Minute No. 324
Report - Executive Policy Committee - April 14, 2004

Item No. 5 **Lane Corner Widening - rear of 779 Atlantic Avenue**
File DAO 4/2003

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee 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 lane widening in accordance with Misc. Plan No. 9498/1.

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

Report - Executive Policy Committee - April 14, 2004

DECISION MAKING HISTORY:

Moved by His Worship Mayor Murray,
That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 14, 2004, the Executive Policy Committee concurred in the administrative recommendation and submitted the matter to Council.

Re: DAO 4/2003 – PROPOSED LANE CORNER WIDENING AT THE REAR OF NO. 779 ATLANTIC AVENUE

For submission to: Executive Policy Committee

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

Report date: March 15, 2004

Recommendation(s): **1.That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane widening in accordance with the attached Misc. Plan No. 9498/1.**

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 Planning, Property and Development Department has sold the vacant City-owned land adjacent to No. 779 Atlantic Avenue. The sale of the land was approved subject to the retention of a 3m x 3m area for the subject lane corner widening.

- It is now appropriate to register the documents that will dedicate the lane corner widening as a public right-of-way.

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 Financial Impact

REASON FOR THE REPORT:

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

HISTORY:

In 1995, the Real Estate Division of the Planning, Property and Development Department received an offer from the owner on No. 779 Atlantic Avenue to purchase the vacant City-owned land adjacent to her property. The sale of the land was approved subject to the retention of the 3m x 3m area for the subject lane corner widening illustrated on the attached Misc. Plan No. 9498/1.

The land has now been sold, and it is appropriate at this time to dedicate the lane corner widening as a public right-of-way.

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 Committee.

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

OPENINGS

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 Policy Committee on Fiscal Issues, the Standing Policy 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 corner 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 – Community Planner, Geomatics and Zoning & Permits Branches

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division

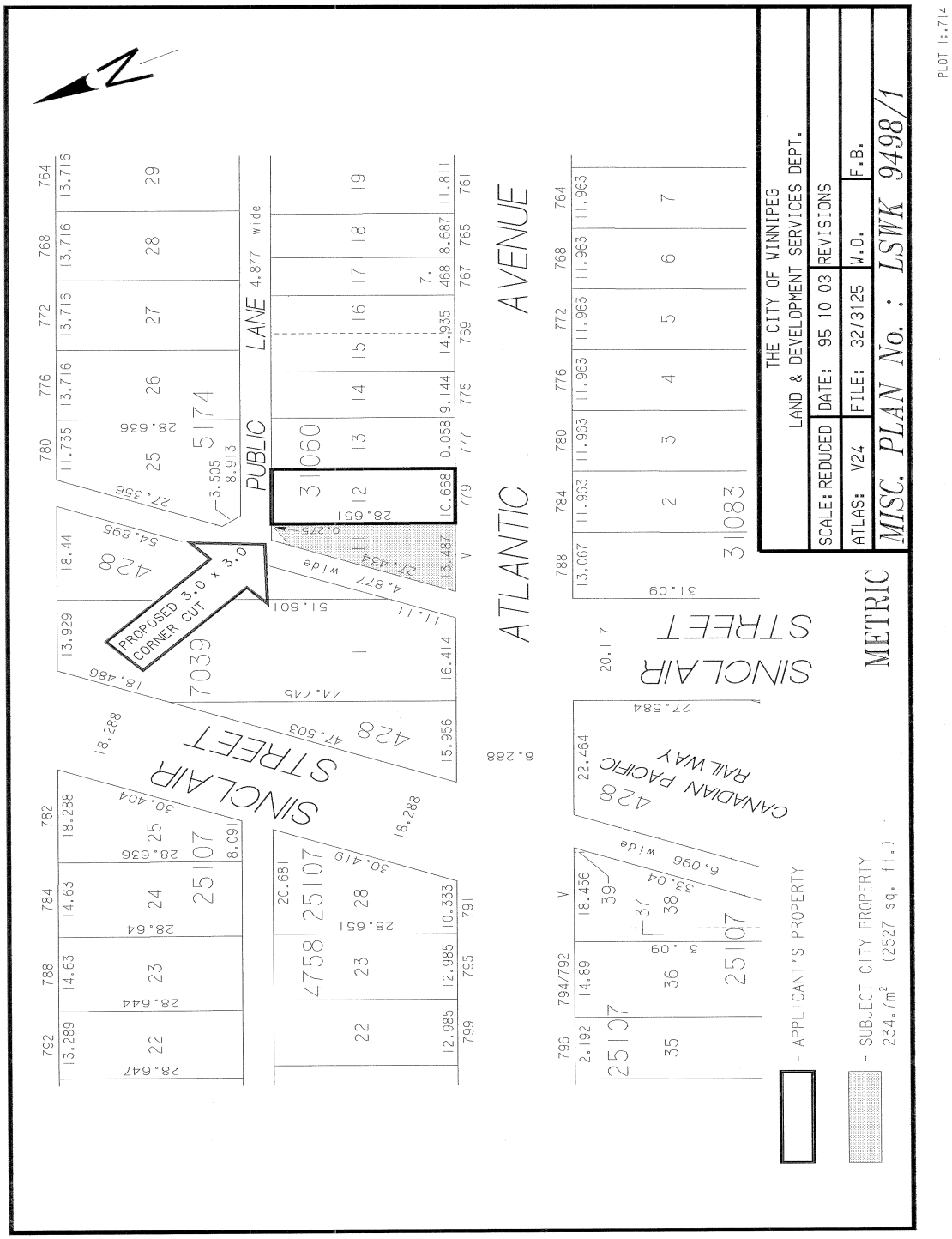
Water and Waste Department – Engineering Division

Centra Gas, Manitoba Hydro, MTS Communications, Shaw Cable

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division:Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD File #:32/3125

Document name: o:\reports directive\development and inspections\geomatics\dao4_03.doc


PROPOSED 3.0 x 3.0 CORNER CUT
PUBLIC LANE 4.877 wide
ATLANTIC AVENUE
SINCLAIR STREET
CANADIAN PACIFIC RAIL WAY
THE CITY OF WINNIPEG
LAND & DEVELOPMENT SERVICES DEPT.
SCALE: REDUCED
DATE: 95 10 03
REVISIONS
ATLAS: V24
FILE: 32/3125
W.O.
F.B.
METRIC
MISC. PLAN No. : LSWK 9498/1
- APPLICANT'S PROPERTY
- SUBJECT CITY PROPERTY
234.7m² (2527 sq. ft.)
PLOT 1:.714