Minute No. 355
Report - Standing Policy Committee on Property and Development - September 4, 2003

Item No. 4 **Closing of the public lane north of Stradbrook Avenue between Wood Street and Harkness Avenue - Opening and Closing of part of Harkness Avenue between Stradbrook and River Avenues - Widening and Extension of Wood Street to Stradbrook Avenue**
File DAOC 1/2003

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submits the following to Council:

1. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the opening and closing in accordance with Schedule "A", Misc. Plan No. 11915/1.

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

Report - Standing Policy Committee on Property and Development - September 4, 2003

DECISION MAKING HISTORY:

Moved by Councillor Vandal,

That the recommendations of the Standing Policy Committee on Property and Development and the City Centre Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On September 4, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 8, 2003, the City Centre Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

PUBLIC HEARING SUMMARY

File:	DAOC 1/2003
Before:	City Centre Community Committee Councillor Steek, Chairperson Councillor Gerbasi Councillor Smith
Public Hearing:	July 8, 2003 West Committee Room Council Building 510 Main Street
Applicant:	Jim McFeetors MMP Architects 500-321 McDermot Avenue Winnipeg, MB R3A 0A3
Subject and Property Affected:	Proposed Closing of the public lane North of Stradbrook Avenue between Wood Street and Harkness Avenue, Proposed Opening and Closing of part of Harkness Avenue between Stradbrook and River Avenues, Proposed Widening and Extension of Wood Street to Stradbrook Avenue
Exhibits Filed:	1. Report from the Real Property Officer dated June 24, 2003 2. Photographs, Affidavit and Inspection Notice 3. Sketch illustrating property required for Streets and Transportation purposes, submitted by Jim McFeetors

REPRESENTATIONS:

In Support:

Roger Burns
Alf Horn
Ernst Keller
James McFeetors

Joel Samphir
John L. Sinclair

In Opposition:

Elsie Mehmel
Emma Norris

For the City:

Glenn Halldorson, Real Property Officer, Planning, Property and Development Department

June 24, 2003

TO THE CHAIRPERSON AND MEMBERS
OF THE CITY CENTRE COMMUNITY COMMITTEE

RE: FILE NO. DAOC 1/2003 - PROPOSED CLOSING OF THE PUBLIC LANE NORTH OF STRADBROOK AVENUE BETWEEN WOOD STREET AND HARKNESS AVENUE, PROPOSED OPENING AND CLOSING OF PART OF HARKNESS BETWEEN STRADBROOK AND RIVER AVENUES, PROPOSED WIDENING AND EXTENSION OF WOOD STREET TO STRADBROOK AVENUE
FORT ROUGE-EAST FORT GARRY WARD

RECOMMENDATION:

That the Community Committee approve the proposed opening and closing and recommend:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the opening and closing in accordance with the attached **Schedule "A"** , Misc. Plan No. 11915/1.

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 opening and closings require the consideration of the Community Committee.

HISTORY:

The Planning, Property and Development Department has received a request from Mr. Jim McFeetors of MMP Architects, representing the Winnipeg Winter Club, to purchase the public lane which passes through the WWC property. The WWC requires the lane for incorporation into their property to accommodate a planned 60-suite life lease residential project on the site. To accommodate the loss of this lane, the WWC proposes to extend Wood Street through to Stradbrook Avenue. This proposed extension is shown as "Proposed Opening" on Schedule "A".

Mr. McFeetors has advised that the WWC may also be interested in a portion of Harkness Avenue shown as proposed to be closed on the drawing, as well as the City property at the southwest corner of Harness and River. The portion of Harkness and the City property are not part of the project, and the WWC may not ultimately find the cost of the land to be feasible. If that turns out to be the case, the closing of Harkness will not proceed.

DISCUSSION:

Administrative Approval

All affected City departments and public utilities have considered the proposal. There are no administrative objections to the closing.

The Transportation Division of the Public Works Department has advised that the applicant's original proposal for a 20-foot width to the extension of Wood Street is not acceptable. The new street is to be 15 metres in width south of the lane. Wood Street is to be widened to 15.44 metres north of the lane. In addition, a portion of the City-owned property at Harkness and River is to be opened as street.

The Transportation Division has further directed that the applicant will be required to enter into a Servicing Agreement for the construction/reconstruction of Wood Avenue between Bell and Stradbrook Avenues as a 7.5m portland cement concrete pavement, centered within the proposed 15.0/15.44m right-of-way. The pavement and all related works including, but not necessarily limited to street lighting, land drainage sewer, boulevard landscaping and portland cement concrete sidewalk are to be determined by and to the satisfaction of the Director of Public Works.

Easement Requirements

The Water and Waste Department has advised that there is a 150mm water line located in the public lane to be closed. A 4 metre wide easement will be required for the maintenance of this water line.

Manitoba Hydro has advised that an easement area will be required for the Hydro, MTS, and Shaw Cable plants in the lane.

No permanent structures will be allowed in these easement areas. This requirement is not inconsistent with the proposed use of the closed lane as a parking area.

Transfer of Jurisdiction Over Public Rights-of-Way

The lane must be legally closed before it may be sold. 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 Halldorson, Real Property Officer
File No. DAOC 1/2003

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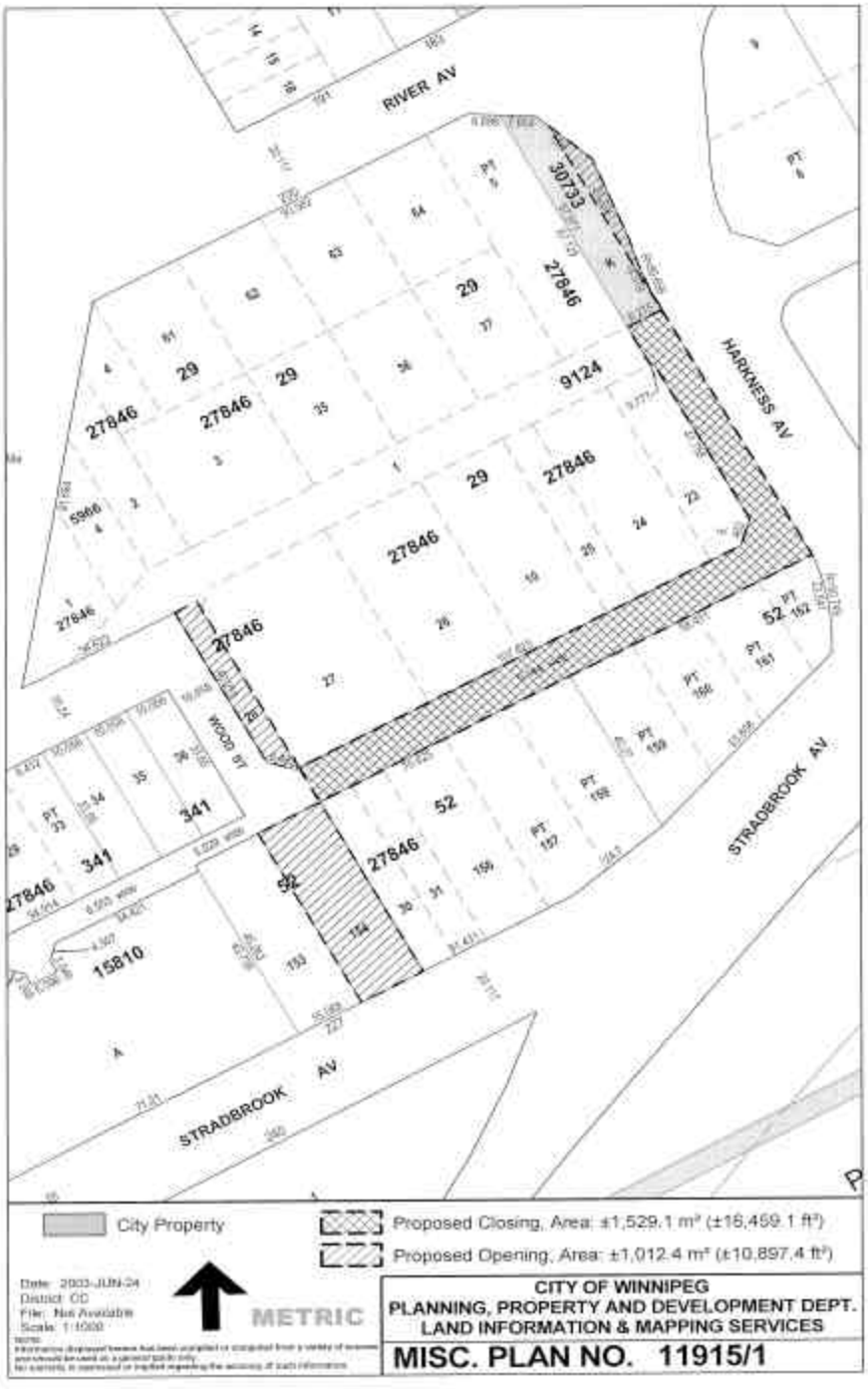
RIVER AV
HARKNESS AV
STRADBROOK AV
STRADBROOK AV
WOOD ST
30733
27846
29
9124
52
341
15810
City Property
Proposed Closing, Area: ±1,529.1 m² (±16,459.1 ft²)
Proposed Opening, Area: ±1,012.4 m² (±10,897.4 ft²)
Date: 2003-JUN-24
District: CC
File: Not Available
Scale: 1:1000
METRIC
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 11915/1