Agenda - Council - March 23, 2005

Report - Standing Policy Committee on Property and Development - March 7, 2005

Item No. 6 Street Closing - Bourne and Morden Avenues and parts of Bessboro and Post Streets
File DAC 28/2004

STANDING COMMITTEE RECOMMENDATION:

On March 16, 2005, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee and submits the following to Council:

1. That the street closings shown on Misc. Plan No. 12479/1 be approved and the lands 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 closings in accordance with Misc. Plan No. 12479/1.

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 - March 7, 2005

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

STANDING COMMITTEE RECOMMENDATION:

On March 7, 2005, 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 February 22, 2005, the Assiniboia 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 28/2004
Before:	Assiniboia Community Committee Councillor De Smedt, Chairperson Councillor Clement Councillor Eadie
Public Hearing:	February 22, 2005 Community Committee Chamber 5006 Roblin Boulevard
Applicant:	Qualico Developments (Lyne Jones)
Premises Affected:	Bourne and Morden Avenues and parts of Bessboro and Post Streets
Exhibits Filed:	1. Report from the Real Property Officer dated February 10, 2005 2. Inspection Report

REPRESENTATIONS:

In Support:

Eric Vogan, Qualico Developments

In Opposition:

Nil

For Information:

Jim Sproule
Cory Sproule

For the City:

Nil

Exhibit "1 referred to in File DAC 28/2004

RE: DAC 28/2004 – PROPOSED CLOSING OF BOURNE AND MORDEN AVENUES AND PARTS OF BESSBORO AND POST STREETS

For submission to:	**The Assiniboia Community Committee**
Report date:	**February 10, 2005**
Recommendations:	**1. That the proposed street closings as shown on Misc. Plan No. 12479/1 be approved and that the lands 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 closings in accordance with Misc. Plan No. 12479/1.** **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 proposed closings are required to facilitate DASZ 44/2004, an application to subdivide and rezone the adjacent property approved by the Assiniboia Community Committee on January 18, 2005 and by the Standing Policy Committee on Property and Development on February 1, 2005.

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 January 18, 2005, the Assiniboia Community Committee considered DASZ 44/2004, an application to subdivide and rezone the lands shown bordered on the attached drawing and recommended that the subdivision application be approved.

On February 1, 2005, the Standing Policy Committee on Property and Development concurred in the recommendations of the Community Committee.

It is necessary to close Bessboro Street, Bourne Avenue and Morden Avenue as shown on the attached Misc. Plan No. 12479/1 for inclusion into the subdivision.

The portion of Bessboro Street between Morden Avenue and McGillivray Boulevard will be permanently closed. Access to the subdivision from McGillivray Boulevard will be via Columbia Drive and Scurfield Boulevard. The new street configurations are shown on the attached UMA drawing.

In accordance with the direction given by the Community Committee in its approval of the subdivision application (Recommendation 1. A. iv.), the portion of Post Street between Scurfield Boulevard and the east/west public lane to the north of Scurfield Boulevard that is not required for the 8.0m wide utility corridor needed to accommodate the underground services of the Water and Waste Department will also be closed.

In order to facilitate the registration of the documents related to the subdivision, the portion of Bessboro Street south of Morden Avenue will be closed and then re-opened by the plan of subdivision. At no time will this portion of Bessboro Street will be physically closed.

DISCUSSION:

<u>Administrative Approval</u>

The proposal has been considered by all affected City departments and public utilities.

Although a recent report from the City Administration (in consideration (DASZ 44/2004) recommended that Bessboro Street be fully extended to Scurfield in order to ensure the orderly development of the Whyte Ridge neighbourhood, the subject development was approved with the understanding that portions of Bessboro be closed.

Conveyance of Streets for $1.00

The area of the streets being created by the subdivision exceeds the area of the streets being closed. In accordance with City policy, the closed streets will be conveyed to the Developer for the nominal sum of $1.00.

Easements

Centra Gas and MTS will require easements for the maintenance of their plants with portions of the streets to be closed.

Transfer of Jurisdiction Over Public Rights-of-Way

The streets must be legally closed before they 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

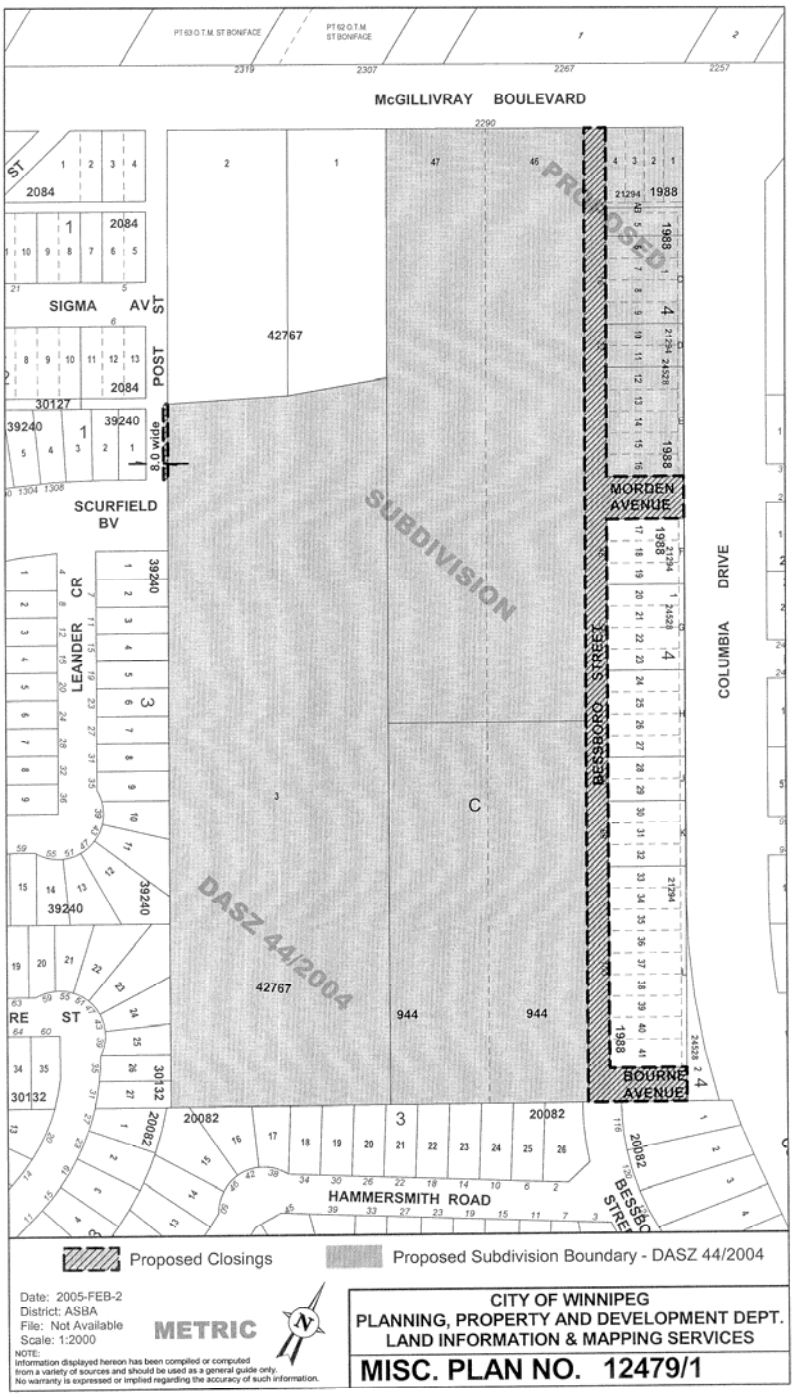
Water and Waste Department – Engineering Division

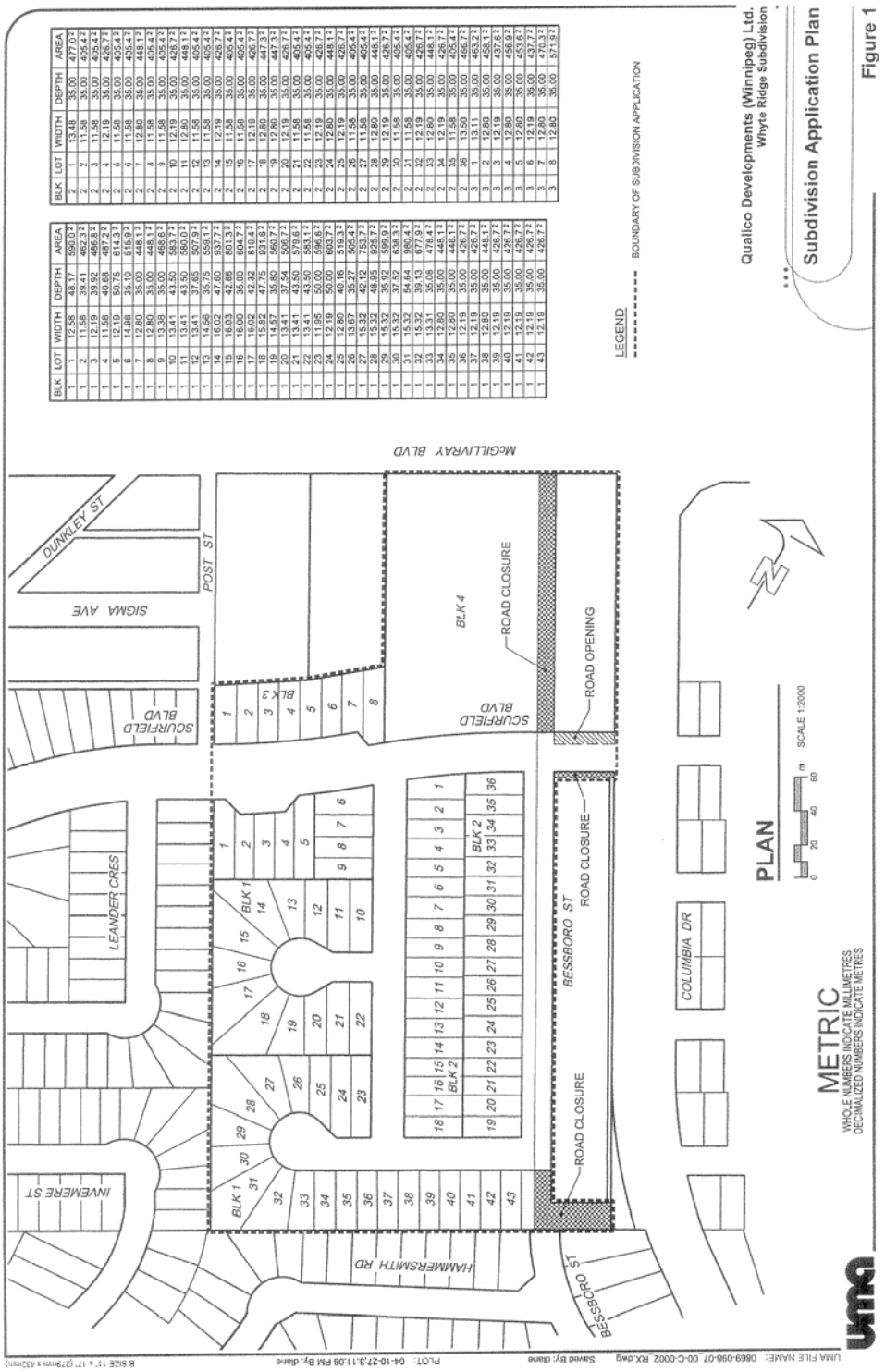
Centra Gas, MTS Communications

Manitoba Hydro and Shaw Cable did not respond to the request for their comments on this proposal.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Development and Inspections
Prepared by: Glenn Halldorson, Real Property Officer
PPD File #: DAC 28/04


McGILLIVRAY BOULEVARD
PROPOSED
SUBDIVISION
DASZ 44/2004
42767
944
944
SIGMA AV
SCURFIELD BV
LEANDER CR
RE ST
POST ST
MORDEN AVENUE
BOURNE AVENUE
COLUMBIA DRIVE
BESSBOROUGH STREET
HAMMERSMITH ROAD
Proposed Closings
Proposed Subdivision Boundary - DASZ 44/2004
Date: 2005-FEB-2
District: ASBA
File: Not Available
Scale: 1:2000
METRIC
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.
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12479/1



BLK	LOT	WIDTH	DEPTH	AREA
1	1	11.58	39.17	490.23
1	2	11.58	39.41	492.32
1	3	12.19	39.92	496.82
1	4	11.58	40.68	487.22
1	5	12.19	50.75	614.34
1	6	14.96	35.10	515.93
1	7	12.80	35.00	448.11
1	8	12.80	35.00	448.11
1	9	13.38	35.00	468.32
1	10	13.41	43.50	583.72
1	11	13.41	43.50	580.02
1	12	13.41	37.85	507.93
1	13	14.56	35.75	559.12
1	14	16.02	47.60	937.72
1	15	16.03	42.66	801.13
1	16	16.02	49.00	846.72
1	17	16.02	49.00	846.72
1	18	15.82	47.75	831.63
1	19	14.57	35.80	560.71
1	20	13.41	37.54	506.72
1	21	13.41	43.50	579.63
1	22	13.41	43.50	583.11
1	23	11.95	50.00	596.73
1	24	12.19	50.00	609.53
1	25	12.80	40.16	519.33
1	26	13.67	35.27	505.43
1	27	15.32	42.12	753.73
1	28	15.32	48.95	925.73
1	29	15.32	35.92	599.93
1	30	15.32	37.62	638.33
1	31	15.32	37.44	635.24
1	32	15.32	39.13	677.93
1	33	13.31	35.08	478.42
1	34	12.80	35.00	448.11
1	35	12.80	35.00	448.11
1	36	12.19	35.00	426.72
1	37	12.19	35.00	426.72
1	38	12.19	35.00	426.72
1	39	12.19	35.00	426.72
1	40	12.19	35.00	426.72
1	41	12.19	35.00	426.72
1	42	12.19	35.00	426.72
1	43	12.19	35.00	426.72

BLK	LOT	WIDTH	DEPTH	AREA
2	1	13.48	35.00	477.02
2	2	11.58	35.00	467.42
2	3	11.58	35.00	405.44
2	4	12.19	35.00	426.72
2	5	11.58	35.00	405.44
2	6	11.58	35.00	405.43
2	7	12.80	35.00	448.12
2	8	11.58	35.00	405.43
2	9	11.58	35.00	405.43
2	10	12.19	35.00	426.72
2	11	12.80	35.00	448.12
2	12	11.58	35.00	405.44
2	13	11.58	35.00	405.43
2	14	12.19	35.00	426.72
2	15	11.58	35.00	405.43
2	16	11.58	35.00	405.43
2	17	12.19	35.00	426.72
2	18	12.80	35.00	447.32
2	19	12.80	35.00	447.32
2	20	12.19	35.00	426.72
2	21	11.58	35.00	405.43
2	22	11.58	35.00	405.43
2	23	12.19	35.00	426.72
2	24	12.19	35.00	426.72
2	25	12.19	35.00	426.72
2	26	11.58	35.00	405.43
2	27	11.58	35.00	405.43
2	28	12.80	35.00	448.12
2	29	12.19	35.00	426.72
2	30	11.58	35.00	405.43
2	31	11.58	35.00	405.43
2	32	12.19	35.00	426.72
2	33	12.80	35.00	448.12
2	34	12.19	35.00	426.72
2	35	11.58	35.00	405.43
2	36	13.50	35.00	466.72
3	1	13.11	35.00	463.23
3	2	12.19	35.00	438.13
3	3	12.19	35.00	441.71
3	4	12.80	35.00	456.92
3	5	12.80	35.00	453.62
3	6	12.19	35.00	437.72
3	7	12.80	35.00	470.32
3	8	12.80	35.00	571.92