Minute No. 428
Report - Standing Policy Committee on Property and Development – June 7, 2011

Item No. 7 **Opening – west side of Halparin Drive, north of Kosty Lane (St. Vital Ward) File DAO 2/2011**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the street opening as shown on Misc. Plan No. 14005 be approved.

2. 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.14005.

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

Report - Standing Policy Committee on Property and Development – June 7, 2011

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 15, 2011, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 7, 2011, 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 May 16, 2011, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy on Property and Development.

Exhibit "1" referred to in File DAO 2/2011

ADMINISTRATIVE REPORT

Title: **DAO 2/2011: TO SEEK COUNCIL APPROVAL FOR THE PROPOSED OPENING OF THE WEST SIDE OF HALPARIN DRIVE, NORTH OF KOSTY LANE**

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 opening as shown on Misc. Plan No. 14005 be approved.

2. 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.14005.

3. 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

All street and lane openings not previously approved by Council require the consideration of the Community Committee.

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 opening are the responsibility of the applicant. There are no financial implications for the City of Winnipeg.

HISTORY

The Geomatics Branch has received a request from Mr. Stephen Nixon to open the portion of Halparin Drive so identified on the attached copy of Misc. Plan No. 14005.

The proposed opening is City property (part Lot 3, Plan 46848 WLTO) comprising part of a 1 foot wide control strip along the west side of Halparin Drive originally created by subdivision and rezoning application DAS 48/2006. The control strip serves as a reminder to recover from the owner of the adjoining privately owned land a proportionate share of the cost of services installed and improvements made by the original developer to the adjoining public street.

The applicant is in the process of applying for the issuance of building permits for the construction of a single family dwelling on the portion of his property fronting Halparin Drive. Since he has no frontage on this right of way and won't be subdividing the land, the applicant will be required to open the subject property via the DAO process in order to satisfy zoning requirements. Servicing costs with respect to DAS 48/2006 will need to be paid to the Land Development Branch prior to the release of the opening mylars under the subject DAO application.

CONSULTATION

In preparing this Report there was consultation with:

Internal Consultation:

There was consultation with the affected Civic departments.

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 2, 2011
File No.

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APPENDIX "A"

Administrative Approval

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

Administrative Comments

The Land Development Branch of the Planning, Property and Development Department advises that the City is obliged under Clause 11, Buffer Strips, Section I, Schedule "C" of Development Agreement AG 48/2006 to endeavour to recover from the owner of lands abutting the buffer control strip a proportionate share of the value of services installed and improvements made or to be made by the Developer to Halparin Drive. The City is required to collect and pay recoveries for the services directly to the Developer under terms of the AG 48/2006 agreement.

In consideration of the above, Land Development has no objections to the proposed street opening subject to the following: the applicant shall, prior to the release of mylars under the subject DAO application, pay their proportionate share of the cost of services installed by others in Halparin Drive under Development Agreement AG 48/2006, to the satisfaction of the Director of Planning, Property and Development Department. These payment obligations are in keeping with the requirements of the Public Works Department with respect to this matter.

Aerial View of Subject Opening



Miscellaneous Plan

