**Minute No. 469**
**Report - Standing Policy Committee on Property and Development - May 20, 2008**

**Item No. 5** **Closing - Public Road Plan No. 4602 WLTO between Dawson Road North and CNR Plan No. 6705 WLTO**
**File DAC 8/2008**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development that the street closing under File DAC 8/2008 not be proceeded with.

**Report - Standing Policy Committee on Property and Development - May 20, 2008**

DECISION MAKING HISTORY:

Moved by Councillor Swandel,

That the recommendation of the Standing Policy Committee on Property and Development, that the street closing under File DAC 8/2008 not be proceeded with, be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 11, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee that the street closing under File DAC 8/2008 not be proceeded with, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 20, 2008, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee that the street closing under File DAC 8/2008 not be proceeded with, and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 12, 2008, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development that the street closing under File DAC 8/2008 not be proceeded with.

## PUBLIC HEARING SUMMARY

| | |
|---|---|
| File: | DAC 8/2008 |
| Before: | Riel Community Committee<br>Councillor Vandal, Chairperson<br>Councillor Swandel |
| Public Hearing: | May 12, 2008<br>Council Chamber, Council Building, 510 Main Street |
| Applicant: | Lloyd Kellett, Select Auto Sales |
| Premises Affected: | Public Road Plan No. 4602 WLTO between Dawson Road North and CNR Plan No. 6705 WLTO |
| Exhibits Filed: | 1. Report from the Real Property Officer dated April 29, 2008<br>2. Inspection Report |

REPRESENTATIONS:

In Support:

Charles Desilets
Lloyd Kellett

In Opposition:

Nil

For the City:

Mr. B. Buyachok, Real Property Officer, Planning, Property and Development Department
Mr. K. Lalor, Senior Planner, Planning, Property and Development Department

# INTER-OFFICE MEMORANDUM

## Planning, Property and Development Department

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

Winnipeg

**Date:** April 29, 2008

**To:** Marc Pittet, Riel Community Committee Clerk

**From:** Bohdan Buyachok, Real Property Officer

**RE:** **DAC 8/2008 – PROPOSED CLOSING OF PUBLIC ROAD PLAN NO. 4602 WLTO BETWEEN DAWSON ROAD NORTH AND CNR PLAN NO. 6705 WLTO**
**FILE NO. (PLEASE QUOTE WHEN REPLYING)**

An application has been received from Mr. Lloyd Kellett, owner of Select Auto Sales Inc. (314 Dawson Road North, R2J 0S7) to acquire the referenced public road for consolidation with his adjoining property holding.

Attached is a report recommending the public road not be closed. Will you please place this item on the agenda of the Committee's May 12th public meeting. Notice that the Community Committee will consider the closing on that date was posted in the neighbourhood on April 23rd.

I will be attendance at the Community Committee meeting.

*e-mailed*

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cc: Kevin Lalor

**RE: DAC 8/2008 – PROPOSED CLOSING OF PUBLIC ROAD PLAN NO. 4602 WLTO BETWEEN DAWSON ROAD NORTH AND CNR PLAN NO. 6705 WLTO**

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

**REPORT DATE: April 29, 2008**

**RECOMMENDATION: 1. That the street closing under File DAC 8/2008 not be proceeded with**

## Report Summary

**Key Issues:**

Mr. Lloyd Kellett, owner of Select Auto Sales Inc., has applied to purchase the Public Road identified as "Proposed Closing" on the attached copy of Miscellaneous Plan No. 13328/1 for consolidation with his current holding shown as "Select Auto Sales Inc. Property" on the sketch.

The Public Works Department objects to the proposed closing as the subject right-of-way has been reserved for future transportation needs.

**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

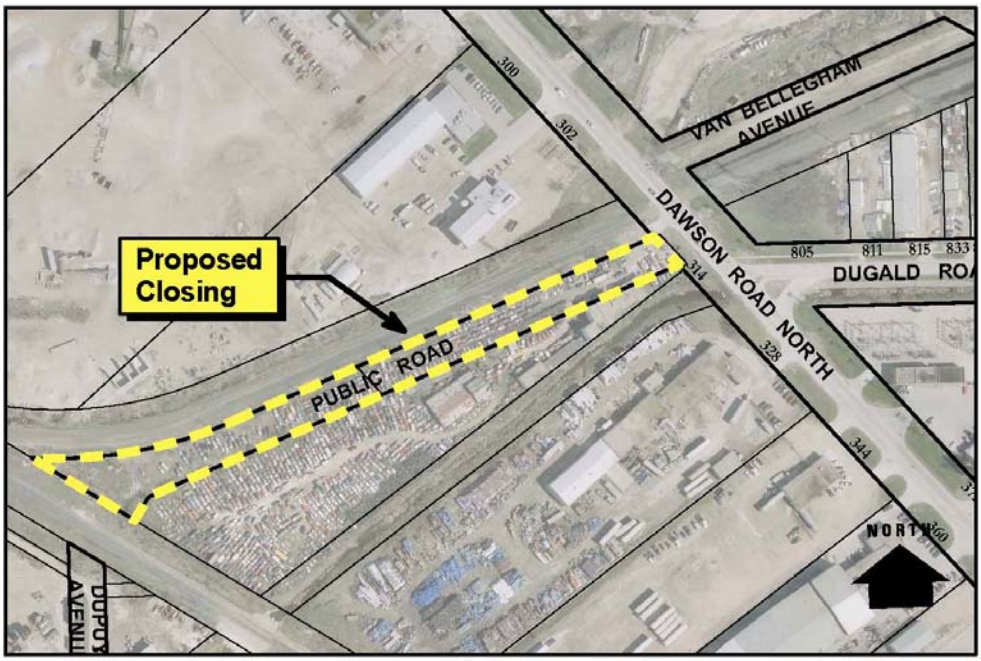
( ) Current and/or capital budget adjustment required

Comment(s): All costs associated with this application will be borne by the Applicant. There are no financial implications for the City of Winnipeg.

## Report

**REASON FOR THE REPORT:**

All street closings require the consideration of the Community Committee.




**HISTORY:**

The Planning, Property and Development Department has received a request from Mr. Lloyd Kellett, owner of Select Auto Sales Inc., to purchase the public road identified as "Proposed Closing" on the attached copy of Miscellaneous Plan No. 13328/1. Select Auto Sales Inc. is located at 314 Dawson Road North which adjoins the subject closing. Mr. Kellett has limited access to his property and currently leases a portion of the proposed closing area bordering on Dawson Road. The acquisition of the subject road would provide Mr. Kellett with the additional frontage he requires for access purposes. It would also regularize some encroachment issues that currently exist and provide Select Auto Sales Inc. with additional storage facilities for the purpose of conducting their business.

The subject road was created by Plan No. 4602 WLTO in 1946.

**DISCUSSION:**

Administrative Objections

The proposal has been considered by all affected City departments and public utilities. The Transportation Engineering Division of the Public Works Department does not support the application for the following reason:

> The subject closing has been reserved for transportation needs and is required for the future Marion – Dugald Connection.

Easements

Should the subject road ever be declared surplus to the City's needs and offered for future sale, the following easement requirements have been identified:

> CNR would require an easement to maintain access to their land located north of the proposed closing from Dawson Road.
>
> Manitoba Hydro has identified existing facilities within the closing area and would require an easement to protect their interests. No permanent structures would be allowed within the easement area.

**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:**

MTS Communications, Shaw Cable, Manitoba Hydro, Centra Gas and CNR

**THIS REPORT SUBMITTED BY:**

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Bohdan Buyachok, Real Property Officer
File No.
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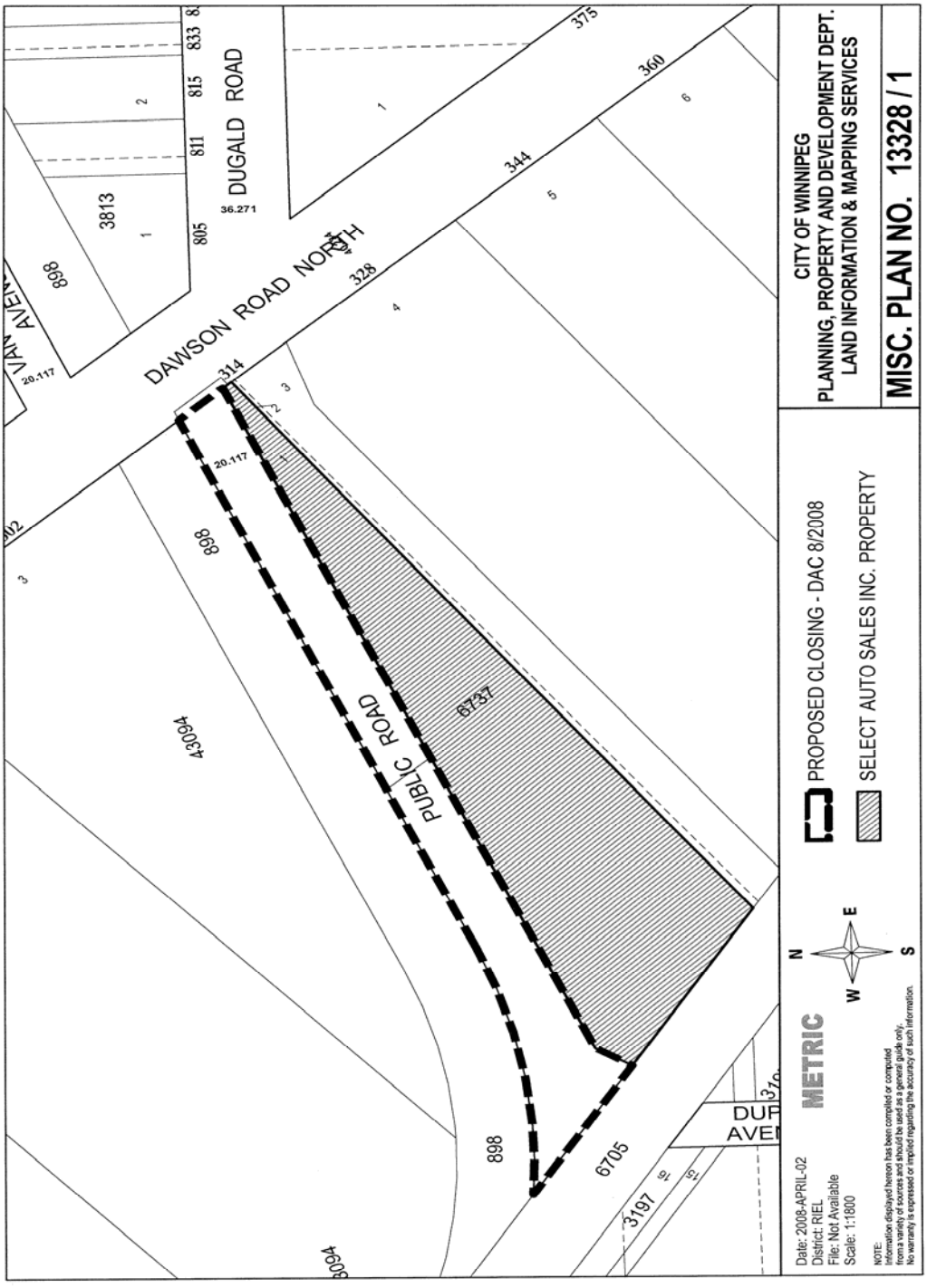
DUGALD ROAD
36.271
DAWSON ROAD NORTH
PUBLIC ROAD
VAN AVEN
3813
898
805
811
815
833
375
360
344
328
314
20.117
6737
43094
6705
3197
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13328 / 1
PROPOSED CLOSING - DAC 8/2008
SELECT AUTO SALES INC. PROPERTY
METRIC
N
E
S
W
Date: 2008-APRIL-02
District: RIEL
File: Not Available
Scale: 1:1800
NOTE:
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