**Agenda – Council – May 27, 2015**

**Report – Standing Policy Committee on Property and Development – May 12, 2015**

**Item No. 5 Opening - Hazelton Drive between Castlebury Meadows Drive and Commercial Avenue (Old Kildonan Ward) File DAO 2/2015**

STANDING COMMITTEE RECOMMENDATION:

On May 20, 2015, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the street opening as shown on Misc. Plan No. 14847 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 street opening in accordance with Misc. Plan No.14847.

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

**Report – Standing Policy Committee on Property and Development – May 12, 2015**

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 20, 2015, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 12, 2015, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 21, 2015, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

# ADMINISTRATIVE REPORT

**Title:** **DAO 2/2015: PROPOSED OPENING OF HAZELTON DRIVE BETWEEN CASTLEBURY MEADOWS DRIVE AND COMMERCIAL AVENUE**

**Critical Path:** **LORD SELKIRK – WEST KILDONAN COMMUNITY COMMITTEE – STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT - EXECUTIVE POLICY COMMITTEE – COUNCIL**

## AUTHORIZATION

| Author | Department Head | CFO | CAO |
|---|---|---|---|
| K. Raban | M. Pittet | N/A | N/A |

## RECOMMENDATIONS

1. That the proposed street opening as shown on Misc. Plan No. 14847 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 street opening in accordance with Misc. Plan No.14847.

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 openings and closings require Council approval.

## IMPLICATIONS OF THE RECOMMENDATIONS

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

All costs associated with the street opening are the responsibility of the applicant. There are no financial implications for the City of Winnipeg.

## HISTORY

On April 30, 2014, Council passed By-law No. 60/2014 approving the plan of subdivision for Castlebury Meadows processed under DASZ 30/2013 which was subsequently registered in the Winnipeg Land Titles Office on October 17, 2014 as Plan No. 56584.

Part of the land within Castlebury Meadows is zoned RMF-M. Accompanying development agreement AG 30/13 for this subdivision notes in Schedule "C", Clause 11.1 the following:

> "The Developer agrees it will not apply for, and the City will not grant, any building permits for the lands in the Planned Area which are to be zoned "RMF-M" Residential Multi-Family (Medium) District until Commercial Avenue, from King Edward Street to the future extension of Hazelton Drive, is constructed as a collector road."

Discussion

The Planning, Property and Development Department has received an application from Terracon Development Ltd. to open Hazelton Drive so identified on the attached copy of Misc. Plan No. 14847. The proposed opening is required in order to provide a collector road connection from Commercial Avenue to the portion of Hazelton Drive within the adjoining Castlebury Meadows subdivision as stipulated in AG 30/13 for subdivision and rezoning application DASZ 30/2013.

The opening will also provide a secondary means of access to additional lands proposed to be developed within Precinct Plan "T". Sketches showing the proposed opening in relation to DASZ 30/2013 and within Precinct Plan "T" are contained in Schedule "C" of this report.

Property required for the opening is owned by Northwest Farms Ltd. They have provided authorization for the dedication of this land as public right of way.

## CONSULTATION

### In preparing this Report there was consultation with:

**Internal Consultation:**

There was consultation with the affected Civic departments.

**External Consultation:**

Manitoba Hydro, MTS Inc., Shaw Cablesystems and Centra Gas.

## SUBMITTED BY

| | |
|---|---|
| Department: | Planning, Property and Development |
| Division: | Land Development, Geomatics and Land Information Services |
| Prepared by: | Bohdan Buyachok, Real Property Officer |
| Date: | March 30, 2015 |
| File No. | DAO 2/2015 |

**Attachments**

Appendix “A” – Administrative Approval/Comments

Appendix “B” – Miscellaneous Plan and Aerial View

Appendix “C” – DASZ 30/2013 and Precinct Plan “T” Sketches

O:\Reports Directive\Land Development, Geomatics and Land Information Services\Geomatics\DAO 2.15 RPT_Hazelton

V:\development applications\daoc\dev application2015\dao2_2015\final_report\dao2.15rpt

**APPENDIX "A"**

Administrative Approval

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

Administrative Comments

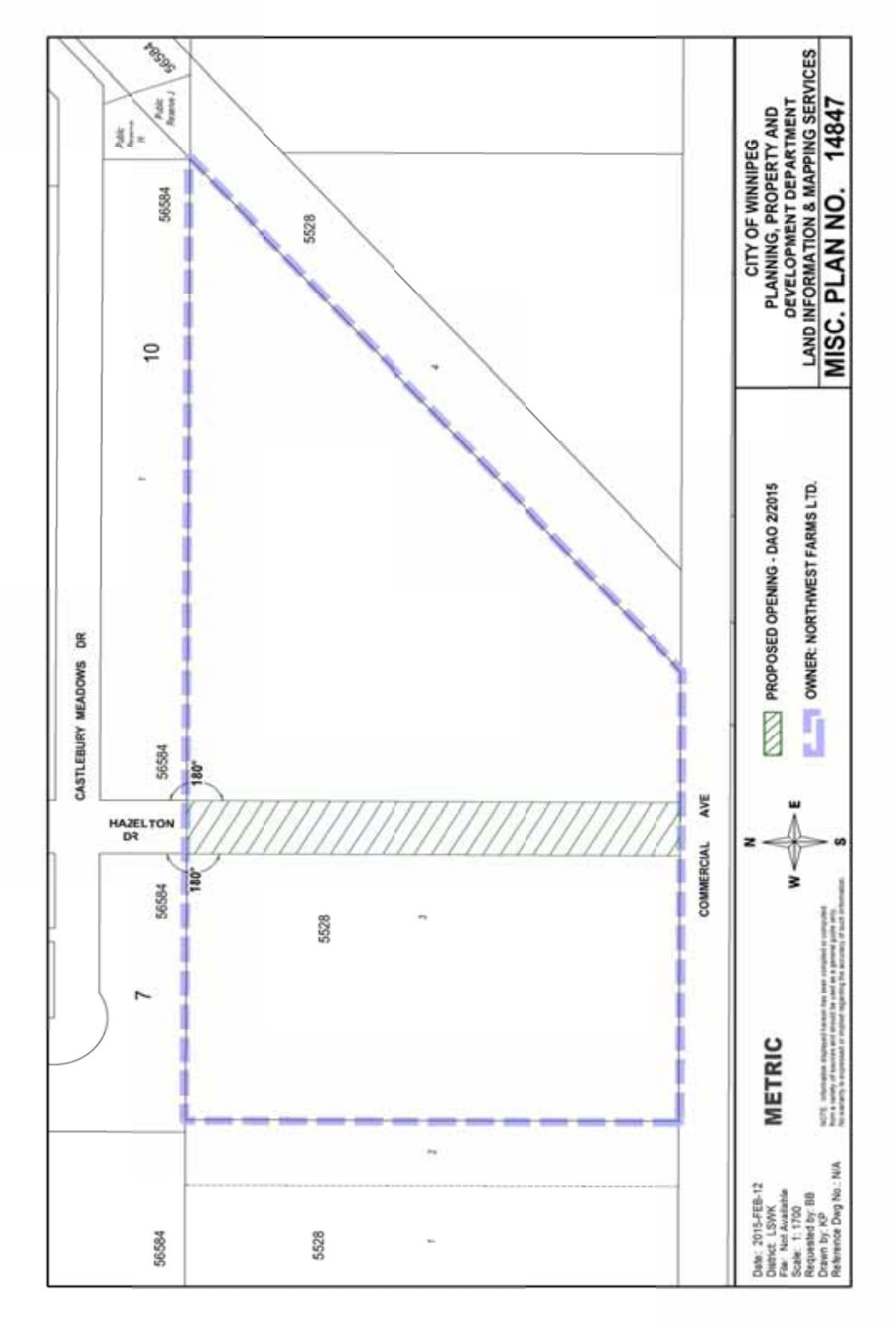
Administrative approval of this application is subject to the following condition:

Geomatics Branch:

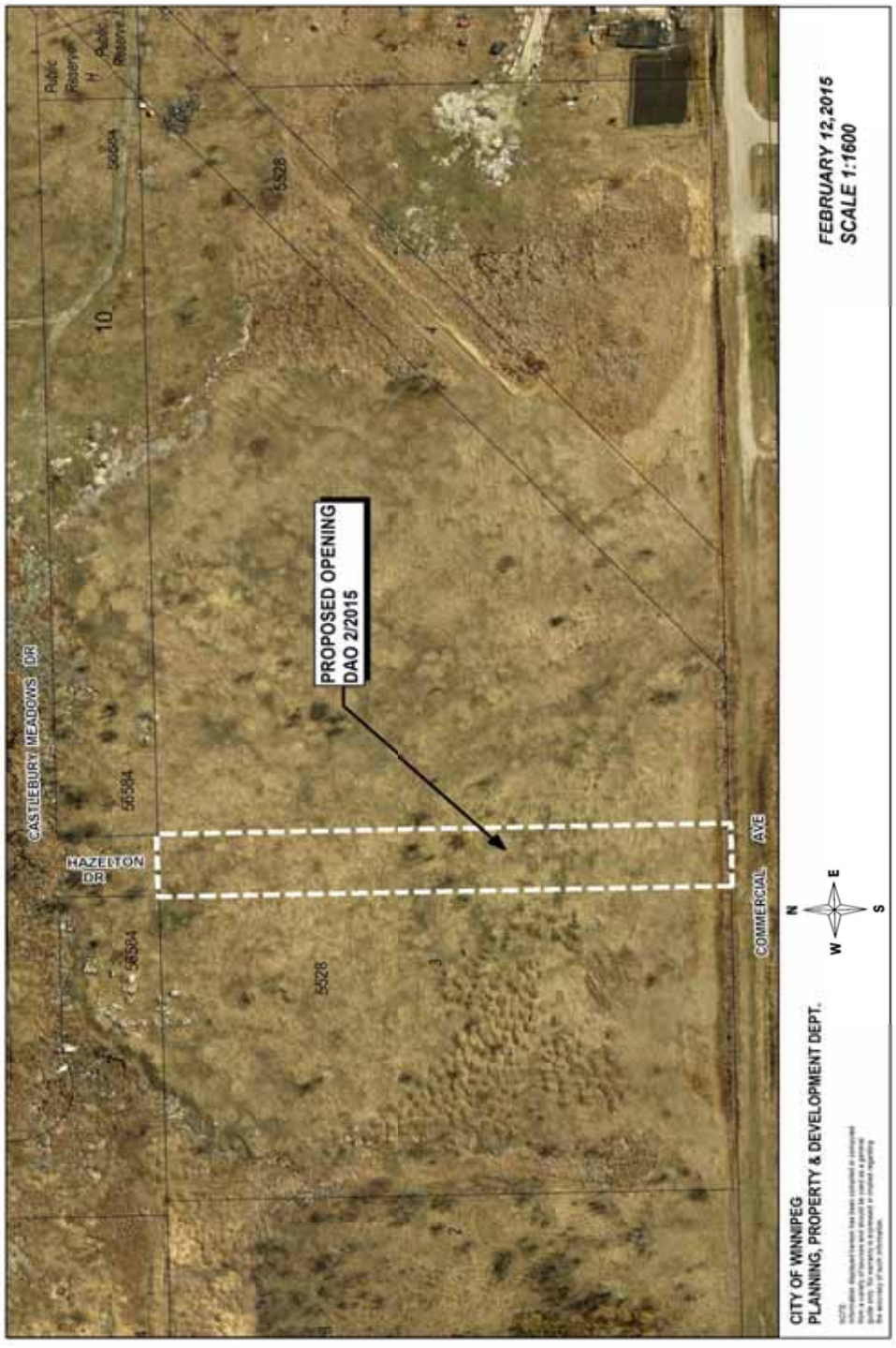
In addition to the plan mylars, the applicant will be required to provide partial discharges for any instruments registered against title to the property that is affected by the opening, except for those in favour of the City of Winnipeg. In lieu of partial discharges of any utility caveats registered against title, the applicant will be required to secure signatures of the utilities on the plan mylars which give consent to the opening under Section 7(5) of the Expropriation Act.

**APPENDIX "B"**

Miscellaneous Plan

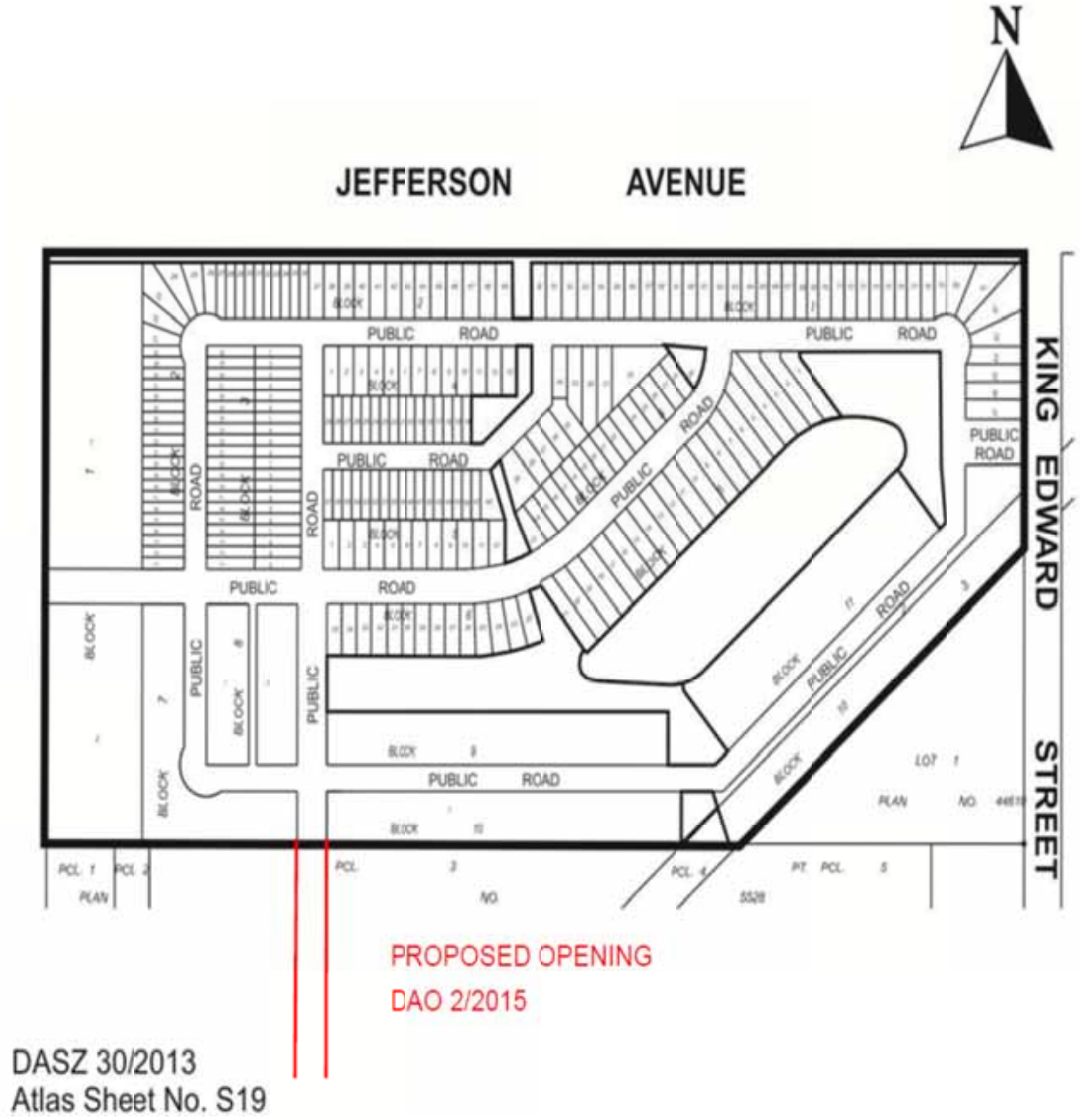


Aerial View of Subject Opening

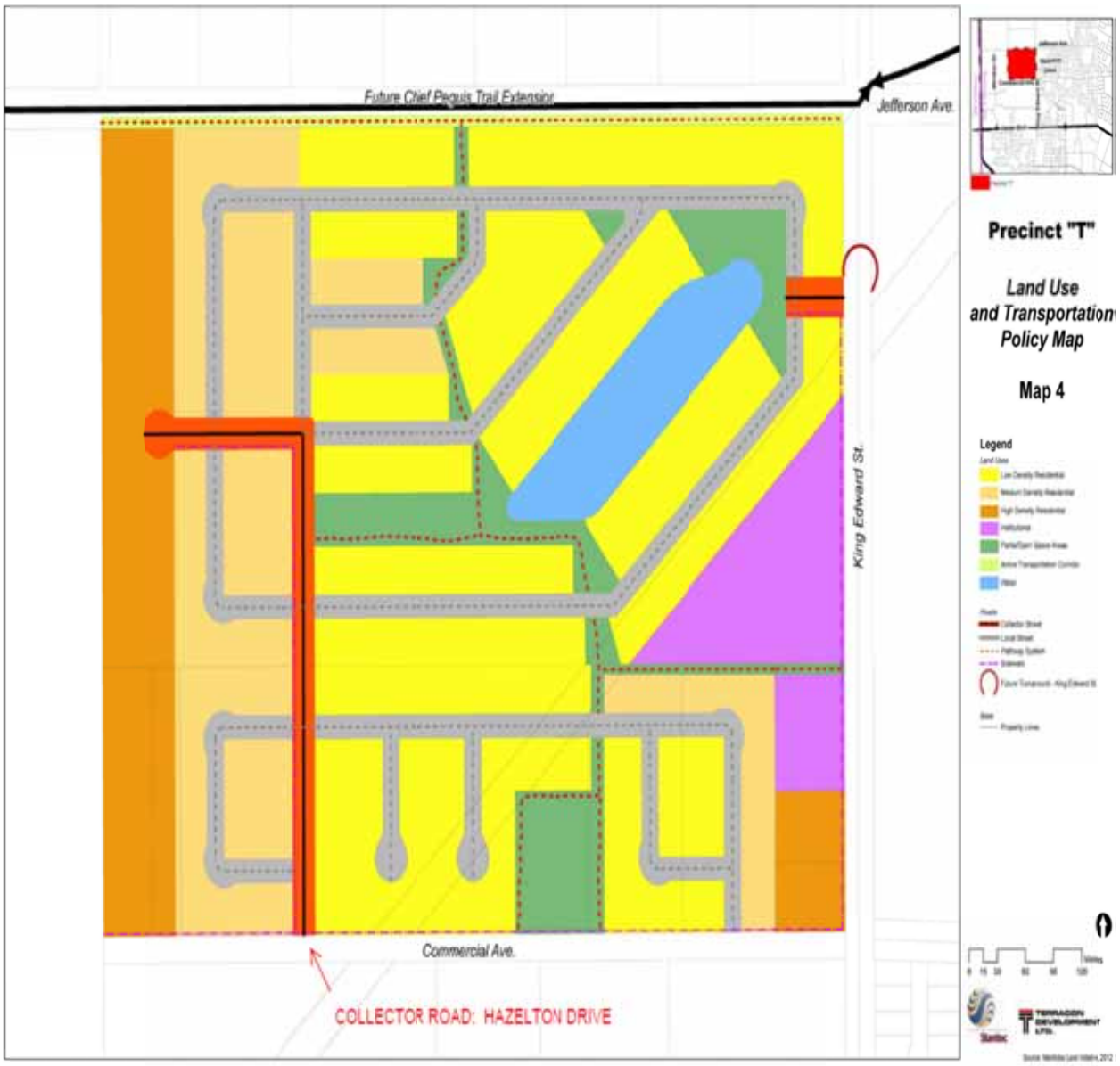


**APPENDIX "C"**

DASZ 30/2013



Precinct “T”


Future Chief Peguis Trail Extension
Jefferson Ave.
King Edward St.
Commercial Ave.
COLLECTOR ROAD: HAZELTON DRIVE
Precinct "T"
Land Use
and Transportation
Policy Map
Map 4
Legend