Agenda – Council – September 29, 2021

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 14, 2021

Item No. 14 Closing – Part of Zoe Lane, South of Van Slyk Way, and Rededication as Public Walkway
(Transcona Ward)
File DAC 3/2021

STANDING COMMITTEE RECOMMENDATION:

On September 21, 2021, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That subject to Recommendation 2, the proposed rededication and street closing as shown on Misc. Plan No. 15720 (attached as Appendix A) be approved and the land declared surplus to the City's needs.

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 proposed closing and rededication in accordance with Misc. Plan No. 15720.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 14, 2021

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 21, 2021, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 14, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 7, 2021, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

HEARING SUMMARY

File:	DAC 3/2021
Before:	East Kildonan-Transcona Community Committee Councillor Nason, Chairperson Councillor Browaty Councillor Schreyer
Public Hearing:	September 7, 2021 Council Building, 510 Main Street
Applicant:	The City of Winnipeg (Director of Planning, Property and Development)
Premises Affected:	Part of Zoe Lane, South of Van Slyk Way
For submission to:	The Standing Policy Committee on Property and Development, Heritage and Downtown Development
Prepared by:	T. Pomanski, Committee Clerk East Kildonan-Transcona Community Committee
Report date:	September 7, 2021

Community Committee Recommendation:

On September 7, 2021, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That subject to Recommendation 2, the proposed rededication and street closing as shown on Misc. Plan No. 15720 (attached as Appendix A) be approved and the land declared surplus to the City's needs.

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 proposed closing and rededication in accordance with Misc. Plan No. 15720.

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

Exhibits Filed:

1. Report from the Real Property Officer dated July 5, 2021
2. Inspection Report

REPRESENTATIONS:

In Support:

Nil

In Opposition:

Nil

For Information:

Craig Shaw
Pamela Shaw

For the City:

C. Gagnon, Real Property Officer, Planning, Property and Development Department
G. Doney, Senior Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 3/2021

ADMINISTRATIVE REPORT

Title: Proposed closing of part – Zoe Lane South of Van Slyk Way, and rededication as public walkway - File DAC 3/2021

Critical Path: East Kildonan-Transcona Community Committee - Standing Policy Committee on Property and Development, Heritage and Downtown Development - Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Robinson			

EXECUTIVE SUMMARY

The Real Estate Branch, on behalf of the Public Works Department has applied to close a portion of Zoe Lane south of Van Slyk Way. Once closed, the City intends to market the land as a buildable residential lot. The balance of the roadway will be legally rededicated as a public walkway for continued pedestrian traffic between Van Slyk Way and Fieldhouse Way.

Before the street may be sold and conveyed, it must be legally closed and declared surplus to the City's needs.

The Public Service recommends approval of the proposed rededication and closing.

RECOMMENDATIONS

1. That subject to Recommendation 2, the proposed rededication and street closing as shown on Misc. Plan No. 15720 (attached as Appendix A) be approved and the land declared surplus to the City's needs.

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 proposed closing and rededication in accordance with Misc. Plan No. 15720.

3. 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

Council approval is required for all closings and rededications of public rights-of-way.

As per Section 3(1)(i) of the City Organization By-law No. 7100/1997, only Council can declare City-owned property surplus.

IMPLICATIONS OF THE RECOMMENDATIONS

All costs associated with the street closing and the rededication are the responsibility of the Public Works Department and are within the approved current and/or capital budget. Sale proceeds will be credited to the Land Operating Reserve.

HISTORY/DISCUSSION

The Real Estate Branch, on behalf of the Public Works Department has applied to close a portion of Zoe Lane south of Van Slyk Way and to rededicate the balance as Public Walk, as shown on Misc. Plan No. 15720. Once closed, the City intends to market the land as a buildable residential lot. The balance of the roadway will be legally rededicated as a public walkway for continued pedestrian traffic between Van Slyk Way and Fieldhouse Way.

Council, at its meeting of December 13, 2017, adopted recommendations of the Standing Policy Committee on Property and Development, Heritage and Downtown Development for development application DASZ 10/2017, including the following recommendation:

- *The Developer and the City of Winnipeg shall do all things necessary, and as required, for the construction of a 1.5 m north-south sidewalk (and appropriate landscaping) extending from Van Slyk Way to the northernmost east-west public right of way in the proposed plan of subdivision. The sidewalk shall be constructed on either the east or west boundary of Zoe Lane and the City shall make application to legally close the remaining portion of Zoe Lane, south of Van Slyk Way.*

The sidewalk has been constructed within that portion of the roadway to be rededicated as a public walkway.

Zoe Lane was legally opened by Plan No. 49174 registered in the Winnipeg Land Titles Office on September 23, 2009 and Plan 65095 registered in the Office on July 3, 2019. Except for the newly constructed sidewalk (which is not shown in Appendix B) and the private approach from Van Slyk Way, the road is unimproved and serves no vehicular transportation purposes.

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

CONSULTATION

This Report has been prepared in consultation with:

Internal Consultation:

Fire Paramedic Services
Legal Services Department (as to legal issues)
Police Services
Public Works Department
Transit Department
Water and Waste Department
Ward Councillor

External Consultation:

Manitoba Hydro, Centra Gas, BellMTS, Bell Canada, Shaw Cablesystems, Rogers Communications, Telus Communications, TC Energy, Fibre.Ca Inc., Crown Pipeline Ltd., and Canadian National Railway Company have each confirmed that they have no objections to the proposal.

Imperial Oil, Exxon Mobil, Teraspan Networks, and the Canadian Pacific Railway Company did not respond to the request for comment on this application.

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

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

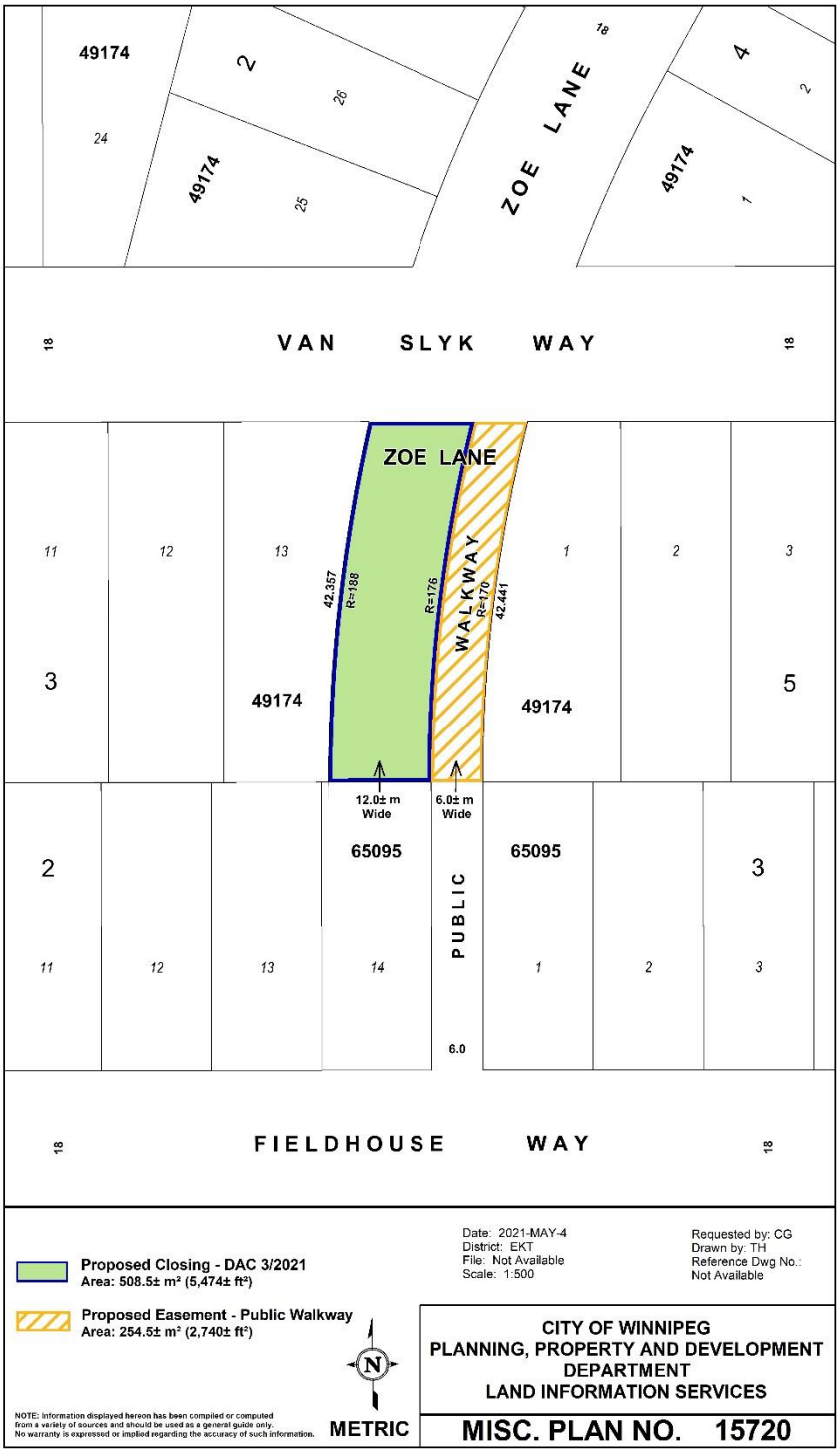
N/A

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Real Estate and Land Development
Prepared by: Catherine P. Gagnon
Date: July 5, 2021
File No.: DAC 3/2021

Attachments:
Appendix A: Miscellaneous Plan No. 15720
Appendix B: Aerial view of subject closing and rededication

APPENDIX A – MISCELLANEOUS PLAN 15720



APPENDIX B – AERIAL VIEW OF SUBJECT CLOSING AND REDEDICATION

