Minute No. 468
Report - Standing Policy Committee on Property and Development - June 3, 2003

Item No. 1 Proposed Closing - part of John Huyda Drive
File DAC 3/2003 [c/r DASZ 2/2003 and DAV 58/2003D]

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development 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 closing in accordance with Schedule "A", Misc. Plan No. 11854/1.

2. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing, including the execution of any documents related thereto.

Report - Standing Policy Committee on Property and Development - June 3, 2003

DECISION MAKING HISTORY:

Moved by Councillor Vandal,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 18, 2003, 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 June 3, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, and submitted its recommendation to Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 22, 2003, the East Kildonan-Transcona Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File:	DAC 3/2003 (c/r DASZ 2/2003 and DAV 58/2003D)
Before:	East Kildonan-Transcona Community Committee Councillor Thomas, Chairperson Councillor Lubosch Councillor Wyatt
Public Hearing:	April 22, 2003 Community Committee Chamber 755 Henderson Highway
Applicant:	Doug Henne Planning Services 917 Simpson Avenue Winnipeg, MB R2K 1S5
Property Affected:	Proposed closing of part of John Huyda Drive
Exhibits Filed:	1. Report from the Real Property Officer dated April 1, 2003 2. Photographs, Affidavit and Inspection Notice

The Administration advised that all statutory requirements with respect to this application have been complied with.

REPRESENTATIONS:

In Support:
Doug Henne, 917 Simpson Avenue, Winnipeg, R2K 1S5

In Opposition:
H. & V. Bodnaruk, 738 Bonner Avenue, Winnipeg, R2G 2J7
Henry Kosciuczyk, 734 Bonner Avenue, Winnipeg, R2J 2J7
Peter Kuffel, 185 Ragsdill Road, Winnipeg, R2G 4C9
Gord & Joan Kuzinam, 169 Ragsdill Road, Winnipeg, R2G 4C6
Dan & Gail Moroz, 754 Bonner Avenue, Winnipeg, R2G 2J7

For the City:
Ernie Carriere, Land Development Engineer, Planning, Property and Development Department
John Wintrup, Planner, Planning, Property and Development Department

April 1, 2003

TO THE CHAIRPERSON AND MEMBERS
OF THE EAST KILDONAN-TRANSCONA COMMUNITY COMMITTEE

RE: FILE NO. DAC 3/03 - PROPOSED CLOSING OF PART OF JOHN HUYDA DRIVE
NORTH KILDONAN WARD

RECOMMENDATION:

That the Community Committee approve the proposed closing and recommend:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with the attached **Schedule "A"**, Misc. Plan No. 11854/1.

II. That the proper officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

REASON:

All street and lane closings require the consideration of the Community Committee.

HISTORY:

The Planning, Property and Development Department has received a request from Doug Henne Planning Services to incorporate portions of John Huyda Drive into DASZ 2/03, an application to subdivide and rezone the property so identified on Schedule "A". The subdivision will widen and realign the portions of John Huyda Drive shown as "Proposed Opening" on Schedule "A". The portion of John Huyda Drive shown as ""Proposed Closing" will be rendered obsolete by the realignment of the street and will be incorporated into the subdivision.

DISCUSSION:

Administrative Approval

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

Transfer of Closed Street for $1.00

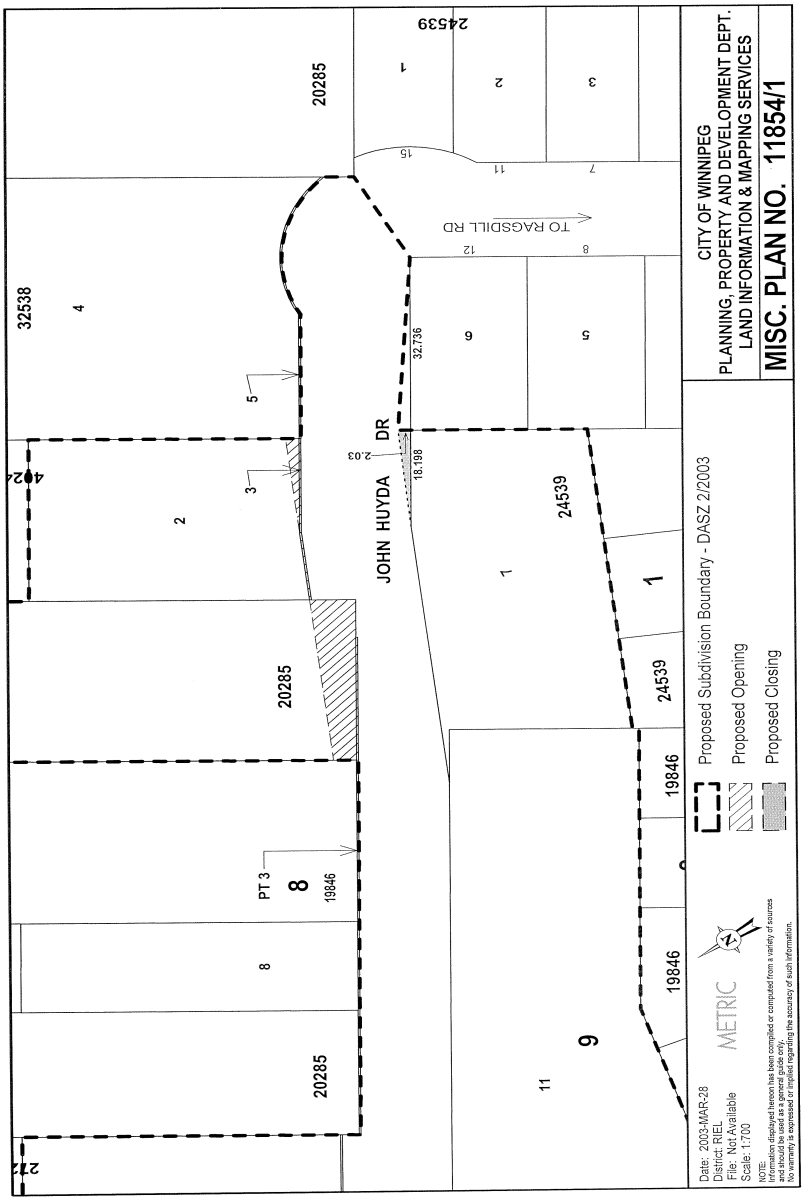
The area of the streets being opened by the subdivision exceeds the area of the street being closed. In accordance with City policy, the closed street will be transferred to the applicant for $1.00.

Transfer of Jurisdiction Over Public Rights-of-Way

The street must be legally closed before it may be incorporated into the subdivision. 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.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn F. Halldorson
File No. DAC 3/03


CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 11854/1
Proposed Subdivision Boundary - DASZ 2/2003
Proposed Opening
Proposed Closing
Date: 2003-MAR-28
District: RIEL
File: Not Available
Scale: 1:700
METRIC
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only. No warranty is expressed or implied regarding the accuracy of such information.
JOHN HUYDA DR
TO RAGSDILL RD
20285
24539
32538
19846
PT 3
2.03
18.198
32.736