Minute No. 623
Report - Standing Policy Committee on Property and Development - September 4, 2003

Item No. 3 Closing of Captains Way and parts of Pamela Road and Ebb Tide Drive for incorporation within DASZ 16/2003
File DAC 14/2003 [c/r DASZ 16/2003]

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 closings in accordance with Schedule "A", Misc. Plan No. 11935.

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 17, 2003, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

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

COMMUNITY COMMITTEE RECOMMENDATION:

On July 22, 2003, the Riel 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 14/2003 [c/r DASZ 16/2003]
Before:	Riel Community Committee Councillor Steeves, Chairperson Councillor Angus Councillor Vandal
Public Hearing:	July 22, 2003 Community Committee Chamber, 604 St. Mary's Road
Applicant:	SEG Engineering Inc. (Ian McKinnon) 200 Tache Avenue Winnipeg, MB R2H 1A7
Subject and Property Affected:	Closing of Captains Way and Closing of parts of Pamela Road and Ebb Tide Drive for incorporation within DASZ 16/2003 pursuant to the provisions of Clause 5 of the Report of the Standing Policy Committee on Property and Development dated September 22, 1998, as adopted by Council on September 29, 1998
Exhibits Filed:	1. Report from the Real Property Officer dated July 8, 2003 2. Photographs, Affidavit and Inspection Notice

REPRESENTATIONS:
In Support:
Ian McKinnon, c/o SEG Engineering, 200 Taché Avenue, Winnipeg, Manitoba, R2H 1A7
Eric Vogan, 30 Speers Road, Winnipeg, Manitoba, R2J 1L9

In Opposition:
Nil

For Information:
Lorne Robinson, 3 Boisselle Bay, Winnipeg, Manitoba, R3X 1M5

For the City:
Kevin Lalor, Acting Coordinator, Urban Planning Branch, Planning, Property and Development
Ernest Carrière, Land Development Administrator, Planning Property and Development

July 8, 2003

TO THE CHAIRPERSON AND MEMBERS
OF THE RIEL COMMUNITY COMMITTEE

RE: FILE NO. DAC 14/2003 - PROPOSED CLOSING OF CAPTAINS WAY AND PROPOSED CLOSING OF PARTS OF PAMELA ROAD AND EBB TIDE DRIVE FOR INCORPORATION WITHIN DASZ 16/03
SAINT BONIFACE 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 closings in accordance with the attached **Schedule "A"**, Misc. Plan No. 11935.

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:

Captains Way, Ebb Tide Drive, and Pamela Road were created by in 1995 by subdivision application No. DASZ 1/1995.

In June of 2003, the Planning, Property and Development Department received a request from Mr. Ian McKinnon of SEG Engineering, on behalf of Novamet Development Corporation, to close the streets so identified on Schedule "A" for incorporation into DASZ 16/2003, a planned re-subdivision of the land.

Of the three affected streets, only Pamela Road physically exists as a gravelled road. The streets will either be re-routed or replaced by the street system in DASZ 16/2003, as shown on Schedule "B".

DISCUSSION:

Administrative Approval

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the closing. Any requirements for services in the area will be addressed through the subdivision application.

Transfer of Closed Streets for $1.00

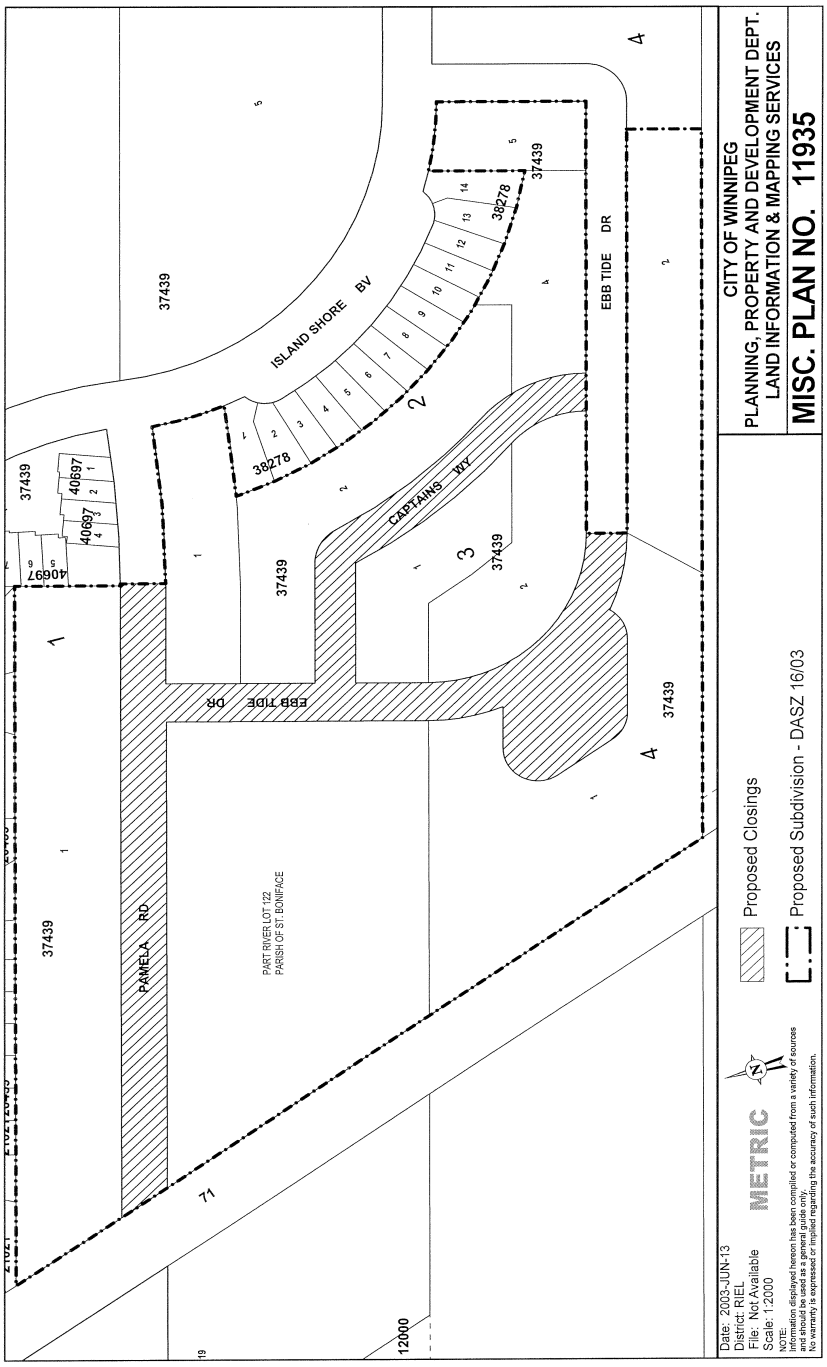
The area of the streets being opened by the subdivision exceeds the area of the streets being closed. In accordance with City policy, the closed streets will be transferred to the applicant for $1.00.

Transfer of Jurisdiction Over Public Rights-of-Way

The streets must be legally closed before they 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.

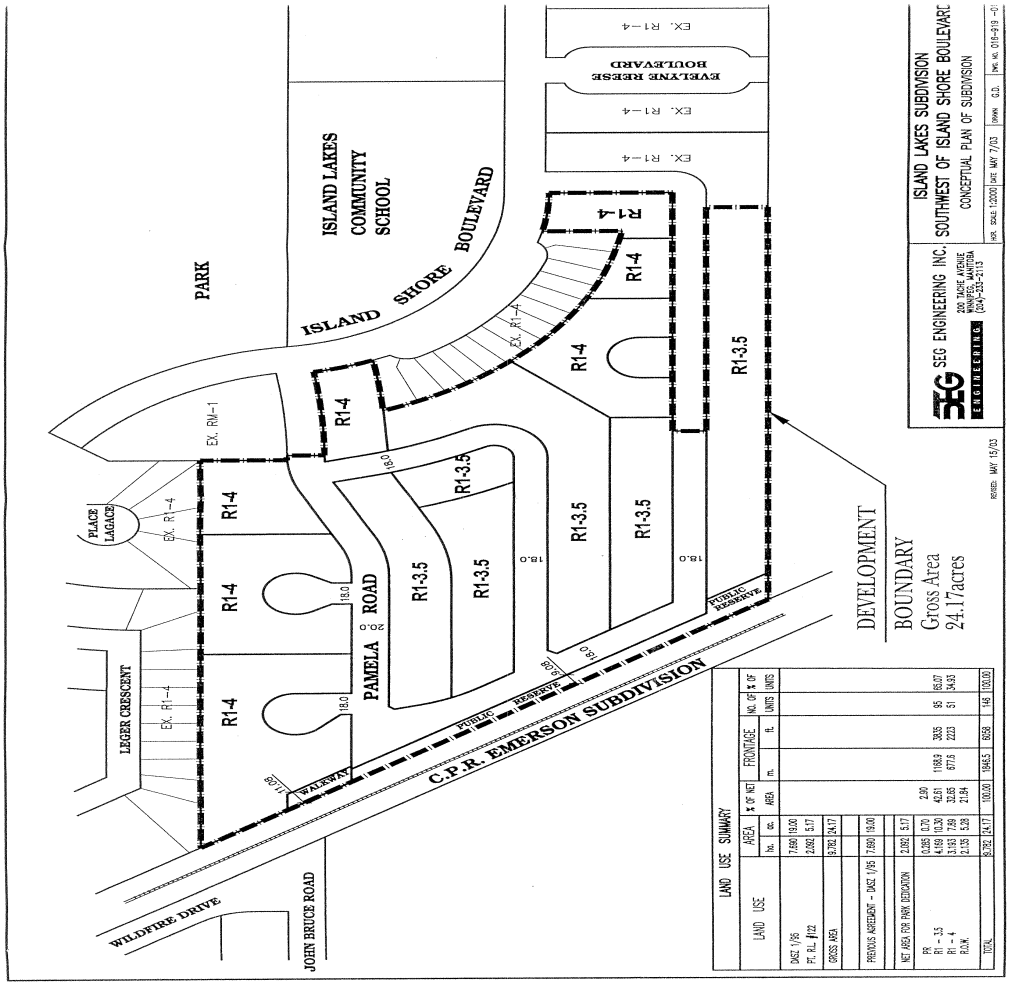
THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Development and Inspections Division
Prepared by: Glenn Halldorson, Real Property Officer
File No. DAC 14/2003



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SCHEDULE "A"
TO THE REPORT TO THE RIEL COMMUNITY COMMITTEE
FOR APPLICATION NO. DAC 14/2003
DATED JULY 8, 2003



SCHEDULE "B"
TO THE REPORT TO THE RIEL COMMUNITY COMMITTEE
FOR APPLICATION NO. DAC 14/2003
DATED JULY 8, 2003