Agenda - Council - January 29, 2003

Report - Executive Policy Committee - January 22, 2003

Item No. 1 Proposed Street Corner Widenings - Harrow Street at Wellington Crescent and Academy Road
File DAO 13/02

EXECUTIVE POLICY COMMITTEE RECOMMENDAITON:

On January 22, 2003, the Executive Policy Committee concurred in the administrative recommendation and recommends to Council:

1. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street corner widenings at Wellington Crescent and Academy Road in accordance with the attached Schedule “A”, Misc. Plan No. 11526.

2. That By-Law No. 10988 be repealed.

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

Re: DAO 13/02 - PROPOSED STREET CORNER WIDENINGS – HARROW STREET AT WELLINGTON CRESCENT AND ACADEMY ROAD

For submission to: **Executive Policy Committee**

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

Report date: **January 14, 2003**

In camera item: **No**

Recommendation(s): **That a by-law be enacted authorizing the subject street corner widenings.**

REPORT SUMMARY

KEY ISSUES:

- Between 1909 and 1923, the City acquired twelve properties along Harrow Street for the purpose of street corner widenings. Four of the corner widenings were constructed at that time. The other eight have never been constructed and are no longer required.
- The by-law passed in 1923 to effect the street corner widenings was not registered in the Winnipeg Land Titles Office. The lands have consequently never been legally dedicated as public street.

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 cost of preparing and registering the required documents 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 street corner widenings at Wellington Crescent and Academy Road in accordance with the attached Schedule "A", Misc. Plan No. 11526.

II. That By-Law 10988 be repealed.

III. 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 street corner widenings require a by-law pursuant to Section 495 of the City of Winnipeg Act.

HISTORY:

The City of Winnipeg acquired the lands shown shaded on the attached Schedule "A" between 1909 and 1923. In 1923, the City passed By-Law 10988, declaring the lands to be required for street. The by-law was never registered in the Winnipeg Land Titles Office, and therefore has not legally taken effect.

The corner roundings at Wellington Crescent and Academy Road were paved. The pavement for the other eight corner roundings was never constructed

DISCUSSION:

Repeal of By-Law 10988

By-Law 10988 declared all of the lands shown shaded on Schedule "A" to be required for street. The Transportation Division of the Public Works Department has advised that the corner roundings at Dromore, Kingsway, Harvard, and Yale Avenues are no longer required, and has instructed the Planning, Property and Development to parcel these lands for future sale.

By-Law 10988 is therefore obsolete and should be repealed.

Report Submitted Under By-Law 7325/98

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: 14-Jan-03

COMMENTS:

Funding for the costs of registering the documents required to effect the street corner widening by-law is available in Public Works Account No. WL165. 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 and Zoning & Permits Branches

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 Halldorson, Real Property Officer
PPD File #: 2859

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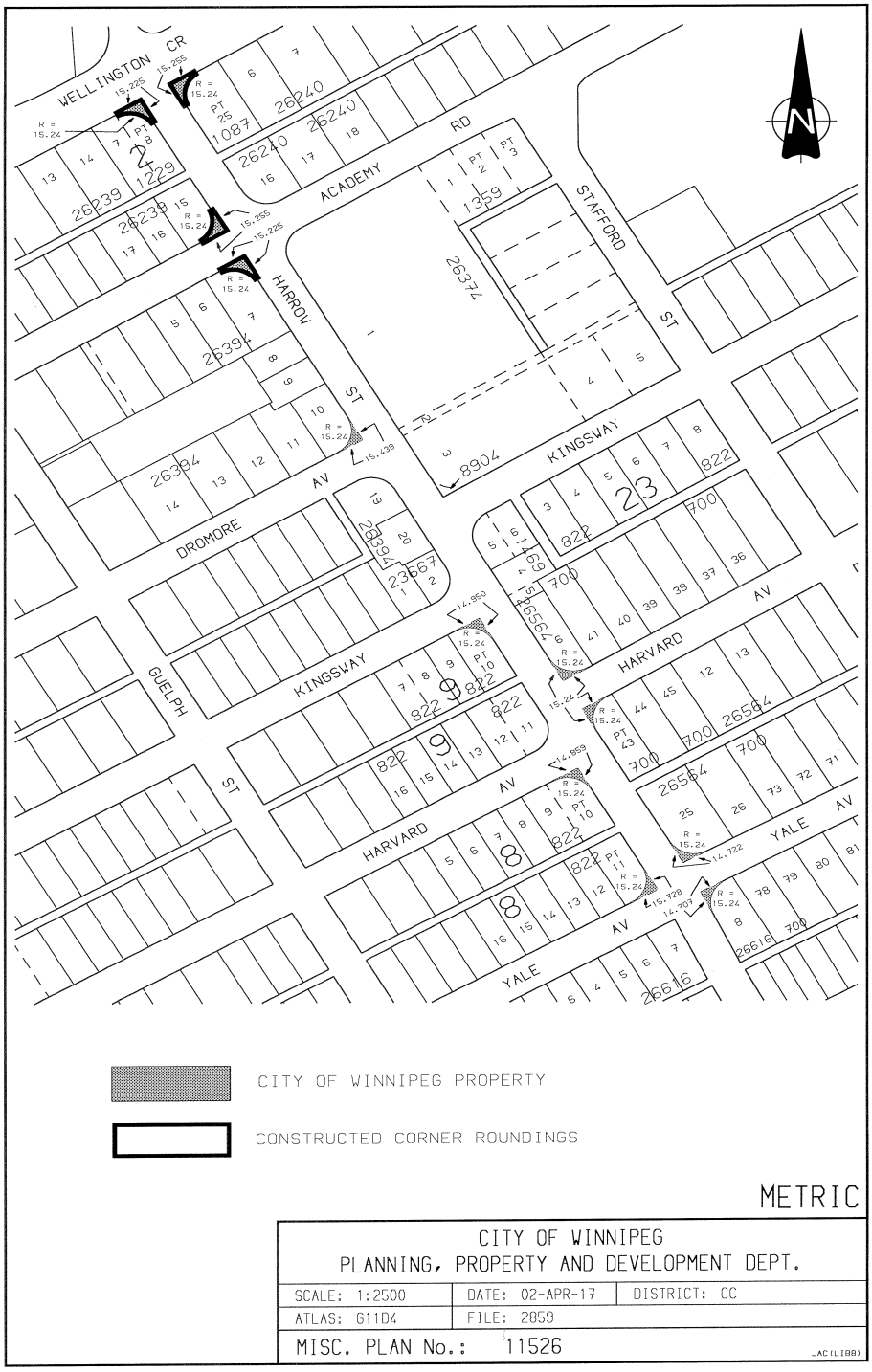

SCHEDULE "A" 1008
TO THE REPORT TO THE EXECUTIVE POLICY COMMITTEE
FOR APPLICATION NO. DAO 13/2002
DATED JANUARY 14, 2002