**Minute No. 202**
**Report – Executive Policy Committee – February 3, 2010**

**Item No. 2** **Lane Corner Opening at the rear of 380 Mountain Avenue (Mynarski Ward)**
**File DAO 14/2009**

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the lane corner opening in accordance with Misc. Plan No. 12037/2.

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 – February 3, 2010**

DECISION MAKING HISTORY:

Moved by His Worship Mayor Katz,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 3, 2010, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

# ADMINISTRATIVE REPORT

**ISSUE: TO SEEK COUNCIL APPROVAL FOR DAO 14/2009 – PROPOSED LANE CORNER OPENING AT THE REAR OF 380 MOUNTAIN AVENUE**

**CRITICAL PATH: EXECUTIVE POLICY COMMITTEE - COUNCIL**

## AUTHORIZATION

| Author | Department Head | CFO | CAO |
|---|---|---|---|
| J. Saj | D. Joshi | N/A | P. Sheegl, Deputy CAO |

## RECOMMENDATIONS

1. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane corner opening in accordance with the attached Misc. Plan No. 12037/2.

2. 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

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

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

Costs associated with the lane corner opening are the responsibility of the Public Works Department and are within the approved current and/or capital budget.

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

## HISTORY

The Geomatics Branch of the Planning, Property and Development Department is processing an application to open the public lane corner at the rear of 380 Mountain Avenue so identified on the attached copy of Misc. Plan No. 12037/2.

The City of Winnipeg acquired the land shown as “Subject Property” on the attached sketch in 2004 via tax sale. The house situated on the lot has been demolished, and the Real Estate Division has recently sold the property to Kinew Housing Incorporated for the nominal sum of $1.00 in accordance with the Winnipeg Housing and Homelessness Initiative. Prior to the sale of the land, the Division contacted City Departments requesting their comment and identification of any conditions pertaining to the disposition of the property. The Public Works Department identified the need for a corner widening as shown on the sketch. This widening will allow vehicles additional room to negotiate the corner at the lane intersection.

The purchase and sales agreement for the subject property requires Kinew Housing to substantially complete construction on the land to allow for occupancy by August 28, 2011. The agreement also contains a proviso for the lane corner widening requirement. Since the land has been sold, it is now in order to proceed with the dedication of a portion of the subject property as public lane prior to the development of the land.

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.

## FINANCIAL IMPACT

**Financial Impact Statement** **Date:** **January 19, 2010**

### Project Name:

**DAO 14/2009 - Proposed Lane Corner Opening at the Rear of No. 380 Mountain Avenue**

**COMMENTS:**

The recommendations contained in this report include that the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane corner opening in accordance with the attached Misc. Plan No. 12037/2.

The costs associated with doing so are considered to be immaterial in nature. As such, there are no financial implications associated with the recommendations contained in this report.

*"Original Signed By"*
Mike McGinn, CA
Manager of Finance

## CONSULTATION

### In preparing this Report there was consultation with:

**Internal Consultation:**

N/A

**External Consultation:**

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 |
| Date: | January 21, 2010 |
| File No. | 32/7495 |

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Aerial View of Opening



Miscellaneous Plan

