Minute No. 280
Report - Standing Policy Committee on Property and Development - March 3, 2009

Item No. 4 **Closing - Miramonte Cove at Headmaster Row for incorporation into DASZ 24/2008**
(North Kildonan Ward)
File DAC 13/2008

COUNCIL DECISION:

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

1. That the street closing as shown on Misc. Plan No. 13505 be approved and that the land be declared surplus to the City's needs.

2. That the Acting City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the street closing in accordance with Misc. Plan No. 13505, 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 - March 3, 2009

DECISION MAKING HISTORY:

Moved by Councillor Fielding,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 19, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On March 3, 2009, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 9, 2009, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and submitted its recommendation to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File:	DAC 13/2008
Before:	East Kildonan-Transcona Community Committee Councillor Wyatt, Chairperson Councillor Thomas
Public Hearing:	February 9, 2009 755 Henderson Highway
Applicant:	McGowan Russell Group Inc. (Susan Russell)
Premises Affected:	Miramonte Cove at Headmaster Row
Exhibits Filed:	1. Report from the Real Property Officer dated January 22, 2009 2. Inspection Report

REPRESENTATIONS:

In Support:

Susan Russell, McGowan Russell Group Inc.

In Opposition:

Nil

For Information:

Nil

For the City:

Bohdan Buyachok, Real Property Officer, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 13/2008

RE: DAC 13/2008 – PROPOSED CLOSING OF MIRAMONTE COVE AT HEADMASTER ROW FOR INCORPORATION INTO DASZ 24/2008

FOR SUBMISSION TO: **East Kildonan - Transcona Community Committee**

REPORT DATE: **January 22, 2009**

RECOMMENDATION:

1. That the proposed street closing as shown on Misc. Plan No. 13505 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 street closing in accordance with Misc. Plan No. 13505, 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:

Ms. Susan Russell of McGowan Russell Group Inc., representing North Grassie Properties Inc., has made an application to close and purchase the subject street identified as "Proposed Closing" on the attached copy of Miscellaneous Plan No. 13505. The street, once closed, will be incorporated into DASZ 24/2008, an application to subdivide and rezone the adjoining property. Miramonte Cove will be rededicated and reconfigured as shown on the sketch.

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 Ms. Susan Russell of McGowan Russell Group Inc., representing North Grassie Properties Inc., to close and purchase the subject street identified as “Proposed Closing” on the attached copy of Miscellaneous Plan No. 13505. The proposed closing is to be incorporated into DASZ 24/2008, a subdivision and rezoning application for the development of the adjoining property. Miramonte Cove will be rededicated and reconfigured as shown on the sketch.

On October 22, 2008, Council adopted the Report of the Standing Policy Committee on Property and Development dated October 2, 2008 approving application DASZ 24/2008, pursuant to The East Kildonan – Transcona Community Committee’s recommendation made at its meeting held on September 15, 2008.

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

Manitoba Hydro and Centra Gas have identified easement requirements within the proposed closing area. Those requirements will be addressed by subdivision and rezoning application DASZ 24/2008.

Conveyance of the Street

The area of the street being created by the subdivision exceeds the area of the street being closed within the subdivision. In accordance with City policy, the closed portion of Miramonte Cove within the subdivision will be conveyed to the Developer for the nominal sum of $1.00.

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.

IN PREPARING THIS REPORT THERE WAS:
Internal Consultation With and Concurrence By:

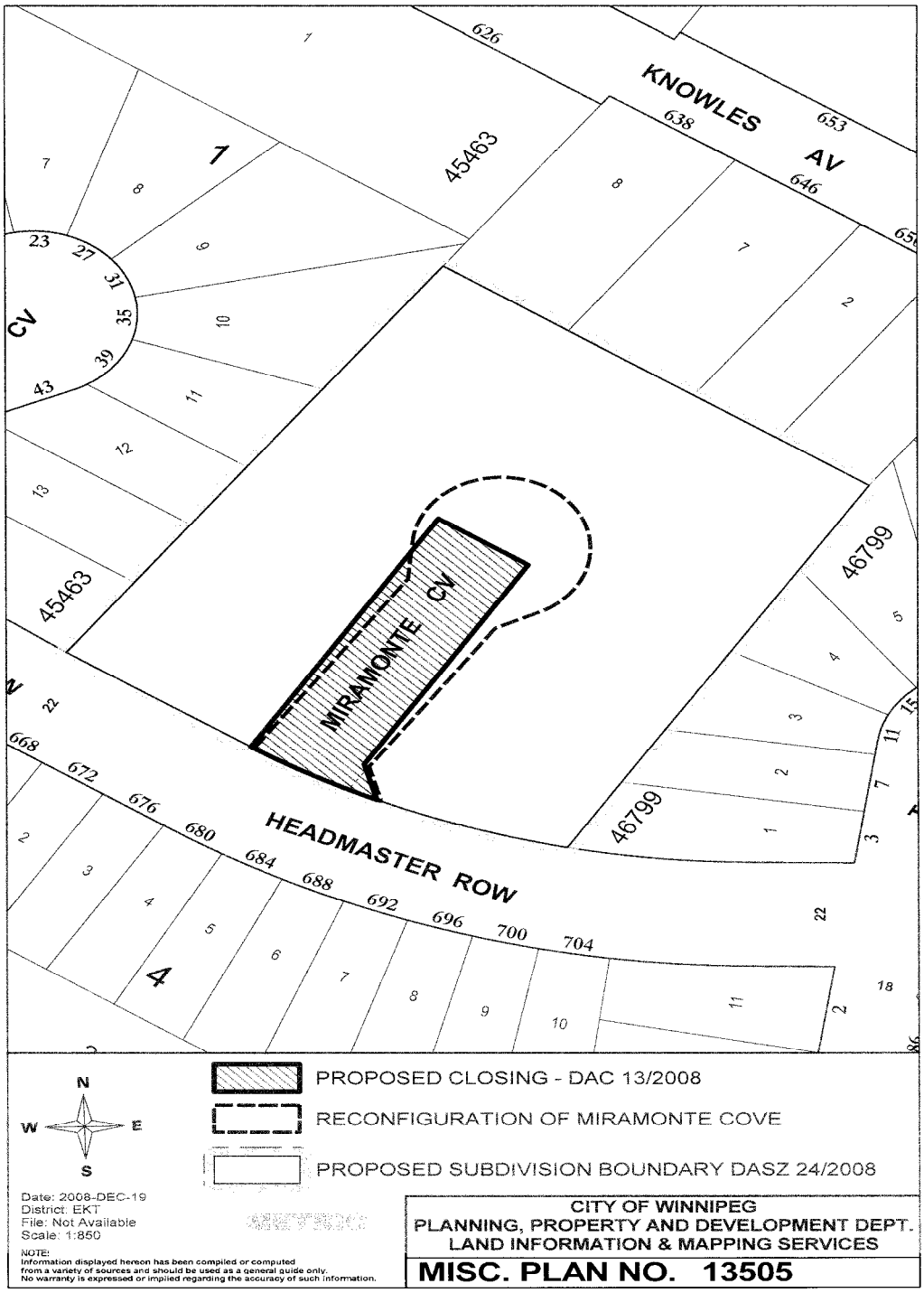
There was no internal consultation involved in the preparation of this report.

External Consultation With:

Manitoba Hydro, Centra Gas and MTS Communications.

Shaw Cable systems did not respond to requests for comments on this proposal.

THIS REPORT SUBMITTED BY:
Planning, Property and Development Department
Development and Inspections Division
Prepared by: Bohdan Buyachok, Real Property Officer


KNOWLES AV
626
638
646
653
45463
46799
MIRAMONTE CV
HEADMASTER ROW
668
672
676
680
684
688
692
696
700
704
PROPOSED CLOSING - DAC 13/2008
RECONFIGURATION OF MIRAMONTE COVE
PROPOSED SUBDIVISION BOUNDARY DASZ 24/2008
N
W
E
S
Date: 2008-DEC-19
District: EKT
File: Not Available
Scale: 1:850
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. 13505