Agenda - Executive Policy Committee - May 12, 2004

Report - Standing Policy Committee on Property and Development - April 27, 2004

Item No. 14 Closing - Promenade Brunet and the public walk west of Drake Boulevard
File DAC 6/2004

STANDING COMMITTEE RECOMMENDATION:

On April 27, 2004, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submits the following to Council:

1. That the proposed street and walkway closing as shown on Misc. Plan No. 12215 be approved and that the land be declared surplus to the City's needs.

2. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with Misc. Plan No. 12215.

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

Agenda - Executive Policy Committee - May 12, 2004

Report - Standing Policy Committee on Property and Development - April 27, 2004

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On April 27, 2004, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 20, 2004, 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 6/2004

Before: Riel Community Committee
Councillor Vandal, Chairperson
Councillor Angus
Councillor Vandal

Public Hearing: April 20, 2004
Community Committee Chamber, 219 Provencher Boulevard

Applicant: North Grassie Properties (John Wiebe)

Premises Affected: Promenade Brunet and the Public Walk west of Drake Boulevard

Exhibits Filed: 1. Report from the Real Property Officer dated April 16, 2004
2. Inspection Report

REPRESENTATIONS:

In Support:

Doug Henne

In Opposition:

Nil

For the City:

Kevin Lalor, Senior Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 6/2004

Re: DAC 6/2004 – PROPOSED CLOSING OF PROMENADE BRUNET AND THE PUBLIC WALK WEST OF DRAKE BOULEVARD FOR INCLUSION INTO DASZ 6/2003

For submission to: The Riel Community Committee

Report date: March 26, 2004

Recommendations:

1. That the proposed street and walkway closing as shown on Misc. Plan No. 12215 be approved and that the land be declared surplus to the City's needs.
2. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with Misc. Plan No. 12215.
3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REPORT SUMMARY

Key Issues:

The street and walkway are to be incorporated into DASZ 6/2003, an application to subdivide and rezone the adjacent lands approved by Council in July of 2003.
The area of the streets being opened by DASZ 6/2003 is greater than the area of the street and lane being closed. The closed street and walkway will be transferred to the Applicant for $1.00, in accordance with City policy.

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:

[ ] Within approved current and/or capital budget
[ ] Current and/or capital budget adjustment required

Comment(s):

All costs associated with this proposal will be borne by the Applicant. There are no financial implications for the City of Winnipeg.

REASON FOR THE REPORT:

All street and lane closings require the consideration of the Community Committee.

HISTORY:

On July 23, 2003, Council approved DASZ 6/2003, an application to subdivide and rezone the lands shown bordered on the attached Misc. Plan No. 12012. The application had previously been approved by the Committee on Property and Development on July 3, 2003 and the Riel Community Committee on June 17, 2003.

The subdivision changes the previous configuration of Promenade Brunet as approved under DASZ 16/94. In order to accomplish this, Promenade Brunet and the Public Walk west of Drake Boulevard, as shown on the attached Misc. Plan No. 12215, must be closed.
The Developer did not make an application to close the street and walk when he applied for the subdivision.

DISCUSSION:

Administrative Approval

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the closing.

Conveyance of Lands for $1.00

The area of the street and walk to be closed is less than the area of the streets being created by the subdivision. In accordance with City policy, the closed rights-of-way will be transferred to the Developer for $1.00.

Transfer of Jurisdiction Over Public Rights-of-Way

The street and walk 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.

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, 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 #:7871

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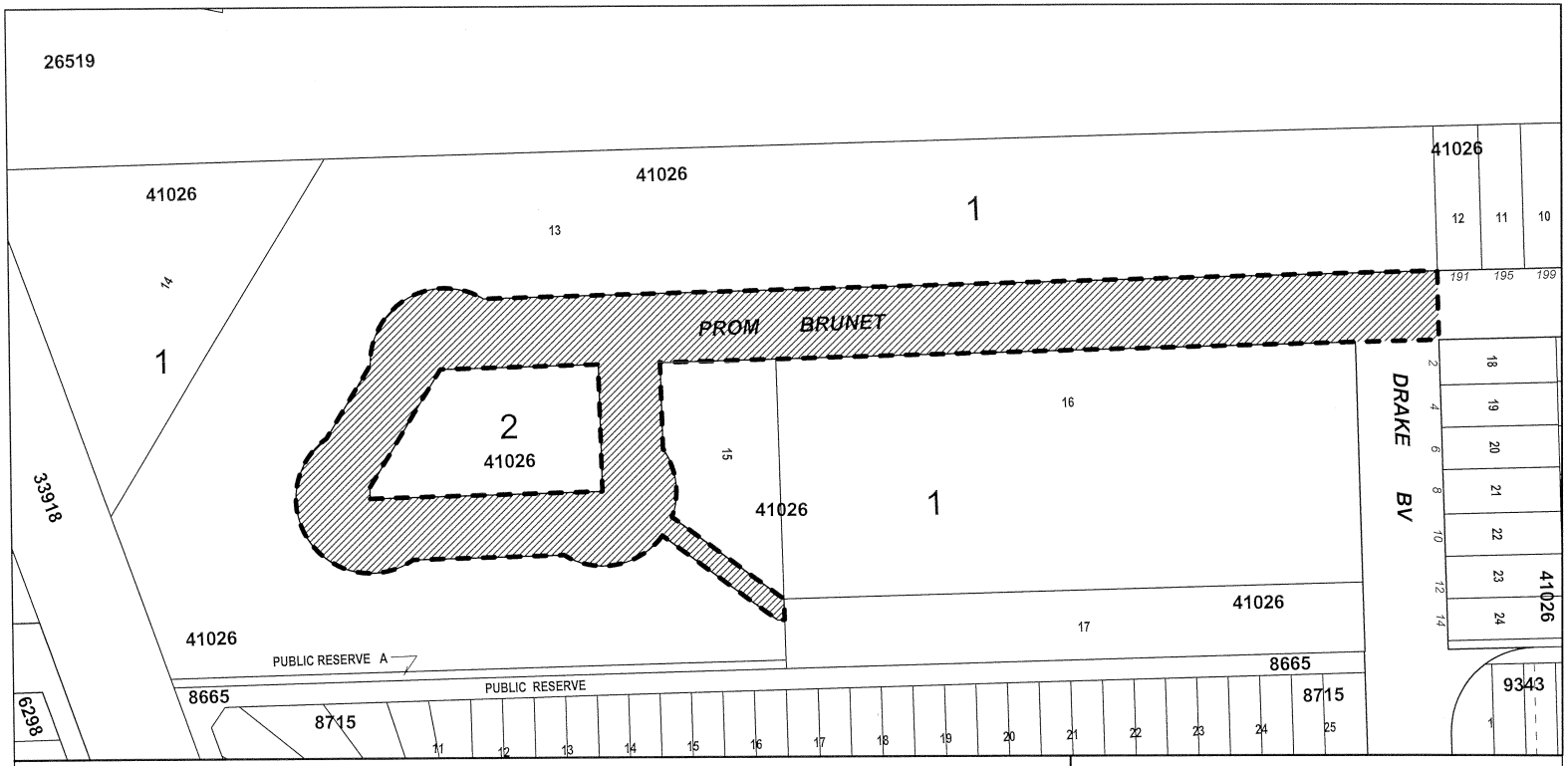

Date: 2004-MAR-24
District: RIEL
File: Not Available
Scale: 1:1400

METRIC

NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only.
No warranty is expressed or implied regarding the accuracy of such information.

N

Proposed Closing - part Promenade Brunet
Area: ±9899.8 m² (±106561 ft²)

CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES

MISC. PLAN NO. 12215