Agenda – Council – June 22, 2011

Report – Executive Policy Committee – June 15, 2011

Item No. 7 Opening - East side of Kenaston Boulevard, south of Lowson Crescent (Charleswood-Tuxedo Ward)
File DAO 4/2011

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 15, 2011, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submits the following to Council:

1. That the Director of Legal Services and City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street opening in accordance with Misc. Plan No. 13844/1.

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 – June 15, 2011

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 15, 2011, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

ADMINISTRATIVE REPORT

Title: **DAO 4/2011: TO SEEK COUNCIL APPROVAL FOR THE PROPOSED OPENING OF THE EAST SIDE OF KENASTON BOULEVARD, SOUTH OF LOWSON CRESCENT**

Critical Path: **EXECUTIVE POLICY COMMITTEE – COUNCIL**

AUTHORIZATION

Author	Department Head	CFO	CAO
G. Solkoski	D. Joshi	N/A	A Robinson Deputy CAO

RECOMMENDATIONS

1. That the Director of Legal Services and 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. 13844/1.

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.

IMPLICATIONS OF THE RECOMMENDATIONS

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

Costs associated with the street opening are the responsibility of the Planning, Property and Development Department and are within the approved current and/or capital budget and considered immaterial in nature.

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

HISTORY

The Real Estate Division of the Planning, Property and Development Department has made an application to open part of the east side of Kenaston Boulevard south of Lowson Crescent so identified on the attached copy of Misc. Plan No. 13844/1. The opening is required in order to facilitate traffic flow for the development of the Tuxedo Yards Project.

On March 25, 2009, Council approved the Report of the Executive Policy Committee dated March 18, 2009 with respect to the Tuxedo Yards Development Project processed under subdivision and rezoning application DASZ 37/2008, and authorized the Chief Administrative Officer to negotiate and approve the terms and conditions of any and all agreements required for land acquisitions needed for the widening of Kenaston Boulevard and Sterling Lyon Parkway. With the exception of the land required for the subject opening, the terms and conditions for the property acquisitions south of Lowson Crescent were successfully completed, and the proposed opening of part of the east side of Kenaston Boulevard was processed via application DAO 7/2010 as shown on the sketch. On December 15, 2010, Council concurred in the recommendation of the Executive Policy Committee and approved application DAO 7/2010.

The subject opening was excluded from the original application as the terms and conditions for the acquisition of the property were not completed. The owner of the land, Canadian National Railway Company, has agreed to the sale of its property, and it is now in order to proceed with the opening.

Pursuant to the Strategic Economic Agreement between the City of Winnipeg and Tuxedo Yards Development Corporation dated September 15, 2009, and as part of the City's agreed upon contribution to the Tuxedo Yards development, the City is responsible for the costs associated with the acquisition of the property required for the subject opening, including charges for plan preparation and document registration in the Winnipeg Land Titles Office.

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

DAO 4/2011: TO SEEK COUNCIL APPROVAL FOR THE PROPOSED OPENING OF THE EAST SIDE OF KENASTON BOULEVARD, SOUTH OF LOWSON CRESCENT

COMMENTS:

Funding for the preparation and registration of the documents required to dedicate the land as public street has been provided by the Planning, Property and Development Department under Account No. 001-182000-630801-63103001. These costs are considered to be immaterial in nature.

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

CONSULTATION

In preparing this report there was consultation with:

Internal Consultation:

Corporate Finance
Public Works
Water and Waste
Transit

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: May 30, 2011
File No.

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Aerial View of Subject Opening



Miscellaneous Plan

