Minute No. 336
Report - Executive Policy Committee - April 9, 2003

Item No. 4 Proposed Lane Corner Widening at the Rear of No. 73 Atlantic Avenue File DAO 17/2002

COUNCIL DECISION:

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

1. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane corner widening in accordance with Schedule “A”, Misc. Plan No. 11643.

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

Report - Executive Policy Committee - April 9, 2003

DECISION MAKING HISTORY:

Moved by Deputy Mayor Thomas,
That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 9, 2003, the Executive Policy Committee concurred in the administrative recommendation and submitted its recommendation to Council.

Re: DAO 17/2002 – PROPOSED LANE CORNER WIDENING AT THE REAR OF NO. 73 ATLANTIC AVENUE

For submission to: Executive Policy Committee

Original report signed by: Director of Planning, Property and Development

Report date: March 11, 2003

Recommendation(s): 1. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane corner widening in accordance with the attached Schedule "A", Misc. Plan No. 11643.
2. That the proper officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

REPORT SUMMARY

Key Issues:

- Large vehicles such as snow plows and garbage trucks using the lane at the rear of No. 73 Atlantic Avenue cannot negotiate a turn without passing over a small portion of the private property. The owner of the land has agreed to sell this portion of his property to be dedicated as public lane.

Implications of the Recommendation(s):

General implications:

X	**None**
	For the organization overall and/or for other departments
	For the community and/or organizations external to the City of Winnipeg
	Involves a multi-year contract

Comment(s):

Environmental implications:

X	**No**
	Yes

Comment(s):

Human resources implications:

X	**No**
	Yes

Comment(s):

Financial implications:

X	**Within approved current and/or capital budget**
	Current and/or capital budget adjustment required

Comment(s):

- Funding for the acquisition of the land and the costs of registering the relevant documents has been provided by the Public Works Department.

REASON FOR THE REPORT:

The lane corner widening requires a by-law pursuant to Section 139 of the City of Winnipeg Charter.

HISTORY:

Large vehicles such as snow plows or garbage trucks are unable to negotiate a turn at the rear of No. 73 Atlantic without passing over a portion of the private property. The Public Works Department has been aware of this situation since 1986 and instructed the Real Estate Division of the Planning, Property and Development Department at that time to enter into negotiations with the property owner for the acquisition of a 3 metre by 3 metre corner of the land for the purpose of dedicating the property as public lane.

Since 1986, the various owners of the property have refused to sell. In 2002, the property changed hands again and the new property owner has agreed to sell the land required for the corner widening.

DISCUSSION:

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 (i.e. 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 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.

Financial Impact Statement **Date:**

COMMENTS:

Funding for the purchase of the property and the registration of the documents required to effect the lane corner widening have been provided by the Public Works Department. These costs are considered to be immaterial.

Gord Courage, Manager
Support Services Division

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

Planning, Property and Development Department – Geomatics and Zoning & Permits Branches

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division

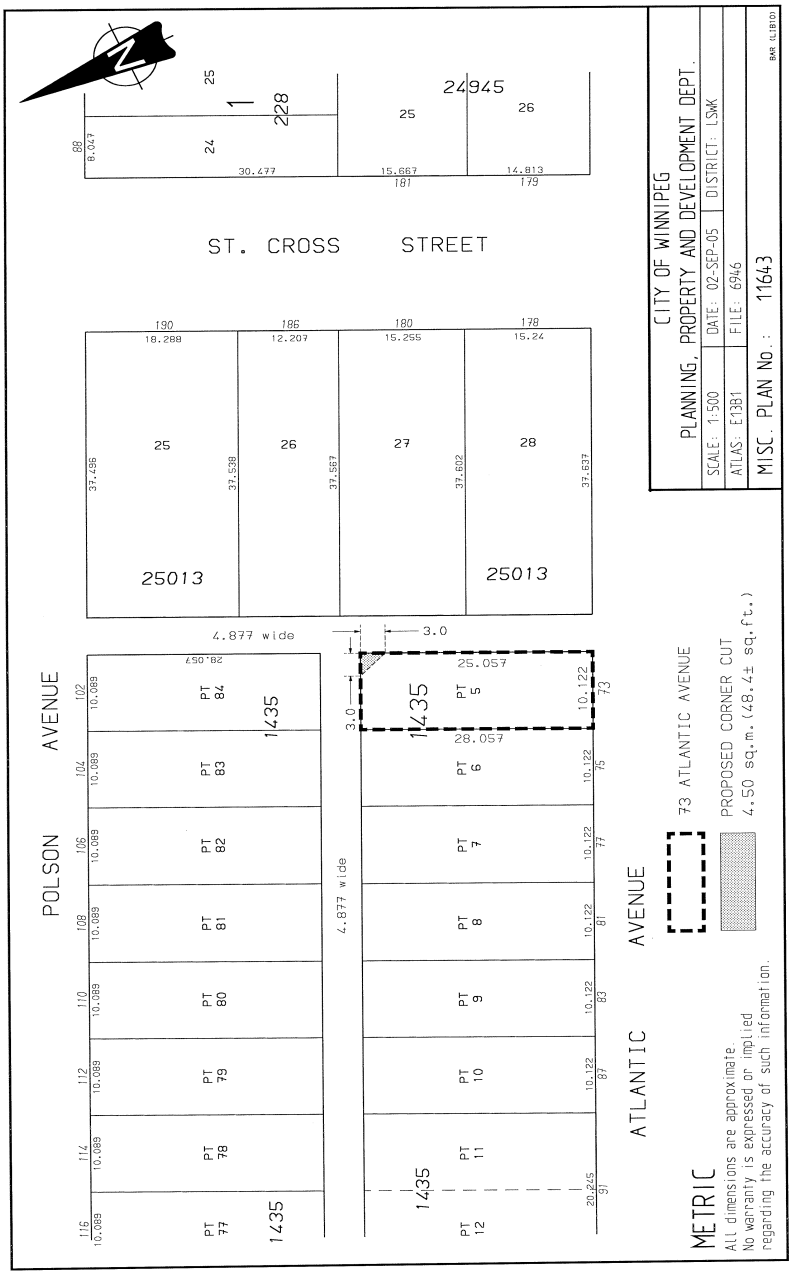
Water and Waste Department – Engineering Division

Centra Gas, Manitoba Hydro, MTS Communications, Shaw Cable

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD File #: 6946

Document name: document2


CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
SCALE: 1:500
DATE: 02-SEP-05
ATLAS: E13B1
DISTRICT: LSMK
FILE: 6946
MISC. PLAN No.: 11643
ST. CROSS STREET
POLSON AVENUE
ATLANTIC AVENUE
73 ATLANTIC AVENUE
PROPOSED CORNER CUT
4.50 sq.m. (48.4± sq.ft.)
4.877 wide
3.0
25013
1435
METRIC
All dimensions are approximate.
No warranty is expressed or implied
regarding the accuracy of such information.