Report of the Executive Policy Committee dated February 13, 2002

Proposed Widening of Part of the South Side of Betsworth Avenue East of Charleswood Road
File DAO 2/2001

1. The Executive Policy Committee has been advised that the subject street widening requires a by-law pursuant to Section 495 of The City of Winnipeg Act.

In 1969, the Rural Municipality of Charleswood passed By-Law 1694, a by-law to expropriate certain lands for the widening of Beaumont Avenue (now re-named Betsworth Avenue). Subsequent negotiations for the acquisition of these lands were generally unsuccessful, and the expropriation was abandoned.

The Rural Municipality acquired an interest in the lands shown as "Proposed Street Widening" on Schedule "A" before the expropriation was dropped. The City of Winnipeg has now acquired title to the west half of this interest (adjacent to Nos. 6148 and 6200 Betsworth Avenue) and all the required consents to the dedication as public street of the east half of this interest (adjacent to Nos. 6140 and 6144 Betsworth Avenue).

It is necessary to dedicate these lands as public street because the City's interest places a legal barrier between Betsworth Avenue and the properties to the south of the interest. Nos. 6140, 6144, 6148 and 6200 Betsworth Avenue will not legally front on Betsworth Avenue until this has been done.

This report is submitted in accordance with the provisions of By-law 7325/98, a by-law to amend current 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 (relocation of facilities) must have been mutually agreed to.
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 Policy 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.

Funding for the cost of registering the documents required to effect the street widening is available in Account No. 03-118117-5100970717 and are considered to be immaterial.

The Executive Policy Committee recommends:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the widening of Betsworth Street in accordance with Schedule “A”, Misc. Plan No. 9749/3.

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

Schedule “A” referred to in Clause 1 of the Report of the Executive Policy Committee dated February 13, 2002

Financial Impact Statement

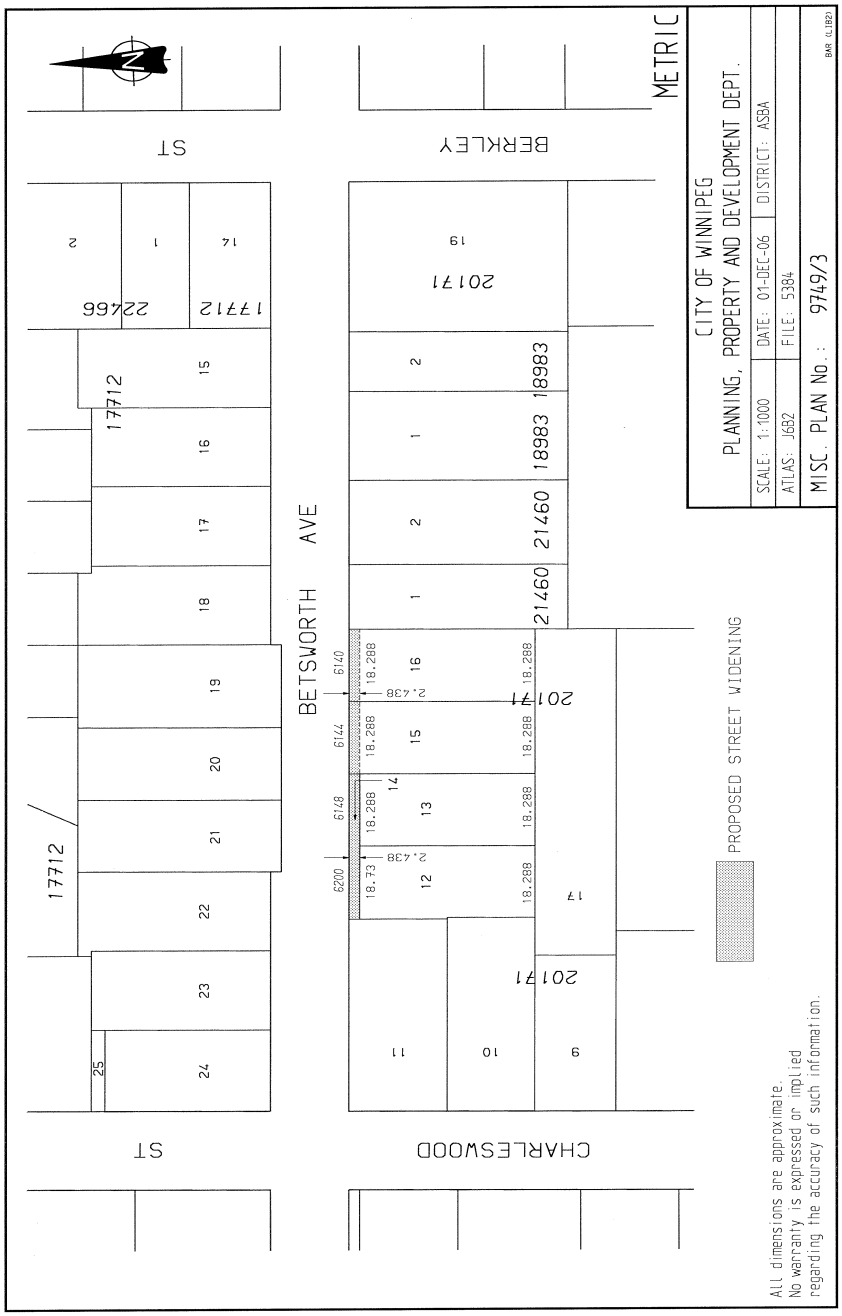
Date: 11-Jan-02

COMMENTS:

Funding for the cost of registering the documents required to effect the street widening is available in Account No. 03-118117-5100970717. These costs are considered to be immaterial.

Gord Courage, Manager
Support Services Division

Schedule "A" referred to in Clause 1 of the Report of the Executive Policy Committee dated February 13, 2002



SCHEDULE "A"
TO THE REPORT TO THE EXECUTIVE POLICY COMMITTEE
FOR FILE NO. DAO 2/01
DATED JANUARY 11, 2002