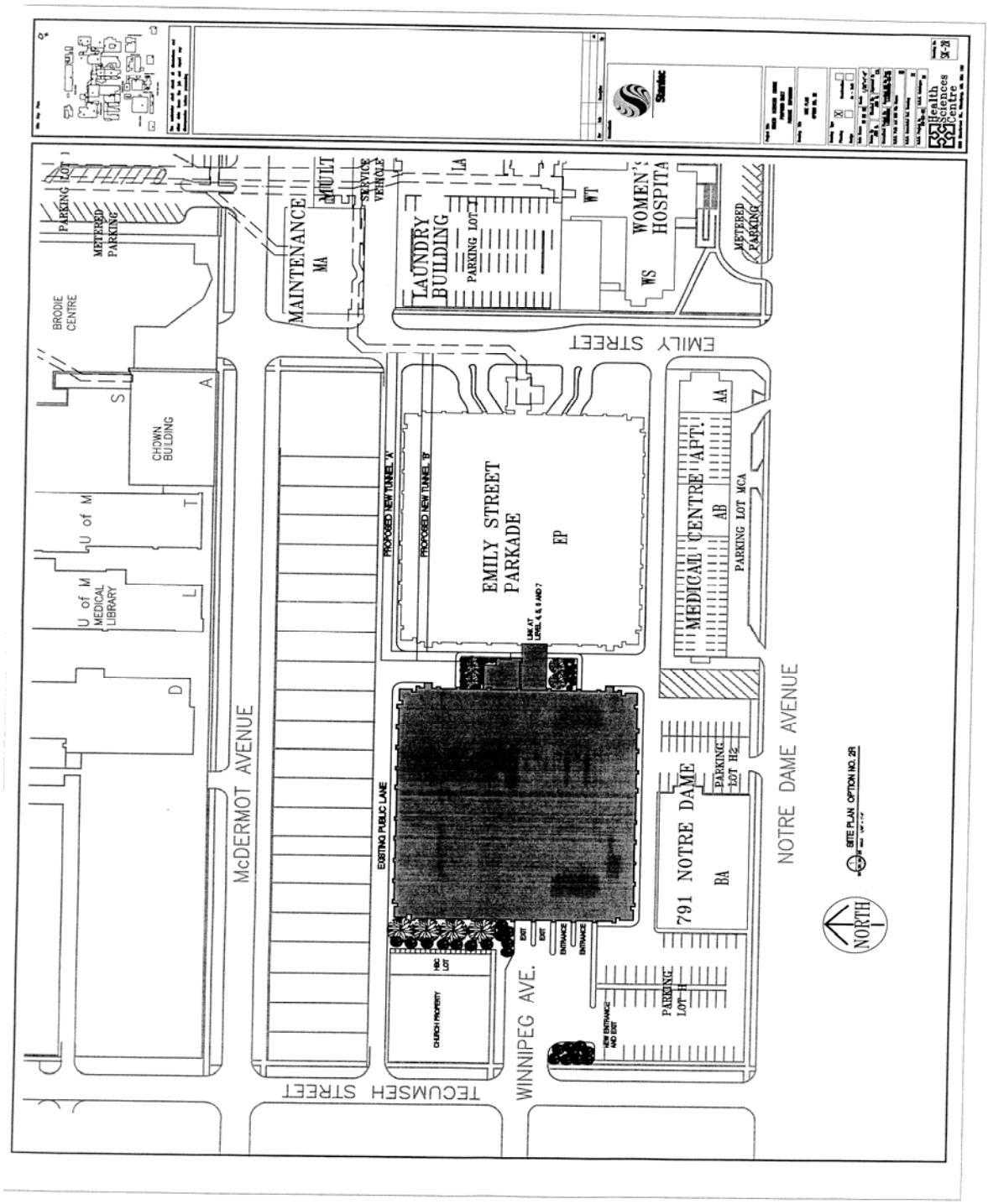
Centra Gas, Manitoba Hydro

MTS Communications and Shaw Cable did not respond to the request for comments on this proposal.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn Halldorson, Real Property Officer
File No. 5474/5 Vol 2


WINNIPEG AVENUE
McDERMOT AVENUE
TECUMSEH STREET
EMILY STREET
NOTRE DAME AVENUE
OWNER: MANITOBA BUDDHIST ASSOCIATION INC
Proposed Closing - DAC 12/2006
Proposed Subdivision Boundary - DASZ 25/2006
METRIC
Date: 2006-JUNE-14
District: LSWK
File: Not Available
Scale: 1:1200
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12923



Health Sciences Centre
PARKING LOT
METERED PARKING
BRODIE CENTRE
CHOWN BUILDING
U of M
U of M MEDICAL LIBRARY
MAINTENANCE
MA
MULT
SERVICE VEHICLE
LAUNDRY BUILDING
PARKING LOT
WT
WOMEN'S HOSPITA
WS
METERED PARKING
EMILY STREET
PROPOSED NEW TUNNEL 'A'
PROPOSED NEW TUNNEL 'B'
EMILY STREET PARKADE
EP
MEDICAL CENTRE APT.
AA
AB
PARKING LOT MCA
McDERMOT AVENUE
EXISTING PUBLIC LANE
791 NOTRE DAME
BA
PARKING LOT H2
NOTRE DAME AVENUE
SITE PLAN OPTION NO. 2R
NORTH
CHURCH PROPERTY
HBC LOT
EXIT
ENTRANCE
WINNIPEG AVE.
PARKING LOT H
NEW ENTRANCE AND EXIT
TECUMSEH STREET