Minute No. 25
Report - Executive Policy Committee - November 20, 2002

Item No. 5 Proposed Lane Corner Widening at the Rear of No. 340 Berry Street File DAO 5/2002

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane widening in accordance with Schedule "A", Misc. Plan No. 11266/1.

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

Report - Executive Policy Committee - November 20, 2002

DECISION MAKING HISTORY:

Moved by His Worship Mayor Murray,
That the Executive Policy Committee recommendation be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 20, 2002, the Executive Policy Committee concurred in the administrative recommendations.

Re: DAO 5/2002 – PROPOSED LANE CORNER WIDENING AT THE REAR OF NO. 340 BERRY STREET

For submission to: **Executive Policy Committee**

Original report signed by: **Director of Planning, Property and Development**

Report date: **October 29, 2002**

In camera item: **No**

Recommendation(s):

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane widening in accordance with the attached Schedule "A", Misc. Plan No. 11266/1.

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

REPORT SUMMARY

KEY ISSUES:

- In January of 2002, Council adopted the recommendation of the Committee on Public Works that the lands required for the subject lane corner widening be acquired for that purpose. The property owner has agreed to the sale of the land and the corner widening is in use as part of the lane today.

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

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

Comment:
- Funding for the acquisition of the land and for the preparation and registration of the documents effecting its dedication as public lane has been provided by the Public Works Department.

REPORT

RECOMMENDATION(S):

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane widening in accordance with the attached Schedule "A", Misc. Plan No. 11266/1.

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

HISTORY:
In 2001, in the course of processing a building permit for the construction of a garage at the rear of 340 Berry Street, the Public Works Department identified a requirement for the subject lane corner widening. The widening will allow for the turning radius of large vehicles in the area.

In January of 2002, Council adopted the recommendation of the Committee on Public Works that the lands shown as "Proposed Lane Opening" on Schedule "A" be acquired for that purpose and directed the Planning, Property and Development Department to negotiate for the property.

The property owner has agreed to the sale of the land. The corner widening has been constructed and is in use as part of the lane today.

DISCUSSION:
This report is submitted in accordance with the provisions of By-Law 7325/98, a by-law to amend current procedures to allow certain street 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 Commttee.

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

1. The proposed opening and acquisition must have been approved by the Director of Public Works.
2. The proposed opening must have been submitted to all affected City Departments and public utilities with no objections having been received.

3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.
4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the proposed opening.
5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues, the Standing Committee on Property and Development, or the Director of the Planning, Property and Development Department, as is appropriate.

All of these criteria have been met.

Financial Impact Statement Date: 29-Oct-02

COMMENTS:

Funding for the costs of registering the documents required to effect the street corner widening is available in the Public Works Land Acquisition - Transportation Right of Way Account. These costs are considered to be immaterial.

Gord Courage, Manager
Support Services Division

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

Planning, Property and Development Department – Geomatics, Development Management, and Zoning & Permits Branches

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division

Water and Waste Department – Engineering Division

Centra Gas, Manitoba Hydro, MTS Communications, Shaw Cable

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn F. Halldorson, Real Property Officer
PPD File #: 8261

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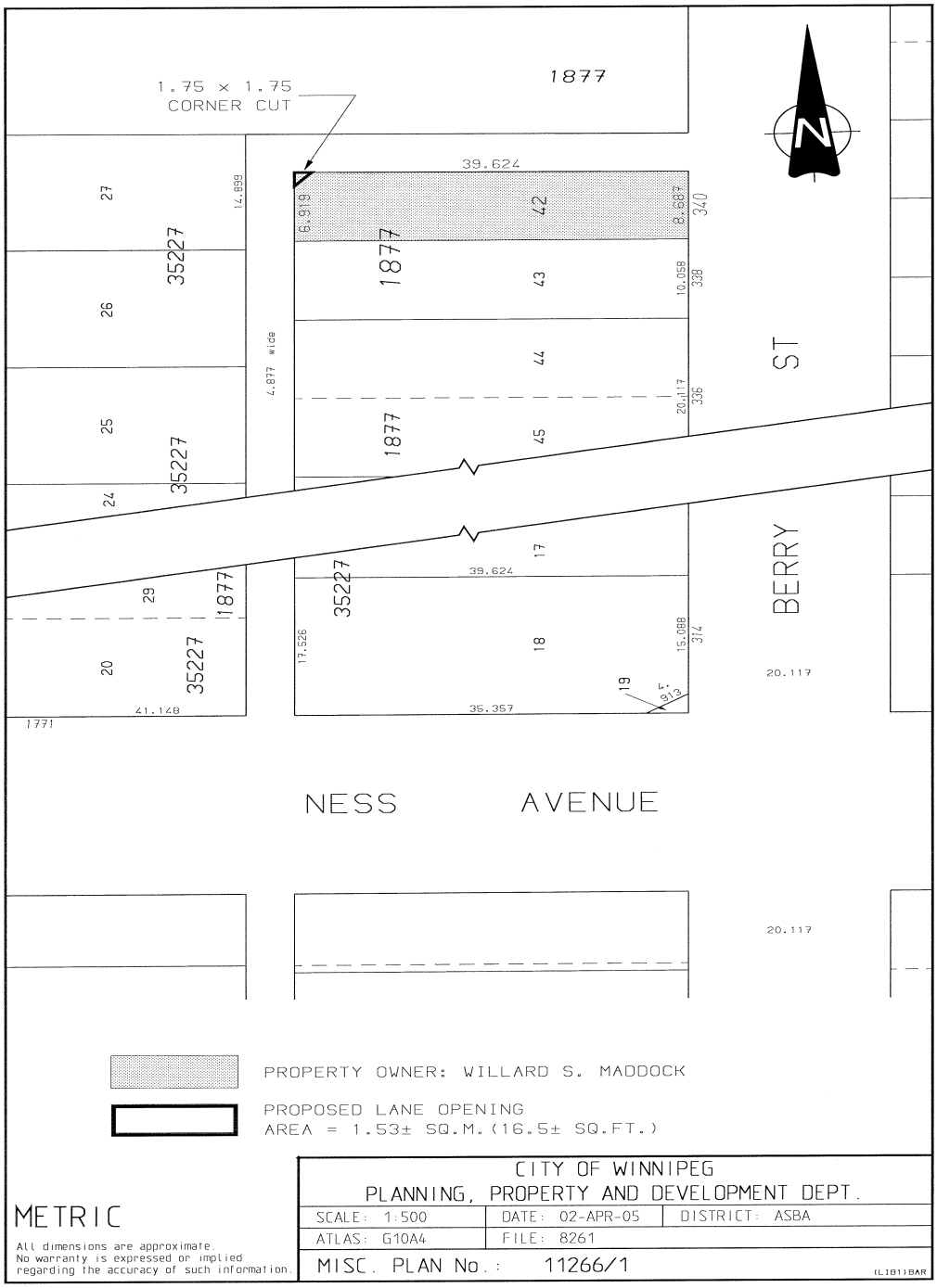

SCHEDULE "A"
TO THE REPORT TO THE EXECUTIVE POLICY COMMITTEE
FOR FILE NO. DAO 5/2002
DATED OCTOBER 29, 2002