Minute No. 196
Report – Executive Policy Committee – February 6, 2018

Item No. 6 **Opening – south side of Skyline Drive at Castlebrook Drive (South Winnipeg-St. Norbert Ward) File DAO 4/2017**

COUNCIL DECISION:

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

1. That the proposed street opening as shown on the attached Misc. Plan No. 15275 be approved.

2. That the Director of Legal Services and City Solicitor be instructed to prepare and bring directly to Council for enactment a by-law to facilitate the street opening in accordance with Misc. Plan No. 15275 (attached as Appendix "B").

3. That in the event the subject opening is not proceeded with expeditiously and the by-law:

   (a) is not enacted within two (2) years following the date the subject report is approved by Council, and

   (b) is not registered in the Winnipeg Land Titles Office within one (1) year following the date it is enacted by Council,

   the matter shall be deemed to be concluded and shall not be proceeded with, unless an extension of time is applied for prior to the expiry of the two (2) year period referred to in clause (a) above and Council approves the extension.

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

Report – Executive Policy Committee – February 6, 2018

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 6, 2018, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

ADMINISTRATIVE REPORT

Title: **PROPOSED OPENING OF THE SOUTH SIDE OF SKYLINE DRIVE AT CASTLEBROOK DRIVE – FILE DAO 4/2017**

Critical Path: EXECUTIVE POLICY COMMITTEE – COUNCIL

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	J. Kiernan	n/a	D. McNeil

EXECUTIVE SUMMARY

This report requests approval for the opening of the south side of Skyline Drive at Castlebrook Drive. The street opening is required in order to facilitate geometric and safety standard improvements at the subject location.

Ladco Company Limited is the owner of the subject property. They are amenable to the dedication of this portion of their holding for street opening purposes.

Council approval is required before the property can be legally opened as public right of way.

RECOMMENDATIONS

1. That the proposed street opening as shown on the attached Misc. Plan No. 15275 be approved.

2. That the Director of Legal Services and City Solicitor be instructed to prepare and bring directly to Council for enactment a by-law to facilitate the street opening in accordance with Misc. Plan No. 15275 (attached as Appendix “B”).

3. That in the event the subject opening is not proceeded with expeditiously and the by-law:

   (a) is not enacted within two (2) years following the date the subject report is approved by Council, and

   (b) is not registered in the Winnipeg Land Titles Office within one (1) year following the date it is enacted by Council,

the matter shall be deemed to be concluded and shall not be proceeded with, unless an extension of time is applied for prior to the expiry of the two (2) year period referred to in clause (a) above and Council approves the extension.

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

REASON FOR THE REPORT

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

Council approval is required before the property can be legally opened as public right of way.

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/DISCUSSION

On May 29, 2013, Council concurred in the recommendation of the Standing Policy Committee on Property and Development dated May 7, 2013, and approved the report for subdivision and rezoning application DASZ 33/2012 for the Waverley West – Southwest Neighbourhood (Plan Area "D"). The subdivision mylars were subsequently registered in the Winnipeg Land Titles Office as Plan No. 58259 in November of 2015.

One of the recommendations required the developer to enter into a Development Agreement with the City for all conditions outlined in the Report of the Administrative Coordinating Group dated April 3, 2013, one of which being the dedication and legal opening of property required for the four proposed roundabouts at the intersections of collector streets within the Planned Area, all as determined by, and to the satisfaction of, the Director of Public Works. The subject application comprises a revision to one of the opening requirements.

Discussion

The Planning, Property and Development Department is proceeding with an application on behalf of Ladco Company Limited to open the south side of Skyline Drive so identified on the attached copy of Misc. Plan No. 15275. The opening is required in order to facilitate roadway improvements at this location.

Subsequent to the registration of plan mylars for application DASZ 33/2012, the Public Works Department has determined that the current right-of-way design at the subject location is problematic in that the sidewalk crossing the roundabout leg of the private approach is too close to the roundabout's circulatory road and requires an additional setback in order to conform to geometric and safety standards. The revised opening geometry will accommodate the required setback.

Property required for the opening is owned by Ladco Company Limited as shown on the sketch. They are amenable to the dedication of part of their land for street opening purposes and have provided the City of Winnipeg with a Letter of Authorization in order to proceed.

FINANCIAL IMPACT

Financial Impact Statement Date: January 11, 2018

Project Name:

Proposed Opening of the South Side of Skyline Drive at Castlebrook Drive - File DAO 4/2017

COMMENTS:

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

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

CONSULTATION

This Report has been prepared in consultation with:

Internal Consultation:

Legal Services (as to legal issues)
Corporate Finance
Public Works
Water and Waste
Transit

External Consultation:

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

OURWINNIPEG POLICY ALIGNMENT

Section 235 of *The City of Winnipeg Charter* states that *"…public works, undertakings and development in the city must be consistent with Plan Winnipeg or any secondary plan."*

The subject opening does not contravene *OurWinnipeg* or the *Complete Communities Direction Strategy* and generally aligns with their overall vision and key directions.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: Bohdan Buyachok, Real Property Officer
Date: January 11, 2018
File No: DAO 4/2017

Attachments:

Appendix "A" – Administrative Approval/Comments

Appendix "B" – Miscellaneous Plan and Aerial View

O:\Reports Directive\Land Development, Geomatics and Land Information Services\Geomatics\DAO 4.17RPT_Skyline

V:\development applications\daoc\dev application2017\dao4.17_2017\final_report\dao4.17rpt

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

Geomatics Branch

Approval is subject to the provision by the applicant of Discharges for any registered Instruments, except those in favour of the City of Winnipeg or a Utility, that affect the subject opening area.

Water and Waste Department

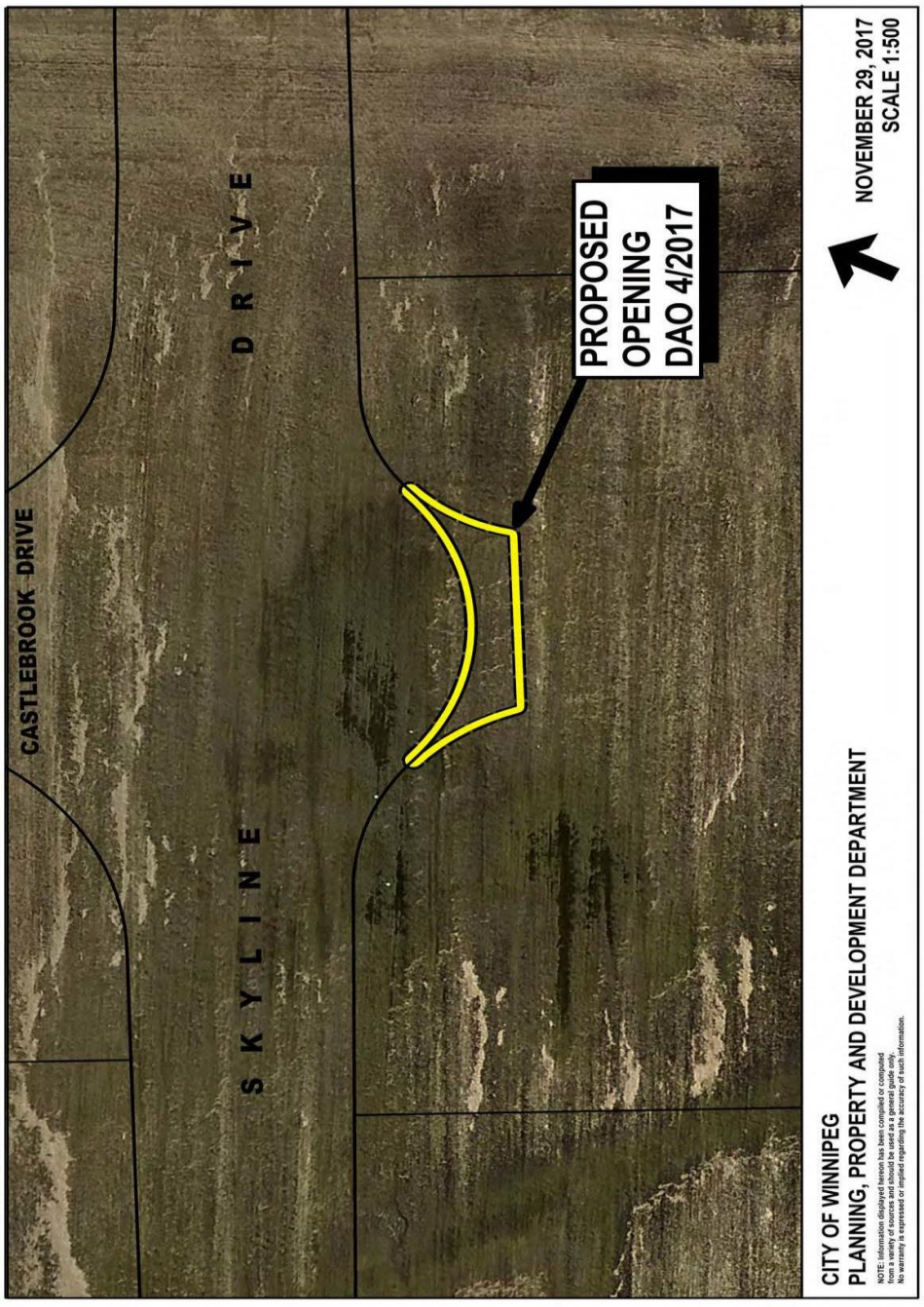
As part of the UGS Drawing Review Process, it was determined that the water, wastewater and land drainage pipes from Castlebrook Drive that are to be installed for future use, need to be extended to the south limit of the right of way. With this street opening, those pipes would still need to be extended to the new south limit created by the subject opening application.

By-Law 7325/98

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.

APPENDIX "B"

Aerial View of Subject Opening



Miscellaneous Plan

