Minutes – Council – May 30, 2024

Minute No. 307
Report – Standing Policy Committee on Property and Development – May 9, 2024

Item No. 5 **Proposed Closing of the Youngstown Road and Ken Oblik Drive Roundabout for Incorporation into DASSF 512/2024 (Waverley West Ward) File DAC 1/2024**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the closing proposed under File No. DAC 1/2024 shown on Appendix B be approved and the affected land be declared surplus to the City's needs, subject to:

    A. the approval of the conveyance of the land by Council or its delegated authority; and

    B. the Purchaser (or assignee), fulfilling all obligations and conditions of approval outlined in Appendix A to this report.

2. That, upon instruction from the Director, the City Solicitor prepare and bring directly to Council for enactment a by-law to facilitate the Closing (the "By-law").

3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the By-law is not enacted within 2 years following the date on which this report is approved by Council, unless:

    A. The Purchaser (or assignee) applies for an extension of time before the expiration of the 2-year period; and

    B. Council approves the extension of time.

4. That the By-law will expire and this matter will be deemed to be concluded if the By-law is not registered at the Winnipeg Land Titles within 1 year following the date on which it is enacted by Council, unless:

    A. The Purchaser (or assignee) applies for an extension of time before the expiration of the 1-year period; and

    B. Council approves the extension of time.

Report – Standing Policy Committee on Property and Development – May 9, 2024

COUNCIL DECISION (continued):

5. 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 – May 9, 2024

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

Councillor Mayes was absent from the vote on the above motion.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 22, 2024, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 9, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 3, 2024, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

HEARING SUMMARY

File:	DAC 1/2024
Before:	Assiniboia Community Committee Councillor Dobson, Chairperson Councillor Duncan Councillor Lukes
Public Hearing:	May 3, 2024 Council Building, 510 Main Street
Applicant:	Ladco Company Limited
Premises Affected:	The Youngstown Road and Ken Oblik Drive roundabout
For submission to:	The Standing Policy Committee on Property and Development
Prepared by:	L. Cowan, Senior Committee Clerk Assiniboia Community Committee
Report date:	May 3, 2024

Community Committee Recommendation:

On May 3, 2024, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service, and recommended to the Standing Policy Committee on Property and Development:

1. That the closing proposed under File No. DAC 1/2024 shown on Appendix B be approved and the affected land be declared surplus to the City's needs, subject to:

    A. the approval of the conveyance of the land by Council or its delegated authority; and

    B. the Purchaser (or assignee), fulfilling all obligations and conditions of approval outlined in Appendix A to this report.

2. That, upon instruction from the Director, the City Solicitor prepare and bring directly to Council for enactment a by-law to facilitate the Closing (the "By-law").

3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the By-law is not enacted within 2 years following the date on which this report is approved by Council, unless:

A. The Purchaser (or assignee) applies for an extension of time before the expiration of the 2-year period; and

B. Council approves the extension of time.

4. That the By-law will expire and this matter will be deemed to be concluded if the By-law is not registered at the Winnipeg Land Titles within 1 year following the date on which it is enacted by Council, unless:

A. The Purchaser (or assignee) applies for an extension of time before the expiration of the 1-year period; and

B. Council approves the extension of time.

5. 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 April 2, 2024
2. Inspection Report

REPRESENTATIONS:

In Support:

Michael Carruthers
Sean Gallagher

In Opposition:

Nil

For Information:

Nil

For the City:

C. Gagnon, Real Property Officer, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 1/2024

ADMINISTRATIVE REPORT

Title: Proposed Closing of the Youngstown Road and Ken Oblik Drive roundabout for incorporation into DASSF 512/2024
File DAC 1/2024

Critical Path: Assiniboia Community Committee - Standing Policy Committee on Property and Development - Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	H. Borys		

EXECUTIVE SUMMARY

Ladco Company Limited (the Purchaser) has applied to close the Youngstown Road and Ken Oblik Drive roundabout as shown on attached Misc. Plan No. 15954/4 (Appendix B) and aerial (Appendix C). The road closing is being incorporated into the planned area for subdivision application No. DASSF 512/2024.

The Public Service recommends approval of the proposed closing. Before the road may be conveyed, it must be legally closed and declared surplus to the City's needs.

RECOMMENDATIONS

1. That the closing proposed under File No. DAC 1/2024 shown on Appendix B be approved and the affected land be declared surplus to the City's needs, subject to:

    A. the approval of the conveyance of the land by Council or its delegated authority; and

    B. the Purchaser (or assignee), fulfilling all obligations and conditions of approval outlined in Appendix A to this report.

2. That, upon instruction from the Director, the City Solicitor prepare and bring directly to Council for enactment a by-law to facilitate the Closing (the "By-law").

3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the By-law is not enacted within 2 years following the date on which this report is approved by Council, unless:

    A. The Purchaser (or assignee) applies for an extension of time before the expiration of the 2-year period; and

    B. Council approves the extension of time.

4. That the By-law will expire and this matter will be deemed to be concluded if the By-law is not registered at the Winnipeg Land Titles within 1 year following the date on which it is enacted by Council, unless:

   A. The Purchaser (or assignee) applies for an extension of time before the expiration of the 1-year period; and

   B. Council approves the extension of time.

5. 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

All street and lane closings must be considered by the Community Committee.

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

IMPLICATIONS OF THE RECOMMENDATIONS

All costs associated with the closing are the responsibility of the Purchaser. There are no financial implications for the City of Winnipeg. Sale proceeds will be credited to the Land Operating Reserve.

HISTORY/DISCUSSION

Ladco Company Limited (the Purchaser) has applied to close the Youngstown Road and Ken Oblik Drive roundabout shown as “Proposed Closing” on attached Misc. Plan No. 15954/4 (Appendix B) and aerial (Appendix C). The closing area land is being incorporated into the planned area for the subdivision application under File No. DASSF 512/2024 which will establish R1-M Residential Single Family–Medium, and RMF-M Residential Multi-Family Medium building lots. The Public Service recommends approval of the proposed closing.

The proposed closing area land will be conveyed to the Purchaser (or assignee) in accordance with this report and the provisions of the City’s Declaration as Surplus and Sale of Property Policy PD-026 adopted by Council September 29, 2021.

Manitoba Hydro, Centra Gas, BellMTS, Bell Canada, Rogers Communications, Imperial Oil, Flexnetworks, Fibre.Ca Inc., and Crown Pipeline Ltd., have all indicated that they have no concerns or objections. Teraspan Networks, Shaw Cablesystems, Rogers Communications, Telus Communications, Fibre.Ca Inc., and Crown Pipeline Ltd., TC Energy, Canadian National Railway Company and Canadian Pacific did not respond to the request for comment on this application.

Plan No. 58256 registered in the Winnipeg Land Titles Office on November 5, 2015 legally opened Youngstown Road and Ken Oblik Drive. The roads comprising the proposed closing areas are currently unimproved.

CONSULTATION

This Report has been prepared in consultation with:
Fire Paramedic Services
Legal Services Department (as to legal issues)
Police Services
Public Works Department
Transit Department
Water and Waste Department
Ward Councillor

OURWINNIPEG POLICY ALIGNMENT

Consideration was given as to whether this report connects to any of the goals, objectives or directions of OurWinnipeg Policy alignment. It was determined that the Policy is not applicable to this specific report and will need to be addressed by DASSF 512/2024.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to any of the Strategic Opportunities and Key Directions in the Climate Action Plan. It was determined that the Plan is not applicable to this specific report and will need to be addressed by DASSF 512/2024.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the Poverty Reduction Strategy (PRS), as well as the corresponding 2021-2023 Implementation Plan. It was determined that the Strategy is not applicable to this specific report and will need to be addressed by DASSF 512/2024.

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Real Estate and Land Development
Prepared by: Catherine P. Gagnon
Date: April 2, 2024
File No: DAC 1/2024

Attachments:
Appendix A - Administrative Comments
Appendix B - Miscellaneous Plan 15954/4
Appendix C - Aerial Diagram showing the proposed closing

APPENDIX A – ADMINISTRATIVE COMMENTS

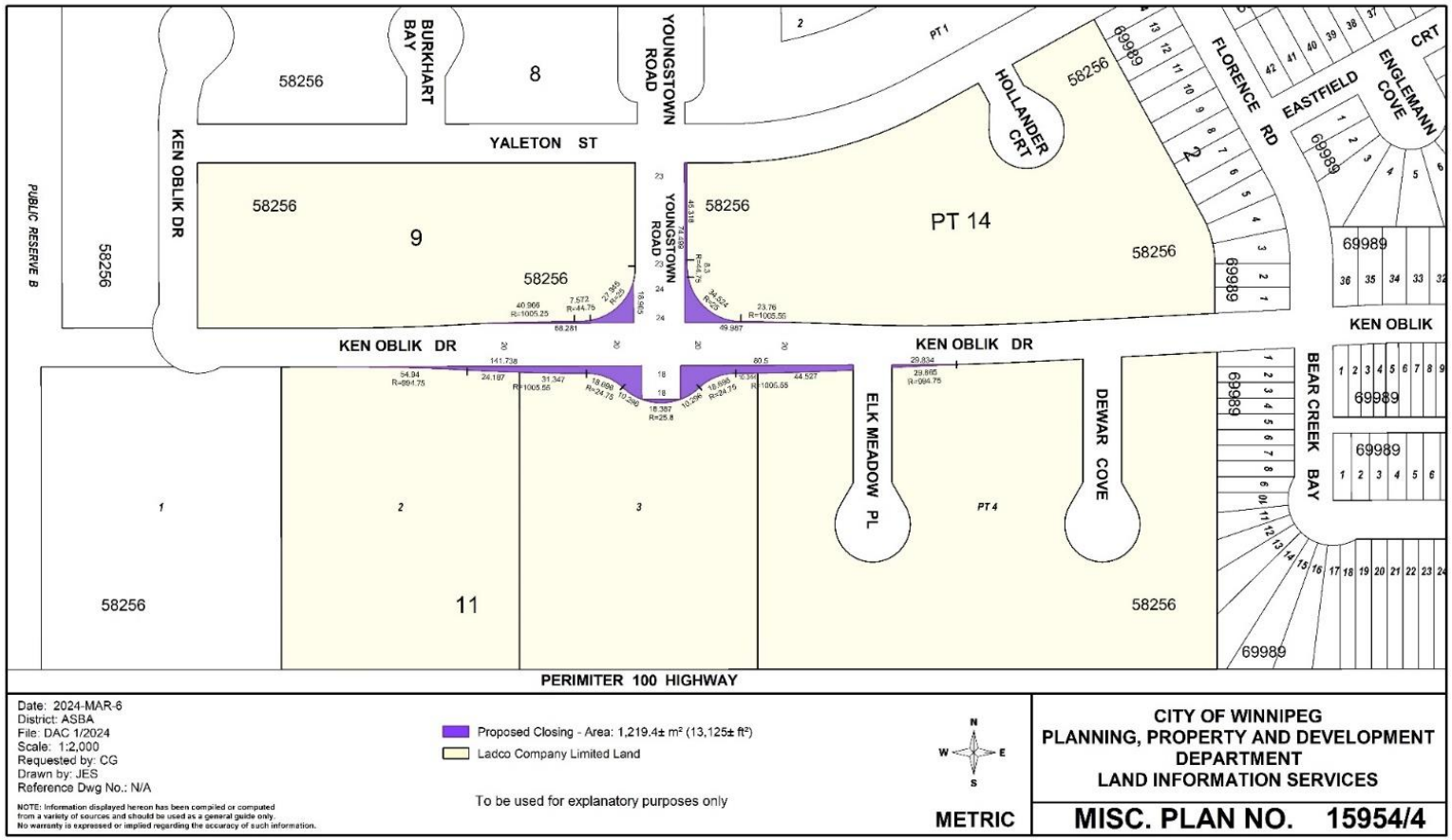
Geomatics and Land Information Services

- The proposed closing is subject to approval of associated DASSF 512/2024.

- The closing plan mylars, closing By-law and any associated documents are to be released along with the plan of subdivision mylars for DASSF 512/2024 and any associated documents and subsequently registered in series with and prior to the associated plan of subdivision.

- The applicant is responsible for all costs related to preparation of the necessary closing plan and any associated/necessary documents and registration of same at the Winnipeg Land Titles Office.

APPENDIX B – MISC. PLAN NO. 15954/4



APPENDIX C – AERIAL VIEW OF SUBJECT CLOSINGS

