Minute No. 602
Report – Standing Policy Committee on Property and Development – September 10, 2013

Item No. 1 **Closing of Part of the Public Lane North of Pandora Avenue East, East of Leola Street (Transcona Ward) File DAC 9/2013**

COUNCIL DECISION:

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

1. That the lane closing as shown on Misc. Plan No. 14493 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 lane closing in accordance with Misc. Plan No. 14493.

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:

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 September 18, 2013, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 10, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 16, 2013, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File:	DAC 9/2013
Before:	East Kildonan-Transcona Community Committee Councillor Steen, Chairperson Councillor Browaty Councillor Wyatt
Public Hearing:	July 16, 2013 Council Building, 510 Main Street
Applicant:	McGowan Russell Group Inc. (Susan Russell)
Premises Affected:	Part of the Public Lane North of Pandora Avenue East, East of Leola Street
Exhibits Filed:	1. Report from the Real Property Officer dated June 27, 2013 2. Inspection Report

REPRESENTATIONS:

In Support:

Aaron Hirota
Susan Russell, McGowan Russell Group Inc.

In Opposition:

Nil

For Information:

Nil

For the City:

Mr. M. Pyl, Planner, Planning, Property and Development Department
Mr. B. Buyachok, Real Property Officer, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 9/2013

ADMINISTRATIVE REPORT

Title: **DAC 9/2013: TO SEEK COUNCIL APPROVAL FOR THE PROPOSED CLOSING OF PART OF THE PUBLIC LANE NORTH OF PANDORA AVENUE EAST, EAST OF LEOLA STREET**

Critical Path: **EAST KILDONAN - TRANSCONA COMMUNITY COMMITTEE – STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT - EXECUTIVE POLICY COMMITTEE – COUNCIL**

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	B. Thorgrimson	N/A	N/A

RECOMMENDATIONS

1. That the proposed lane closing as shown on Misc. Plan No. 14493 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 lane closing in accordance with Misc. Plan No. 14493.

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.

Costs associated with the lane closing are the responsibility of Community Services Department and are within the approved current and/or capital budget and considered immaterial in nature.

HISTORY

The Planning, Property and Development Department has received an application from the Community Services Department for the closing of part of the public lane so identified on the attached copy of Misc. Plan No. 14493. The closing is required in order to facilitate the development and expansion of the existing East End Community Centre and is to be used for parking and landscaping purposes. The City of Winnipeg will be retaining ownership of the public lane, once closed.

Pursuant to By-law No. 462 of the then City of Transcona, the subject lane was opened by Plan No. 7982 and registered in the Winnipeg Land Titles Office in August of 1962.

The subject lane currently forms part of an asphalt parking area and exists in a legal context only. It does not connect to any public rights of way and appears to serve no apparent public transportation purpose.

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 Inc., Shaw Cablesystems, Bell Canada, Norscan, Telus and TeraSpan.
Rogers Communications, Imperial Oil and Fibre did not respond to the request for comments on this proposal.

SUBMITTED BY

Department: Planning, Property and Development
Division: Land Development, Geomatics and Land Information Services
Prepared by: Bohdan Buyachok, Real Property Officer
Date: June 27, 2013
File No.

APPENDIX "A"

Administrative Approval

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

Administrative Comments

The Engineering Division of the Water and Waste Department has advised that the subject lane closing area may potentially be the location where the water main from Melrose Avenue East will tie back into the water main running down Pandora Avenue East. If this is the case, there will be a new water main within the closed lane. As a condition to the approval of this application, the Water and Waste Department requires that no permanent structures be built within the proposed closing area.

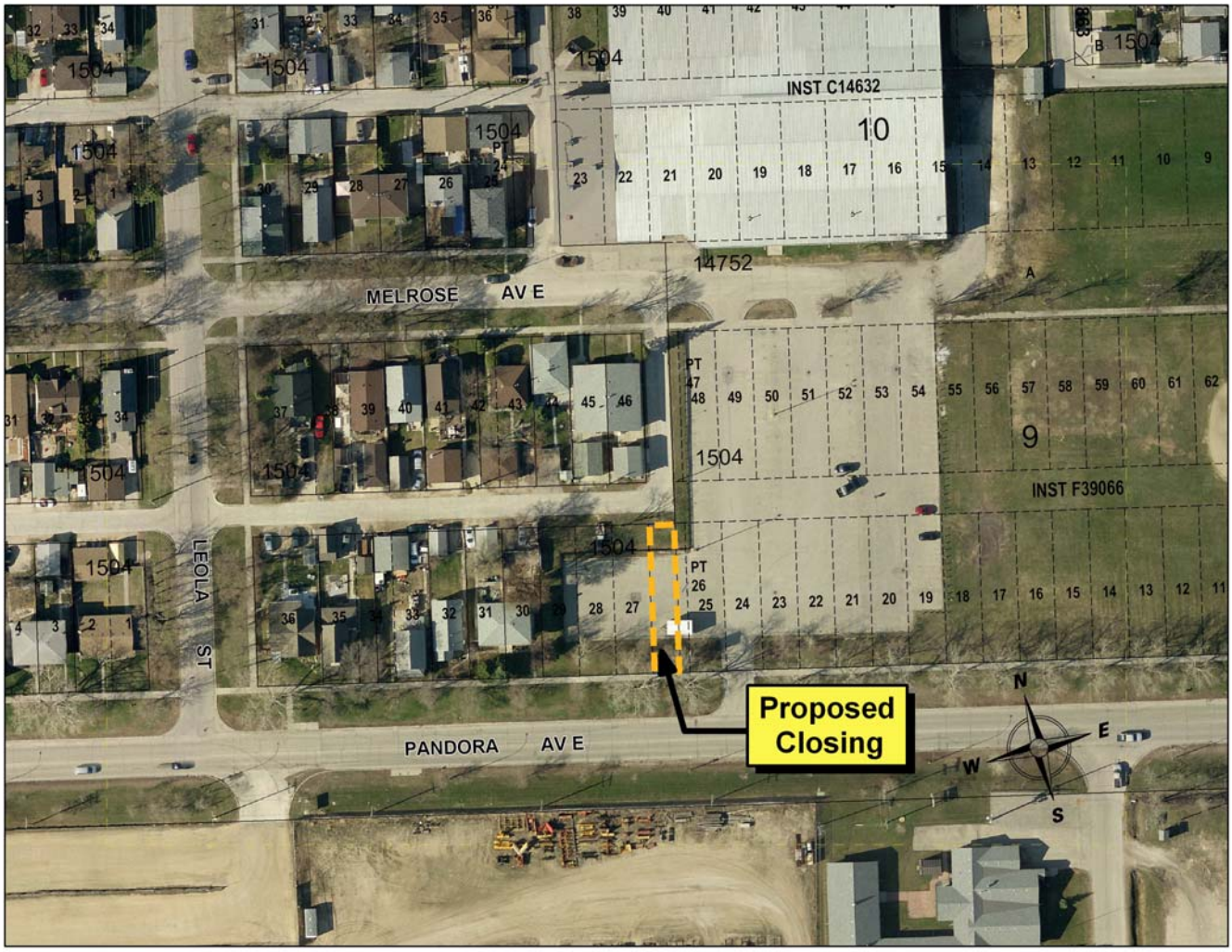
Easements

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

Transfer of Jurisdiction Over Public Rights-of-Way

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.

Aerial View of Subject Closing



Miscellaneous Plan

