Minutes – Executive Policy Committee – March 17, 2010

Minute No. 201
Report – Standing Policy Committee on Property and Development – March 2, 2010

Item No. 3 **Closing of Streets, Lanes and Walks within the Waverley West area for incorporation into DASZ 3/2009**
(St. Norbert Ward)
File DAC 12/2009

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee and submits the following to Council:

1. That the street, lane and public walk closings as shown on Misc. Plan Nos. 13689, 13690 and 13691 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, lane and public walk closings in accordance with Misc. Plan Nos. 13689, 13690 and 13691, subject to the approval of the terms and conditions of the conveyance of the land by the Director of the Planning, Property and Development Department.

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

Minutes – Executive Policy Committee – March 17, 2010

Report – Standing Policy Committee on Property and Development – March 2, 2010

DECISION MAKING HISTORY:

Moved by Councillor Steeves,

That the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On March 2, 2010, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 22, 2010, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded to the Standing Policy Committee on Property and Development.

On January 22, 2010, the Riel Community Committee issued notice and rescheduled the public hearing to a Special Meeting to be held on February 22, 2010.

On January 18, 2010 the Riel Community Committee adjourned the public hearing to its meeting on March 15, 2010 at 5:00 p.m. in the Council Building, 510 Main Street.

PUBLIC HEARING SUMMARY

File:	DAC 12/2009
Before:	Riel Community Committee Councillor Swandel, Chairperson Councillor Vandal
Public Hearing:	February 22, 2010 January 18, 2010 Council Chamber Council Building, 510 Main Street
Applicant:	Les McLaughlin (Pollock & Wright) on behalf of Manitoba Housing and Renewal Corporation
Premises Affected:	Streets, Lanes and Walks within the Waverley West area
Exhibits Filed:	1. Report from the Real Property Officer dated December 30, 2009 2. Inspection Report 3. Notice of Adjournment dated January 19, 2010 4. Supplemental Report from the Real Property Officer dated February 2, 2010 5. Inspection Report

REPRESENTATIONS:

In Support:

Les McLaughlin (representing MHRC)

For Information:

B. Nanowski

For the City:

Mr. B. Buyachok, Real Property Officer, Planning, Property and Development Department
Mr. J. Wintrup, Senior Planner, Planning, Property and Development Department

Exhibit "4" referred to in File DAC 12/2009

ADMINISTRATIVE REPORT

ISSUE: SUPPLEMENTAL REPORT - TO SEEK COUNCIL APPROVAL FOR DAC 12/2009 – PROPOSED CLOSING OF STREETS, LANES AND WALKS WITHIN THE WAVERLEY WEST AREA FOR INCORPORATION INTO DASZ 3/2009

CRITICAL PATH: RIEL COMMUNITY COMMITTEE – STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT - EXECUTIVE POLICY COMMITTEE - COUNCIL

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Buyachok	N/A	N/A	N/A

RECOMMENDATIONS

1. That the subject report be received as information.

IMPLICATIONS OF THE RECOMMENDATIONS

N/A

HISTORY

The report on DAC 12/2009 recommends the closing of certain public streets, lanes and walks within the Waverley West Northeast Neighbourhood Area Structure Plan for incorporation into DASZ 3/2009, an application to subdivide and rezone the adjoining property. The subject closings will either be reconfigured or rededicated as new rights of way within this application. On January 18, 2010, the Riel Community Committee requested additional information pertaining to the new rights of way being created within DASZ 3/2009 and adjourned the public

hearing on this matter to its special meeting to be held on February 22, 2010. The purpose of this report is to provide the additional information as requested.

On September 30, 2009, Council approved the Report of the Standing Policy Committee on Property and Development dated September 8, 2009 for application DASZ 3/2009. Included in the Committee's report is the attached sketch identified as "Schedule "A" for File No. DASZ 3/2009" which illustrates the reconfigured and rededicated rights of way within the subdivision. The attached Misc. Plan Nos. 13689/1, 13690/1 and 13691/1 also provide an overlay of the rights of way proposed to be closed within DAO 12/2009 with respect to those proposed to be opened within DASZ 3/2009.

CONSULTATION

In preparing this Report there was consultation with:

Internal Consultation:

N/A

External Consultation:

N/A

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Development and Inspections
Prepared by:	Bohdan Buyachok, Real Property Officer
Date:	February 2, 2010
File No.	

V:\devapp\dev application2009\dac12_2009\final_report\dac12.09rpt supplemental

APPENDIX "A"

Schedule "A" for File No. DASZ 3/2009

By–Law No. _____

File No. **DASZ 3/09**

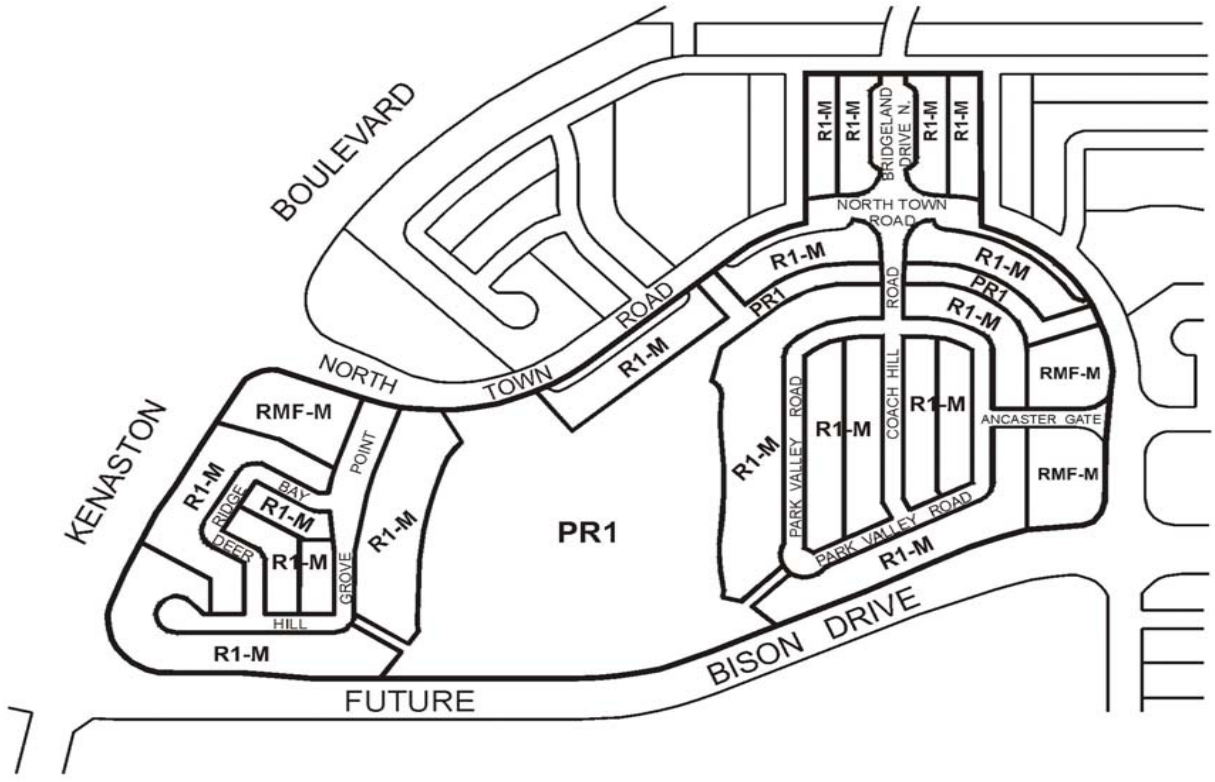
Atlas Sheet No.

N

AL21
RIEL
COMMUNITY

Explanation

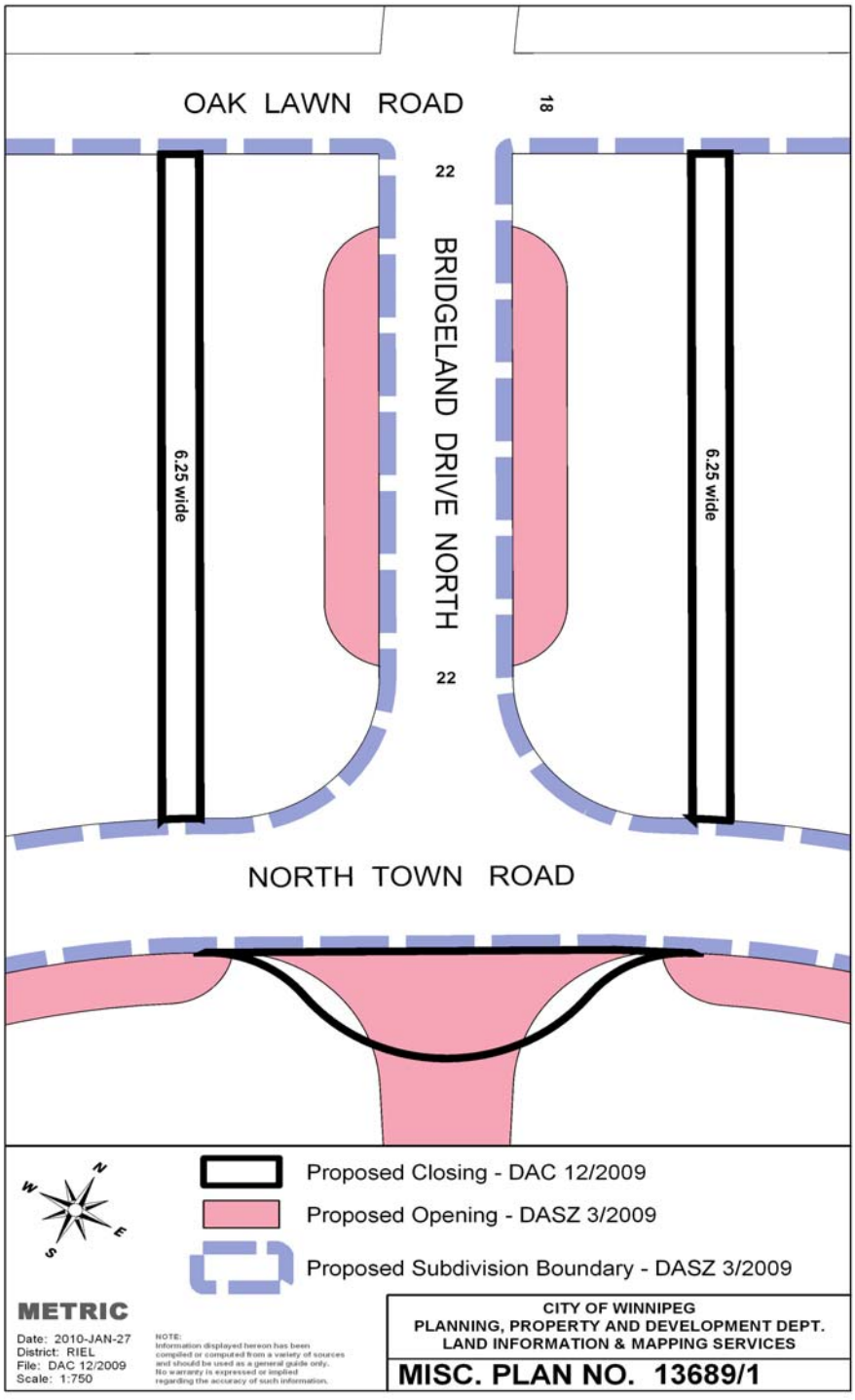
An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located on east of Kenaston Boulevard between Bison Drive & North Town Road from an "A" AGRICULTURAL DISTRICT, "PR1" PARKS & RECREATION 1 (NEIGHBOURHOOD) DISTRICT, "R1-M" & "R1-S" RESIDENTIAL SINGLE-FAMILY DISTRICT to a "PR1" PARKS & RECREATION 1 (NEIGHBOURHOOD) DISTRICT, "RMF-M" RESIDENTIAL MULTI-FAMILY DISTRICT and "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT as shown outlined below.

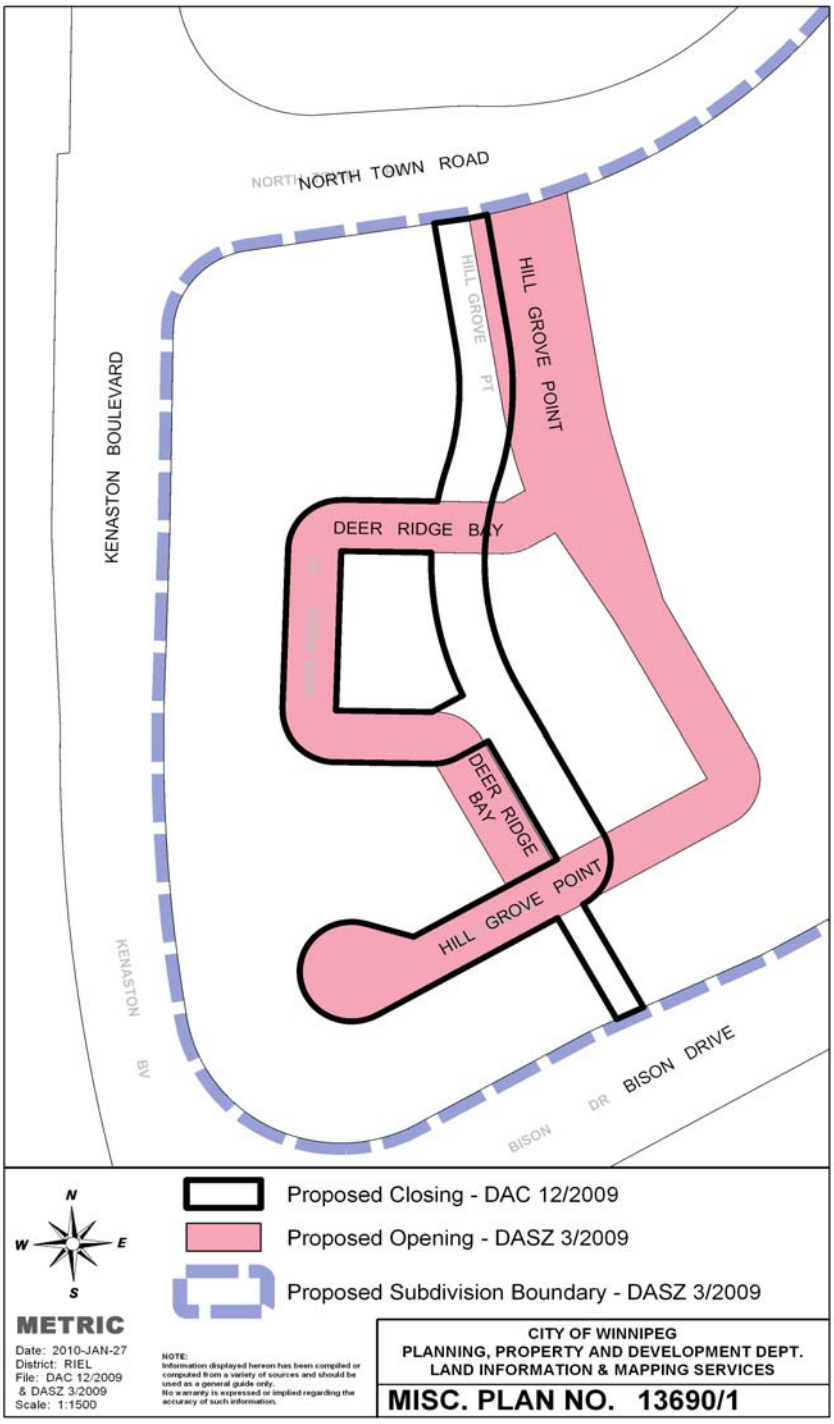


THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Miscellaneous Plans




NORTH TOWN ROAD
KENASTON BOULEVARD
HILL GROVE POINT
HILL GROVE PT
DEER RIDGE BAY
DEER RIDGE BAY
HILL GROVE POINT
KENASTON BV
BISON DRIVE
BISON DR
N
W
E
S
Proposed Closing - DAC 12/2009
Proposed Opening - DASZ 3/2009
Proposed Subdivision Boundary - DASZ 3/2009
METRIC
Date: 2010-JAN-27
District: RIEL
File: DAC 12/2009
& DASZ 3/2009
Scale: 1:1500
NOTE:
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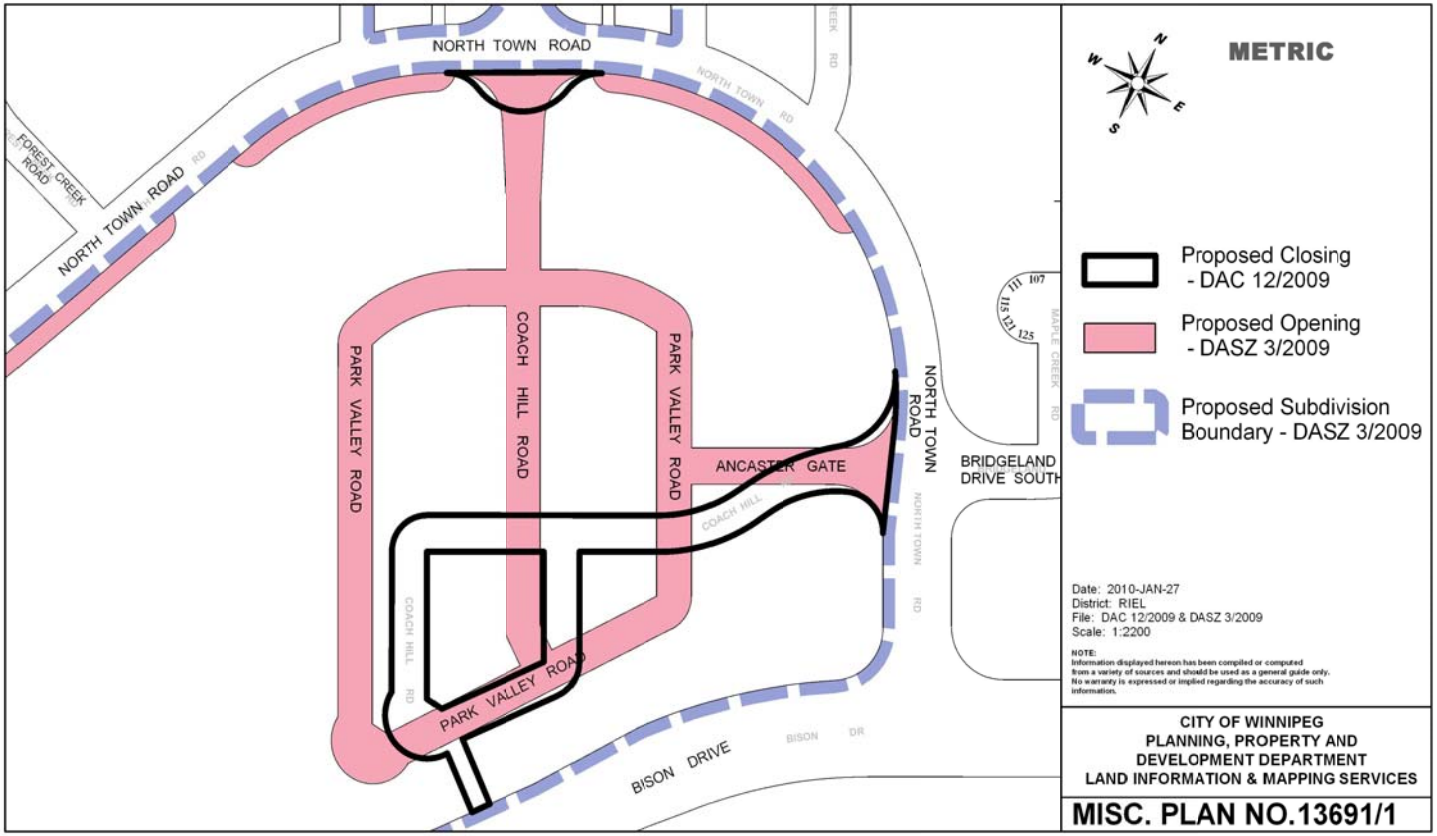
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13690/1


NORTH TOWN ROAD
NORTH TOWN ROAD
FOREST CREEK ROAD
COACH HILL ROAD
PARK VALLEY ROAD
PARK VALLEY ROAD
ANCASTER GATE
NORTH TOWN ROAD
BRIDGELAND DRIVE SOUTH
PARK VALLEY ROAD
BISON DRIVE
METRIC
Proposed Closing - DAC 12/2009
Proposed Opening - DASZ 3/2009
Proposed Subdivision Boundary - DASZ 3/2009
Date: 2010-JAN-27
District: RIEL
File: DAC 12/2009 & DASZ 3/2009
Scale: 1:2200
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CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPARTMENT
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO.13691/1

Exhibit "1" referred to in File DAC 12/2009

ADMINISTRATIVE REPORT

ISSUE: TO SEEK COUNCIL APPROVAL FOR DAC 12/2009 – PROPOSED CLOSING OF STREETS, LANES AND WALKS WITHIN THE WAVERLEY WEST AREA FOR INCORPORATION INTO DASZ 3/2009

CRITICAL PATH: RIEL COMMUNITY COMMITTEE – STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT - EXECUTIVE POLICY COMMITTEE - COUNCIL

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Buyachok	N/A	N/A	N/A

RECOMMENDATIONS

1. That the proposed street, lane and public walk closings as shown on Misc. Plan Nos. 13689, 13690 and 13691 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, lane and public walk closings in accordance with Misc. Plan Nos. 13689, 13690 and 13691, subject to the approval of the terms and conditions of the conveyance of the land by the Director of the Planning, Property and Development Department.

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

IMPLICATIONS OF THE RECOMMENDATIONS

There are no policy, regulatory, environmental, human resource or general implications associated with the recommendations.

All costs associated with the street, lane and public walk closings are the responsibility of the applicant. There are no financial implications for the City of Winnipeg.

HISTORY

The Planning, Property and Development Department has received a request from Mr. Les McLaughlin of Pollock & Wright, representing Manitoba Housing and Renewal Corporation, to close and purchase the public streets, lanes and walks so identified on the attached copies of Misc. Plan Nos. 13689, 13690 and 13691. The streets, lanes and walks, once closed, will be incorporated into DASZ 3/2009, an application to subdivide and rezone the adjoining property. Parts the closings will be reconfigured as new rights of way within this application.

The subject property forms part of the Waverley West Northeast Neighbourhood Area Structure Plan originally processed under application DASZ 1/2006 and approved by Council on December 6, 2006. The subject closings were opened by Plan Nos. 46837 and 46838 and registered in the Winnipeg Land Titles Office in December of 2007. These rights of way exist in a legal sense only and are not physically in place.

CONSULTATION

In preparing this Report there was consultation with:

Internal Consultation:

N/A

External Consultation:

Manitoba Hydro and Centra Gas
MTS Allstream and Shaw Cablesystems did not respond to the request for comments on this proposal.

SUBMITTED BY

Department: Planning, Property and Development
Division: Development and Inspections
Prepared by: Bohdan Buyachok, Real Property Officer
Date: December 30, 2009
File No.

V:\devapp\dev application2009\dac12_2009\final_report\dac12.09rpt

APPENDIX "A"

Reason for the Recommendations

All street, lane and public walk closings require the consideration of the Community Committee.

Administrative Approval

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections or conditions to the street, lane and public walk closings.

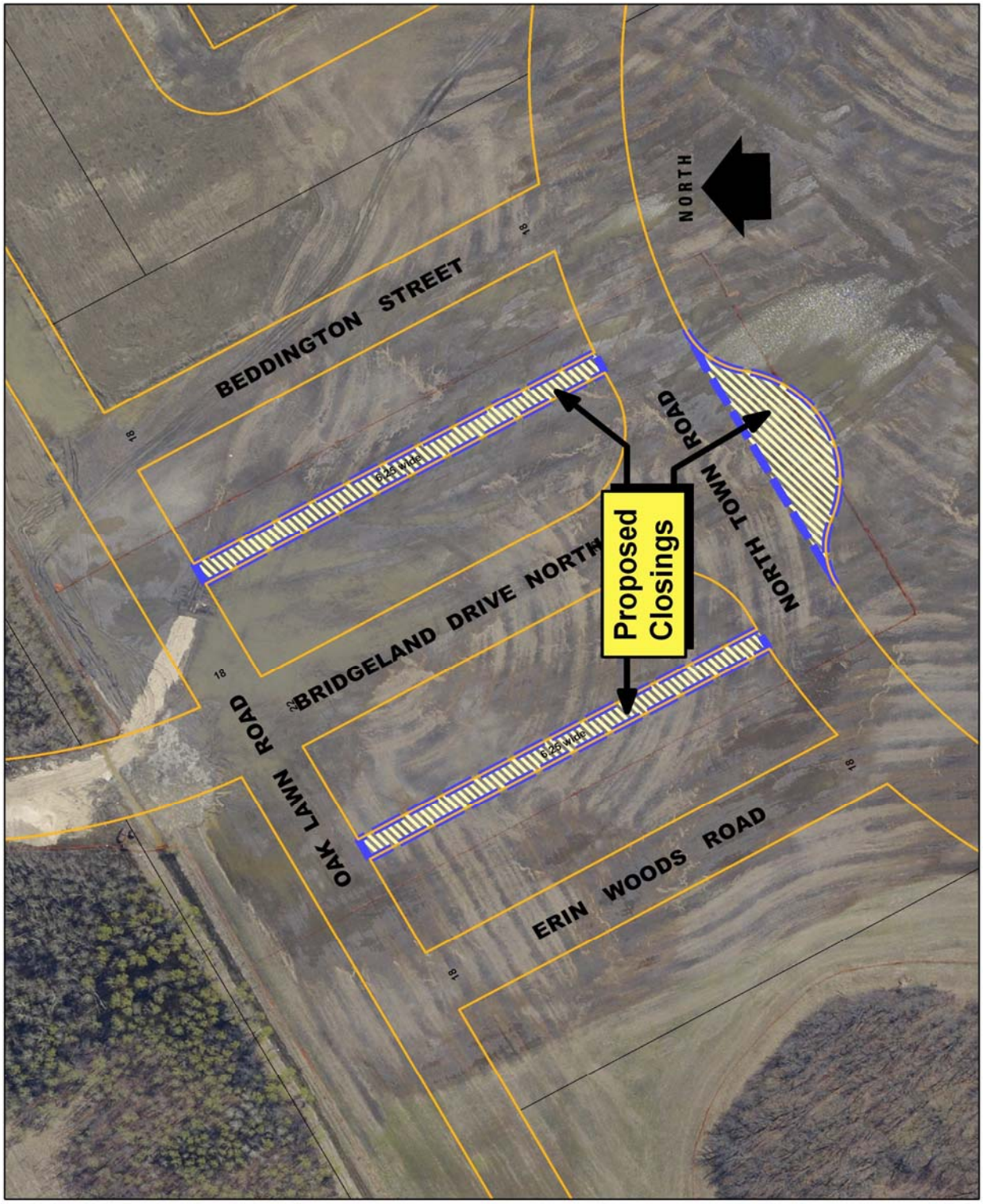
Easements

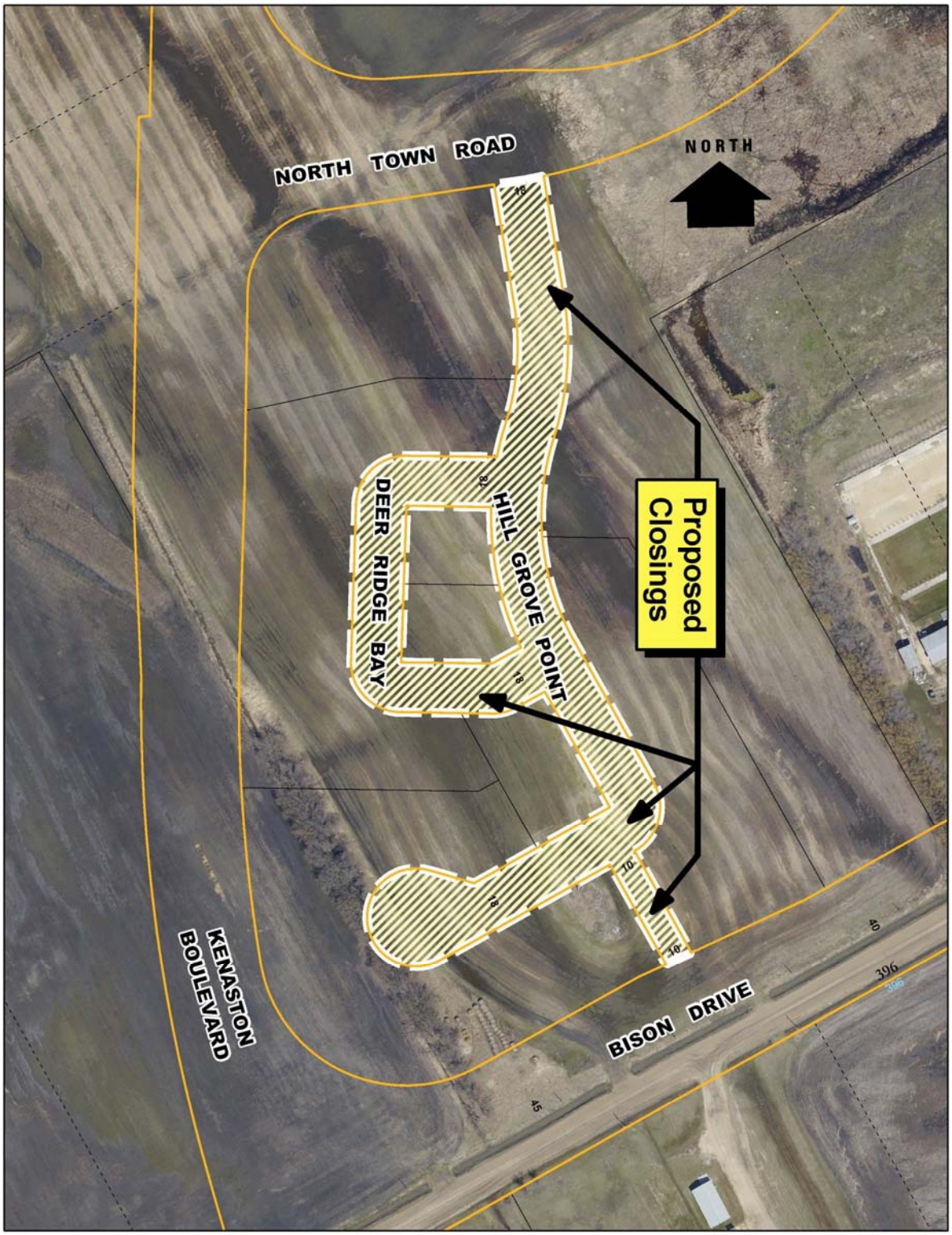
There are no services within the closing areas. No easements will be required.

Transfer of Jurisdiction Over Public Rights-of-Way

The streets, lanes and public walks must be legally closed before they 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.

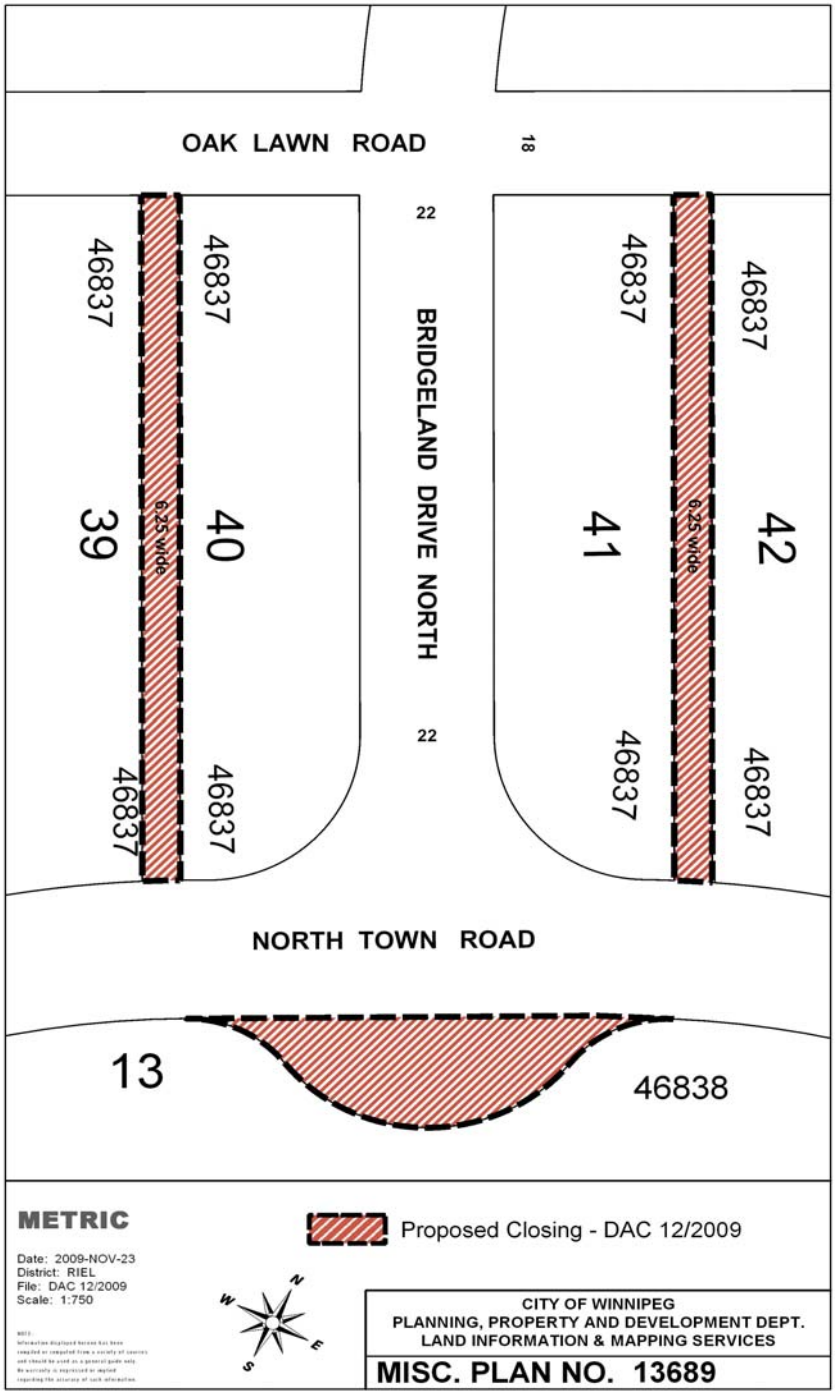
Aerial Views of Subject Closings

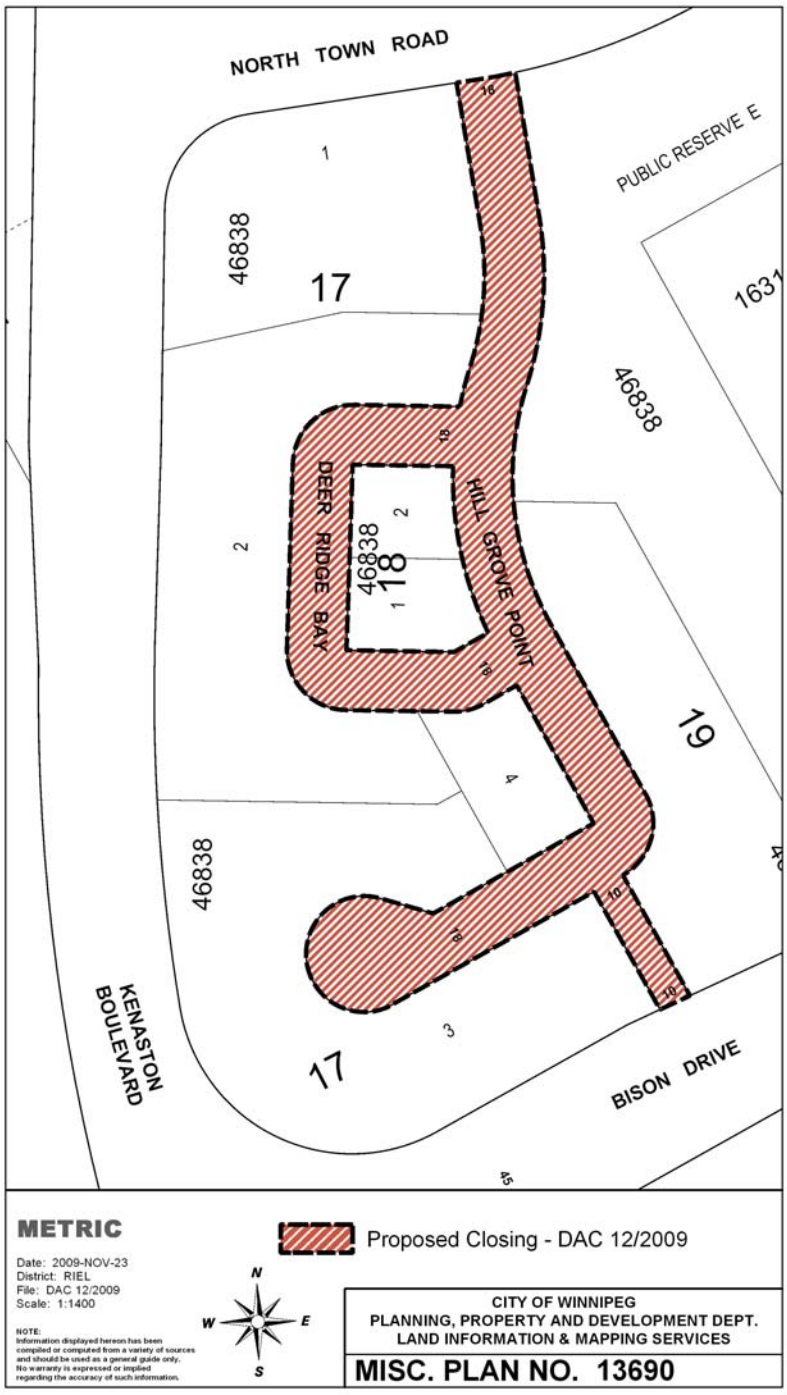



NORTH TOWN ROAD
NORTH
Proposed Closings
DEER RIDGE BAY
HILL GROVE POINT
KENASTON BOULEVARD
BISON DRIVE
396
40
45


NORTH
CADBORO ROAD
BRIDGELAND DRIVE SOUTH
NORTH TOWN ROAD
BISON DRIVE
COACH HILL ROAD
COACH HILL ROAD
Proposed Closing

Miscellaneous Plans




NORTH TOWN ROAD
PUBLIC RESERVE E
46838
17
1631
46838
DEER RIDGE BAY
HILL GROVE POINT
46838
18
19
46838
KENASTON BOULEVARD
17
BISON DRIVE
METRIC
Proposed Closing - DAC 12/2009
Date: 2009-NOV-23
District: RIEL
File: DAC 12/2009
Scale: 1:1400
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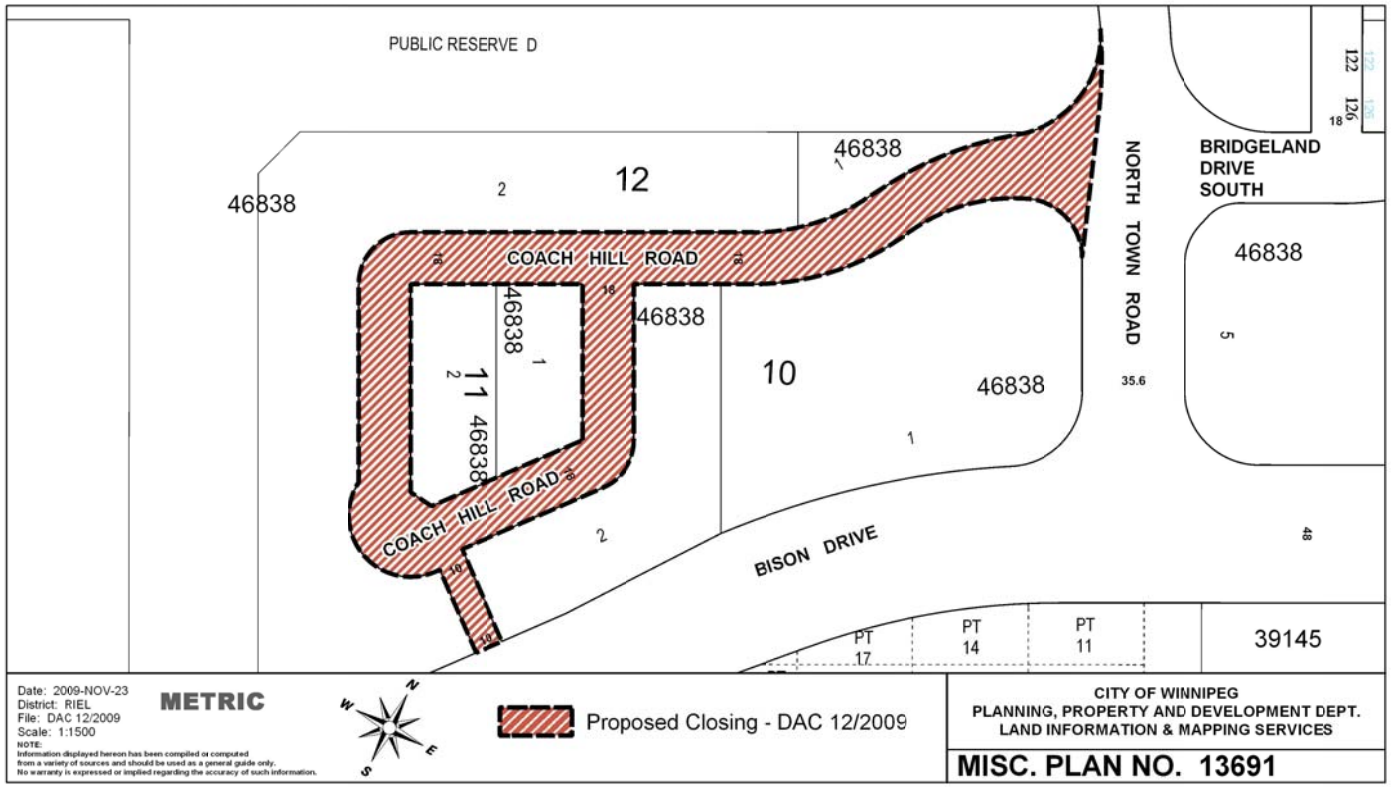
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13690


PUBLIC RESERVE D
46838
12
2
46838
1
BRIDGELAND
DRIVE
SOUTH
122
126
18
NORTH TOWN ROAD
35.6
46838
5
COACH HILL ROAD
18
46838
46838
1
11
2
46838
10
46838
1
COACH HILL ROAD
18
2
BISON DRIVE
48
PT
17
PT
14
PT
11
39145
Date: 2009-NOV-23
District: RIEL
File: DAC 12/2009
Scale: 1:1500
METRIC
NOTE:
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Proposed Closing - DAC 12/2009
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 13691