Minute No. 49
Report - Standing Policy Committee on Property and Development - November 14, 2006

Item No. 3 **Street Closing - Parts of Paris and Auburn Streets**
File DAC 16/2006

COUNCIL DECISION:

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

1. That the street closings shown on Misc. Plan No. 10620/16 be approved and the land 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. 10620/16, 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 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 16/2006
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 Paris and Auburn Streets
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 16/2006

RE: DAC 16/2006 – PROPOSED CLOSING OF PARTS OF PARIS AND AUBURN STREETS

FOR SUBMISSION TO: **The Riel Community Committee**

REPORT DATE: **September 8, 2006**

RECOMMENDATION:

1. That the proposed street closings as shown on Misc. Plan No. 10620/16 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. 10620/16, 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:

The Planning, Property and Development Department intends to incorporate the closed streets into the adjacent City lands and offer the property for 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

(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 Paris and Auburn Streets so identified on the attached Misc. Plan No. 10620/16.

These streets exist in a legal context as a designation of lands as public right-of-way. The streets may have been constructed when the land was dedicated in 1906; there is no physical evidence of the streets today.

The City is acquiring land on Mission Street as part of a sale of other City lands to Manitoba Hydro. Those lands being acquired are shown as "Manitoba Hydro property to be transferred to the City of Winnipeg" on the drawing.

Once the streets are closed and the finalization of the purchase of the Hydro Lands is completed, the Real Estate Division intends to market for sale both parcels together with the adjacent surplus City owned lands (shown as City Property on Misc. Plan No. 10620/16).

DISCUSSION:

Administrative Approval

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

Zoning

Part of the City property adjoining Auburn and proposed to be sold is zoned PR 1. This land was declared to be surplus by Council in 1999. An application to rezone will be

required before the land may be used for any other purpose. Since a closed street assumes the zoning of the adjacent property, a portion of Auburn will also require rezoning.

Easements

There are no easements required.

Transfer of Jurisdiction Over Public Rights-of-Way

The streets must be legally closed before they may be incorporated into the adjoining lands. 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:

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

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division

Water and Waste Department – Engineering Division

The Community Planner did not respond to the request for comments.

External Consultation With:

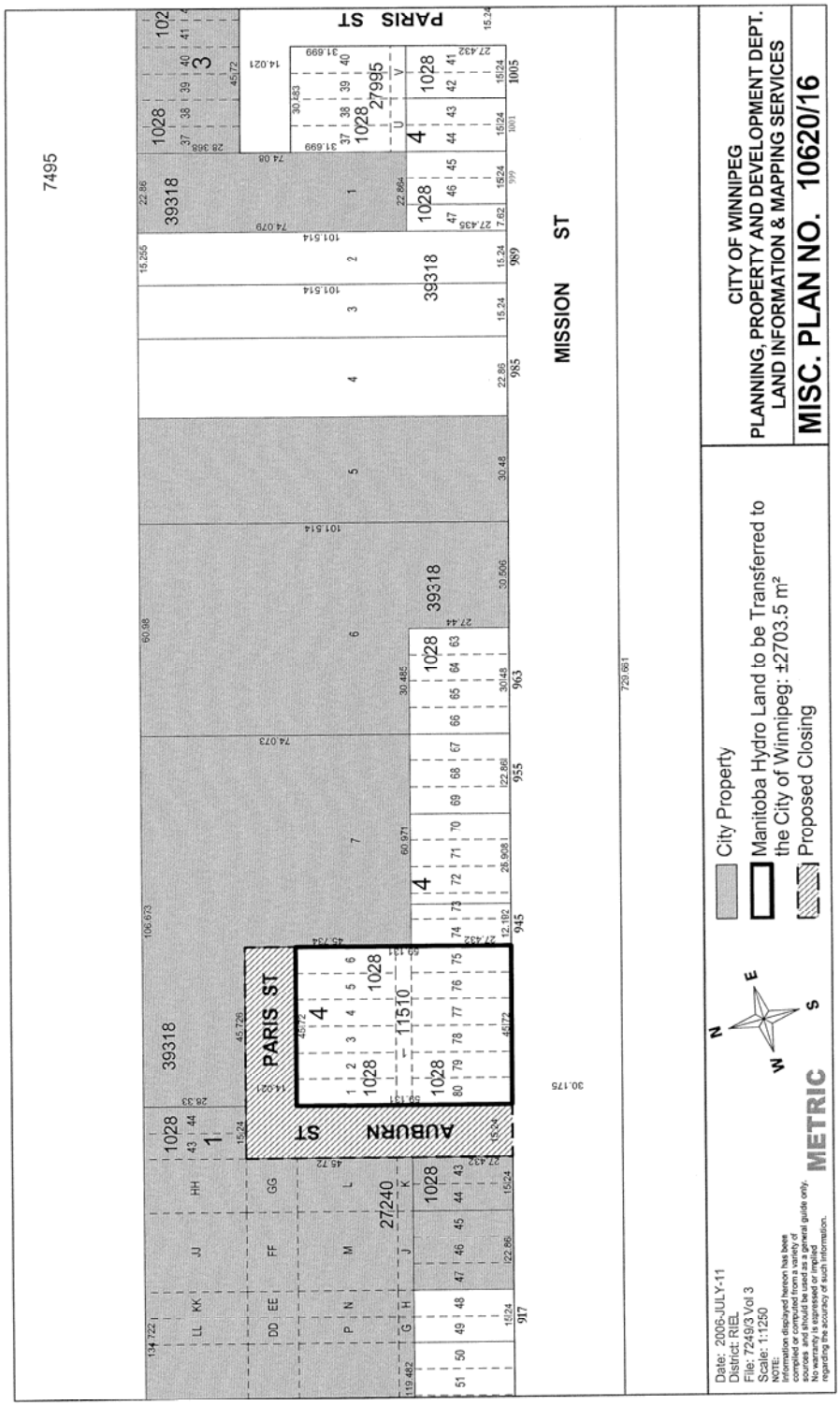
Manitoba Hydro, Shaw Cable, Centra Gas

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 No. 7249/3 Vol 3

v:\devapp\dev application2006\dac16_2006\final_report\dac16_06rpt.doc


7495
PARIS ST
MISSION ST
AUBURN ST
PARIS ST
39318
27240
27995
11510
City Property
Manitoba Hydro Land to be Transferred to the City of Winnipeg: ±2703.5 m²
Proposed Closing
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 10620/16
METRIC
Date: 2006-JULY-11
District: RIEL
File: 7249/3 Vol 3
Scale: 1:1250