Agenda - Executive Policy Committee - April 14, 2004

REPORTS

Item No. 10 Widening Ellice Avenue between Balmoral and Kennedy Streets - Widening Balmoral Street between Ellice and Qu'appelle Avenues File DAO 1/2004

ADMINISTRATIVE RECOMMENDATION:

1. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the street widening in accordance with Misc. Plan No. 6259/5.

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

Re: DAO 1/2004 – WIDENING ELLICE AVENUE BETWEEN BALMORAL AND KENNEDY STREETS; WIDENING BALMORAL STREET BETWEEN ELLICE AND QU'APPELLE AVENUES

For submission to: **Executive Policy Committee**

Original report signed by: **Director of Planning, Property and Development**

Report date: **April 13, 2004**

Recommendation(s): **1.That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street widening in accordance with the attached Misc. Plan No. 6259/5.**

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

REPORT SUMMARY

Key Issues:

- The City of Winnipeg owns the lands required for the street widenings.
- The construction of the widenings has taken place.

Implications of the Recommendation(s):

General implications:

X	**None**
	For the organization overall and/or for other departments
	For the community and/or organizations external to the City of Winnipeg
	Involves a multi-year contract

Comment(s):

-

Policy implications:

X	**No**
	Yes

Comment(s):

-

Environmental implications:

X	**No**
	Yes

Comment(s):

-

Human resources implications:

X	**No**
	Yes

Comment(s):

-

Financial implications:

X	**Within approved current and/or capital budget**
	Current and/or capital budget adjustment required

Comment(s):

- No (immaterial) financial impact

REASON FOR THE REPORT:

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

HISTORY:

The transfer of the lands required for the widening of Ellice Avenue and Balmoral Street was a condition of the approval given by Council for the Servicing Agreement regarding the development of the National Research Council lands on this site in 1985.

While the N.R.C. agreed to convey these lands in 1985, the legal documents necessary to dedicate the land as public street were not provided to the City of Winnipeg until 2001. The widening of the roadway had been constructed some years prior to this.

In 2003, the Public Works Department provided funding for the preparation of the plan of survey defining the street widenings. The City of Winnipeg is now able to register the documents and open these lands as public street.

DISCUSSION:

This report is submitted in accordance with the provisions of By-Law 7325/98, a by-law 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.

The following criteria must be met before the authority given in the by-law may be exercised:

1. The proposed opening and acquisition must have been approved by the Director of Public Works.
2. The proposed opening must have been submitted to all affected City Departments and public utilities with no objections having been received.
3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.
4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the proposed opening.
5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues, the Standing Committee on Property and Development, or the Director of the Planning, Property and Development Department, as is appropriate.

All of these criteria have been met.

Financial Impact Statement 11-Mar-04

COMMENTS:

Funding for the preparation and registration of the documents required to effect this street widening has been provided by the Public Works Department. These costs are considered to be immaterial.

Gord Courage, Manager
Support Services Division

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

Planning, Property and Development Department –Planning and Land Use Division, Geomatics and Zoning & Permits Branches

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division, Traffic Signals

Water and Waste Department – Engineering Division

Centra Gas, Manitoba Hydro, MTS Communications, Shaw Cable

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division:Development and Inspections
Prepared by:Glenn Halldorson, Real Property Officer
PPD File #:6648/8

Document name: o:\reports directive\development and inspections\geomatics\dao1_04.doc



CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.

SCALE: 1:1300	DATE: 02-FEB-20	DISTRICT: CC
ATLAS: F12C4	FILE: 6648/8	
MISC. PLAN No.: 6259/5		BAR (LIB9)

METRIC

All dimensions are approximate.
No warranty is expressed or implied regarding the accuracy of such information.