Minute No. 383
Report - Standing Policy Committee on Property and Development – April 3, 2007

Item No. 2 **Closing of Part of Maralbo Avenue West**
File DAC 19/2006

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development that the street closing under File DAC 19/2006 not be proceeded with.

Report - Standing Policy Committee on Property and Development – April 3, 2007

DECISION MAKING HISTORY:

Moved by Councillor Swandel,

That the recommendation of the Standing Policy Committee on Property and Development, that the street closing under File DAC 19/2006 not be proceeded with, be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 18, 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 April 3, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation from the Riel Community Committee and recommended to Council that the street closing under File DAC 19/2006 not be proceeded with.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 13, 2007, the Riel Community Committee concurred in the administrative recommendation and recommended to the Standing Policy Committee on Property and Development that the street closing under File DAC 19/2006 not be proceeded with.

On February 13, 2007, the Riel Community Committee adjourned the public hearing to its meeting on March 13, 2007.

On January 16, 2007, the Riel Community Committee adjourned the public hearing to its meeting on February 13, 2007.

On December 5, 2006, the Riel Community Committee adjourned the public hearing to its meeting on January 16, 2007.

PUBLIC HEARING SUMMARY

File:	DAC 19/2006
Before:	Riel Community Committee Councillor Swandel, Chairperson Councillor Steeves Councillor Vandal
Public Hearing:	March 13, 2007 February 13, 2007 January 16, 2007 December 5, 2006 Council Chamber, Council Building, 510 Main Street
Applicant:	Raymond Carriere (Century 21 Realty)
Premises Affected:	Part of Maralbo Avenue West
Exhibits Filed:	1. Report from the Real Property Officer dated November 21, 2006 2. Inspection Report 3. Communication dated November 24, 2006, from Raymond Carriere requesting adjournment 4. Communication dated January 15, 2007, from Michael Mark in opposition to the application 5. Presentation and supporting documentation submitted by Raymond Carriere at the Public Hearing on January 16, 2007. 6. Communication dated January 21, 2007, from Michael Mark in opposition to the application 7. Supplementary Report from the Real Property Officer dated February 9, 2007

REPRESENTATIONS:

In Support:
Raymond Carriere

In Opposition:
Michael Mark

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

INTER-OFFICE MEMORANDUM

Planning, Property and Development Department

Development and Inspections Division, Geomatics Branch
2nd floor, 65 Garry Street

Winnipeg

Date: February 9, 2007

To: Marc Pittet, Riel Community Committee Clerk

From: Glenn Halldorson, Real Property Officer

RE: **DAC 19/2006 – PROPOSED CLOSING OF PART OF MARALBO AVENUE WEST**
FILE 7897 (PLEASE QUOTE WHEN REPLYING)

At the January meeting, Councillor Steeves asked me to provide him with some additional information on this application for the February meeting. Following are the responses to his questions.

Is the drawing attached to the report up-to-date?

No. the drawing was prepared in October of 2006 and was based on the most up-to-date information available at that time. I have attached a revised drawing showing the recent subdivision of the land at 11 & 15 Maralbo. Note that the subdivision dedicated land required for the widening of Maralbo.

Are there any agreements with the property owners on Maralbo in which they are obliged to pay the costs of widening the street?

No. Public Works advises that this widening, when required, will likely be a Capital Project.

Would a leave and license agreement allowing Mr. Carrière's proposed use of the boulevard be feasible?

No. My comment at the meeting that it might be feasible was based on Mr Carrière's statement that the boulevard was not being used for snow storage. The boulevard is being used for snow storage, and a leave and license agreement is not feasible.

e-mailed

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cc: Carol Freeman

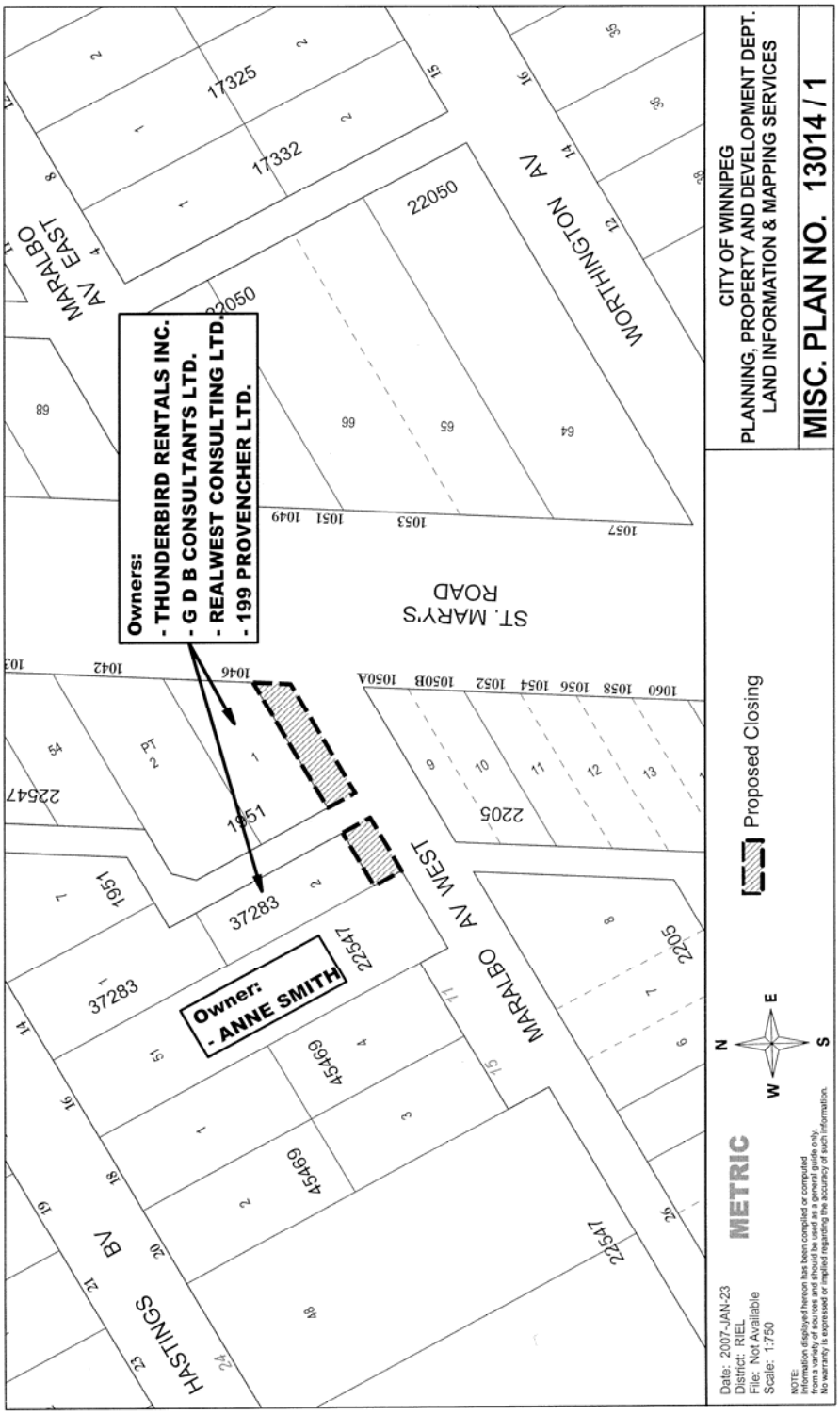
Owners:
- THUNDERBIRD RENTALS INC.
- G D B CONSULTANTS LTD.
- REALWEST CONSULTING LTD.
- 199 PROVENCHER LTD.
Owner:
- ANNE SMITH
Proposed Closing
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13014 / 1
METRIC
Date: 2007-JAN-23
District: RIEL
File: Not Available
Scale: 1:750
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.
WORTHINGTON AV
MARALBO AV EAST
MARALBO AV WEST
ST. MARY'S ROAD
HASTINGS BY
17325
17332
22050
37283
1951
22547
45469
2205

Exhibit "1" referred to in File DAC 19/2006

RE: DAC 19/2006 – PROPOSED CLOSING OF PART OF MARALBO AVENUE WEST

FOR SUBMISSION TO: The Riel Community Committee

REPORT DATE: November 20, 2006

RECOMMENDATION: 1. That the proposed street closing as shown on Misc. Plan No. 13014 not be approved.

Report Summary

Key Issues:

The Applicant wishes to purchase the boulevard area of the street to accommodate additional parking for his business.

The Public Works Department opposes the application on the grounds that the street will eventually be required at its present width when the lands to the west are developed and because the boulevard is required for snow storage.

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): 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 Planning, Property and Development has received a request from Raymond Carriere, the owner of the business at 1046 St. Mary's Road, to purchase the boulevard in Maralbo Avenue West adjacent to his property. This area is shown as "Proposed Closing" on the attached Misc. Plan No. 13014. Mr. Carriere wishes to use the area for additional parking for his customers.
The portion of Maralbo Avenue West proposed to be closed east of the public lane was created as a street 50 feet in width in 1912 by the subdivision of the adjoining lands.
The area proposed to be closed to the west of the public lane was dedicated as Maralbo Avenue West in 1999 by DASSF 547/98.

Mr. Carriere's request will reduce the street width from 50 feet to 33 feet.

DISCUSSION:

Administrative Approval

The proposal has been considered by all affected City departments and public utilities. The Transportation Division of the Public Works Department is opposed to the closing for the following reasons:

1. The subject property is required for street right-of-way to accommodate the future westerly extension of Maralbo Avenue West to permit the owners of the existing deep lots fronting onto the south side of Hastings Boulevard and the north side of Parkville Drive to subdivide off their back lands thereby creating lots fronting onto the future extension of Maralbo Avenue West.

2. The Streets Maintenance Division has advised that until such time as Maralbo Avenue West is extended the subject property provides a much needed snow storage area.

Zoning

The Zoning and Permits Branch has advised that a zoning variance to allow parking will be required if the street is closed.

Easements

There are no easements required.

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Planning, Property and Development Department

Corporate Finance Department

Public Works Department

Water and Waste Department

External Consultation With:

MTS Communications, Shaw Cable

Centra Gas and Manitoba Hydro did not respond.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn Halldorson, Real Property Officer
File No. 7897

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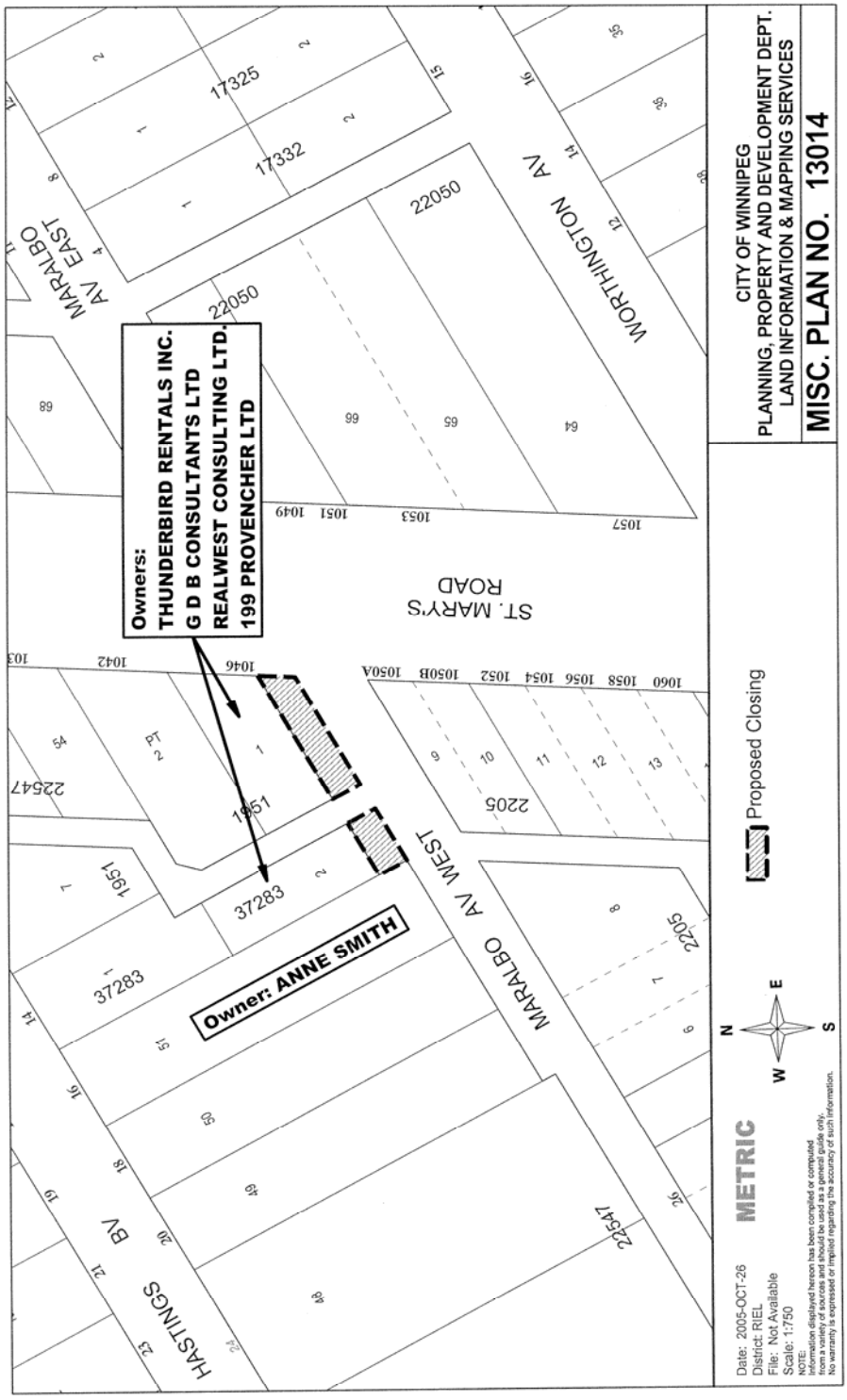
Owners:
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G D B CONSULTANTS LTD
REALWEST CONSULTING LTD.
199 PROVENCHER LTD
Owner: ANNE SMITH
MARALBO AV EAST
WORTHINGTON AV
ST. MARY'S ROAD
MARALBO AV WEST
HASTINGS BV
Proposed Closing
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13014
METRIC
Date: 2005-OCT-26
District: RIEL
File: Not Available
Scale: 1:750