Agenda - Council - July 18, 2007

Report - Standing Policy Committee on Property and Development - June 26, 2007

Item No. 1 Closing – Campbell Street, south of Taylor Avenue (River Heights-Fort Garry Ward) File DAC 5/2007

STANDING COMMITTEE RECOMMENDATION:

On July 11, 2007, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submits the following to Council:

1. That the street closing shown on Misc. Plan No. 12979/3 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 street closing in accordance with Misc. Plan No. 12979/3, 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 - Standing Policy Committee on Property and Development - June 26, 2007

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 11, 2007, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 26, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 28, 2007, the City Centre 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 5/2007
Before:	City Centre Community Committee Councillor Gerbasi, Chairperson Councillor Leipsic Councillor Smith
Public Hearing:	May 28, 2007 West Committee Room Council Building, 510 Main Street
Applicant:	Alex Warge, Manitoba Hydro, Property Department
Premises Affected:	Campbell Street, south of Taylor Avenue
Exhibits Filed:	1. Report from the Real Property Officer dated May 14, 2007 2. Inspection Report

REPRESENTATIONS:

In Support:

Marc Heron, Manitoba Hydro
Alex Warga, Manitoba Hydro

In Opposition:

Nil

For Information:

Nil

For the City:

Mr. G. Halldorson, Real Property Officer, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 5/2007

RE: DAC 5/2007 – PROPOSED CLOSING OF CAMPBELL STREET, SOUTH OF TAYLOR AVENUE

FOR SUBMISSION TO: **The City Centre Community Committee**

REPORT DATE: **May 14, 2007**

RECOMMENDATION:

1. That the proposed street closing as shown on Misc. Plan No. 12979/3 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 street closing in accordance with Misc. Plan No. 12979/3, 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:

Manitoba Hydro is expanding its substation at 1552 Taylor Avenue to meet future electrical load requirements. Hydro is purchasing the City property between Campbell Street and the substation and has applied to close the street to incorporate it into the site.

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 application will be borne 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 Planning, Property and Development Department has received a request from Manitoba Hydro to purchase Campbell Street identified as “Proposed Closing – DAC 5/2007” on the attached Misc. Plan No. 12979/3. Manitoba Hydro is presently in the process of purchasing the adjoining City of Winnipeg property to the west (Parcel B, Plan 43496). The sale of this adjoining property was approved by the Standing Policy Committee on Property and Development on April 3, 2007. This property, together with the closed street, will allow Manitoba Hydro to expand their existing substation located at 1552 Taylor Avenue in order to meet future electrical load requirements.

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 Transit Department has advised that since service along Taylor Avenue was extended to Swindon Way, the bus loop in the area no longer serves any purpose and has been abandoned.

The Transportation Division of the Public Works Department has the following conditions to its approval of the closing:

1.) The existing bus loop approach from Taylor Avenue approximately 35m west of Campbell Street is either to be removed and the curb, boulevard and sidewalk restored by the applicant, at no expense to the City, as determined by and to the satisfaction of the Director of Public Works or an application for private approach approval will be necessary in order for this lane approach to remain as a private approach.

2.) The existing street approach from Taylor Avenue for Campbell Street is to either be removed and the curb, boulevard and sidewalk restored by the applicant, at no expense to the City, as determined by and to the satisfaction of the Director of Public Works or an application for private approach approval will be necessary in order for this street approach to remain as a private approach.

Easements

MTS requires an easement for the maintenance of their services within the most northerly 3.1m of the Campbell Street closure.

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:

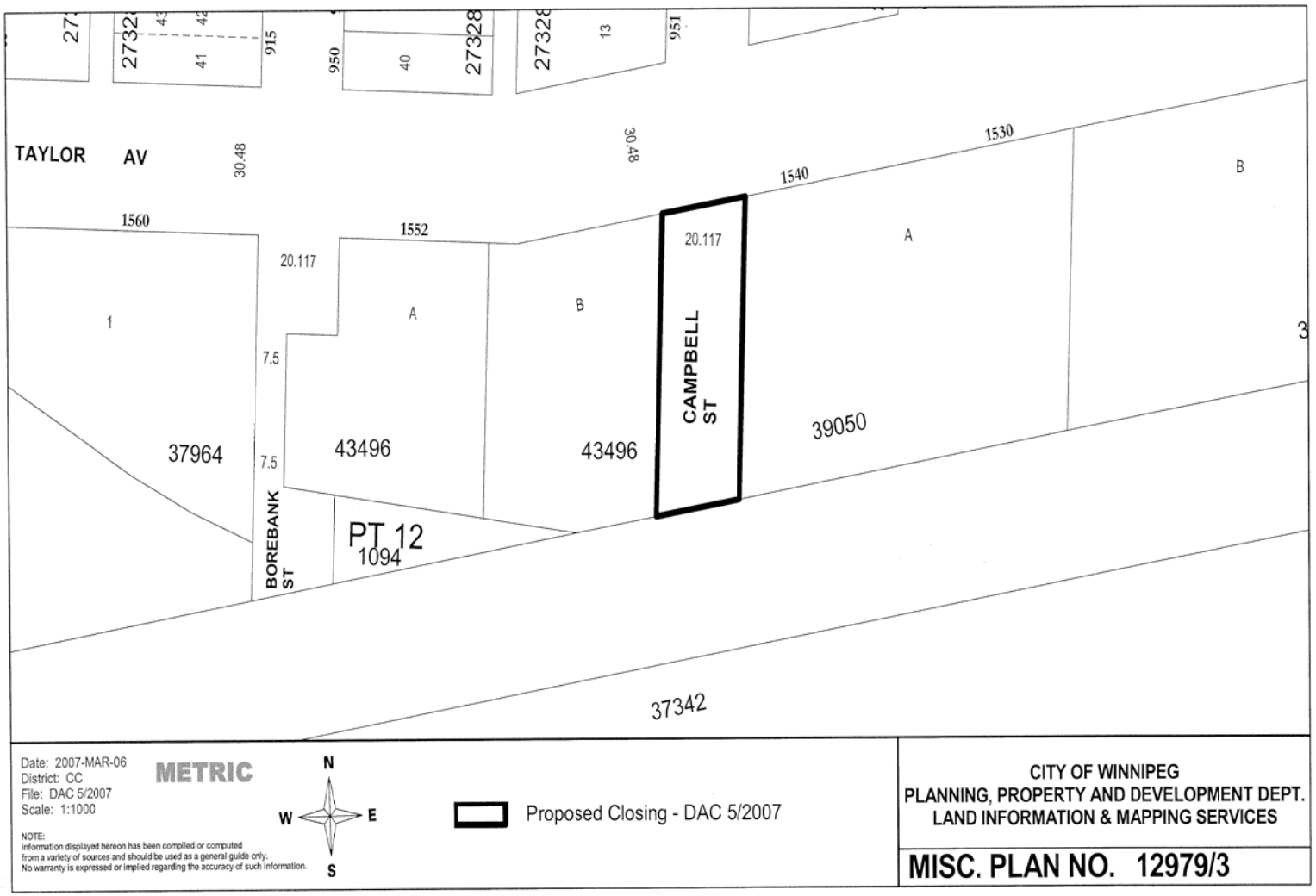
There was no internal consultation involved in the preparation of this report.

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. 32/4696


TAYLOR AV
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30.48
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CAMPBELL ST
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13
27328
27328
Date: 2007-MAR-06
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S
Proposed Closing - DAC 5/2007
NOTE:
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CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12979/3