Report - Standing Policy Committee on Property and Development - February 6, 2003

Item No. 2 Proposed Closing - part of Mission Street at Dugald Road
File DAC 17/2002

STANDING COMMITTEE RECOMMENDATION:

On February 19, 2003, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee, and submits the following to Council:

1. 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 Schedule A, Misc. Plan No. 10175/2, dated December 13, 2002.

2. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Report - Standing Policy Committee on Property and Development - February 6, 2003

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENATION:

On February 19, 2003, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 6, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee, and submitted its recommendation to Executive Policy Committee and Council.

Further, the Standing Policy Committee on Property and Development provided clarification to the Planning, Property and Development Department that its recommendation to proceed with the proposed street closing does not include its endorsement for the disposal of the subject lands at this time.

COMMUNITY COMMITTEE RECOMMENDATION

On January 14, 2003, 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 17/2002
Before:	Riel Community Committee Councillor Steeves, Chairperson Councillor Angus
Hearing:	January 14, 2003 Community Committee Chamber, 604 St. Mary's Road
Applicant:	The City of Winnipeg Planning, Property and Development Department 2nd Floor, 65 Garry Street Winnipeg, MB R3C 4K4
Premises Affected:	Part of Mission Street at Dugald Road
Exhibits Filed:	1. Memorandum from the Real Property Officer dated December 17, 2002 2. Report of the Real Property Officer dated December 13, 2002 3. Photograph(s) of the site and Inspection Notice

REPRESENTATIONS:

In Support:

Nil

In Opposition:

Nil

For the City:

Kevin Lalor, Senior Planner, Planning, Property and Development Department

December 13, 2002

TO THE CHAIRPERSON AND MEMBERS
OF THE RIEL COMMUNITY COMMITTEE

RE: APPLICATION NO. DAC 17/2002 - PROPOSED CLOSING OF PART OF MISSION STREET AT DUGALD ROAD SAINT BONIFACE WARD

RECOMMENDATION:

That the Community Committee approve the proposed closing and recommend:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with the attached **Schedule "A"** , Misc. Plan No. 10175/2.

II. That the proper officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

REASON:

All street closings require the consideration of the Community Committee.

HISTORY:

On July 17, 2002, Council approved the realignment of the Transcona North-South Route as part of Plan Winnipeg – 2020 Vision.

The Route as originally proposed is illustrated on Schedule "B". The realignment approved by Council is illustrated on Schedule "C."

The lands shown shaded and identified as "Subject City Property" on Schedule "A" had been reserved for the Transcona North-South Route. They are no longer required for that purpose, and the Real Estate Division of the Planning, Property and Development Department is now preparing to offer these lands for sale. The Real Estate Division proposes to close the subject portion of Mission Street and incorporate it into the property.

The street has never been constructed. The area is vacant land and serves no public purpose.

DISCUSSION:

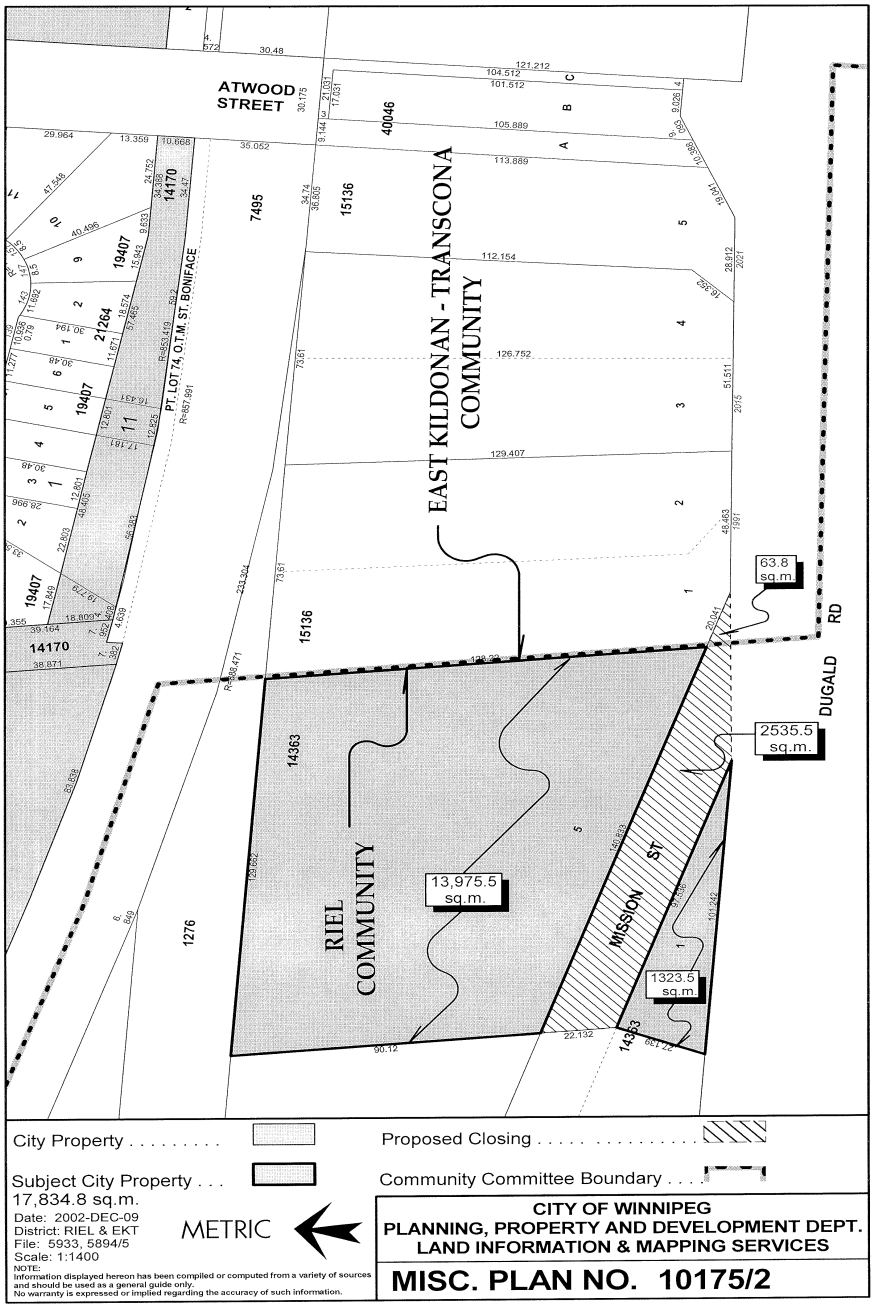
The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the closing.

Manitoba Hydro has advised that it will require an easement for the maintenance of a utility pole line in the area.

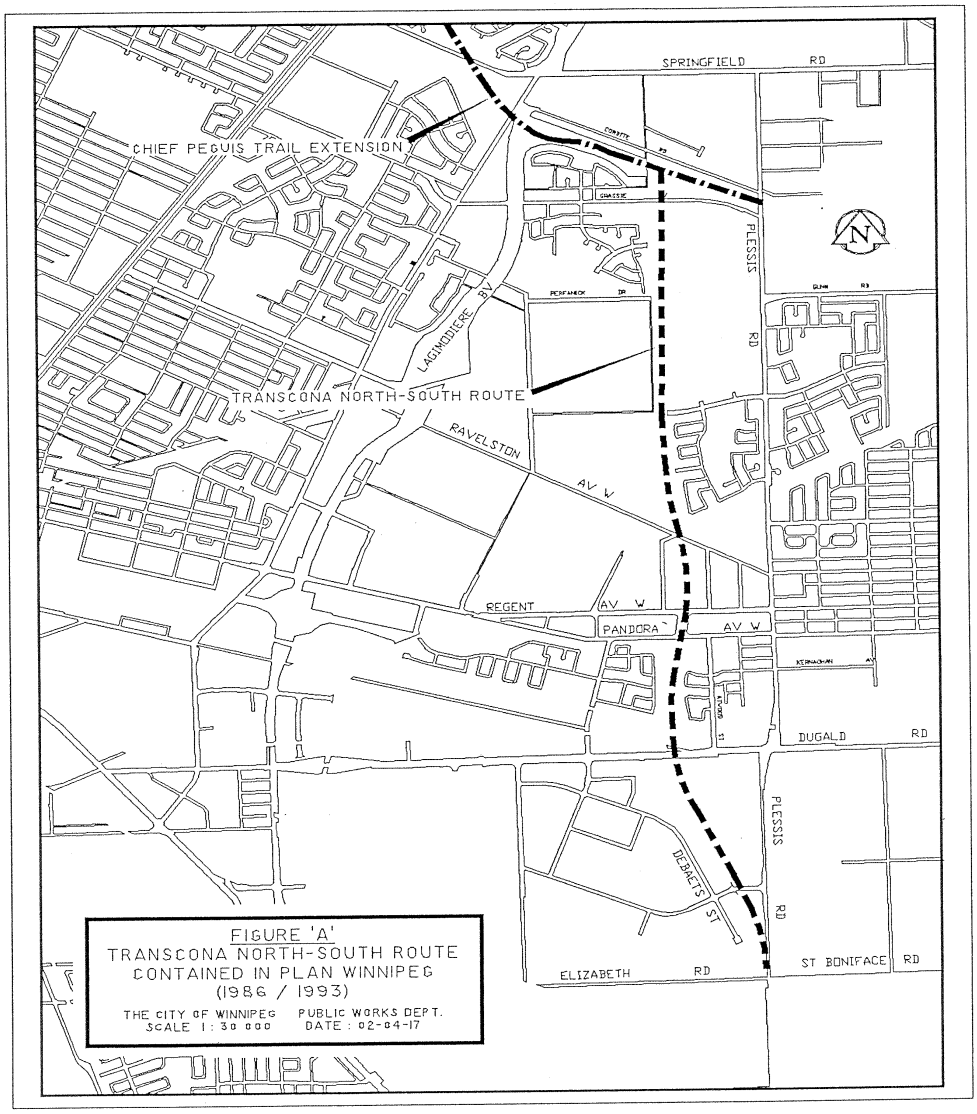
The street must be legally closed before it may be incorporated into the adjoining lands and sold. Title to all public rights of way in Manitoba is vested in the name of the Province. The registration in the Winnipeg Land Titles Office of a closing by-law removes the public right of way status from the 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.

THIS REPORT SUBMITTED BY:

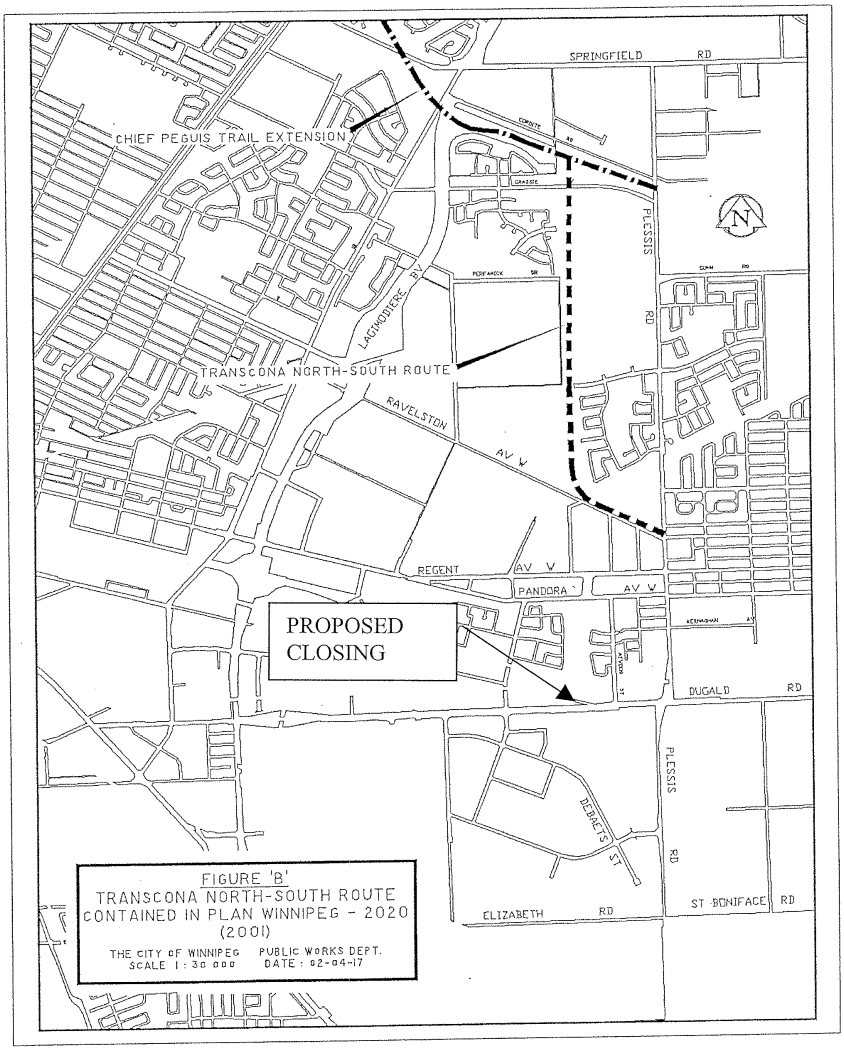
Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn F. Halldorson
File No. 5894/5



SCHEDULE “A”
TO THE REPORT TO THE RIEL COMMUNITY COMMITTEE
FOR APPLICATION DAC 17/2002
DATED DECEMBER 13, 2002



SCHEDULE "B"
TO THE REPORT TO THE RIEL COMMUNITY COMMITTEE
FOR APPLICATION NO. DAC 17/2002
DATED DECEMBER 13, 2002



SCHEDULE "C"
TO THE REPORT TO THE RIEL COMMUNITY COMMITTEE
FOR APPLICATION NO. DAC 17/2002
DATED DECEMBER 13, 2002