Report - Standing Policy Committee on Property and Development – July 15, 2011

Item No. 9 **Closing of Part of Cadboro Road, west of Kenaston Boulevard for incorporation into DASZ 4/2010**
(St. Norbert Ward)
File DAC 13/2011

STANDING COMMITTEE RECOMMENDATION:

On July 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 submits the following to Council:

1. That the street closing as shown on Misc. Plan No. 14035 be approved and that the land be declared surplus to the City's needs.

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 closing in accordance with Misc. Plan No. 14035, 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.

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DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 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 July 15, 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 July 11, 2011, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File:	DAC 13/2011]
Before:	Riel Community Committee Councillor Vandal, Chairperson Councillor Swandel Councillor Steeves
Public Hearing:	July 11, 2011 Council Building, 510 Main Street
Applicant:	Mr. Les McLaughlin of Pollock & Wright, representing Manitoba Housing and Renewal Corporation
Premises Affected:	Part of Cadboro Road, West of Kenaston Boulevard
Exhibits Filed:	1. Report from the Real Property Officer dated June 21, 2011 2. Inspection Report

REPRESENTATIONS:

In Support:

Les McLaughlin

In Opposition:

Nil

For Information:

Bill Nanowski

For the City:

Mr. B. Buyachok, Real Property Officer, Planning, Property and Development Department
Mr. R. Kostiuk, Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 13/2011

ADMINISTRATIVE REPORT

Title: **DAC 13/2011: TO SEEK COUNCIL APPROVAL FOR THE PROPOSED CLOSING OF PART OF CADBORO ROAD, WEST OF KENASTON BOULEVARD FOR INCORPORATION INTO DASZ 4/2010**

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 closing as shown on Misc. Plan No. 14035 be approved and that the land be declared surplus to the City's needs.

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 closing in accordance with Misc. Plan No. 14035, 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.

REASON FOR THE REPORT

All street and lane closings 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 closing 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 the portion of Cadboro Road so identified on the attached copy of Misc. Plan No. 14035. The street, once closed, will be incorporated into the development of the adjoining property currently being processed under subdivision and rezoning application DASZ 4/2010.

The subject closing forms part of the Northeast Kenaston / Bison Drive / Southtown Road - Bridgewater Development, and will be reconfigured as part of the future Bison Drive. On July 21, 2010, Council approved subdivision and rezoning application DASZ 4/2010. The sketch for this application is attached and shows the approximate location of the subject closing.

Cadboro Road was created by the subdivision of the adjoining land and registered in the Winnipeg Land Titles Office via Plan No. 1631 in May of 1911.

CONSULTATION

In preparing this Report there was consultation with:

Internal Consultation:

There was consultation with the affected Civic departments.

External Consultation:

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

SUBMITTED BY

Department: Planning, Property and Development
Division: Development and Inspections
Prepared by: Bohdan Buyachok, Real Property Officer
Date: June 21, 2011
File No.
V:\development applications\daoc\dev application2011\dac13_2011\final_report\dac13.11rpt

APPENDIX "A"

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 closing.

Easements

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

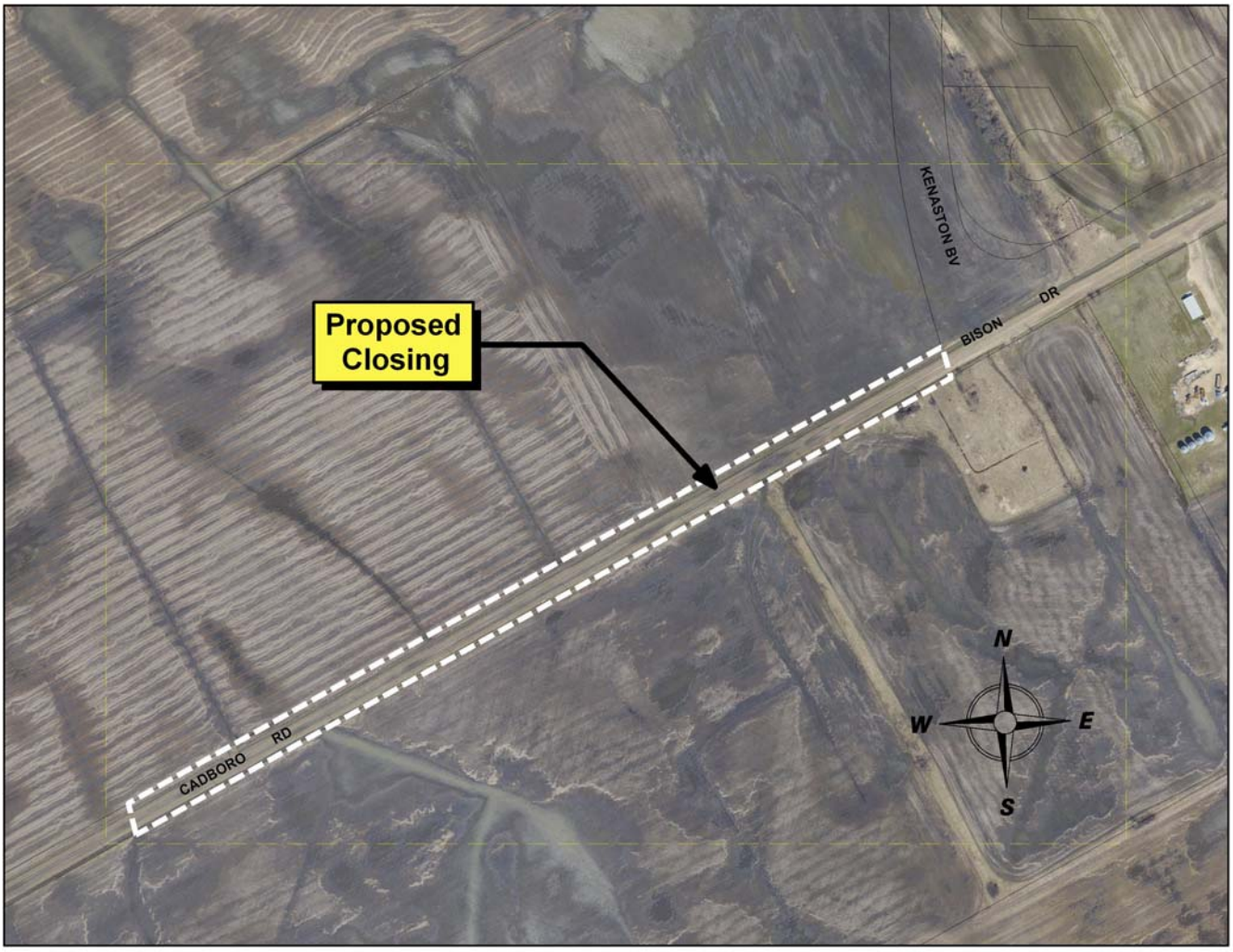
Conveyance of Street for $1.00

The area of the streets being created by the subdivision exceeds the area of the street being closed. In accordance with City policy, the closed portion of Cadboro Road will be conveyed to the Developer for the nominal sum of $1.00.

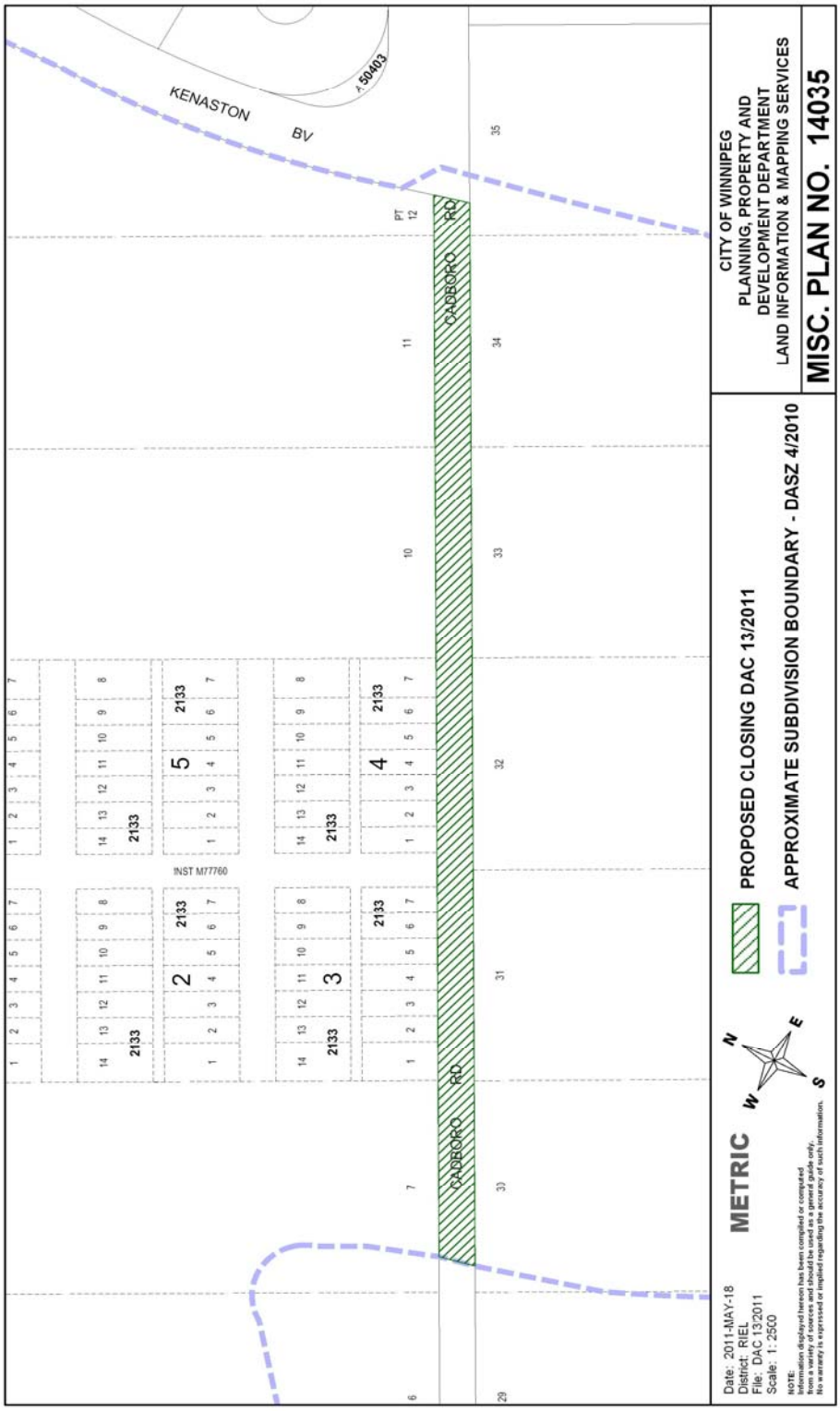
Transfer of Jurisdiction Over Public Rights-of-Way

The street must be legally closed before it 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 View of Subject Closing



Miscellaneous Plan



DASZ 4/2010 Sketch

By-Law No. _____

File No. **DASZ 4/10**

Atlas Sheet No.

AK20
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 the northeast side of Kenaston Boulevard at Bison Drive & Southtown Road from an "A" AGRICULTURAL DISTRICT to an "R1-M", RESIDENTIAL SINGLE-FAMILY DISTRICT, "RMF-S" & "RMF-L" RESIDENTIAL MULTI-FAMILY DISTRICTS, "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRICT, "PR2" PARKS AND RECREATION 2 (Community) DISTRICT, "C2" COMMERCIAL COMMUNITY DISTRICT, "C3" COMMERCIAL CORRIDOR DISTRICT, "CMU" COMMERCIAL MIXED USE DISTRICT and "MMU" MANUFACTURING MIXED USE DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____