Agenda – Council – April 29, 2009

Report – Executive Policy Committee – April 8, 2009

Item No. 2 Opening of Autumnview and Prairie Sky Drives, west of Pine Hills Road, north of Waverley Street within DASSF 504/2009 (St. Norbert Ward) eFile DAO 1/2009

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 8, 2009, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submits the following to Council:

1. 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 opening in accordance with Misc. Plan No. 13521.

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

Report – Executive Policy Committee – April 8, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 8, 2009, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

ADMINISTRATIVE REPORT

RE: DAO 1/2009 – PROPOSED OPENING OF AUTUMNVIEW AND PRAIRIE SKY DRIVES, WEST OF PINE HILLS ROAD, NORTH OF WAVERLEY STREET WITHIN DASSF 504/2009

FOR SUBMISSION TO THE EXECUTIVE POLICY COMMITTEE

REPORT DATE: MARCH 20, 2009

AUTHORIZATION

Author	Department Head	CAO
Bohdan Buyachok Real Property Officer	Deepak Joshi Director of Planning, Property and Development	Phil Sheegl Deputy Chief Administrative Officer

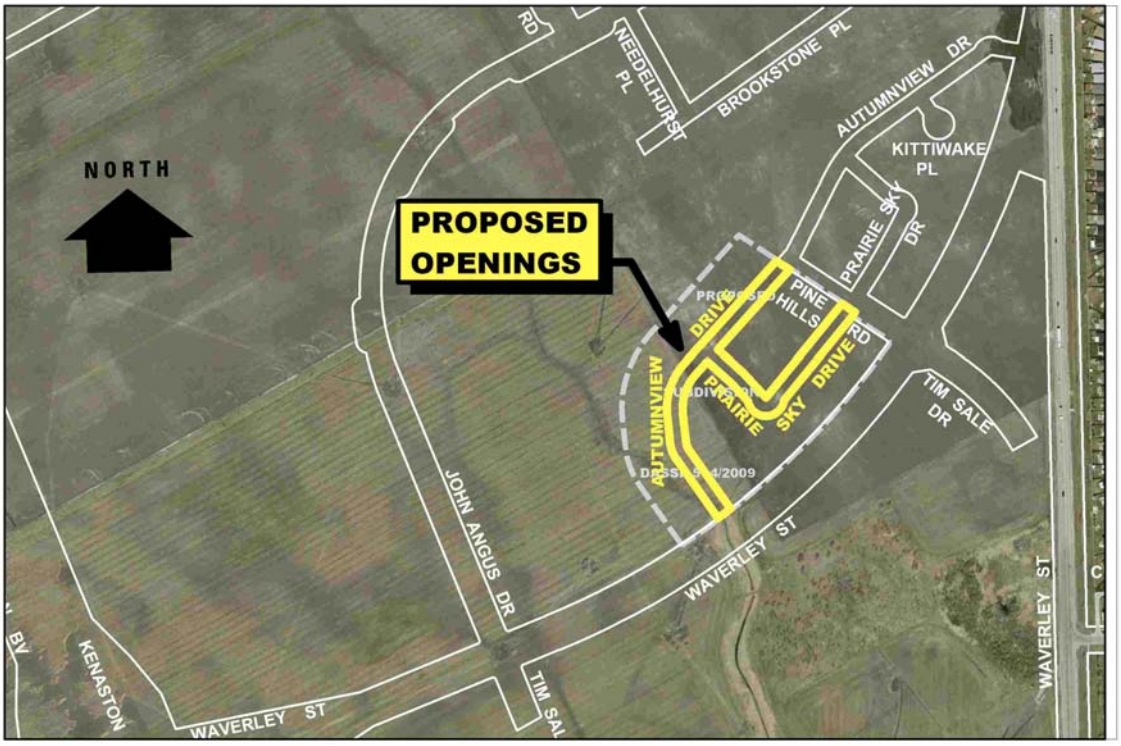
RECOMMENDATION

1. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street opening in accordance with the attached Misc. Plan No. 13521.

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

REASON FOR THE REPORT

The dedication of this property as a public street requires a by-law pursuant to Section 139 of The City of Winnipeg Charter.



History

The Planning, Property and Development Department has received an application from Ladco Company Limited for the dedication of a portion of their property for public street within Block 11, Plan 47878 WLTO identified as “Proposed Opening Boundary – DAO 1/2009” on the attached copy of Misc. Plan No. 13521. This is presently being done to accommodate the development of 64 single family lots within subdivision DASSF 504/2009.

Block 11 falls within the boundaries of a prior subdivision and rezoning application processed under DASZ 22/2007. The Report of the Standing Policy Committee on Property and Development dated October 30, 2007 and approved by Council at its meeting held on November 21, 2007 pertaining to this application references a sketch showing streets within this block. Registered Plan No. 47878 prepared in conjunction with DASZ 22/2007 only shows the block outline. Since DASSF applications cannot open public rights of way, it is now in order to prepare a plan opening Autumnview and Prairie Sky Drives as public street.

KEY ISSUES

Administrative Approval

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the street opening. The following comments have been received:

> The Planning, Property and Development Department (Geomatics Branch) advises that the developer is to be responsible for obtaining any consents for the street opening from encumbrance holders should they be required.
>
> The Public Works Department advises that their approval for the opening is subject to the developer fulfilling their obligations with respect to AG 22/2007 and DASSF 504/2009.

Submission of Report in Accordance with By-law 7325/98

This report is submitted in accordance with the provisions of By-Law 7325/98, a by-law to amend procedures to allow certain street opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Committee.

The following criteria must be met before the authority given in the by-law may be exercised:

1. The proposed opening and acquisition must have been approved by the Director of Public Works.
2. The proposed opening must have been submitted to all affected City Departments and public utilities with no objections having been received.
3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed upon.
4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the proposed opening.
5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues, the Standing Committee on Property and Development, or the Director of the Planning, Property and Development Department, as is appropriate.

All of these criteria have been met.

IMPACT OF THE RECOMMENDATIONS

IMPACT	YES	NO	COMMENTS
Policy		**x**	
Regulatory		**x**	
Environmental		**x**	
Human Resources		**x**	
Financial		**x**	All costs associated with the street opening are the responsibility of the applicant. There are no financial implications for the City of Winnipeg.
Legal (Contracts)		**x**	
Communications		**x**	
Council Priorities Direction		**x**	
Other, e.g. Organizational, community, etc. (Specify)		**x**	

FINANCIAL IMPACT

Financial Impact Statement **Date:** March 18, 2009

Project Name:

DAO 1/2009 - Proposed Opening of Autumnview and Prairie Sky Drives, West of Pine Hills Road, North of Waverley Street Within DASSF 504/2009

COMMENTS:

The recommendations contained in this report included that the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street opening in accordance with the attached Misc. Plan No. 13521.

As all costs associated with the street opening are the responsibility of the applicant, there are no financial implications for the City of Winnipeg.

"Original Signed By"
Mike Ruta, FCA
Chief Financial Officer

CONSULTATION

In preparing this Report there was:

Internal Consultation With and Concurrence By:

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

External Consultation With:

Manitoba Hydro, Centra Gas, MTS Allstream and Shaw Cablesystems

SUBMITTED BY

Department: Planning, Property and Development
Division: Development and Inspections
Prepared by: Bohdan Buyachok, Real Property Officer
File No.:

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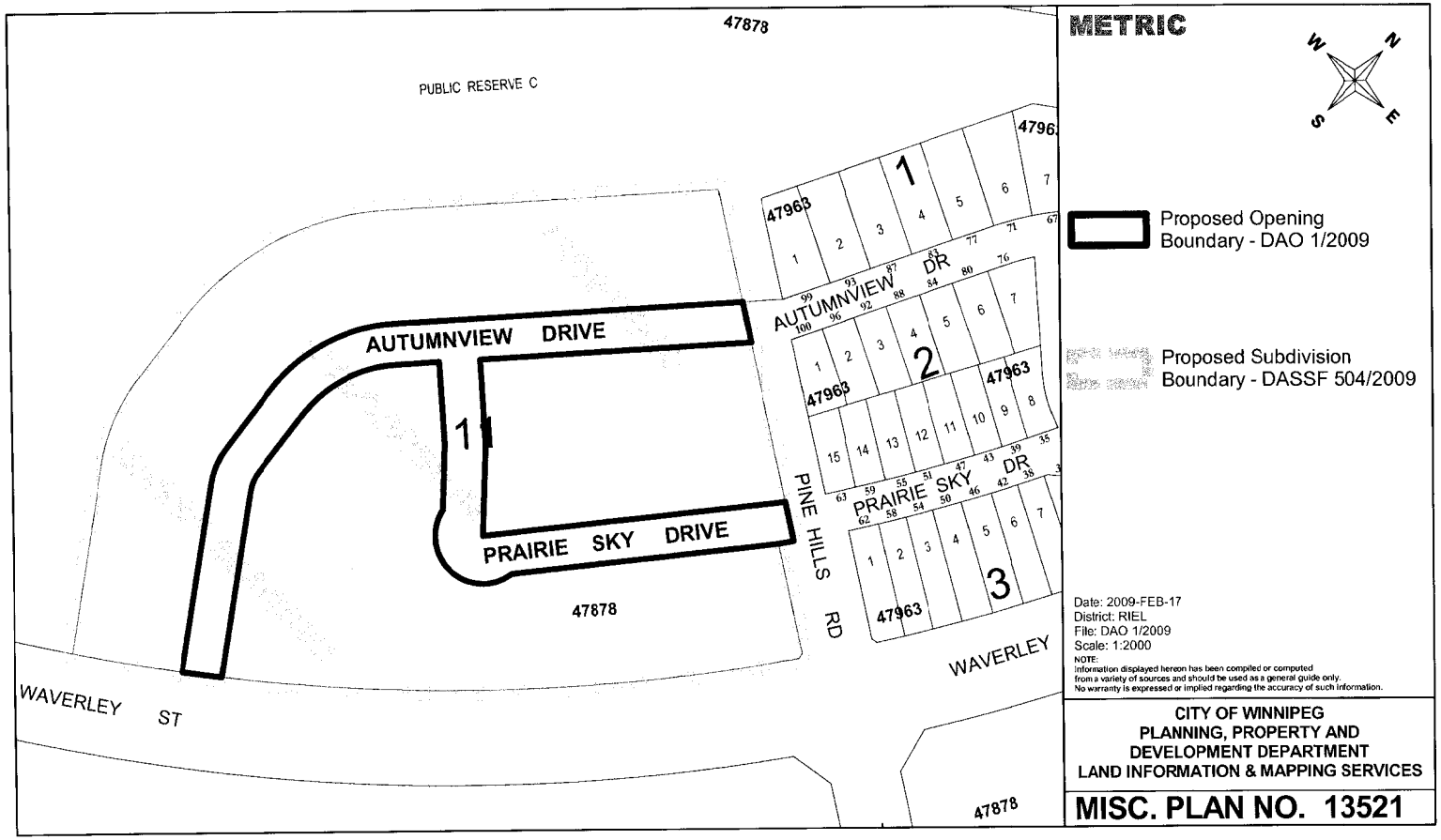
47878
PUBLIC RESERVE C
AUTUMNVIEW DRIVE
PRAIRIE SKY DRIVE
1
47878
WAVERLEY ST
PINE HILLS RD
WAVERLEY
47878
47963
AUTUMNVIEW DR
2
47963
PRAIRIE SKY DR
3
47963
METRIC
N
E
S
W
Proposed Opening
Boundary - DAO 1/2009
Proposed Subdivision
Boundary - DASSF 504/2009
Date: 2009-FEB-17
District: RIEL
File: DAO 1/2009
Scale: 1:2000
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 DEPARTMENT
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13521