Minute No. 38
Report – Executive Policy Committee – November 13, 2013

Item No. 5 **Opening – South side of Murray Avenue between McPhillips and McGregor Streets**
(Old Kildonan Ward)
File DAO 6/2013

COUNCIL DECISION:

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

1. 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. 14212/6.

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 – November 13, 2013

DECISION MAKING HISTORY:

Moved by His Worship Mayor Katz,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 13, 2013, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

ADMINISTRATIVE REPORT

Title: **DAO 6/2013: TO SEEK COUNCIL APPROVAL FOR THE PROPOSED OPENING OF THE SOUTH SIDE OF MURRAY AVENUE BETWEEN MCPHILLIPS AND MCGREGOR STREETS**

Critical Path: **EXECUTIVE POLICY COMMITTEE – COUNCIL**

AUTHORIZATION

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

RECOMMENDATIONS

1. 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 the attached Misc. Plan No. 14212/6.

2. 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

The dedication of this property as public street requires a by-law pursuant to Section 139 of The City of Winnipeg Charter.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no policy, regulatory, environmental, human resource or general implications associated with the recommendations.

Costs associated with the street opening are the responsibility of the Public Works Department and are within the approved current and/or capital budget and considered immaterial in nature.

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

HISTORY

The Planning, Property and Development Department is proceeding with an application on behalf of the Public Works Department to open the south side of Murray Avenue between McPhillips and McGregor Streets so identified on the attached copy of Misc. Plan No. 14212/6. The opening is required in order to accommodate granular surface roadway and drainage improvements to the right of way.

On January 29, 2013, Council adopted the Report of the Executive Policy Committee dated January 23, 2013 recommending the approval of the 2013 Capital Budget and 2014 to 2018 Five Year Forecast. The subject opening forms part of the Regional and Local Street Renewal Program contained in the report.

On February 27, 2013, Council approved opening/closing application DAOC 2/2012. Part of the opening component was for the widening of Murray Avenue immediately east of the subject opening up to CPR Mainline Plan 379 WLTO. The subject opening was not included in DAOC 2/2012 because a Purchase and Sales Agreement for the acquisition of the property had not been finalized. The Real Estate Division has now successfully completed negotiations with the property owners, Brendie Enterprises Ltd. and Malado Enterprises Ltd., and a signed Agreement is presently in place.

This report is submitted in accordance with the provisions of By-Law 7325/98, a by-law to amend 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.

FINANCIAL IMPACT

Financial Impact Statement

Date: October 31, 2013

Project Name:

DAO 6/2013: Proposed Opening of the South Side of Murray Avenue Between McPhillips and McGregor Streets

COMMENTS:

Funding for the preparation and registration of the documents required to dedicate the land as public street has been provided by the Public Works Department under Account No. 003-181000-180604-1811001211-PROPERTY. These costs are considered to be immaterial in nature.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

CONSULTATION

In preparing this report there was consultation with:

Internal Consultation:

Corporate Finance
Public Works
Water and Waste
Transit

External Consultation:

Manitoba Hydro, Centra Gas, MTS Allstream and Shaw Cablesystems

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Land Development, Geomatics and Land Information Services
Prepared by:	Bohdan Buyachok, Real Property Officer
Date:	November 1, 2013
File No.	4977

o:\reports directive\land development, geomatics and land information services\geomatics\dao 6.13 rpt.doc

Aerial View of Subject Opening



Miscellaneous Plan

