REPORTS

211. From the Director, Planning, Property and Development Department
Report 2002/04/25

Proposed Lane Corner Widening at the Rear of No. 970 North Drive
File DAO 8/2001

Recommending that the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane corner widening in accordance with the attached Schedule "A", Misc. Plan No. 11161.

Moved by Councillor Clement,

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane corner widening in accordance with Schedule "A", Misc. Plan No. 11161.

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

and forwarded to Council.

Carried

Re: DAO 8/2001 – PROPOSED LANE CORNER WIDENING AT THE REAR OF NO. 970 NORTH DRIVE

For submission to: **Executive Policy Committee**

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

Report date: **May 21, 2002**

In camera item: **No**

Recommendation(s): **That a by-law be enacted authorizing the subject lane corner widening.**

REPORT SUMMARY

KEY ISSUES:

- The area at the rear of No. 970 North Drive has been used as part of the existing lane for a number of years. The owner of the property requested that the City of Winnipeg acquire the land. The City of Winnipeg has acquired an entitlement to the property required for the widening and the land may now be dedicated as public lane.

IMPLICATIONS

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:
-

Policy implications

X	No (*There are no policy implications if the report is asking for a one-time decision.)*
	Yes *(There are policy implications if the recommendation(s) is/are asking for a decision that will be used to guide decisions over time.)*

Comment:
-

Financial implications

X	Within approved current and/or capital budget
	Current and/or capital budget adjustment required
	No financial implications

Comment:
- Funding for the costs of registering the opening by-law and related documents has been provided in the Land Acquisition for Future Transportation Purposes Account.

REPORT

RECOMMENDATION(S):

I. *That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane corner widening in accordance with the attached Schedule "A", Misc. Plan No. 11161.*
II. *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:

The lane corner widening requires a by-law pursuant to Section 495 of the City of Winnipeg Act.

HISTORY:

The residents in the neighbourhood of the subject property have been using a portion of No. 970 North Drive as part of the public lane for a number of years. The owner of the land, Mr. Valter Rosa, requested that the City of Winnipeg purchase the property. The Public Works Department confirmed that the property was indeed being used as public lane and directed the Real Estate Division of the Planning, Property and Development Department to enter into negotiations with Mr. Rosa for the acquisition of the land.
The terms and conditions of the sales agreement have been approved by the Standing Policy Committee on Property and Development (October 4, 2001) and by Council (October 24, 2001). The City of Winnipeg is now entitled to be the owner of the land required for the corner widening, and it is appropriate at this time to enact the opening by-law.

DISCUSSION:

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

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 Date: 17-Apr-02

COMMENTS:

Funding for the costs of registering the documents required to effect the lane corner widening by-law is available in Account No. 03-118117-5100970717. 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 – Geomatics and Zoning & Permits Branches

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division

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 F. Halldorson, Real Property Officer
PPD File #: 5400/349

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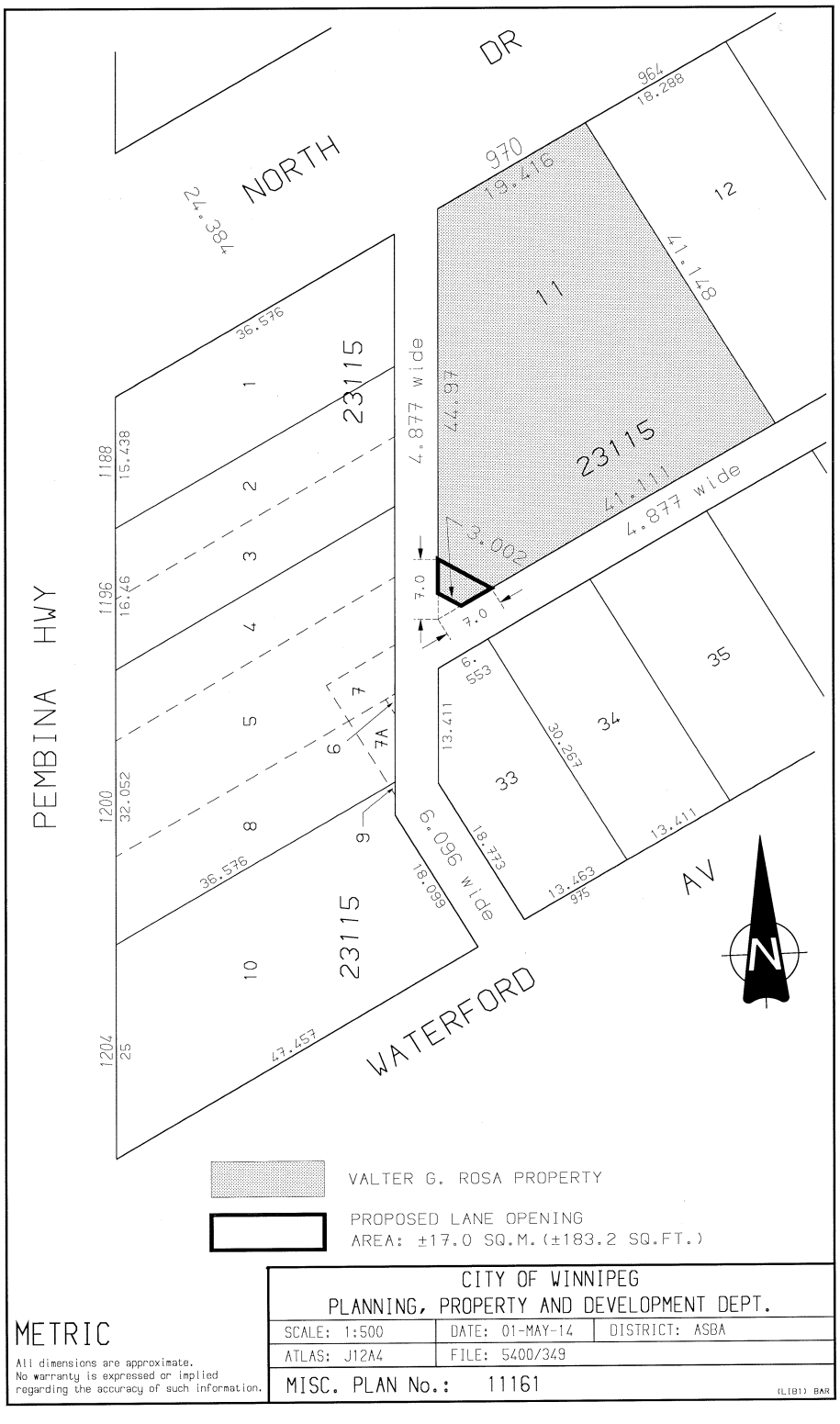

SCHEDULE "A"
TO THE REPORT TO THE EXECUTIVE POLICY COMMITTEE
FOR FILE NO. DAO 8/01
DATED APRIL 17, 2002