Minute No. 220
Report - Standing Policy Committee on Property and Development - February 1, 2005

Item No. 1 **Street Closing - parts of Fairfield Avenue at Barnes and Shore Streets and the public lane north of Fairfield Avenue between Barnes and Shore Streets**
File DAC 26/2004

COUNCIL DECISION:

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

1. That the street and lane closing outlined on Misc. Plan No. 12416/1 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. 12416/1, subject to the approval of the Standing Policy Committee on Property and Development of the terms and conditions of the conveyance of the land.

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 - February 1, 2005

DECISION MAKING HISTORY:

Moved by Councillor De Smedt,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 16, 2005, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 1, 2005, 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 January 17, 2005, 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 26/2004
Before:	Riel Community Committee Councillor Angus, Chairperson Councillor Magnifico Councillor Steeves
Public Hearing:	January 17, 2005 St. Norbert Community Centre, 3450 Pembina Highway
Applicant:	The City of Winnipeg
Premises Affected:	Parts of Fairfield Avenue at Barnes and Shore Streets and the public lane north of Fairfield between Barnes and Shore Streets
Exhibits Filed:	1. Report from the Real Property Officer dated December 20, 2004 2. Inspection Report

REPRESENTATIONS:

In Support:
Nil

In Opposition:
Nil

For the City:
Kevin Lalor, Senior Planner, Planning, Property and Development Department

Exhibit "1" referred to in File DAC 26/2004

RE: DAC 26/2004 – PROPOSED CLOSING OF PARTS OF FAIRFIELD AVENUE AT BARNES AND SHORE STREETS AND THE PUBLIC LANE NORTH OF FAIRFIELD BETWEEN BARNES AND SHORE

For submission to: **The Riel Community Committee**

Report date: **December 20, 2004**

Recommendations:

1. That the proposed street and lane closing as shown on Misc. Plan No. 12416/1 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. 12416/1, subject to the approval of the Standing Policy Committee on Property and Development of the terms and conditions of the conveyance of the land.

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 portions of the street and lane proposed to be closed serve no apparent public purpose.
- The Planning, Property and Development Department intends to incorporate the closed street and part of the lane into a subdivision of the adjoining City of Winnipeg lands. The balance of the closed lane will be offered for sale.

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:

X	**Within approved current and/or capital budget**
	Current and/or capital budget adjustment required

Comment(s):

-

REASON FOR THE REPORT:

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

HISTORY:

Fairfield Avenue and the public lane to the north were created in 1913 by the subdivision of the adjacent lands. Neither right-of-way is paved or serves any apparent public use.

The City of Winnipeg owns the lands in this block, and the Real Estate Division of the Planning, Property and Development Department intends to incorporate the streets and south half of the lane into a subdivision of these lands that will create 18 residential lots. The north half of the lane will be offered to the adjoining property owner, who also intends to intends to incorporate the land into a separate 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.

Transfer of Jurisdiction Over Public Rights-of-Way

The streets and lane must be legally closed before they may be incorporated into the subdivision or sold. 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 – Geomatics and Zoning & Permits Branches

Corporate Finance Department – Local Improvements

Public Works Department – Transportation Division, Traffic Signals

Water and Waste Department – Engineering Division

Manitoba Hydro

The Community Planner did not respond to the request for his comments on this proposal.

Centra Gas, MTS Communications and Shaw Cable did not respond to the request for information regarding relocation and/or easement requirements. It is assumed that they do not have any services in the area.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD File #: 8498

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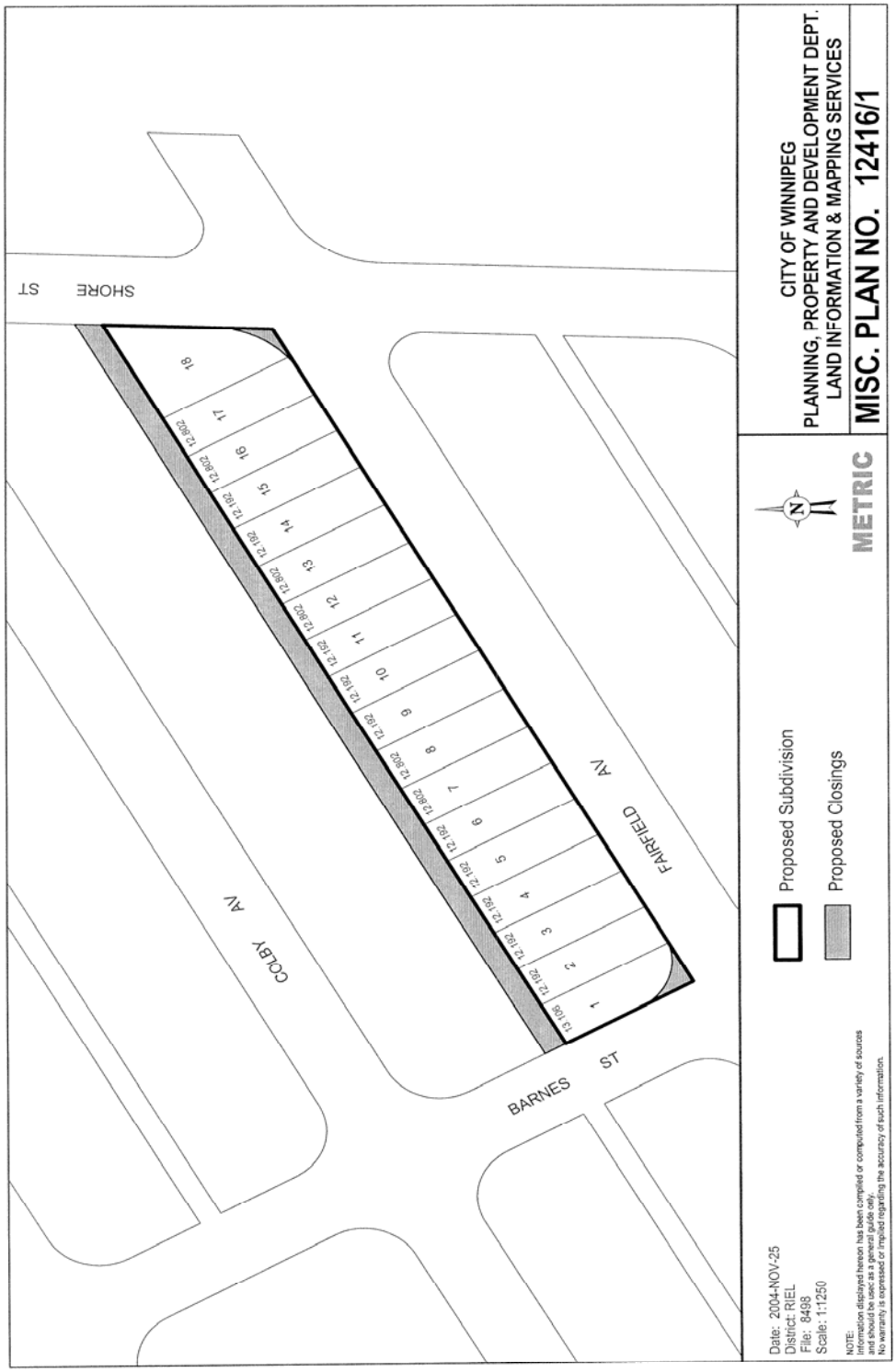
SHORE ST
COLBY AV
FAIRFIELD AV
BARNES ST
1 13.106
2 12.192
3 12.192
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7 12.802
8 12.802
9 12.192
10 12.192
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Proposed Subdivision
Proposed Closings
N
METRIC
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12416/1
Date: 2004-NOV-25
District: RIEL
File: 8498
Scale: 1:1250
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