Minute No. 48
Report - Standing Policy Committee on Property and Development - November 14, 2006

Item No. 2 **Street Closing - Parts of Plato Street north and south of Lee Boulevard**
File DAC 14/2006

COUNCIL DECISION:

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

1. That the portion of the May 18, 2005, Council decision that pertains to the closing of Plato Street north of Lee Boulevard, as outlined in Item 4 of the Report of the Standing Policy Committee on Property and Development dated May 3, 2005, with respect to DAC 5/2005 be rescinded.

2. That the street closings shown on Misc. Plan No. 12459/7 be approved and the land declared surplus to the City's needs.

3. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closings in accordance with Misc. Plan No. 12459/7, subject to the approval of the Standing Policy Committee on Property and Development of the terms and conditions of the conveyance of the land.

4. 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 14, 2006

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 November 29, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 14, 2006, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 19, 2006, the Riel 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 14/2006
Before:	Riel Community Committee Councillor Swandel, Chairperson Councillor Magnifico Councillor Steeves
Public Hearing:	September 19, 2006 Council Chamber Council Building, 510 Main Street
Applicant:	Director of Planning, Property and Development
Premises Affected:	Parts of Plato Street north and south of Lee Boulevard
Exhibits Filed:	1. Report from the Real Property Officer dated September 8, 2006 2. Inspection Report

REPRESENTATIONS:

In Support:
Nil

In Opposition:
Nil

For the City:
Mr. G. Halldorson, Real Property Officer, Planning, Property and Development Department
Mr. K. Lalor, Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 14/2006

RE: DAC 14/2006 – PROPOSED CLOSING OF PARTS OF PLATO STREET NORTH AND SOUTH OF LEE BOULEVARD

FOR SUBMISSION TO: The Riel Community Committee

REPORT DATE: September 8, 2006

RECOMMENDATION:

1. That Council reconsider Item 4. of the Report of the Standing Policy Committee on Property and Development dated May 3, 2005, as adopted by Council on May 18, 2005, with respect to DAC 5/2005 and rescind the portion of the decision that pertains to the closing of Plato Street north of Lee Boulevard.

2. That the proposed street closings as shown on Misc. Plan No. 12459/7 be approved and that the land be declared surplus to the City's needs.

3. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closings in accordance with Misc. Plan No. 12459/7, subject to the approval of the Standing Policy Committee on Property and Development of the terms and conditions of the conveyance of the land.

4. 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:

The closing of Plato Street north of Lee Boulevard was approved by Council in May of 2005 under Application No. DAC 5/2005. The planned disposition of the closed street didn't take place and the Real Estate Division of the Planning, Property and Development Department proposes to sell a portion of the street to the adjoining

property owner, to market another portion of the street as a residential lot, and to leave the remaining sections of Plato open.

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

(x) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s):

Report

REASON FOR THE REPORT:

All street and lane closings require the consideration of the Community Committee.

HISTORY:

The Real Estate Division of the Planning, Property and Development Department has applied to close the portions of Plato Street so identified on the attached Misc. Plan No.12459/7.

The closing of Plato Street north of Lee Boulevard was approved by Council in May of 2005 under Application No. DAC 5/2005. The planned disposition of the closed street didn't take place and the Real Estate Division proposes to sell the land shown as Parcel A on the drawing to the adjoining property owner, to market the land shown as Parcel B on the drawing as a residential lot, and to leave the remaining sections of Plato open. The portion of Plato Street between Parcels A and B will contain future infrastructure services (wastewater and land drainage sewer). The owners of the land adjacent to the triangular section of portion of Plato east of Parcel B have declined to purchase the property. The Department would have had to pay approximately $5000 in local improvement charges if it closed this portion of the street.

The portion of Plato Street south of Lee Boulevard will be incorporated into the City lands to the west. These lands will then be subdivided under Application No. DASSF 548/2006 and the five lots will be offered for sale. The portion of Plato to remain open is required by the owners of No. 1066 Lee for access to their property.

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 Public Works Department has advised that it will be necessary to construct a lane roadway in the right-of-way on the south side of Lee Boulevard as determined by and to the satisfaction of the Director of Public Works.

Easements

No easements are required for City of Winnipeg services. Manitoba Hydro and Centra Gas will require easements for their plants in the street. No permanent structures will be allowed in these easement areas.

Local Improvements

The Administration, Revenue and Local Improvement Section of the Corporate Finance Department advises that Plato Street is within the Fairfield Park Local Improvement District boundary; specifically in "Stage IV".

The estimated assessable frontage feet that is applicable to these properties are as follows:

Lot 5: 45.5 feet
Parcel A: 5 feet
Parcel B: 41.3 feet

These properties will all be subject to the cost of all the stages (ie. Pond Stage, Stage I, Stage II, Stage III & Stage IV) as advertised in the Winnipeg Free Press on September 2, 2003.

Lot line connections will also be applicable at an estimated cost of $3,500 per lot line connection.

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.

N PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

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

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division

Water and Waste Department – Engineering Division

External Consultation With:

Shaw Cable, Manitoba Hydro, Centra Gas

MTS did not respond to the request for easement requirements.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn Halldorson, Real Property Officer
File Nos 8346, 8354.

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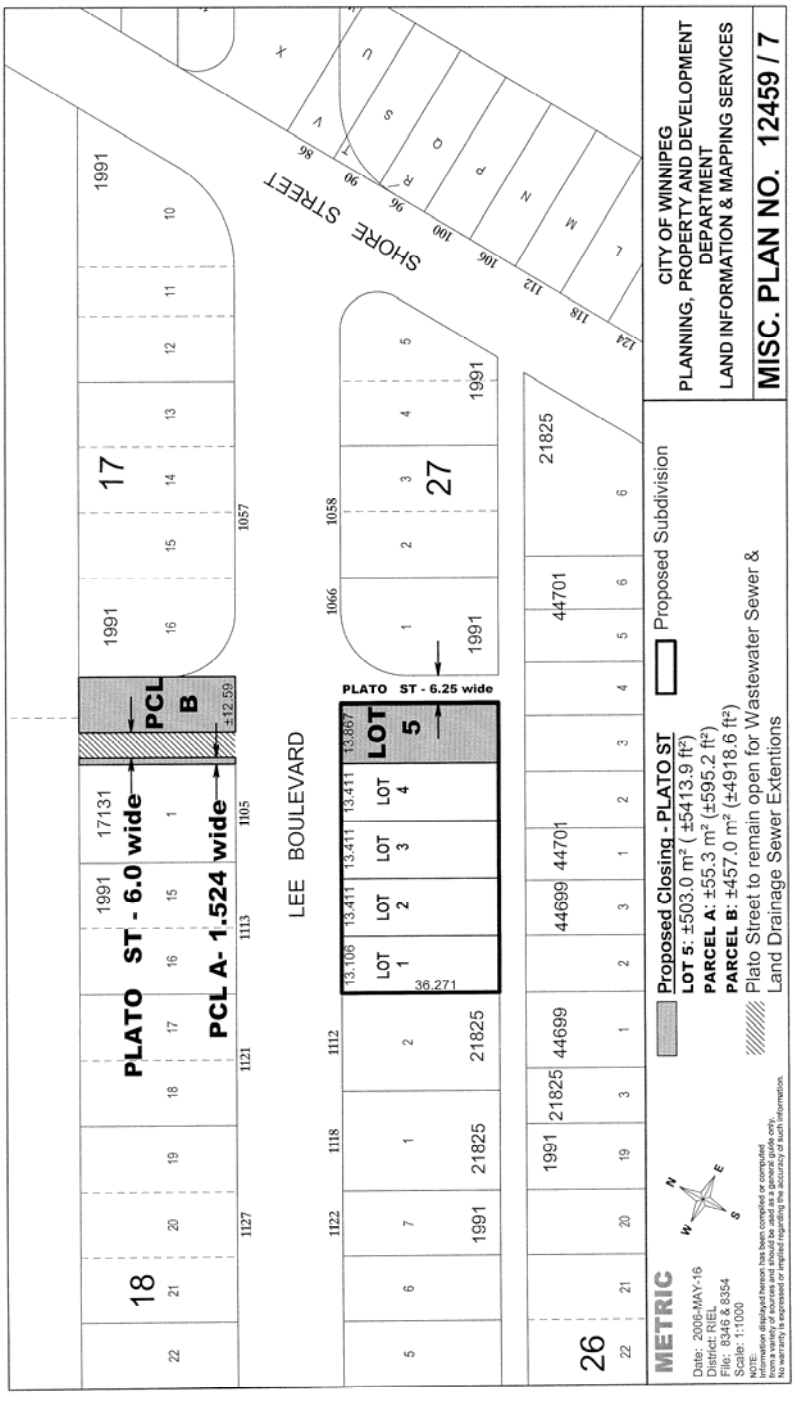
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPARTMENT
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12459 / 7
Proposed Subdivision
Proposed Closing - PLATO ST
LOT 5: ±503.0 m² (±5413.9 ft²)
PARCEL A: ±55.3 m² (±595.2 ft²)
PARCEL B: ±457.0 m² (±4918.6 ft²)
Plato Street to remain open for Wastewater Sewer & Land Drainage Sewer Extentions
METRIC
Date: 2006-MAY-16
District: RIEL
File: 8346 & 8354
Scale: 1:1000
PLATO ST - 6.0 wide
PCL A- 1.524 wide
PCL B
PLATO ST - 6.25 wide
LOT 5
LEE BOULEVARD
SHORE STREET