Minutes – Council – May 2, 2025

Minute No. 260
Report – Standing Policy Committee on Property and Development – April 16, 2025

Item No. 5 Closing – Ken Oblik Drive West of Youngstown Road (Waverley West Ward) File DAC 4/2024 [c/r DASZ 4/2025]

COUNCIL DECISION:

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

1. That the street closing proposed under File No. DAC 4/2024 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 street 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 – April 16, 2025

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 – April 16, 2025

DECISION MAKING HISTORY:

Moved by Councillor Duncan,

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

Carried

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

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 22, 2025, 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 April 16, 2025, 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 April 7, 2025, 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 4/2024
Before:	Assiniboia Community Committee Councillor Dobson, Chairperson Councillor Lukes
Public Hearing:	April 7, 2025 Council Building, 510 Main Street
Applicant:	Ladco Company Limited (Sean Gallagher)
Premises Affected:	Ken Oblik Drive, west of Youngstown Road
For submission to:	The Standing Policy Committee on Property and Development
Prepared by:	L. Cowan, Senior Committee Clerk Assiniboia Community Committee
Report date:	April 7, 2025

Community Committee Recommendation:

On April 7, 2025, 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 street closing proposed under File No. DAC 4/2024 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 street 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 February 18, 2025
2. Inspection Report
3. Presentation dated April 7, 2025 from Sean Gallagher in support of the application

REPRESENTATIONS:

In Support:

Michael Carruthers
Sean Gallagher
Garret Ireland
Tyler Smith

In Opposition:

Nil

For Information:

Nil

For the City:

R. Galston, Urban Planner, Planning, Property and Development Department
Y. Haj Ahmad, Urban Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 4/2024

ADMINISTRATIVE REPORT

Title: Proposed Closing of Ken Oblik Drive, west of Youngstown Road, for incorporation into DASZ 4/2025 - File No. DAC 4/2024

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

AUTHORIZATION

Author	Department Head	CFO	CAO
G. Chappell (Acting)	H. Borys		

EXECUTIVE SUMMARY

Ladco Company Limited (the Purchaser) has applied to close the portion of Ken Oblik Drive as shown on attached Misc. Plan No. 16048 (Appendix B) and aerial diagram (Appendix C). The street closing is being incorporated into the subdivision and rezoning application under File No. DASZ 4/2025.

The Public Service recommends approval of the proposed street closing. Before the streets are conveyed, they must be legally closed and declared surplus to the City's needs.

RECOMMENDATIONS

1. That the street closing proposed under File No. DAC 4/2024 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 street 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.

Before the street is conveyed, it must be legally closed and declared surplus to the City's needs. Council approval is required for all street and lane closings.

IMPLICATIONS OF THE RECOMMENDATIONS

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

HISTORY/DISCUSSION

Ladco Company Limited (the Purchaser) has applied to close that portion of Ken Oblik Drive shown as "Proposed Closing" on attached Misc. Plan No. 16048 (Appendix B) and aerial diagram (Appendix C). The portion of street being closed will be incorporated into the planned area for the subdivision application under File No. DASZ 4/2025. The development will establish R1-S and R1-M Residential Single - Family Districts. The Public Service recommends approval of the proposed street closing.

The proposed street closing will be conveyed to the Purchaser 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. The shift/relocation of Ken Oblik Drive being done under DASZ 4/2025 requires that it is first closed and conveyed to the Developer. Based on Policy PD-026, the Purchaser will receive credit for road openings under DASZ 4/2025; more streets are intended to be opened than closed.

Manitoba Hydro, Centra Gas, BellMTS, Bell Canada, Rogers Communications and Flexnetworks have all indicated that they have no concerns or objections. Imperial Oil, Crown Pipeline Ltd., Teraspan Networks, Shaw Cablesystems, Telus Communications, Fibre.Ca Inc., Crown Pipeline Ltd., TC Energy, Canadian National Railway Company and Canadian Pacific did not respond to the request for comment on this application. The Public Service comments and/or conditions for approval of the proposed closing are detailed on Appendix A attached.

Plan No. 58256 registered in the Winnipeg Land Titles Office on November 5, 2015, legally opened Ken Oblik Drive. The portion of street proposed to be closed is currently unimproved and exists in a legal context only.

CONSULTATION

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

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 DASZ 4/2025.

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 DASZ 4/2025.

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 DASZ 4/2025.

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Real Estate and Land Development
Prepared by: Petr Komoly
Date: February 18, 2025
File No: DAC 4/2024

Attachments:

Appendix A - Administrative Comments
Appendix B - Miscellaneous Plan 16048
Appendix C - Aerial Diagram showing the proposed closing

APPENDIX A – ADMINISTRATIVE COMMENTS

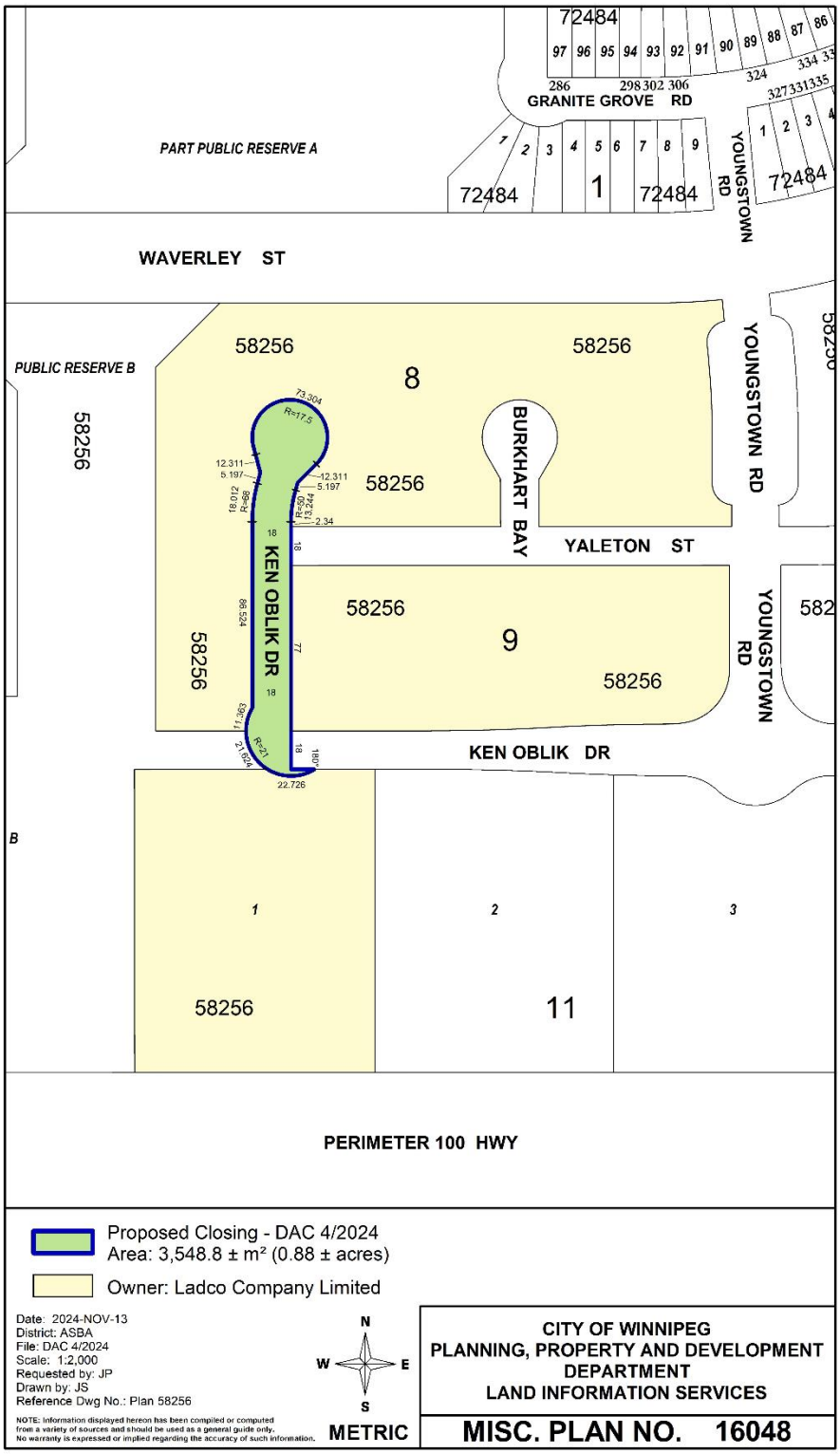
Geomatics and Land Information Services

- The proposed closing is subject to approval of associated DASZ 4/2025.

- The closing plan mylars, closing By-law and any associated documents are to be released along with the plan of subdivision mylars for DASZ 4/2025 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. 16048



APPENDIX C – AERIAL DIAGRAM OF SUBJECT CLOSING

