2. From the Director, Planning, Property and Development Department
Report 2001/12/04

Proposed Closing of the Public Lane South of Murray Avenue, East of Durban Place
File DASZ 20/98

Recommending:

1. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with the attached Schedule "A", Misc. Plan No. 11187.

2. That the proper officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Agenda - Executive Policy Committee - January 9, 2002

Attachment to Item 2 - Report dated December 4, 2001, from the Director, Planning, Property and Development Department

Re: PROPOSED CLOSING OF THE PUBLIC LANE SOUTH OF MURRAY AVENUE, EAST OF DURBAN PLACE

For submission to: Executive Policy Committee
Original report signed by: Director of Planning, Property and Development
Report date: December 4, 2001
In camera item:
Recommendation(s): That a by-law be enacted authorizing the subject lane closing.

REPORT SUMMARY

KEY ISSUES:

- The closing and transfer of the lane is required to facilitate DASZ 20/98, an application to subdivide and rezone the adjacent lands approved by Council on April 25, 2001.

- The lane will be transferred to the Developer for the nominal sum of $1.00, in accordance with City policy.

IMPLICATIONS

General implications

X	None
	For the organization overall and/or for other departments
	For the community and/or organizations external to the City of Winnipeg
	Involves a multi-year contract

Comment: •

Policy implications

X	No (*There are no policy implications if the report is asking for a one-time decision.)*
	Yes *(There are policy implications if the recommendation(s) is/are asking for a decision that will be used to guide decisions over time.)*

Comment: •

Financial implications

	Within approved current and/or capital budget
	Current and/or capital budget adjustment required
X	No financial implications

Comment: • All costs associated with this lane closing will be assumed by the applicant.

Attachment to Item 2 - Report dated December 4, 2001, from the Director, Planning, Property and Development Department

REPORT

RECOMMENDATION(S):

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with the attached **Schedule "A"** , Misc. Plan No. 11187.

II. That the proper officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

REASON FOR THE REPORT:

The closing of the lane requires a by-law pursuant to Section 495 of the City of Winnipeg Act.

HISTORY:

In April of 2001, City Council approved DASZ 20/98, an application to subdivide and rezone the lands south of Murray Avenue and west of Main Street. The subject lane will be incorporated into one of the lots in this subdivision. The existing east/west lane will be extended to connect with the street being created to the south of Donan Street.

The proposal has been considered by all affected City Departments and public utilities. No objections have been raised. Any requirements for easements or the relocation of any services in the lane have been addressed through the processing of DASZ 20/98.

DISCUSSION:

Transfer of property for $1.00

City policy states that when the area of the streets and lanes being opened in a subdivision exceeds the area of the streets and lanes being closed for incorporation into that subdivision the streets and lanes being closed will be transferred to the Developer at no cost. In this case, the area of the lane is less than the area of the streets and lanes being opened in the subdivision, and the land will be transferred to the Developer for the nominal sum of $1.00.

Submission of report under the provisions of By-Law 7325/98

This report is submitted in accordance with the provisions of By-Law 7325/98, a by-law to amend procedures to allow certain street and lane opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Committee.

Attachment to Item 2 - Report dated December 4, 2001, from the Director, Planning, Property and Development Department

The following criteria must be met before the authority given in the by-law may be exercised:

1. The proposed closing must have been addressed at a public meeting and received approval from the Committee before which the public meeting took place.
2. The proposed closing and sale must have been approved by the Director of Public Works.
3. The proposed closing must have been submitted to all affected City Departments and public utilities with no objections having been received.
4. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.
5. The terms and conditions of any easement agreements created by the proposed closing and sale must have been addressed.
6. The proposed closing must have been approved by the affected property owner(s).
7. The terms and conditions of any agreements concerning the proposed closing and sale must have been approved by the Director of the department that requested the closing and either the Standing Committee on Fiscal Issues, the Standing Committee on Property and Development, or the Director of Property and Development Services, as is appropriate.

All of these conditions have been met.

Attachment to Item 2 - Report dated December 4, 2001, from the Director, Planning, Property and Development Department

Financial Impact Statement Date: December 4, 20001

COMMENTS:

All costs associated with this closing are the responsibility of the Developer, Novamet Development Corporation. There is no financial impact.

Gord Courage, Manager
Support Services Division

Agenda - Executive Policy Committee - January 9, 2002

Attachment to Item 2 - Report dated December 4, 2001, from the Director, Planning, Property and Development Department

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn F. Halldorson
PPD File #: 7797

Document name: o:\reports directive\development and inspections\geomatics\dac10_01.doc

Attachment to Item 2 - Report dated December 4, 2001, from the Director, Planning, Property and Development Department

