Minutes - Executive Policy Committee – January 19, 2005

Minute No. 115
Report - Standing Policy Committee on Property and Development - January 10, 2005

Item No. 1 Closing - part of Templeton Avenue east of Diplomat Drive
File DAC 22/2004

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submits the following to Council:

1. That the street closing shown on Misc. Plan No. 12432 be approved and the land 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. 12432.

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

Minutes - Executive Policy Committee – January 19, 2005

Report - Standing Policy Committee on Property and Development – January 10, 2005

DECISION MAKING HISTORY:

Moved by Councillor De Smedt,

That the recommendations of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On January 10, 2005, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On December 7, 2004, the Lord Selkirk-West Kildonan 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 22/2004
Before:	Lord Selkirk-West Kildonan Community Committee Councillor Lazarenko, Chairperson Councillor O'Shaughnessy Councillor Pagtakhan
Public Hearing:	December 7, 2004 West Committee Room, Council Building 510 Main Street
Applicant:	The City of Winnipeg Planning, Property and Development Department
Premises Affected:	part of Templeton Avenue, east of Diplomat Drive
Exhibits Filed:	1. Report from the Real Property Officer dated November 12, 2004 2. Inspection Report

REPRESENTATIONS:

In Support:

Nil

In Opposition:

Nil

Exhibit "1" referred to in File DAC 22/2004

RE: DAC 22/2004 – PROPOSED CLOSING OF PART OF TEMPLETON AVENUE EAST OF DIPLOMAT DRIVE FOR INCLUSION INTO DASZ 29/2004

For submission to:	**The Lord Selkirk-West Kildonan Community Committee**
Report date:	**November 12, 2004**
Recommendations:	**1. That the proposed street closing as shown on Misc. Plan No. 12432 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. 12432.** **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:

- On October 5th, 2004, The LSWK Community Committee directed the administration to undertake the proposed street closing to facilitate an exchange of lands as part of DASZ 29/2004, an application to subdivide and rezone the adjacent property approved by the Committee on November 2nd, 2004.

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 October 5th, the LSWK Community Committee considered DASZ 29/2004, an application to subdivide and rezone a parcel of land on the north side of Templeton Avenue east of Diplomat Drive. The Committee laid the matter over and instructed the administration to incorporate the property at 547 Templeton and the portion of Templeton Avenue shown as "Proposed Closing" into the subdivision. This will facilitate an exchange of lands between the applicant and the property owner at 547 Templeton. The reconfigured application was approved by the Committee on November 2nd.

DISCUSSION:

Administrative Approval

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

Transfer of Land for $1.00

The area of the streets being created by DASZ 29/2004 exceeds the area of the portion of Templeton Avenue proposed to be closed. In accordance with City policy, the street will be transferred to the applicant for DASZ 29/2004 for the nominal sum of $1.00.

Easements

Manitoba Hydro, MTS and Shaw Cable will require an easement for the maintenance of their plants in the closed street. No permanent structures will be allowed in the area.

Transfer of Jurisdiction Over Public Rights-of-Way

The street must be legally closed before it 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

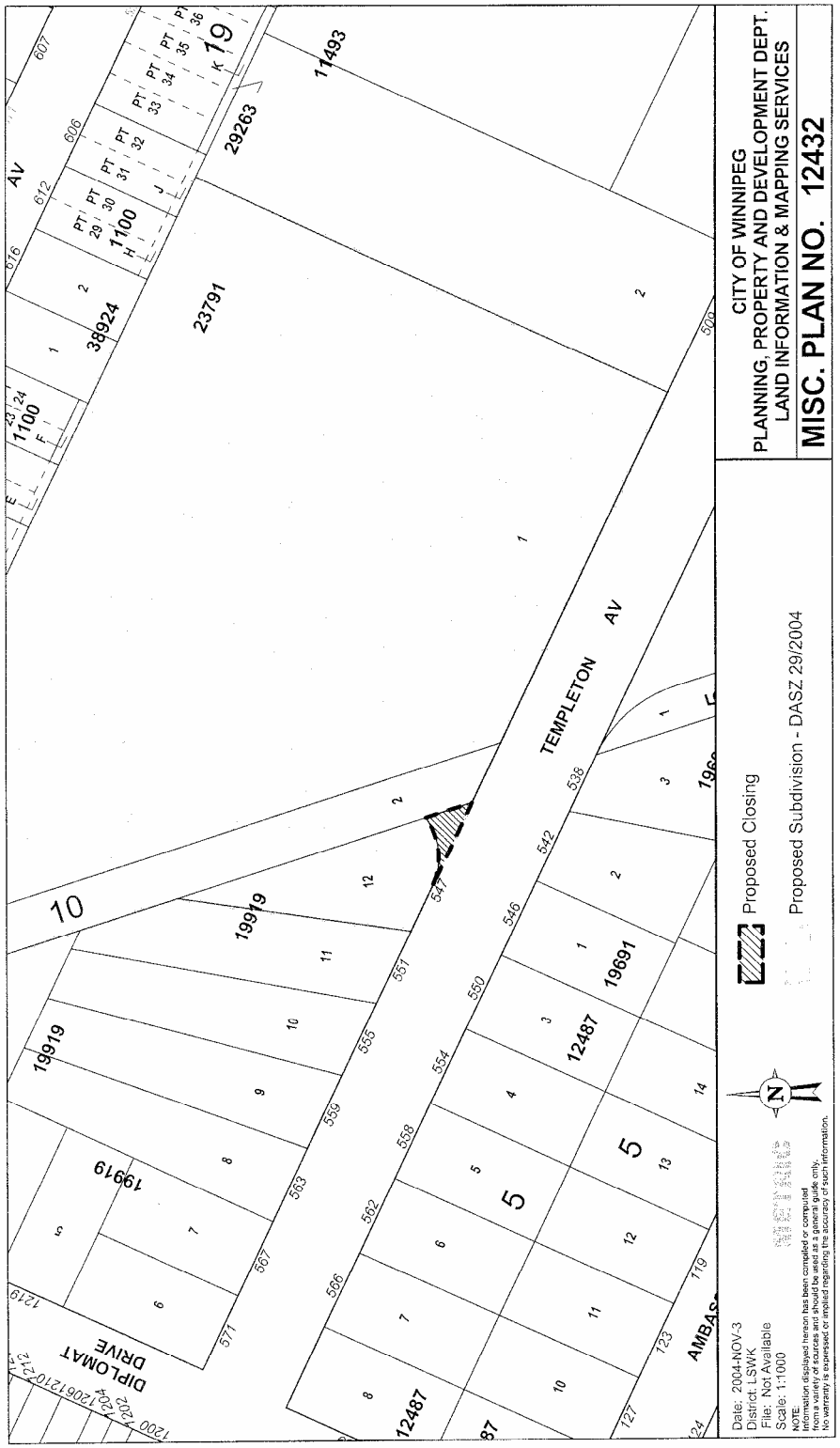
Water and Waste Department – Engineering Division

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 #: DAC 22/04

Document name: V:\word\DAOC\dac22_04RPT.doc


CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12432
Proposed Closing
Proposed Subdivision - DASZ 29/2004
Date: 2004-NOV-3
District: LSWK
File: Not Available
Scale: 1:1000
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.
TEMPLETON AV
DIPLOMAT DRIVE
AMBASSADOR
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