Agenda - Council – July 16, 2008

Report - Standing Policy Committee on Property and Development - June 24, 2008

Item No. 15 Closing - public lane between Langside and Furby Streets, south of Furby Place for incorporation into DAZ 202/2008 (Daniel McIntyre Ward) File DAC 7/2008 [c/r DAZ 202/2008]

STANDING COMMITTEE RECOMMENDATION:

On July 9, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submits the following to Council:

1. That the lane closing as shown on Misc. Plan No. 13323 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 lane closing in accordance with Misc. Plan No. 13323, 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 - June 24, 2008

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 9, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 24, 2008, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 17, 2008, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File:	DAC 7/2008 [c/r DAZ 202/2008, DAV 107662/2008D and DCU 109179/2008D]
Before:	City Centre Community Committee Councillor Leipsic, Chairperson Councillor Gerbasi Councillor Smith
Hearing:	June 17, 2008 North Committee Room Council Building, 510 Main Street
Applicant:	Landmark Planning and Design Inc. (Donovan Toews)
Premises Affected:	public lane between Langside and Furby Streets, south of Furby Place
Exhibits Filed:	1. Report from the Real Property Officer dated May 29, 2008 2. Inspection Report 3. Photographs (8) and site plan in support of the application submitted by the applicant

REPRESENTATIONS:

In Support:

Hijab Musba
Jennifer M. Rattray, University of Winnipeg
Donovan Toews, Landmark Planning and Design Inc.

In Opposition:

Nil

For Information:

Nil

For the City:

Mr. B. Buyachok, Real Property Officer, Planning, Property and Development Department
Mr. G. Doney, Senior Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 7/2008 [c/r DAZ 202/2008, DAV 107662/2008D and DCU 109179/2008D]

RE: DAC 7/2008 – PROPOSED CLOSING OF THE PUBLIC LANE BETWEEN LANGSIDE AND FURBY STREETS, SOUTH OF FURBY PLACE FOR INCORPORATION INTO DAZ 202/2008

FOR SUBMISSION TO: **The City Centre Community Committee**

REPORT DATE: **May 29, 2008**

RECOMMENDATION:

1. That the proposed lane closing as shown on Misc. Plan No. 13323 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 lane closing in accordance with Misc. Plan No. 13323, 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:

Mr. Donovan Toews of Landmark Planning and Design Inc., representing the University of Winnipeg, has made an application to close and purchase the subject lane identified as "Proposed Closing" on Miscellaneous Plan No. 13323. The proposed closing is to be incorporated within an application to rezone the adjoining land currently being processed under DAZ 202/2008.

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

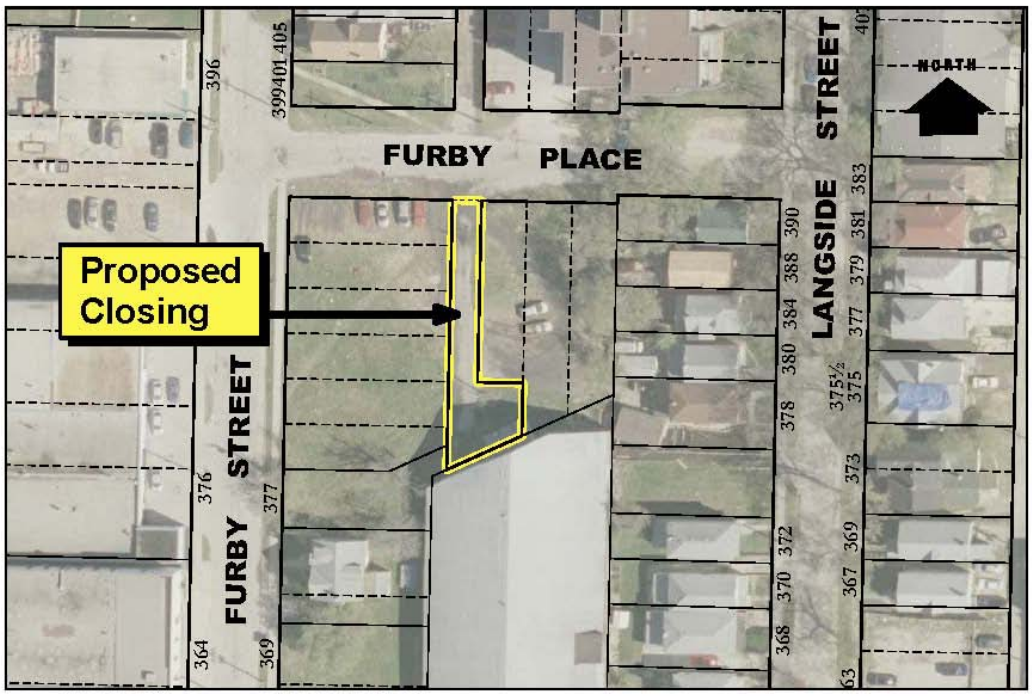
( ) Current and/or capital budget adjustment required

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 and lane closings require the consideration of the Community Committee.



HISTORY:

The Planning, Property and Development Department has received a request from Mr. Donovan Toews of Landmark Planning and Design Inc., representing the University of Winnipeg, to close and purchase the subject lane identified as “Proposed Closing” on Miscellaneous Plan No. 13323. The proposed closing is to form part of the development of the block bounded by Portage Avenue, Langside Street, Furby Street and Furby Place for educational facilities associated with the University of Winnipeg, namely the Richardson College of the Environment building, a new student and

community housing complex, a daycare facility and associated parking facilities. The proposed closing is to be incorporated within a rezoning application currently being processed under DAZ 202/2008. Mr. Toews had previously submitted an application to subdivide the block contained within this development under DASSF 582/2007. That application has been completed and the University of Winnipeg is the registered owner of the block delineated by the boundary of DAZ 202/2008 and now described as Parcel "A", Plan 47152 WLTO.

DISCUSSION:

Administrative Approval

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

Easements

There are no services within the closing area. No easements will be required.

Transfer of Jurisdiction Over Public Rights-of-Way

The public lane 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.

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 and Centra Gas

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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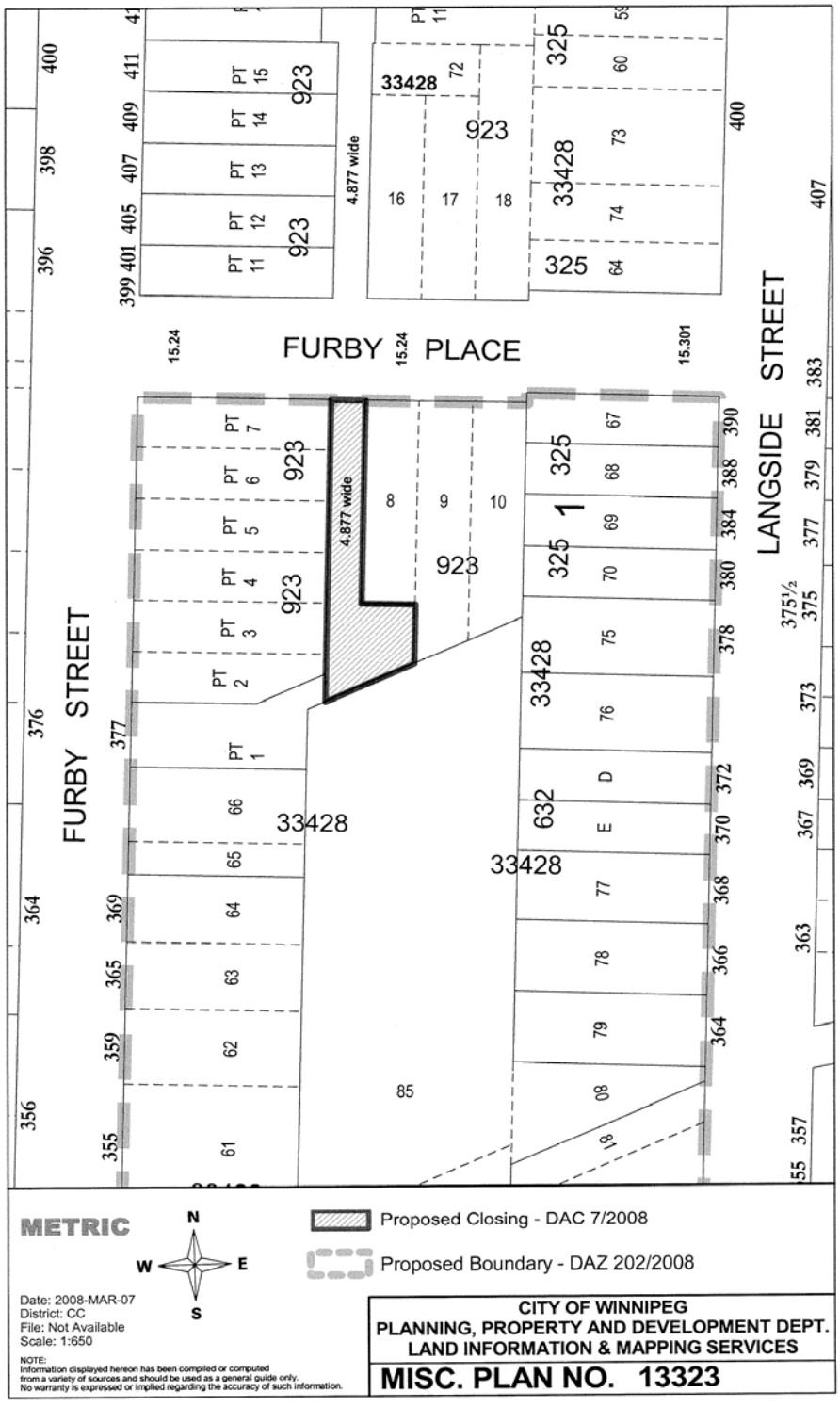
FURBY PLACE
FURBY STREET
LANGSIDE STREET
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33428
923
325
1
632
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S
Proposed Closing - DAC 7/2008
Proposed Boundary - DAZ 202/2008
Date: 2008-MAR-07
District: CC
File: Not Available
Scale: 1:650
NOTE:
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. 13323