Minute No. 128
Report - Standing Policy Committee on Property and Development - November 27, 2007

Item No. 7 **Closing - Ritchie Street between Leila and Templeton Avenues**
File DAC 19/2007

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the street closing as shown on Misc. Plan No. 13257 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 closing in accordance with Misc. Plan No. 13257, 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 - November 27, 2007

DECISION MAKING HISTORY:

Moved by Councillor Swandel,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 12, 2007, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 27, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 13, 2007, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, and submitted its recommendation to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File:	DAC 19/2007 [c/r DASZ 36/2007]
Before:	Lord Selkirk-West Kildonan Community Committee Councillor Lazarenko, Chairperson Councillor O'Shaughnessy Councillor Pagtakhan
Public Hearing:	November 13, 2007 Council Chamber Council Building, 510 Main Street
Applicant:	Genstar Development Company (Greg Jasper)
Premises Affected:	Ritchie Street between Leila and Templeton Avenues
Exhibits Filed:	1. Report from the Real Property Officer dated November 1, 2007 2. Inspection Report

REPRESENTATIONS:

In Support:

Greg Jasper, Genstar Development Company

In Opposition:

Nil

For the City:

Mr. G. Halldorson, Real Property Officer, Planning, Property and Development Department
Mr. B. Buyachok, Technician, Planning, Property and Development Department
Mr. M. Robinson, Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 19/2007 [c/r DASZ 36/2007]

INTER-OFFICE MEMORANDUM

Planning, Property and Development Department

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

Date: November 1, 2007

To: Diane Timmins, Lord Selkirk-West Kildonan Community Committee Clerk

From: Glenn Halldorson, Real Property Officer

RE: **DAC 19/2007 – PROPOSED CLOSING OF RITCHIE STREET BETWEEN LEILA AND TEMPLETON AVENUES – C/R DASZ 36/2007 FILE DAC 19/07 (PLEASE QUOTE WHEN REPLYING)**

An application has been received from Mr. Greg Jasper of Genstar Development Co. (320-530 Kenaston, 488 6537) to acquire a portion of Ritchie Street to be incorporated into DASZ 36/2007. Before the street may be incorporated into the subdivision it must first be legally closed. The balance of Ritchie Street is also proposed to be closed.

Attached is a report recommending the subject closing. Will you please place this item on the agenda of the Committee's November 13th public meeting. Notice that the Community Committee will consider the closing on that date was posted in the neighbourhood on October 26th.

I will not be attending the meeting.

e-mailed

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cc: Carlos Gameiro, Michael Robinson

RE: DAC 19/2007 – PROPOSED CLOSING OF RITCHIE STREET BETWEEN LEILA AND TEMPLETON AVENUES – C/R DASZ 36/2007

FOR SUBMISSION TO: The Lord Selkirk-West Kildonan Community Committee

REPORT DATE: November 1, 2007

RECOMMENDATION:

1. That the proposed street closing as shown on Misc. Plan No. 13257 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 closing in accordance with Misc. Plan No. 13257, 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:

Genstar Development Co. has applied to close the portion of Ritchie Street contained within the boundaries of the planned Phase 9 of the Amber Trails Subdivision. This subdivision application is currently being processed under DASZ 36/2007.
Portions of Ritchie Street outside of the subdivision will also be closed and retained by the City of Winnipeg for future sale.

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 the closing 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 Genstar Development Co. to close the portion of Ritchie Street contained within the boundaries of the planned Phase 9 of the Amber Trails Subdivision. This subdivision application is being processed under Application No. DASZ 36/2007. The street and subdivision boundaries are shown on the attached Misc. Plan No. 13257. The balance of the street outside of the subdivision boundaries is also proposed to be closed.

DISCUSSION:

Administrative Approval

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the closing.

Easements

Any easement requirements will be addressed through the subdivision application.

Conveyance of the Street

The area of the streets being created by the subdivision exceeds the area of the street being closed within the subdivision. In accordance with City policy, the closed portion of Keewatin Street within the subdivision will be conveyed to the Developer for the nominal sum of $1.00.

The portions of the street to be closed outside of the subdivision boundaries will be retained by the City of Winnipeg for future sale.

Transfer of Jurisdiction Over Public Rights-of-Way

The street must be legally closed before it may be transferred to the applicant. 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:

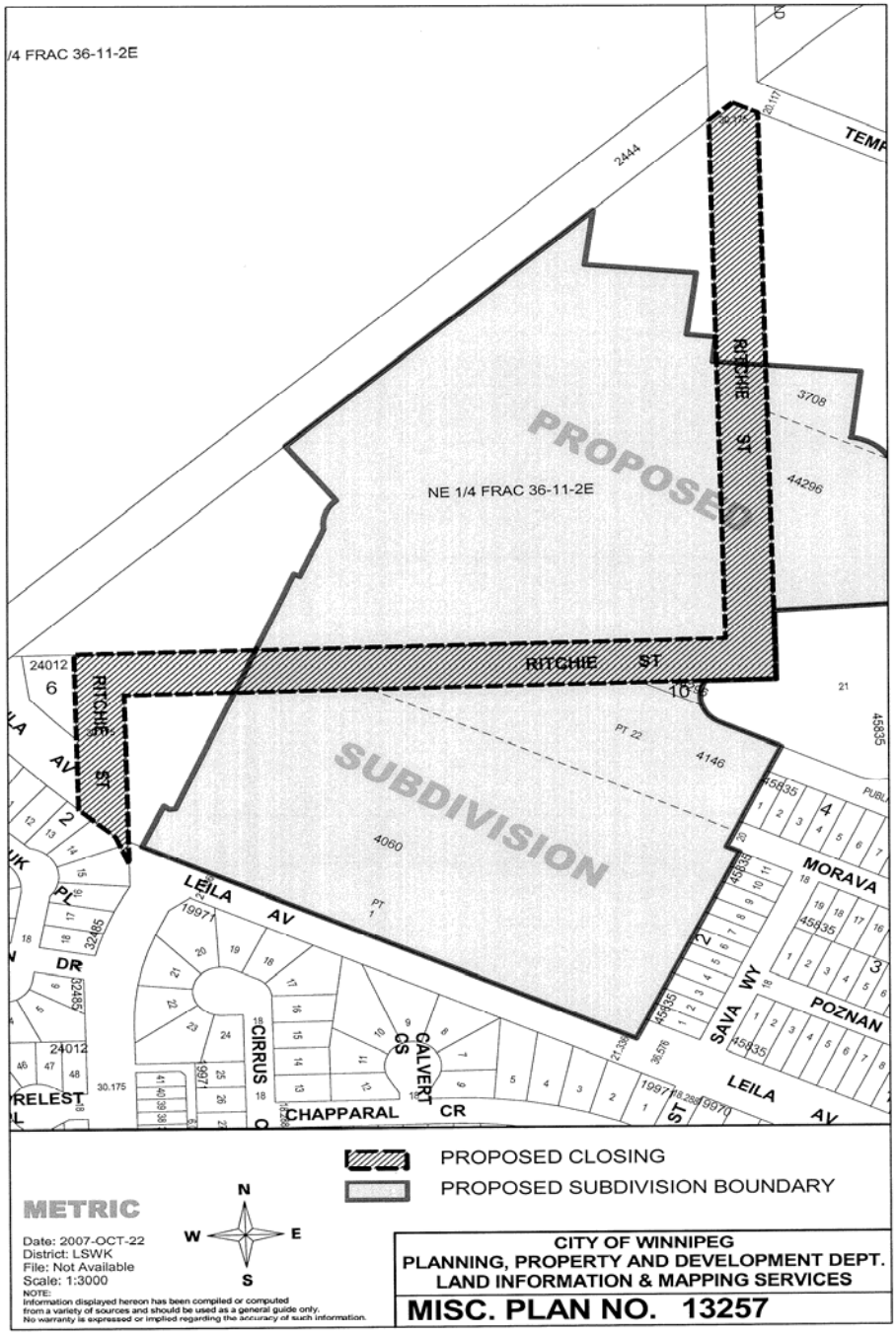
There was no internal consultation involved in the preparation of this report.

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. DAC 19/2007


/4 FRAC 36-11-2E
NE 1/4 FRAC 36-11-2E
PROPOSED
SUBDIVISION
RITCHIE ST
LEILA AV
MORAVA
POZNAN
SAVA WY
CIRRUS
CALVERT CS
CHAPPARAL CR
PROPOSED CLOSING
PROPOSED SUBDIVISION BOUNDARY
METRIC
Date: 2007-OCT-22
District: LSWK
File: Not Available
Scale: 1:3000
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.
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13257