Report - Executive Policy Committee - May 7, 2003

Minute No. 409
Item No. 4 Proposed Widening of the North Side of Ness Avenue between Century and Kensington Streets
File DAO 6/2002

COUNCIL DECISION:

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

1. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the street widening in accordance with the attached Schedule “A”, Misc. Plan No. 7245/3.

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

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DECISION MAKING HISTORY:

Moved by His Worship Mayor Murray,
That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 7, 2003, the Executive Policy Committee concurred in the administrative recommendation and submitted its recommendation to Council.

Re: DAO 6/2002 – PROPOSED WIDENING OF THE NORTH SIDE OF NESS AVENUE BETWEEN CENTURY AND KENSINGTON STREETS

For submission to: Executive Policy Committee

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

Report date: April 22, 2003

Recommendation(s): 1. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street widening in accordance with the attached Schedule "A", Misc. Plan No. 7245/3.
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:

- The City is acquiring a part of the land required for the street widening by exchanging a portion of the adjoining surplus City property. While there are no immediate plans to construct the widening, the plan of survey that will delineate the boundaries of the opening of the street will also define the boundaries of the City lands that are being exchanged. This is the most efficient means of completing the City's obligation to transfer the City lands.

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):

Policy implications:

X	**No**
	Yes

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):

REASON FOR THE REPORT:
The street widening requires a by-law pursuant to Section 139 of the City of Winnipeg Charter.

HISTORY:
This widening was initiated by the (former) Works and Operations Department in 1988. Funding for the acquisition of the main portion of the land was provided in the 1989 Capital Works budget.

In 1996, the City acquired the land shown shaded and identified as "City Property" on Schedule "B", Misc. Plan No. 7245/2, for the future widening of Ness Avenue. In March of this year, the City completed negotiations with the owner of the property to the north for the acquisition of the portion of his property required for the widening (shown as "Parcel A" on the drawing). The City is transferring the surplus portion of its land (Parcel "B" on the drawing) to the adjoining property owner in exchange for Parcel "A" and $1,150.

The City of Winnipeg may now dedicate as Ness Avenue the lands shown bordered on Schedule "A". There are no immediate plans to construct the widening. The registration of the widening plan is the most efficient way for the City to transfer Parcel "B" and fulfill its obligations under the agreement for the acquisition of Parcel "A".

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: 22-Apr-03

COMMENTS:

Funding for the cost of registering the documents required to effect the street widening by-law in the Winnipeg Land Titles Office has 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

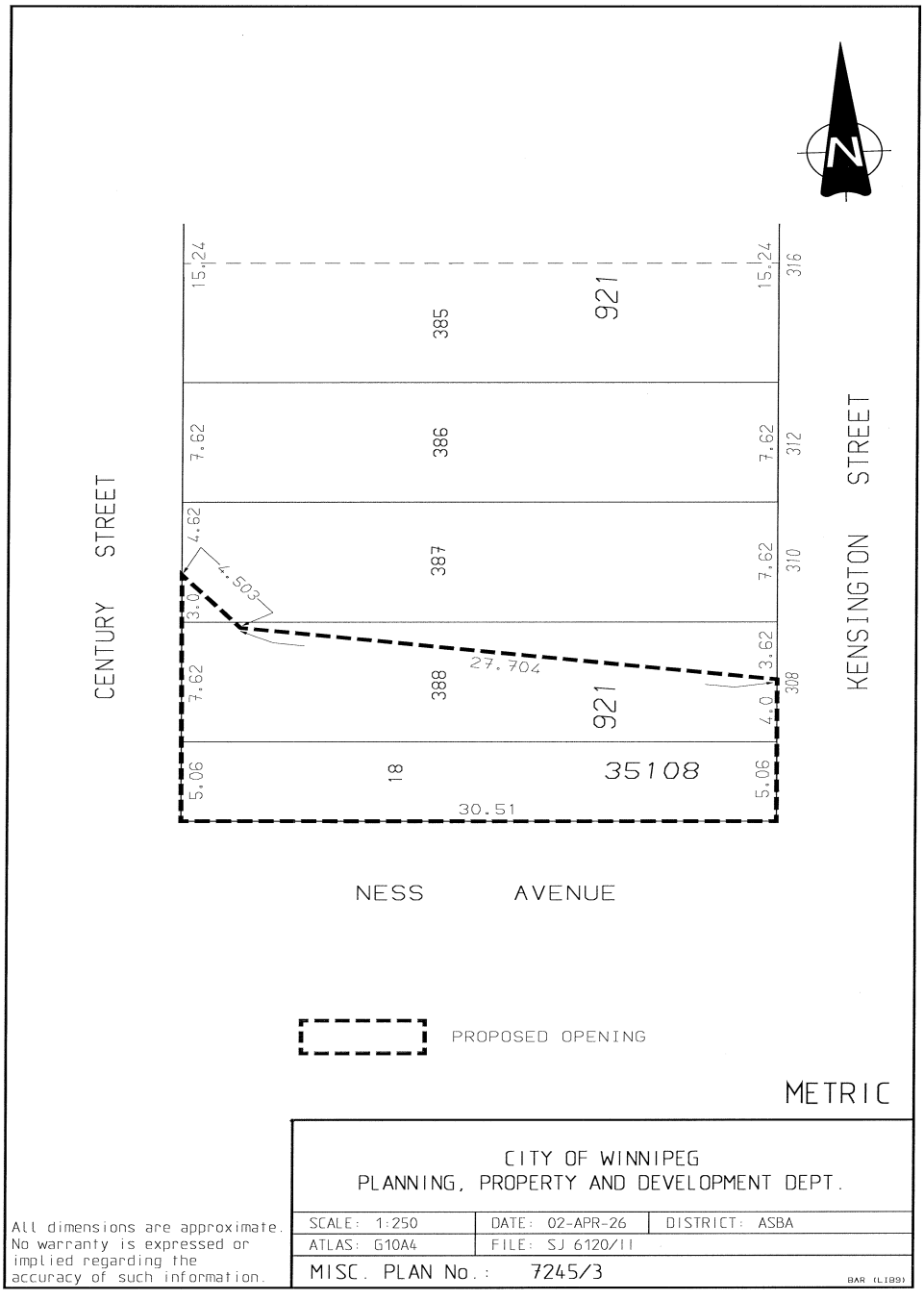
Centra Gas, Manitoba Hydro, MTS Communications, Shaw Cable

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD File #: 6120/11

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SCHEDULE "A"
TO THE REPORT TO THE EXECUTIVE POLICY COMMITTEE
FOR FILE NO. DAO 6/2002



SCHEDULE "B"
TO THE REPORT TO THE EXECUTIVE POLICY COMMITTEE
FOR FILE NO. DAO 6/2002

